

TUESDAY, DECEMBER 19, 2006

A regular meeting of the Council of the City of Burbank was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:02 p.m. by Mr. Campbell, Mayor.

CLOSED SESSION

Present- - - - Council Members Gordon, Vander Borght, Ramos and Campbell.  
Absent - - - - Council Member Golonski.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

Oral Communications There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

6:02 P.M. Recess The Council recessed at this time to the City Hall Basement Lunch Room/Conference Room to hold a Closed Session on the following:

Conference with Legal Counsel – Anticipated Litigation:  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s): 1**

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:38 p.m. by Mr. Campbell, Mayor.

Invocation The invocation was given by Pastoral Intern Mary Raine, Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Richard Norton.

ROLL CALL

Present- - - - Council Members Gordon, Vander Borght, Ramos and Campbell.  
Absent - - - - Council Member Golonski.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

Holiday Decorating Contest Winners Mr. Campbell recognized the following Civic Pride Committee's Holiday Decoration Winners: Commercial Category - Samuel's Florist, 921 West Olive Avenue; and, Residential Category - Daniel and Aurora Garoian, 1075 East Harvard Road; Lorraine Lindblom, 511 North Lomita Street; Ed Pape, 1142 North Catalina Street; Mr. and Mrs. Richard Norton, 513 North Florence Street and Keith LaPrath, 529 North Florence Street.

Reporting on Dr. Gordon reported on attending the Environmental Oversight

12/19/06

Council Liaison Committees	Committee meeting with Mr. Campbell.  Mr. Campbell also reported on the Environmental Oversight Committee meeting.
406 Airport Authority Report	Commissioner Lombardo reported on the Airport Authority meeting of December 18, 2006. He stated that the Authority awarded a contract in the amount \$76,903 with a \$15,400 contingency for Project No. EO6-63 Terminal B Ceiling Rehabilitation Project; and, a contract in the amount of \$343,900 for Project No. EO6-44 regarding improvements to the Winona Avenue and Hollywood Way intersection.
Reporting on Closed Session	Mr. Barlow reported on the item considered by the City Council during the Closed Session meeting.
Initial Open Public Comment Period of Oral Communications	Mr. Campbell called for speakers for the initial open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment were: Gary Garrison, on the karaoke program at the Joslyn Adult Center; James Schad, requesting information on the carbon content of air in Burbank; Marva Lea Kornblatt, on the Whole Foods project, criteria in the Rancho Master Plan and subsequent Zone Text Amendment; Eden Rosen, on Charter Communications' lack of customer service; Stan Hyman, on the failure of Burbank to receive State Library Bond funds; and, Esther Espinoza, on the proposed Coast Daylight Intercity Amtrak Rail Service.
Staff Response	Members of the Council and staff responded to questions raised.
Agenda Item Oral Communications	Mr. Campbell called for speakers for the agenda item oral communications at this time.
Citizen Comment	Appearing to comment were: Paul Dyson, on the Coast Daylight Intercity Amtrak Rail Service; Arbi Ohanian, in support of the Armenian National Committee's request to host a candidate forum; Eden Rosen, on affordable housing demand and in support of the Los Angeles County Prehospital Emergency Medical Care Personnel Act grant; Stan Hyman, on the Community Services

Building Project; and, Esther Espinoza, on the Legal Services Agreement with Atkinson, Andelson, Loya, Rudd & Romo.

Staff Response	Members of the Council and staff responded to questions raised.
8:00 P.M. Recess	The Council recessed to permit the Redevelopment Agency Board to hold its meetings. The meeting reconvened at 8:05 p.m. with all members present except Mr. Golonski.
Item Postponed	The item regarding the "Annual Report of Financial Transactions of the Redevelopment Agency – Fiscal Year 2005-06" was postponed to a future Council date.
Motion	It was moved by Mr. Golonski and seconded by Mr. Vander Borgh that "the following items on the consent calendar be approved as recommended."
Minutes Approved	The minutes for the regular meetings of September 19, September 26 and October 3, 2006 were approved as submitted.
414 203-1 Appointment to the Vector Control District Board and the Community Development Goals Committee	<p>A report was received from the City Clerk's Office requesting the Council make an appointment to fill a four-year term for Burbank's representative to the Greater Los Angeles Vector Control District Board of Trustees ending January 1, 2011. In addition, the Council was requested to make appointments to fill two unexpired terms on the Community Development Goals Committee ending on June 1, 2008 and June 1, 2010. These unexpired terms were created due to the resignation of Committee Members Dwayne Healy and Rebecca Chamaa who relocated from the City.</p> <p>The report indicated that the City Clerk's Office began advertising and accepting applications for the above vacancies on November 6, 2006, and as of the December 6, 2006 deadline, the City Clerk's Office received: one application from the incumbent, Kristy Laird, for the Vector Control District Board vacancy; and, two applications from Shannon M. Stevenson-Landon and Mike Chapman for the Community Development Goals Committee vacancies.</p> <p>Staff recommended the Council appoint Kristy Laird to fill the four-year term on the Vector Control District Board of Trustees. Staff also recommended the Council appoint Shannon M. Stevenson-Landon and Mike Chapman to fill the two unexpired terms on the Community Development Goals Committee. As in the past, the City Clerk would toss a coin to determine which applicant gets the shorter or longer term.</p>

12/19/06

The Council appointed Kristy Laird to fill the four-year term for Burbank's representative to the Greater Los Angeles Vector Control District Board of Trustees ending January 1, 2011. The Council also appointed Shannon M. Stevenson-Landon and Mike Chapman to fill the two unexpired terms on the Community Development Goals Committee.

1502  
Expand  
Passenger Rail  
Service to San  
Francisco along  
Coast Rail  
Corridor

RESOLUTION NO. 27,385:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK IN SUPPORT FOR EXPANDED PASSENGER RAIL SERVICES TO CONNECT DOWNTOWN SAN FRANCISCO AND DOWNTOWN LOS ANGELES ALONG THE PACIFIC COAST RAIL CORRIDOR.

905-1  
801  
Cardiac Care  
Program  
Amend FY 2006-  
07 Budget

RESOLUTION NO. 27,386:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE CARDIAC CARE PROGRAM AGREEMENT BETWEEN THE CITY OF BURBANK AND COUNTY OF LOS ANGELES, ACCEPTING A PREHOSPITAL EMERGENCY MEDICAL CARE ACT GRANT FROM THE COUNTY OF LOS ANGELES, AND AMENDING THE FISCAL YEAR 2006-2007 BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$72,744 FOR EQUIPMENT UPGRADE.

1702  
First Amend to  
PSA-Swinterton  
Builders

RESOLUTION NO. 27,387:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND SWINERTON BUILDERS.

1004  
Special Health  
Care Serv Plan-  
Robert T. Dorris  
Employee Asst.  
Program

RESOLUTION NO. 27,388:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE SPECIALIZED HEALTH CARE SERVICE PLAN CONTRACT BETWEEN THE CITY OF BURBANK AND ROBERT T. DORRIS & ASSOCIATES INC. TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM.

1004  
Employer's  
Contribution  
Public Employee  
Medical Hospital  
Care Act

RESOLUTION NO. 27,389:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT.

213  
Legal Serv Agmt  
Atkinson,  
Andelson, Loya,  
Rudd & Romo  
(PERS)

RESOLUTION NO. 27,390:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
APPROVING THE LEGAL SERVICES AGREEMENT BETWEEN  
THE CITY OF BURBANK AND ATKINSON, ANDELSON, LOYA,  
RUDD & ROMO.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Gordon (except Resolution No. 27,387), Ramos, Vander Borght and Campbell.

Noes: Council Member Gordon (Resolution No. 27,387 only).

Absent: Council Member Golonski.

1503  
Renewable  
Energy and  
Efficiency  
Programs

Ms. Meyer, Marketing Manager, Burbank Water and Power, requested the Council approve the following energy-saving and renewable energy programs, and direct and authorize the General Manager to implement the programs, entering into any and all necessary agreements for that purpose:

Business Green Energy Program (or Environmental Champion Program), which will provide Burbank businesses and residents with a green energy program that allows them to select from three participation options;

Clean Green Support For Residents, which will modify the existing Clean Green Support to match the options and pricing methodology of the proposed business green energy program;

Conversion to a Plug-In Hybrid Electric Vehicle (PHEV), which will entail converting a Toyota Prius to a PHEV with a bid-process selected vendor;

Business Energy Education Program, which will create an energy education workshop program provided at no charge to Burbank businesses;

Solar Photovoltaic Workshops, which will provide education on solar energy to interested Burbank residents and businesses;

Energy Solutions Business Rebate Programs, which will revise the methodology for determining the rebate amount by focusing on energy-savings rather than project cost; and,

Ultra-Low Flush Toilet Rebate Program, which will dissolve the rebate element as ultra-low flush toilets are the State's standard plumbing requirement and instead focus on promoting and rebating High Efficiency Toilets which use less than 1.6 gallons of water.

Ms. Meyer reported that funds are available in the Public Benefits Budget to cover all recommended programs.

Motion It was moved by Mrs. Ramos and seconded by Mr. Vander Borgh that "the following resolution be passed and adopted

1503 RESOLUTION NO. 27,391:  
Renewable A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Energy and APPROVING AND AUTHORIZING IMPLEMENTATION OF NEW  
Efficiency AND REVISED RENEWABLE ENERGY AND EFFICIENCY  
Programs PROGRAMS OF BURBANK WATER AND POWER FOR FISCAL  
YEAR 2006-07.

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Gordon, Ramos, Vander Borgh and  
Campbell.  
Noes: Council Members None.  
Absent: Council Member Golonski.

204 Mr. McManus, Public Information Officer, presented a request  
Request from the from the Burbank Armenian National Committee (ANC) to host a  
Burbank ANC to Candidate Forum in the Council Chamber on Saturday, January  
host a Candidate 13, 2007, commencing at 10:00 a.m. He added that the ANC also  
Forum requested that the forum tape be edited by City staff and  
cablecast frequently on Channel 6.

Mr. McManus reported that on May 21, 1996, the Council adopted Resolution No. 24,741, which establishes policies regarding the use of City cable broadcast facilities for election candidate forums. Through adoption of the resolution, the Council expressed its belief that it would be in the public interest for the City to permit, at no cost recovery, access by qualified organizations to use City facilities for the purpose of broadcasting debates and forums provided that neutrality is maintained in how the program is conducted so as to ensure that public funds are utilized solely for public education and information. He further noted that the resolution in part stated that no organization which has endorsed or may endorse a candidate for office or has taken

a position or may take a position on the merits of any City of Burbank ballot proposition shall be entitled to sponsor a program.

He stated that the Burbank ANC has endorsed candidates for the Council in the past.

Mr. McManus informed the Council that a written copy of Resolution No. 24,741 was provided to the Chair of the Burbank ANC on December 13, 2006. He also noted that the Council has already authorized a Candidate Forum, sponsored by the League of Women Voters of Glendale/Burbank, for Thursday, January 25, 2007.

Mrs. Ramos, Mr. Vander Borgh and Mr. Campbell recognized the efforts of the Burbank ANC as a community organization but noted that the ANC has endorsed them in past elections. They stated that they were not comfortable with supporting the request at this time as it did not meet the criteria set forth in the resolution but suggested that the resolution's criteria pertaining to organizations which have endorsed or may endorse candidates in local elections be revised at a future date.

Dr. Gordon commended the ANC for the request and noted that the organization has indicated they will not be endorsing candidates, and has also provided the option of another organization conducting the forum if the Council permits.

Motion It was moved by Mrs. Ramos, seconded by Mr. Vander Borgh and carried with Mr. Golonski absent "to agendaize the revision of Resolution No. 24,741."

Ordinance Submitted It was moved by Mrs. Ramos and seconded by Mr. Vander Borgh that "Ordinance No. 3713 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

206 ORDINANCE NO. 3713:  
901 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK  
Animal AMENDING SECTION 6-502 OF THE BURBANK MUNICIPAL  
Registration CODE RELATING TO THE RENEWAL OF ANIMAL  
Renewal REGISTRATION.

Ordinance Adopted The ordinance was adopted by the following vote:

Ayes: Council Members Gordon, Ramos, Vander Borgh and Campbell.

12/19/06

Noes: Council Members None.  
Absent: Council Member Golonski.

9:09 P.M.  
Reconvene  
Agency

The Redevelopment Agency meeting was reconvened at this time for public comment.

Final Open  
Public Comment  
Period of Oral  
Communications

There was no response to the Mayor's invitation for speakers for the final open public comment period of oral communications at this time.

9:10 P.M.  
Memorial  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 9:10 p.m. in memory of Madeline M. DeVore.

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Margarita Campos, CMC  
City Clerk

APPROVED MARCH 6, 2007

Mayor of the Council  
of the City of Burbank