



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, MARCH 6, 2007  
5:00 P.M.

**CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE**

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

**CLOSED SESSION ORAL COMMUNICATIONS IN COUNCIL CHAMBER:**

Comments by the public on Closed Session items only. These comments will be limited to **three** minutes.

For this segment, a **PINK** card must be completed and presented to the City Clerk.

a. **Conference with Legal Counsel – Existing Litigation:**

1. Pursuant to Govt. Code §54956.9(a)

**Name of Case:** In the Matter of the Application of the Burbank-Glendale-Pasadena Airport Authority.

**Case No.:** OAH No. L2001-110412

**Brief description and nature of case:** Application of Burbank-Glendale-Pasadena Airport Authority made to Department of Transportation, State of California for Noise Variance.

2. Pursuant to Govt. Code §54956.9(a)

**Name of Case:** City of Burbank v. City of Los Angeles; and, City Council of the City of Los Angeles.

**Case No.:** BS106498

**Brief description and nature of case:** Glendale-Burbank Interceptor Sewer (GBIS).

b. **Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):**

Pursuant to Govt. Code §54956.9(b)(1)

**Number of potential case(s):** 2

When the Council reconvenes in open session, the Council may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions concerning these matters.

**6:30 P.M.**

INVOCATION:

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The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

PROCLAMATION:        ARBOR DAY.

PROCLAMATION:        INTERNATIONAL WOMEN'S DAY AND ZONTA ROSE DAY.

RECOGNITION:        NATIONAL MANAGEMENT ASSOCIATION – BURBANK  
CHAPTER 35<sup>TH</sup> ANNIVERSARY.

PRESENTATION:        4<sup>TH</sup> ANNUAL STUDENT DESIGN COMPETITION.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

At the request of the Burbank representatives to the Airport Authority, an oral report will be made to the City Council following each meeting of the Authority.

The main focus of this report will be issues which were on the Airport Authority meeting agenda of February 5, February 20 and March 5, 2007. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

6:30 P.M. PUBLIC HEARING:

2. RESOLUTION ORDERING THE ABATEMENT OF NUISANCES AS CONTEMPLATED BY RESOLUTION NO. 27,420:

Staff is requesting Council approval of a resolution: ordering the abatement of nuisances caused by weeds and debris on private properties; authorizing an assessment for cost reimbursement to the County of Los Angeles (County); and, giving notice for subsequent weed and debris abatement if required. The purpose of the annual weed abatement program is to remove the nuisances created on various private properties by weeds, rubbish, refuse and brush. These nuisances include potential fire hazards and a haven for rodents and vectors.

On February 13, 2007, the Council adopted Resolution No. 27,420, which declared weeds and debris on private properties a nuisance and requiring abatement. Written notice of the March 6, 2007, public hearing was mailed to each property owner declared in the resolution notifying them of the time and place for appeal.

The owners of the privately-owned properties may complete the abatement themselves or have the County Weed Abatement Division clear their property. If the property is cleared by the County, the owner's Property Tax bill will be assessed for reimbursement for the cost incurred.

The County cleans private property of weeds and debris. The County keeps track of these charges and is reimbursed through the Property Tax bill as a lien against the property. For this program there is no cost impact to the City General Fund or the Redevelopment Agency budget other than incidental administrative costs.

Recommendation:

Adoption of proposed resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE ABATEMENT OF NUISANCES IN THE CITY OF BURBANK, AS CONTEMPLATED BY COUNCIL RESOLUTION NO. 27,420.

REPORTING ON CLOSED SESSION:

**INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:** (Two minutes on any matter concerning City Business.)

There are four segments of Oral Communications during the Council Meeting. The first precedes the Closed Session items, the second and third segments precede the main part of the City Council's business (but follow announcements and public hearings), and the fourth is at the end of the meeting following all other City business.

**Closed Session Oral Communications.** During this period of oral communications, the public may comment only on items listed on the Closed Session Agenda(s). A **PINK** card

must be completed and presented to the City Clerk. Comments will be limited to **three** minutes.

**Initial Open Public Comment Period of Oral Communications.** During this period of Oral Communications, the public may comment on any matter concerning City Business. A **BLUE** card must be completed and presented to the City Clerk. NOTE: Any person speaking during this segment may not speak during the third period of Oral Communications. Comments will be limited to **two** minutes.

**Agenda Item Oral Communications.** This segment of Oral Communications immediately follows the first period, but is limited to comments on action items on the agenda for this meeting. For this segment, a **YELLOW** card must be completed and presented to the City Clerk. Comments will be limited to **four** minutes.

**Final Open Public Comment Period of Oral Communications.** This segment of oral communications follows the conclusion of agenda items at the end of the meeting. The public may comment at this time on any matter concerning City Business. NOTE: Any member of the public speaking at the Initial Open Public Comment Period of Oral Communications may not speak during this segment. For this segment, a **GREEN** card must be completed and presented to the City Clerk. Comments will be limited to **two** minutes.

**City Business.** City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under City Council jurisdiction, they are not City business and may not be discussed during Oral Communications.

**Videotapes/Audiotapes.** Videotapes or audiotapes may be presented by any member of the public at any period of Oral Communications or at any public hearing. Such tapes may not exceed the time limit of the applicable Oral Communications period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the period of oral communication the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Oral Communications, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

**Disruptive Conduct.** The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO THE OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

**AGENDA ITEM ORAL COMMUNICATIONS:** (Four minutes on Action Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PARKING AUTHORITY AND YOUTH ENDOWMENT SERVICES FUND BOARD:

3. DECEMBER 2006 QUARTER END INVESTMENT REPORT AND 2007 INVESTMENT POLICY:

The 2007 Investment Policy for the Investment Pool comprised of the City, Redevelopment Agency, Parking Authority, Youth Endowment Services and separately for the Housing Authority is being presented for approval.

The recommended changes are:

1) Page 2 (II) Investment Philosophy to incorporate the new language that the State of California revised in California Government Code Section 53600.3;

2) Page 3 (III Objectives, Sec B, Liquidity) Increasing the liquidity needed monthly from \$61 million to \$69 million calculated as eight weeks of annual appropriations less purchased power. Also increase the maximum allowed to invest between five years to ten year maturities from \$10 million to five percent of the portfolio;

3) Page 6 (VI Authorized Investments, Sec F, Commercial Paper) Decrease from 10 percent to two percent of the pool may be invested in commercial paper issued by any one corporation;

4) Page 6 (VI Authorized Investments, Sec H, Medium-Term Notes) Change from the rating to be by a nationally-recognized rating service to rated by two of the three major nationally-recognized rating services. Decrease from 10 percent to five percent the amount of the pool that may be invested in notes issued by one corporation;

5) Page 8 (IX Qualified Dealers and Institutions) Added “and qualified regional dealers” to the language for clarification;

6) Page 15 (Exhibit A) List of Qualified Brokers...Change Jason Hamblen to Countrywide Securities, and add Joe Alan Sexton, First Tennessee, and Don Collins, Brookstreet Securities; and,

7) Page 16 (Exhibit B) Commercial Paper changed to 25 percent Legal Limit and the first and last lines under other constraints. These changes are governed by the State of California Statutes applicable to Municipal investments.

Recommendation:

Staff recommends the Council approve the December 2006 Quarter End Investment Report and 2007 Investment Policy.

RECESS for the Redevelopment Agency, Housing Authority and Youth Endowment Services Fund Board meetings.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 4 through 9)

The following items may be enacted by one motion. There will be no separate discussion on these items unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A **roll call** vote is required for the consent calendar.

4. MINUTES:

Approval of minutes for the regular meetings of October 31, November 14, November 21, November 28, December 5, December 12, December 19, December 26, 2006 and January 2, 2007.

Recommendation:

Approve as submitted.

5. RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT TO ASSIST IN THE FUNDING FOR THE CONSTRUCTION OF A CNG TIME-FILL STATION:

Staff is requesting Council approval of a resolution authorizing the City Manager to execute a grant agreement with the South Coast Air Quality Management District (AQMD) Clean Transportation Funding from the Mobile Source Air Pollution Reduction Review Committee (MSRC). As part of the Fiscal Year (FY) 2005-06 Budget, the Council appropriated \$400,000 for the design and construction of a time-fill Compressed Natural Gas (CNG) fueling station at the City Corporate Yard (Yard) located at 124 South Lake Street. This station will allow the City refuse trucks to fuel overnight at the Yard, rather than at the busy City-owned public access facility. Due to an increase in anticipated construction costs, the Council appropriated an additional \$175,000 as part of the FY 2006-07 Budget.

In January 2006, staff applied for grant funding in the amount of \$287,700 from the MSRC as part of a local government match program. The grant application was approved by the AQMD Governing Board on March 3, 2006.

On September 12, 2006, staff recommended the Council accept the \$287,700 in grant funds from AQMD/MSRC and requested an additional appropriation in the amount of \$403,912 to complete the funding package for the construction of a time-fill CNG station at the Yard. The Council did not approve the request and asked staff to conduct a cost/benefit analysis comparing the development options for a public fast-fill CNG fueling station and various types of time-fill fueling facilities.

The cost/benefit analysis is almost complete and staff will return to the Council with a report in the near future. However, it is necessary to execute the grant contract now in order to secure the funds. The City will have six months from the date of contract execution to award a construction contract for the station.

The MSRC grant is payable after the construction of a time-fill CNG station is completed. In the event that the Council decides to construct a public fast-fill CNG fueling facility after hearing the results of the cost/benefit analysis, the MSRC grant contract would need to be terminated, as the City would no longer be eligible for the grant funds. The City would not suffer any penalty from the granting agency for terminating the contract.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND TO ASSIST IN THE FUNDING OF CONSTRUCTION OF A TIME-FILL FUELING STATION.

6. AUTHORIZING THE GENERAL MANAGER OF BURBANK WATER AND POWER TO NEGOTIATE PRICE, TERMS AND CONDITIONS OF A DESIGN-BUILD AGREEMENT WITH ICON WEST, INC. FOR THE TENANT IMPROVEMENTS TO THE LIGHT FLEET BUILDING:

Staff seeks Council approval to authorize Burbank Water and Power (BWP) to negotiate and enter into a contract with Icon West, Inc. (Icon West) at or below \$740,000 to make certain tenant improvements to the former Light Fleet Building within the BWP Campus.

The tenant improvements are on the critical path of a wider BWP Campus improvement effort. BWP has an ongoing capital improvement program for its BWP Campus, located between Magnolia Boulevard and Olive Avenue, and between Lake Street and the Western Flood Control Channel. Along with improving security, parking, traffic circulation and workflows, BWP plans to upgrade substandard service facilities into a modern service center.

Of immediate concern are the deteriorating, 16-year-old modular buildings that house the Communications Section, which oversees the City's radio and phone systems. BWP plans to relocate the Communications Section to a renovated building on the Olive Avenue side of the Campus by July 2007. The old modular buildings lie within the future site of the Replacement Warehouse/Service Center, a critical Campus improvement scheduled for completion in July 2008. Relocating the Communications Section by July 2007 enables work on the Replacement Service Center/Warehouse to begin in a timely fashion.

Icon West is therefore in an excellent position to take on this additional tenant improvement work. BWP selected Icon West after a very competitive bid for the job of renovating BWP's Main Administration Building. Icon West has been doing an excellent job with one of the most challenging phases of the BWP Administration Building renovation, the reworking of the basement level. The tenant improvements to the Light Fleet Building would be considerably simpler by creating office and working spaces for maintaining phone and radio systems, as well as installing mobile radios in various vehicles, including police cars and fire engines. Moreover, the tenant improvements are straightforward, modest in scope, and interfere minimally with BWP operations.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE GENERAL MANAGER OF BURBANK WATER AND POWER TO NEGOTIATE PRICE, TERMS AND CONDITIONS OF A CONSTRUCTION AGREEMENT WITH ICON WEST, INC, FOR TENANT IMPROVEMENTS TO THE LIGHT FLEET BUILDING IN AN AMOUNT NOT-TO-EXCEED \$740,000, AND FURTHER AUTHORIZING EXECUTION OF SAID AGREEMENT.



7. ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE BURBANK WATER RECLAMATION PLANT EQUALIZATION BASIN PROJECT:

On January 9, 2007, the Council awarded a contract to Pacific Hydrotech Corporation for Package A of the Burbank Water Reclamation Plant Equalization Basin Project (Project). Inadvertently, the resolution prepared for the item (Resolution No. 27,396) did not include a provision for adoption of the Mitigated Negative Declaration (MND) even though the staff report mentioned the MND and requested that the Council adopt it. This item requests Council approval of a resolution adopting the MND.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A MITIGATED NEGATIVE DECLARATION (BURBANK WATER RECLAMATION PLANT EQUALIZATION BASIN PROJECT).

8. ESTABLISHMENT OF THE TITLE, SPECIFICATION AND SALARY FOR THE CLASSIFICATION OF COMMUNICATIONS TECHNICIAN AIDE:

Staff is requesting Council approval of a resolution establishing the title, specification and salary for the classification of Communications Technician Aide (CTC No. 0207). The Communications Section at Burbank Water and Power (BWP) is managed by the Communications Technician Supervisor. Within this Section, the classifications of Communications Technician and Senior Communications Technician are intended to perform specialized, high level, complex and technical communications work. Currently, these positions are often pulled away from these duties to perform lower level technical work, including minor repairs and troubleshooting for telephone and radio systems. BWP is proposing to create the classification of Communications Technician Aide to work under the supervision of the Communications Technician Supervisor. This new position is designed to address ongoing, lower level technical work, allowing the higher level positions to stay focused on the more advanced level work. The establishment of the classification of Communications Technician Aide will enable the Communications Technician Supervisor to better manage the work of the Communications Section.

This classification will be a Civil Service position and subject to the Fair Labor Standards Act. This position will not be included in the City's Conflict of Interest Code. The International Brotherhood of Electrical Workers (IBEW) will represent this classification and the IBEW has been advised of this establishment. The General Manager – BWP concurs with the establishment of this classification. The Civil Service Board approved this establishment at its regular meeting on February 8, 2007.

The proposed salary range for the Communications Technician Aide is \$4,053 to \$5,062. There will be no fiscal impact from the establishment of this classification at this time. BWP plans to use salary savings to cover the cost of this position.

Recommendation:

Adoption of proposed resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING  
THE TITLE AND CLASSIFICATION OF COMMUNICATIONS TECHNICIAN AIDE  
(CTC No. 0207) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY  
AND SPECIFICATION THEREOF.

9. ESTABLISHMENT OF THE TITLE, SPECIFICATION AND SALARY FOR THE  
CLASSIFICATION OF EMERGENCY MEDICAL SERVICES NURSE SPECIALIST:

Staff is requesting Council approval of a resolution establishing the title, specification and salary for the classification of Emergency Medical Services (EMS) Nurse Specialist (CTC No. 0318).

The Fire Department currently uses a part-time contract position to provide oversight of its EMS Program. This contract position provides quality assurance by reviewing all EMS calls and recommending changes to field procedures, which enhance and improve the delivery of these services. The number of EMS incidents has increased significantly over the last several years to over 1,400 incidents per year. The Fire Department believes the increased workload and responsibility related to the EMS Program has created a need for a full-time permanent EMS Nurse Specialist in place of the part-time contract position. In addition to increasing the oversight provided to the EMS Program, a full-time permanent position will also manage the EMS Program budget, evaluate employee performance, provide training programs and expand the current EMS Program.

This classification will be an Unrepresented Management (Z group) position, exempt from Civil Service and the Fair Labor Standards Act. The position will be included in the City's Conflict of Interest Code. The Fire Chief concurs with the establishment of this classification. The Civil Service Board approved this establishment at its regular meeting of September 6, 2006.

The proposed salary range for this position is \$6,337 to \$7,699. The establishment of this classification will have no impact on the Fiscal Year (FY) 2006-07 budget. The cost of the full-time permanent position for the rest of FY 2006-07 will be covered by a combination of remaining dollars set aside for the part-time contract position and salary savings from vacant non-safety Fire Department positions. Starting in FY 2007-08, the recurring cost of the permanent full-time EMS Nurse Specialist will be included in the budget in lieu of the funding for the part-time contact position.

Recommendation:

Adoption of proposed resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING  
THE TITLE AND CLASSIFICATION OF EMS NURSE SPECIALIST (CTC No. 0318)  
AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND  
SPECIFICATION THEREOF.

END OF CONSENT CALENDAR                    \*\*\*                    \*\*\*                    \*\*\*

REPORTS TO COUNCIL:

10. CONSIDERATION OF CONTINUED SERVICE OF AIRPORT COMMISSIONER:

At the February 13, 2007 Council Meeting, Council Member Ramos asked that the Council discuss the continued service of Airport Authority Commissioner Don Brown. Pursuant to the Council policy this is the first step of a two-step process. First, the Council must determine if there is majority interest in considering this matter. If there is, then the matter will be brought back at a subsequent Council meeting.

The Burbank-Glendale-Pasadena Airport Authority Commission is appointed and operates pursuant to the Amended and Restated Joint Exercise of Powers Agreement (Agreement) among the cities of Burbank, Glendale and Pasadena Creating an Agency to be known as the Burbank-Glendale-Pasadena Airport Authority which is dated September 15, 1991. With specific application to the present situation the Agreement provides in Section 2.2 (p. 6) as follows:

“Members shall hold membership on the Commission during the term for which they were appointed and until their successors have been appointed and qualified; provided, however, that members may resign voluntarily or may be removed by and at the pleasure of the governing body of the Party which appointed them . . . In case of a vacancy in membership on the Commission, the same shall be promptly filled by the governing body of the Party which appointed the vacating member. An appointment to fill a vacancy during an unexpired term shall be for a period of the unexpired term.”

Finally, also in keeping with the Council policy, staff has done no further work on this issue. Should sufficient interest be demonstrated on the Council with regard to the question presented, staff will provide a more complete report when the matter is brought back.

Recommendation:

Staff recommends the Council consider this issue and give direction as appropriate.

11. REVIEW OF THE CITY’S FINANCIAL STATUS AS OF DECEMBER 31, 2006 AND APPROVAL OF MID-YEAR ADJUSTMENTS TO THE FISCAL YEAR 2006-07 BUDGET INCLUDING PREPAYMENT OF THE CITY’S OTHER POST EMPLOYMENT BENEFITS LIABILITY:

The purpose of this report is to provide the Council with a review of the City’s financial status as of December 31, 2006, and to request Council approval of mid-year adjustments to the Fiscal Year (FY) 2006-07 approved Budget. The report will also provide relevant detail as it pertains to the development of the City’s FY 2007-08

08 Budget.

Overall, General Fund recurring revenues and appropriations are tracking as expected. For the first six months of the fiscal year, the General Fund received \$55,688,219 in recurring revenue, which represents 43 percent of the adopted estimated revenues. For perspective, last year's six-month report showed the City receiving 40.8 percent of its estimated revenues. With the exception of the requested mid-year adjustments detailed in the staff report, 51.9 percent of the recurring appropriations have been expended as of December 31, 2006. For perspective, 49.1 percent of recurring appropriations were expended for the same period last year.

Based on the actual ending balance for FY 2005-06, projected revenues and the adopted FY 2006-07 appropriations, the following is a recap of the FY 2006-07 Budget:

Total Recurring Revenues	\$129,889,663
Less: Recurring Appropriations	(129,055,035)
Potential Additional BUSD Joint Use Agreement Impact	(300,000)
Impact of Mid-Year Appropriations – Recurring	<u>(52,000)</u>
<b>RECURRING BALANCE</b>	<b><u>\$482,628</u></b>
Undesignated Fund Balance, June 30, 2006	\$11,129,184
Less: Infrastructure Reserve Fund Appropriation June 30, 2006	(1,000,000)
Increase in working capital reserves	(1,525,000)
Increase in emergency reserves	(510,000)
Compensated absences	(800,000)
Other Post-Employment Benefits Liability (OPEB) est. set-aside	<u>(987,000)</u>
ADJUSTED BEGINNING BALANCE JULY 1, 2006	<b><u>\$6,307,184</u></b>
Less: Approved One-Time Appropriations at Budget Adoption	(3,587,700)
Approved One-Time-Appropriations Post-Budget Adoption	(375,935)
Impact of Mid-Year Appropriations – One-Time	<u>(203,887)</u>
Total Non-Recurring Uses	(4,167,522)
<b>AVAILABLE NON-RECURRING BALANCE</b>	<b>2,139,662</b>
Plus Available Recurring Balance (from above)	<u>482,628</u>
<b>ESTIMATED AVAILABLE FUND BALANCE, JULY 1, 2007</b>	<b><u>\$2,622,290</u></b>

If approved, the requested mid-year adjustments for the General Fund will total \$333,253 (net of revenue, it is \$255,887) in addition to a \$5 million OPEB prepayment to CalPERS from the remaining General Fund Pension Obligation Bond (POB) Reserve. There will also be an impact to the Non-General Funds of \$1,767,706 (net of revenue, it is \$1,666,706). As a result, mid-year appropriation requests total \$7,130,958.

Due to the combination of the overall economic climate and the City's expected expenditures, the projected recurring surplus is expected to be roughly \$483,000 at

the end of FY 2006-07 and just over \$500,000 at the end of FY 2007-08. As a result, for FY 2007-08, departments will not be requested to prepare discretionary appropriation reductions, unlike the past four years. However, the budget gap in year five (FY 2010-11) is projected to be \$2.1 million; therefore, any new budget requests need to be revenue offset or operationally necessary. It is important to note that the forecast does not factor in the potential Transient Occupancy Tax (TOT) rate increase, which would enhance revenue by over \$1 million per year. This measure to increase the TOT is on the General Election ballot in April 2007.

Over the next five years, revenues are expected to increase an average of 4.3 percent annually, with costs increasing an average of 4.84 percent. In the meantime, staff is continuing to look at options via revenue enhancement, efficiencies and/or cost cutting to assist in the balancing of future fiscal year budgets.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURBANK AMENDING THE BUDGET OF FISCAL YEAR 2006-2007 FOR THE PURPOSE OF MID-YEAR ADJUSTMENTS.

12. UPDATE ON THE LOS ANGELES DEPARTMENT OF WATER AND POWER PIPELINE PROJECT:

The Los Angeles Department of Water and Power (LADWP) is proposing to construct a 78-inch underground water supply pipeline, a portion of which would traverse the City beneath the Whitnall Highway utility corridor. The proposed pipeline would replace an existing underground pipeline that is part of the domestic water system for the City of Los Angeles.

The proposed pipeline would enter Burbank on Burbank Boulevard at the City boundary with the City of Los Angeles. It would turn south at Whitnall Highway and travel through the southwest area of Burbank along Whitnall Highway in the existing LADWP utility easement, where LADWP has existing power lines above ground and a water pipeline below ground. The pipeline would exit Burbank south of Riverside Drive and Johnny Carson Park, near Buena Vista Street. The portion of the project along Whitnall Highway in Burbank is expected to start construction in November 2008 and be completed by September 2011.

In January 2007, LADWP issued a Notice of Preparation and Initial Study. The release of these documents is the first step in preparing an Environmental Impact Report (EIR). The purpose of the Notice of Preparation is to notify affected public agencies that an EIR will be prepared and to seek input on what issues and areas of impact should be studied in the EIR. Staff worked with the City Attorney's office and an outside environmental consultant with expertise in geology to prepare a comment letter to ensure that all potential areas of impact are adequately studied in the EIR. Once the Draft EIR has been prepared and released for public comment, the City

and any interested Burbank residents or other parties will have an opportunity at that time to submit comments regarding the quality of the environmental analysis and the alternatives studied. It is anticipated that the Draft EIR will be released for public review around April 2007. Once the document is released, there will be a minimum 45-day comment period during which any interested persons may submit comments on the document.

There is no further action for the City to take until the Draft EIR is released for public comment, at which time staff will review the document and prepare a comment letter. Staff will closely monitor the status of this project to ensure that the Council and Burbank residents are aware of the opportunity to review the Draft EIR and provide comments when the time comes.

Recommendation:

Staff recommends that the Council note and file this report. Staff will provide status updates to the Council in the future as needed and will ensure that the Council and the public are aware of the availability of the Draft EIR once it is released for public review and comment.

RECONVENE the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings for public comment.

**FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:** (Two minutes on any matter concerning the business of the City.)

This is the time for the Final Open Public Comment Period of Oral Communications. Each speaker will be allowed a maximum of **TWO** minutes and may speak on any matter concerning the business of the City. However, any speaker that spoke during the Initial Open Public Comment Period of Oral Communications may not speak during the Final Open Public Comment Period of Oral Communications.

For this segment, a **GREEN** card must be completed, indicating the matter to be discussed, and presented to the City Clerk.

**COUNCIL AND STAFF RESPONSE TO THE FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:**

ADJOURNMENT

**For a copy of the agenda and related staff reports,  
please visit the  
City of Burbank's Web Site:  
[www.ci.burbank.ca.us](http://www.ci.burbank.ca.us)**