

TUESDAY, MAY 15, 2007

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 4:02 p.m. by Mr. Golonski, Vice Mayor.

CLOSED SESSION

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

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

4:02 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:

- a. Conference with Legal Counsel – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)  
**Name of Case:** Burbank City Employees Association (BCEA) v. City of Burbank  
**Case No.:** LA-CE-326-M  
**Brief description and nature of case:** A complaint for unfair labor practices filed by the BCEA against the City of Burbank before the Public Employment Relations Board (PERB).
- b. Conference with Labor Negotiator:  
Pursuant to Govt. Code §54957.6  
**Name of the Agency Negotiator:** Management Services Director/Judie Sarquiz.  
**Name of Organization Representing Employee:** Represented: Burbank City Employees Association  
**Summary of Labor Issues to be Negotiated:** Grievance and Discipline Sections of the Memorandum of Understanding.
- c. Conference with Labor Negotiator:  
Pursuant to Govt. Code §54957.6  
**Name of the Agency Negotiator:** Management Services Director/Judie Sarquiz.  
**Name of Organization Representing Employee:** Burbank Management Association and Burbank Police Officers Association.  
**Summary of Labor Issues to be Negotiated:** Contract issues.

5:04 P.M. Fiscal Year 2007-08 Budget Study Session.

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Budget Study  
Session

Present- - - - Council Members Bric, Golonski, Gordon, Reinke and Ramos.  
Absent - - - - Council Members None.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

801-2  
801-2  
FY 2004-05  
Budget Study  
Session  
Departmental  
Budget  
Presentations

Mr. Torrez, Financial Services Director, gave a brief introduction of the Fiscal Year (FY) 2007-08 Budget. The following staff members presented the proposed FY 2007-08 budgets for their departments: Mrs. Arakelian-Ford, City Council and City Manager's Office; Mr. McManus, Public Information Office; Ms. Wyatt, Information Technology Department; Mr. Torrez, Financial Services Department; Ms. Teaford, Public Works Department; and, Chief Pansini, Fire Department.

6:29 P.M.  
Recess

The Council recessed at this time.

Regular Meeting  
Reconvened in  
Council  
Chambers

The regular meeting of the Council of the City of Burbank was reconvened at 6:41 p.m. by Mrs. Ramos, Mayor.

Invocation

The invocation was given by Mr. Kramer, Community Assistance Coordinator.

Flag Salute

The pledge of allegiance to the flag was led by Gay Maund.

ROLL CALL  
Present- - - - Council Members Bric, Golonski, Gordon, Reinke and Ramos.  
Absent - - - - Council Members None.  
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1  
Healthy  
Communities  
Awareness  
Month Proc

Mayor Ramos presented a proclamation in honor of Healthy Communities Awareness Month to Gaby Flores, Community Resources Coordinator.

301-1

Mayor Ramos introduced Gay Maund, Senior Citizen Board Chair,

Recognition  
2007 Outstanding  
Volunteers

who joined her to recognize the 2007 Outstanding Volunteers. Mayor's Commendations were presented to the following: Judy Andrews; Delores Bonomo; June Box; Anthony Calascibetta; Pat Gafford; Lydia Thomas; and, Los Angeles County Outstanding Older American Award recipient, Leonard Barach.

301-1  
Presentation  
High School  
Service  
Recognition  
Awards

Mayor Ramos was joined by Mrs. Meyer and Mr. Soghomonian from Burbank Water and Power, and Mr. Hampel from the Burbank Recycle Center, to recognize the recipients of the High School Service Recognition Awards. The following students received awards: Sijin Park and Melissa Medina, Burbank High School; Jordan Rada, Bellarmine-Jefferson High School; and, Rachel Lizotte and Maribel Flores, John Burroughs High School.

301-1  
Recognition  
2007 Recycling  
Heroes

Mr. Hampel, Recycling Coordinator, Public Works Department, presented the 2007 Recycling Heroes. Mayor Ramos recognized the following award recipients: 3D Plastics Inc., represented by Frank Dvorachek, Joe Dvorachek and Kathleen Trumbo; Burbank Unified School District facilities, represented by Mark Clarke and Randy Ogawa; Ross Dress for Less, represented by Chad Blouin and Sonia Baeza; and, Tilley's 76 Station, represented by Sherry Tilley and Rhys Tilley.

301-1  
Recognition  
Public Links Golf  
Association  
Tournament

Mayor Ramos recognized the Burbank Men's Golf Club team, which won the Public Links Golf Association Tournament for the third year in a row. Certificates of Recognition were presented to the following team members: Cory Neill; Blake Selover; Garvin Onaba; Erin Dolan; Moses Moloney; and, Don Fischer.

301-1  
Commendation of  
Service and  
Firefighter of the  
Year Awards

Chief Pansini presented the Commendation of Service Award to Kevin O'Neill, Fire Equipment Specialist and introduced Firefighter of the Year Award recipient, David Burke.

Council  
Comments

Dr. Gordon reported on attending the Infrastructure Subcommittee meeting with Mr. Golonski, and the Fire Service Day event.

Mr. Bric reported on meeting with: a representative of United Healthcare Workers; Christopher Allen, of Dasher Lawless, Inc.; and, Mr. Tom Davies, of Davies Properties.  
Mrs. Reinke also reported on attending the Fire Service Day event.

Mrs. Ramos reported on attending the Flashover Container presentation by the Fire Department and the Metropolitan

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Transportation Authority (MTA) San Fernando Valley Sector Governance Council meeting. She also reported on meeting with: Mr. Tom Davies; Mr. Albert Alvarado, Director of Small Business Administration; and, Mr. Coby King, Chair of the MTA San Fernando Valley Sector Governance Council Board.

Reporting on  
Closed Session

Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting.

8:02 P.M.  
1702  
Approval of  
Project No. 2006-  
146 DR 1701 W  
Verdugo Ave. &  
211 N. Reese Pl

Mayor Ramos stated that "this is the time and place for the hearing on the appeal of the Planning Board's decision affirming Project No. 2006-146, Development Review. The Applicant, Uriu and Associates, applied for Development Review requesting authorization to construct a 24-foot, 11-inch tall commercial office building with one level of at-grade parking and one level of subterranean parking for the property located at 1701 West Verdugo Avenue and 211 North Reese Place within the C-2 Commercial Limited Business Zone and adjacent to an R-2 zoned property. The approval by the Community Development Director on November 20, 2006 was appealed to the Planning Board on December 5, 2006. The Planning Board upheld the Director's decision. Now the matter has been appealed to the Council by Deanna Hughes."

Notice  
Given

There were no meeting disclosures.

Notice  
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that the City Clerk's Office received one email on the matter.

Staff Report

Mr. Prescott, Senior Planner, Community Development Department, requested the Council consider an appeal of the Planning Board's approval of Project No. 2006-146, a Development Review (DR) application to construct a two-story, commercial/office building at 1701 West Verdugo Avenue and 211 North Reese Place. He stated that the project site is located in a C-2 Commercial Limited Business Zone which abuts an R-2 zoned property developed with a single-family home and a modular building. He noted that the project consists of a DR for the construction of a 24-foot, 11-inch tall commercial/office building with one level of at-grade parking and one level of subterranean parking. He added that the total area of the project site is approximately 19,000 square feet. He reported that the project will

provide a total of 51 standard parking spaces (49 are required), with the subterranean parking lot consisting of 35 standard parking spaces and 10 additional tandem spaces that are not included in the parking calculation, and the at-grade parking area consisting of 16 standard parking spaces.

Mr. Prescott informed the Council that a community meeting was held prior to the Director's decision and subsequent to the meeting, it was determined that findings for the DR approval could be made. He added that the approval was appealed to the Planning Board and further to the Council, citing the project's incompatibility with the surrounding neighborhood and stating that the project poses safety risks to the community. He noted that the proposed project is Code compliant and all concerns expressed by the Planning Board have been addressed. He requested the Council deny the appeal and uphold the Planning Board and Director's decisions to approve the project.

Appellant Ms. Deanna Hughes, appellant, stated that the project is still incompatible with the neighborhood and will increase traffic and pose safety risks for the area residents. She also expressed concern with construction noise and urged the Council to uphold the appeal.

Applicant Mr. Giovanni Uriu, architect/applicant, reported that he has worked with staff and the community, and has modified the project to comply with the Planning Board's concerns. He urged the Council to approve the project as proposed.

8:18 P.M. Hearing Closed There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Motion Following Council deliberation, it was moved by Mr. Golonski and seconded by Mrs. Reinke that "the following resolution be passed and adopted."

1702 Approval of Project No. 2006-146 DR 1701 W Verdugo Ave. & 211 N. Reese Pl  
RESOLUTION NO. 26,466:  
 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PROJECT NO. 2006-146 DEVELOPMENT REVIEW AND DENYING THE APPEAL (Applicant: Uriu and Associates - 1701 West Verdugo Avenue and 211 North Reese Place).

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Adopted	<p>The resolution was adopted by the following vote:</p> <p>Ayes: Council Members Golonski, Reinke and Ramos. Noes: Council Members Bric and Gordon. Absent: Council Members None.</p>
Initial Open Public Comment Period of Oral Communications	<p>Mrs. Ramos called for speakers for the initial open public comment period of oral communications at this time.</p>
Citizen Comment	<p>Appearing to comment were: Gary Garrison, on the Joslyn Adult Center karaoke program; Marva Lea Kornblatt and Bart Giovannetti, on the Rancho Master Plan; Nancy Sherwood, on a moratorium on any commercial building in the Rancho area; Mark Stebbeds and Chris Gardos, on the recent approval of a project at Magnolia Boulevard and Evergreen Street; Esther Espinoza, reading from an article pertaining to Latino students' enrollment; Stan Hyman, requesting copies of the appraisals of the property at 261 West Verdugo Avenue, commenting on the recommendations of the blue ribbon commission on housing, and requesting the status of the action against a City employee and Airport Commissioner Brown's request to the Court with regard to his statements; and, Eden Rosen, requesting support for Assembly Bills 949 and 1421 (Laura's Law), and the status of Airport Commissioner Brown's request to the Court.</p>
Staff Response	<p>Members of the Council and staff responded to questions raised.</p>
Agenda Item Oral Communications	<p>Mrs. Ramos called for speakers for the agenda item oral communications at this time.</p>
Citizen Comment	<p>Appearing to comment in support of Challenge Day were: Lauren Wygle; Roe Leone; Debra and Carly Gilmore; Jan Britz; Molly Hyman; and, Karen Frederick.</p> <p>Also appearing to comment were: David Piroli, on the Traffic and Vehicle Ordinance revisions and on the refuse rate increases; Eden Rosen, on proposed rate increases and infrastructure repairs; and, Stan Hyman, on the Traffic and Vehicle Ordinance revisions and in support of Challenge Day.</p>

Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Mr. Golonski and seconded by Dr. Gordon that "the following items on the consent calendar be approved as recommended."
408 MOU with SCAG for Clean Cities Program	<p><u>RESOLUTION NO. 26,467:</u>            RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) SUPPORTING PARTICIPATION IN THE CLEAN CITIES PROGRAM.</p>
1301-3 Award of BS 1231 to Tyner Paving Co Parking Lot Reconst Project	<p><u>RESOLUTION NO. 26,468:</u>            A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE PARKING LOT RECONSTRUCTIVE MAINTENANCE PROJECT, BID SCHEDULE NO. 1231 TO TYNER PAVING COMPANY.</p>
1301-3 Award of BS 1229 to Kalban Inc. CDBG Sidewalk Reconst Project	<p><u>RESOLUTION NO. 26,469:</u>            A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE CDBG SIDEWALK CONSTRUCTION PROJECT, BID SCHEDULE NO. 1229 TO KALBAN INC.</p>
1601-1 403 804-3 Amend to Agt w DOT for 2004-05 Bicycle Transp Acc. Agt	<p><u>RESOLUTION NO. 26,470:</u>            A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AMENDMENT TO THE LOCAL AGENCY-STATE AGREEMENT BETWEEN THE CITY OF BURBANK AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE 2004/2005 BICYCLE TRANSPORTATION ACCOUNT AGREEMENT.</p>
Adopted	The consent calendar was adopted by the following vote:

Ayes: Council Members Bric, Golonski, Gordon, Reinke and Ramos.

Noes: Council Members None.

Absent: Council Members None.

412  
Approval of A  
Youth Task Force  
Recommended  
Program-  
Challenge Day

Ms. Stein, Deputy Park, Recreation and Community Services Director, requested Council authorization for funding in the amount of \$30,000 from the Youth Services Holding Account to be utilized to initiate a Challenge Day (CD) Program on Burbank Unified School District (BUSD) campuses. She reported that in January 2007, the Youth Task Force viewed a video of the Oprah Show that showcased CD and their positive response to this video inspired further exploration into the program. She explained that CD is a non-profit organization that provides a day-long workshop for schools as part of a Be The Change Movement (BTCM) for the purpose of planning and creating a school environment where every student feels safe, loved and celebrated. The program promotes healthy expression and creates a forum for conflict resolution to help reduce stereotypes and racial, gender and socio-economic tensions. She noted that one of the goals is to inspire and empower the youth to go back to their community and school to make positive changes and to challenge others to do the same.

Ms. Stein informed the Council that commitment from the schools and the community is crucial to the success of a CD Program. She stated that if approved, the recommendation would be presented to the BUSD Board of Education. The BUSD would determine the dates and implementation of the program on their sites. She stated that the program would allow for 600 students to participate and be directly impacted. Consequently, the entire student body, school personnel, families and the community will be impacted. She added that there is currently \$325,550 available in the General Fund Non-Departmental Holding Account for Youth Services, therefore there will be no fiscal impact.

Motion

It was moved by Mr. Golonski and seconded by Mr. Bric that "the following resolution be passed and adopted."

412  
Approval of A  
Youth Task Force  
Recommended  
Program-  
Challenge Day

RESOLUTION NO. 26.471:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING FUNDING FROM THE YOUTH SERVICES HOLDING ACCOUNT FOR CHALLENGE DAY PROGRAMS ON BURBANK UNIFIED SCHOOL DISTRICT CAMPUSES.

Adopted

The resolution was adopted by the following vote:

Ayes: Council Members Bric, Golonski, Reinke and Ramos.  
Noes: Council Members None.  
Absent: Council Members None.  
Abstain: Council Member Dr. Gordon.

Item Postponed to a Future Meeting      The item regarding "Ordinance Amending Chapter 29 (Vehicles And Traffic) of the Burbank Municipal Code" was postponed to a future Council meeting.

FY 2004-05 Budget Study Session      Mr. Golonski requested additional budget discussion papers for consideration of a Request For Proposals for an existing gas station to provide flex-fuel, and increasing the number of trees provided to residents in the free residential tree program.

Ordinance Submitted      It was moved by Mr. Golonski and seconded by Dr. Gordon that "Ordinance No. 3721 be read for the second time by title only and be passed and adopted."

911  
206  
Ord Amend BMC Chapter 25 (Sewers)      ORDINANCE NO. 3721:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING VARIOUS SECTIONS OF CHAPTER 25 OF THE BURBANK MUNICIPAL CODE RELATING TO WASTEWATER DISCHARGES TO PUBLICLY OWNED TREATMENT WORKS (POTWS) AND REQUIREMENTS UNDER THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S PRETREATMENT STREAMLINING RULE (40 CFR 403).

Adopted      The ordinance was adopted by the following vote:  
  
Ayes: Council Members Bric, Golonski, Gordon, Reinke and Ramos.  
Noes: Council Members None.  
Absent: Council Members None.

Final Open Public Comment Period of Oral Communications      Mrs. Ramos called for speakers for the final open public comment period of oral communications at this time.

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Citizen  
Comment

There was no response to the Mayor's invitation for oral communications at this time.

10:41 P.M.  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:41 p.m.

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Margarita Campos, CMC  
City Clerk

APPROVED DECEMBER 4, 2007

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Mayor of the Council  
of the City of Burbank