

TUESDAY, MAY 22, 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 4:33 p.m. by Mr. Golonski, Vice Mayor.

CLOSED SESSION

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

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

4:34 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**

5:04 P.M. The meeting was reconvened at 5:04 p.m. for a Fiscal Year 2007-08 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. Wilson, Deputy City Clerk.

801-2 Mr. Torrez, Financial Services Director, gave a brief introduction  
801-2 and the following staff members presented the proposed Fiscal  
FY 2007-08 Year 2007-08 budgets for their departments: Ms. Cohen, Library  
Budget Study Services Department; Ms. Sarquiz, Management Services  
Session Department; and, Mr. Davis, Burbank Water and Power.  
Departmental Ms. Teaford, Public Works Department, presented the  
Budget Infrastructure Subcommittee Report.  
Presentations

6:37 P.M. Recess The Council recessed at this time.

Regular Meeting Reconvened in The regular meeting of the Council of the City of Burbank was reconvened at 6:49 p.m. by Mrs. Ramos, Mayor.

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Council  
Chambers

Invocation           The invocation was given by Dave Cameron, First Presbyterian Church.

Flag Salute           The pledge of allegiance to the flag was led by Sydney Coblentz.

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. Wilson, Deputy City Clerk.

301-1  
Public Works  
Week Proc           Mayor Ramos presented a proclamation in honor of Public Works Week to Bonnie Teaford, Public Works Director.

301-1  
Youth Board  
Awards           Mayor Ramos invited Steve Ferguson, Youth Board Chair, to lead the Youth Board Recognition. Certificates of Recognition were presented to the following Youth Board Members for their exceptional actions and commitment as recipients of the Outstanding Youth Award: Natasha Christofferson, Burbank High School; Frances Tecson, John Muir Middle School; Catherine Kestenian, Burbank High School; Freddy Cupen-Ames, Bellarmine-Jefferson High School; and, Sydney Coblentz, Luther Burbank Middle School.

301-1  
Youth Art  
Expo  
Award  
Winners           Mayor Ramos invited Ms. Freed, Recreation Supervisor, Park, Recreation and Community Services Department, to comment on the Youth Art Expo and to introduce the award winners. Mayor Ramos presented Certificates of Recognition to the following students for their award-winning entries.

Kindergarten Category: Trent Anderson, Jefferson Elementary School; Grace Vinyard, McKinley Elementary; and, Megan Sawyer, Providencia Elementary.

First Grade Category: Chloe Tilton, Emerson Elementary; Genesis Gonzalez, Walt Disney Elementary; and, Shant Barseghian, Emerson Elementary.

Second Grade Category: Giovanna Putrino, Washington Elementary; Jenny Alvarez, Providencial Elementary; and, Mary

Christina Battle, Emerson Elementary.

Third Grade Category: Bernice Romani and Anna Brown, Stevenson Elementary; and, Eileen Eckles, Edison Elementary.

Fourth Grade Category: Sanaz Hossinpour and Marlene Kokanian, Emerson Elementary; and, Alysia Mendez, Washington Elementary.

Fifth Grade Category: Shavigh Barseghian, Emerson Elementary; Allison Voehringer, Bret Harte Elementary; and, Mark Salgado, Washington Elementary.

Three Dimensional Category: Micah Ramirez, Second Grade, Stevenson Elementary; Sarah Rogers, Sixth Grade, Luther Burbank Middle School; and, Nicolas Estrada, Twelfth Grade, Providence High School.

Middle School Division: John Detiquez, Eight Grade, John Muir Middle School; Andrew Roxas, Seventh Grade, Saint Finbar Middle School; and, Branden Sun, Seventh Grade, John Muir Middle School.

High School Division: Rebecca Edwards, Twelfth Grade, John Burroughs High School; and, Yvonne Kaptein, Twelfth Grade, Providence High School.

Best of Show Category: Daniel Alajajian, Twelfth Grade, Providence High School; and, Chris Lightfoot, Twelfth Grade, John Burroughs High School.

Council  
Comments

Mrs. Reinke reported on attending: the Library Volunteers Luncheon; the Armenian National Committee dinner; Peyton-Grismer neighborhood event; and, the Magnolia Park Magical Bike Tour. She also stated that she met with the Airport attorneys together with Mr. Bric, and with the developer of the Universal Masterplan and the Screenland Drive and Olive Avenue Project. She commended the Youth Art Expo winners and the Youth Board awardees.

Mr. Bric reported on attending the Arroyo-Verdugo Cities meeting and the Armenian National Committee dinner. He also reported on meeting with the Airport attorneys.

Dr. Gordon reported on attending the Armenian National Committee dinner and meeting with Mr. Tom Smith on the NBC Universal Masterplan.

Mrs. Ramos reported on meeting with Mr. Tom Smith of NBC Universal and on a trip to Sacramento for legislative action days as

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part of the League of California Cities. She also stated that she attended the Communities for Healthy Kids Committee meeting, the Magnolia Park Magical Bike Tour and the Peyton-Grismer neighborhood event.

406  
Airport  
Authority Report

Commissioner Wiggins reported on the Airport Authority meeting of May 21, 2007. He stated that the Authority approved a: contract amendment for the parking management service with Central Parking; third amendment to the Sunrise Ford month-to-month ground lease; and, first amendment to the development ground lease with Avjet Corporation.

7:23 P.M.  
1600  
Project No. 2006-  
008, ZTA  
Ext of DR Sunset  
Provision

Mayor Ramos stated that "this is the time and place for the hearing on Project No. 2006-008, Zone Text Amendment which involves an extension of the sunset provision for the Development Review process for projects with potential traffic impacts."

Notice  
Given

There were no meeting disclosures.

Notice  
Given

The Deputy 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 no correspondence on the matter.

Staff Report

Mr. Forbes, Principal Planner, Community Development Department, requested the Council consider extending the sunset date of the 2006 ordinance that amended the Development Review process to introduce additional discretionary findings and requirements for certain projects based upon their potential traffic impacts. He also stated that staff has presented the results of the analyses conducted on the proposed Trip-based Intensity Measurement Standard (TIMS). He noted that in April 2006, draft updates to the Land Use and Mobility Elements (LUME) of the General Plan (Plan) were released for public review. He added that one of the major issues in the draft LUME was traffic congestion and different approaches to manage it. He noted that the Council had endorsed a development forecast that presented a certain level of development and associated traffic impacts. He stated that staff sought an effective method of controlling the intensity of commercial and industrial development Citywide based upon the amount of traffic that the development was expected to generate. He explained that TIMS would assign a traffic budget to each commercial and industrial parcel in the City and as such, the intensity would be limited to projects that would not exceed the

allocated trip budget.

Mr. Forbes reported that following the release of the draft documents, the Chamber of Commerce (Chamber), business owners and property owners all expressed concern about the potential impacts of TIMS. In response, the Council directed staff to seek outside consultants to evaluate TIMS and make recommendations regarding its viability and appropriateness as a development control measure. He added that in June 2006, the Council directed staff to return with recommendations for an interim measure to modify the Development Review process until the Council considered the Plan update and TIMS. Consequently, on July 25, 2006, the Council approved Ordinance No. 3702 to change the Development Review process such that all Development Review applications for non-residential projects that are expected to generate 50 or more vehicle trips during the AM or PM peak traffic hours are processed as discretionary applications and are subject to environmental review.

Mr. Forbes noted that since the ordinance was intended to serve as an interim measure, it was adopted with a sunset date of July 31, 2007. He stated that if the Council does not extend the ordinance, the previous Development Review process would again take effect, where non-residential projects that are not regionally significant and not located within 150 feet of a single-family residential zone are processed as ministerial applications. He recommended extending the sunset provision until July 31, 2008, in anticipation that the Plan update and related environmental review will be completed by that time.

Mr. Forbes also informed the Council that staff and the consultants, Keyser Marston Associates (KMA) and Kaku Associates, now known as Fehr & Peers (F & P), have evaluated TIMS from economic and traffic perspectives. He reported that KMA concluded that TIMS would result in adverse impacts as it allows for a lesser intensity of development than existing zoning regulations. This causes the land value of commercial and industrial properties to be lower under TIMS than under existing zoning. Furthermore, KMA found that projects developed under TIMS limitations would create fewer jobs and result in lower tax revenues than projects built under current zoning regulations.

Mr. Forbes added that F & P concluded that the TIMS approach has merit as a method for informing elected officials and project applicants about traffic impacts of new development as they relate to the overall land use forecasts in the City. However, the analysis identified a number of technical issues that should be addressed if the TIMS standard were to be implemented. He noted that based upon the findings of KMA and F & P, and additional analysis performed by staff, staff recommended Council direction to make

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several revisions to TIMS and its underlying methodology, if there is a desire to continue pursuing a traffic-based development regulation.

Public  
Comment

Appearing to comment were: Howard Rothenbach, urging the Council to extend the sunset period of the ordinance; Mark Stebbeds, on the need for stronger measures to limit the amount of development with potential traffic impacts; and, David Piroli, expressing concerns with the TIMS methodology and in support of extending the ordinance.

Staff Response

Mr. Forbes responded to public comment.

7:47 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 Dr. Gordon that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading."

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE EXTENDING ORDINANCE NO. 3702, WHICH RELATES TO THE DEVELOPMENT REVIEW PROCESS (Project No. 2006-008, Zone Text Amendment).

Introduced

The ordinance was introduced by the following vote:

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

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

Mrs. Ramos called for speakers for the initial open public comment period of oral communications at this time.

Citizen Comment                      Appearing to comment were: William Harrold, in support of his application to serve on the Police Commission; Kelly Miller and Beverly Hartley, on the approved project at Evergreen Street and Magnolia Boulevard; Matt Pentecost, in support of his application to serve on the Landlord-Tenant Commission, Youth Endowment Services Fund Board or Park, Recreation and Community Services Board; Gary Garrison, on the Joslyn Adult Center karaoke program; Jay Geinsenheimer, on the Rancho Masterplan; Esther Espinoza, on the Mexican war; Amy Lawrence, in support of her application to serve on the Planning Board; and, Lee Paysinger, in support of her application to serve on the Board of Library Trustees or Police Commission.

Staff Response                        Members of the Council and staff responded to questions raised.

Agenda Item Oral Communications            Mrs. Ramos called for speakers for the agenda item oral communications at this time.

Citizen Comment                      Appearing to comment were: Amy Lawrence, in support of her application to serve on the Planning Board; Hoori Chalian, in support of her application to serve on the Youth Endowment Services Fund Board; Steven Ferguson, in support of his application to serve on the Park, Recreation and Community Services Board; Esther Espinoza, on the extension of the sunset provision of the Development Review Ordinance and on boards and commissions appointments; and, Eden Rosen and David Piroli, on boards and commissions appointments.

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."

1301-3  
801-2  
Olive Ave. &  
Alameda Ave.  
Improvement                      RESOLUTION NO. 26,472:  
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

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Proj. (BS 1205) AUTHORIZING EXECUTION OF A CONTRACT FOR THE OLIVE AVENUE AND ALAMEDA AVENUE IMPROVEMENT PROJECT (BID SCHEDULE 1205) TO SHAWNAN AND AMENDING THE 2006-2007 FISCAL YEAR BUDGET TO PROVIDE \$926,708.32 FOR THE PROJECT.

401  
410  
801-2  
Amend FY 06-07 Budget for TDA Bicycle & Pedestrian Funds

RESOLUTION NO. 26,473:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006-2007 ANNUAL BUDGET BY APPROPRIATING \$120,079 WHICH WILL BE REIMBURSED BY THE TRANSPORTATION DEVELOPMENT ACT (TDA) BICYCLE AND PEDESTRIAN FACILITY FUNDS AND AUTHORIZING THE WITHDRAWAL OF CERTAIN TDA FUNDS.

1007-1  
Revise Spec. & Re-Title from Admin. Asst. to Admin. Analyst I

RESOLUTION NO. 26,474:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION AND RE-TITLING THE CLASSIFICATION OF ADMINISTRATIVE ASSISTANT (CTC No. 0017 AND CTC No. 5017) TO ADMINISTRATIVE ANALYST I (CTC No. 0017 AND CTC No. 5017).

1007-1  
Revise Spec. & Re-title from Admin. Analyst I to Admin. Analyst II

RESOLUTION NO. 26,475:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION AND RE-TITLING THE CLASSIFICATION OF ADMINISTRATIVE ANALYST I (CTC No. 0014 AND CTC No. 5014) TO ADMINISTRATIVE ANALYST II (CTC No. 0014 AND CTC No. 5014).

1007-1  
Revise Spec. & Re-title from Admin. Analyst II to Sr. Admin. Analyst

RESOLUTION NO. 26,476:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION AND RE-TITLING THE CLASSIFICATION OF ADMINISTRATIVE ANALYST II (CTC No. 0015 AND CTC No. 5015) TO SENIOR ADMINISTRATIVE ANALYST (CTC No. 0015 AND CTC No. 5015).

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.

202  
 203  
 Boards and  
 Commissions  
 Appointments

Mrs. Wilson, Deputy City Clerk, requested the Council make appointments to the identified boards, commissions and committees with members whose terms expire June 1, 2007. She reported that on April 2, 2007, the City Clerk's Office began advertising and accepting applications for vacancies created by the June 1, 2007 term expirations on various City boards, commissions and committees. She stated that notice of the vacancies was sent to newspapers and placed on the City's website, the Channel 6 Scroll and in the February 2007 utility billing envelopes in order to obtain qualified candidates. The deadline to submit applications to the City Clerk's Office was Friday, May 4, 2007 at 5:00 p.m.

202-1  
 Building and Fire  
 Code Appeals

For the Board of Building and Fire Code Appeals, the Council made the following appointments: Nicholas L. Trotta (2011); and, Timothy G. Behunin (2011).

202-8  
 BWP Board

For the Burbank Water and Power Board, the Council made the following appointments: Lee J. Dunayer (2011); Lynn C. Kronzek (2011); Wendy M. James (2011); and, Rod Kurihara (2011).

202-2  
 Civil Service  
 Board

For the Civil Service Board, the Council made the following appointments: Theodore F. Milner (2011); and, Mary Lou Howard (2011).

202-13  
 Heritage  
 Commission

For the Heritage Commission, the Council appointed Arthur M. Solis to serve the unexpired term ending June 1, 2010.

203-3  
 Civic Pride  
 Committee

For the Civic Pride Committee, the Council made the following appointments: Robert Idavia (2009); Eileen Cobos (2009); Patty I. Dilibert (2009); Lisa S. Lonsway-Baker (2009); J.J. Connaughton (2009); and, Linda F. Silvas (2009).

202-11  
 Landlord-Tenant  
 Commission

For the Landlord-Tenant Commission, the Council made the following appointments: Razmik Hovanessian (2011); and, Marla A. Martinez (2011).

202-4

For the Library Board, the Council made the following appointments: Lee Paysinger (2011); and, Connie M. Wilson

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- Library Board (2011).
- 202-5  
Park, Rec. &  
Com. Services  
Board For the Park, Recreation and Community Services Board, the Council made the following appointments: Whit Prouty (2011); and, Steven I. Ferguson (2011).
- 202-6  
Planning Board For the Planning Board, the Council made the following appointments: Jonathan M. Cornelio (2011); and, Kenneth H. San Miguel (2011).
- 202-7  
Police  
Commission For the Police Commission, the Council made the following appointments: David B. Ahern for an unexpired term ending June 1, 2009; Elise M. Stearns-Niesen with a term ending June 1, 2009; Nathan W. Rubinfeld (2011); Hagop Hergelian (2011); and, Robert Frutos (2011).
- 202-9  
Senior Citizen  
Board For the Senior Citizen Board, the Council appointed Gloria O'Donohoe to fill the unexpired term ending June 1, 2008.
- 203-2  
T & T Committee For the Traffic and Transportation Committee, the Council made the following appointments: Paul W. McKenna Jr. (2009); Robert F. Heins for an unexpired term of June 1, 2008; and, Celeste R. Francis (2009).
- 202-12  
Transportation  
Commission For the Transportation Commission, the Council made the following appointments: Alfred Aboulsaad (2011); Paul Dyson (2011); and, Susan T. Robles (2011).
- 203-5  
YES Fund Board For the Youth Endowment Services Fund Board, the Council made the following appointments: Michael Porco (2011); Matt Pentecost (2011); and, Hoori Chalian (2011).
- 1600  
206  
Amend Chapter  
29, Vehicles &  
Traffic, of the  
BMC Ms. Keeler, Parking Analyst, Public Works Department, requested Council approval to amend Chapter 29, Vehicles and Traffic, of the Burbank Municipal Code to bring the Code in line with procedural practice and to revise obsolete language. She noted that over the years, the Council adopted ordinances amending particular items within this chapter to update and clarify the Code relative to current practices and procedures. She noted that the proposed ordinance amends Chapter 29 in its entirety to remove outdated references

such as the Golden Mall and streetcars, and to eliminate practices such as bicycle licensing that are no longer performed with current procedures or operations. She added that in cases where an item was more appropriately addressed in the California Vehicle Code, the section was deleted in its entirety.

Ms. Keeler informed the Council that all proposed changes were reviewed, modified and approved by the Police and Community Development Departments. She also noted that the Traffic and Transportation Committee endorsed the proposed changes for the Council's consideration during their February 2007 meeting.

Motion It was moved by Mr. Golonski and seconded by Mrs. Reinke that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading."

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING VARIOUS SECTIONS OF CHAPTER 29 OF THE BURBANK MUNICIPAL CODE REGARDING VEHICLES AND TRAFFIC.

Introduced The ordinance was introduced by the following vote:

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

801-2 Ms. Alvord identified the discussion papers that have already been  
801-2 included in the budget and requested Council direction on the items  
Continuation of that are still pending or any other modifications.  
FY 2007-08

Budget Study The Council agreed with the discussion papers already included in  
Session the budget and directed that consideration of pending discussion  
papers be continued to the following week.

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

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Citizen  
Comment

Appearing to comment was Eden Rosen on appointments to boards, commissions and committees.

10:58 P.M.  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:58 p.m.

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Josephine Wilson  
Deputy City Clerk

APPROVED DECEMBER 4, 2007

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Mayor of the Council  
of the City of Burbank