

TUESDAY, JUNE 5, 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 5:33 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

Present- - - - Council Members Bric, Golonski and Ramos.  
Absent - - - - Council Members Gordon and Reinke.  
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.

5:33 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 – Existing Litigation:

Pursuant to Govt. Code §54956.9(a)

**Name of Case:** City of Los Angeles v. City of San Fernando, 1979 Judgment

**Case No.:** Upper Los Angeles River Area (ULARA) Watermaster

**Brief description and nature of case:** The 1979 Judgment defines the rights of Los Angeles, Glendale and Burbank to the ground water in the San Fernando basin, including how and when water can be pumped by the parties and how they earn credits to the water.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:34 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Reverend Ron White, American Lutheran Church.

Flag Salute The pledge of allegiance to the flag was led by Jessica Stehr.

ROLL CALL

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

301-1 Water if Life Contest Mr. Mace, Burbank Water and Power (BWP) Assistant General Manager/Water Systems, briefly described the Water Is Life Art Contest. Mrs. Meyer, Marketing Manager, BWP, assisted the

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Mayor in presenting Certificates of Recognition to the following students: Anna Ter-Zakarian, Providence High School; Shermyny Messina, Monterey High School; Andres Deras, Providence High School; Kyla Polanco, Providence High School; and, Sandra Kang, Grand Prize Winner, Burbank High School.

301-1  
Spring CREST  
Program

Mr. Griffin, Administrative Analyst, Management Services Department, briefly described the Spring City Resources Employing Youth Today (CREST) Program and introduced the program graduates. Certificates of Recognition were presented to: Jennifer Aviles; Anthony Gonzalez; Diana Gonzalez; Brittany Huerta; Melissa Jonkey; Greg Katoromian; Narek Khanmahlakian; Kristin Madrigal; Karla Moreno; Gary Moroyan; Julianna Munoz; Stephany Perez; Erica Rochana; Jessica Stehr; and, Andrew Vazquez.

Council  
Comments

Dr. Gordon reported on the Metropolitan Water District trip and congratulated Deputy Police Chief Stehr upon his upcoming appointment to Police Chief.

Mr. Bric also reported on the Metropolitan Water District trip on his and Mrs. Reinke's behalf.

Mrs. Ramos reported on attending the Verdugo Street Fair and stated that she met with a resident of the 1500 block of Clark Avenue regarding sober living residences. She also stated that she attended an event in Downtown Los Angeles at which the City was awarded the Most Innovative Rideshare Program 2007 Award by the Los Angeles County Metro and Verdugo County Transit Council.

406  
Airport  
Authority Report

Commissioner Lombardo reported on the Airport Authority meeting of June 4, 2007. He announced the passing of Anthony Coy, Bob Hope Airport Fire Chief and former Commissioner John Crowley. He then reported that the Authority awarded a contract for the parking excess and revenue control system. He added that the Authority also had a discussion on the Fiscal Year 2007-08 Budget which included an allocation for the completion of the Part 161 Study. He also mentioned that the Authority received notice from Congressman Sherman's office that the Airport would get an additional \$7 million for the Residential Acoustical Treatment Program.

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: Wendy James, Vice Chair of the Burbank Water and Power Board, in support of increasing Burbank's renewable portfolio standard; Mariam Zoday, representing Soka Gakkai International USA, announcing that the organization is opening a new center in Burbank; Gary Garrison, on the karaoke program at the Joslyn Adult Center; Chris Gardos, requesting residential parking permits for Evergreen Street; Anna May Nelson, inviting the community to a film at McCambridge Park; and, Esther Espinoza, on the effects of lack of sleep.
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: Michelle Feather, on the annual review of Planned Development agreements; Barbara Beckley, in support of the Burbank Center Stage signage; Esther Espinoza, on the counter drug procurement program and the law enforcement code of ethics; and, Susan O'Carroll, on the possible Interim Development Control Ordinance in the Rancho area.
Staff Response	Members of the Council and staff responded to questions raised.
Item Removed From Consent Calendar	The item regarding "Annual Review of Planned Development Agreements" was removed from the consent calendar for the purpose of discussion.
Motion	It was moved by Mr. Golonski and seconded by Dr. Gordon that "the following items on the consent calendar be approved as recommended."
907	<u>RESOLUTION NO. 27,478:</u>

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403 Counter Drug Procurement Prog. Agreement A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE CALIFORNIA COUNTER DRUG PROCUREMENT PROGRAM AGREEMENT BETWEEN THE CITY OF BURBANK AND THE STATE OF CALIFORNIA.

1503 The Water and Electric Monthly Operations Report for the month of June 2007 was received from Burbank Water and Power.  
1504 Water and Electric Monthly Operating Report The Council noted and filed the report.

Adopted The consent calendar was adopted by the following vote:

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

1702 Annual Review of Development Agreements and Planned Developments Ms. Lazar, Senior Planner, Community Development Department, presented a report on the annual review of Development Agreements (DA) and Planned Developments (PD) covering the period of May 30, 2006 to May 31, 2007 pursuant to the Burbank Municipal Code. She noted that the review is intended to ensure that developers are complying with the schedule and Conditions of Approval that are part of the DAs. She stated that through this review process, the City can ensure that the conditions of each active PD are being met and where they are not being met, work to ensure compliance. She informed the Council that since the inception of the PD process, 110 PD applications have been submitted of which: 18 are currently active and are not yet completed or have been amended; 11 have expired DAs; five had expired DAs but have since been re-zoned; 51 DAs or PDs have been completed; and, 25 applications have been denied, withdrawn or replaced by subsequent PD applications.

Motion It was moved by Mr. Golonski, seconded by Mr. Bric and carried with Mrs. Reinke absent that "staff be directed to continue working on amending the Municipal Code relating to PDs and to improve the use and administration of the PD process in order to eliminate the Zone Reversion Clause and ensure that PDs will not be left without an underlying zone alternative in the event that they are

not built. In addition, staff was directed to work with developers on a project-by-project basis to craft PD approvals and DAs in a way that will ensure that important conditions and development requirements associated with a PD will be in place for as long as the PD Zone is on the property.”

1702  
Consideration of  
IDCO for the  
Rancho Area

Mr. Herrmann, Chief Assistant Community Development Director, reported that on May 15, 2007, Council Member Gordon requested that staff return with a first step report to discuss the possibility of adopting an Interim Development Control Ordinance (IDCO) for commercial development in the Rancho area. The purpose of the IDCO would be to prevent City approval of development projects that may be in conflict with the original intent of the Rancho Master Plan and the Rancho Zones. He explained that an IDCO is a special type of Zoning Ordinance that allows the City to bypass the usual Zone Text Amendment process for the purpose of immediately prohibiting the establishment of uses that may conflict with a contemplated General Plan or Zoning Ordinance Amendment. He explained that an IDCO must be approved by a four-fifths vote of the Council and can initially be adopted for no longer than 45 days, after which time it may be extended for up to a total period of 24 months. He stated that in order to adopt an IDCO, the Council must find that a current and immediate threat exists to the public health, safety or welfare.

Mr. Herrmann informed the Council that there are currently no Development Review applications in process in any Rancho Commercial Zone and as such, staff does not believe that an IDCO is necessary at this time.

Motion

It was moved by Mr. Golonski, seconded by Mr. Bric and carried with Dr. Gordon voting no and Mrs. Reinke absent that “the report be noted and filed.”

506-1  
708  
801  
Burbank Center  
Stage Signage

Mr. Nelson, Deputy Director, Park, Recreation and Community Services Department, requested Council approval to install signage on the exterior of the Burbank Center Stage, Home of the Colony Theatre Company, located at 555 North Third Street and authorization to fund the project from the City’s General Fund by amending the Fiscal Year (FY) 2006-07 Budget. He added that

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on November 21, 2006, the Council approved a five-year sublease agreement and a theater operating agreement between the City and the Colony Theatre Company. At this meeting, the Council requested staff to return with signage options for Council consideration.

Mr. Nelson noted that all options reflect a consistent identification of the facility reading Burbank Center Stage – Home of the Colony Theatre Company. He added that this identification is also consistent with facility identification as called for in the original sublease and operating agreement. He then discussed the following options: Option I, brushed aluminum applications on exterior walls located on Third Street, Cypress Avenue and the main theater entrance located in the Macy's/Mervyns parking structure. The total projected cost for Option I was \$44,166; Option II, a double-sided projection sign with tall reverse Light-Emitting Diode (LED) illuminated letters reading Colony with additional lettering on the bottom of the projection sign reading Theatre Company. This projection sign was recommended for placement above the Third Street entrance and readable from either side of the sign with a total projected cost of \$27,062; Option III, a marquee-style electronic message center with additional aluminum letters mounted on top of each electronic display unit reading Burbank Center Stage. The total projected cost for Option III was \$77,416. He informed the Council that staff and the Colony Theatre Company's management recommended selecting Options I and II.

Motion It was moved by Mr. Golonski and seconded by Mr. Bric that "Options I and II be selected and that the following resolution be passed and adopted."

506-1  
708  
801  
Burbank Center  
Stage Signage

RESOLUTION NO. 27,479:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006 - 2007 BUDGET AND APPROPRIATING FUNDS IN THE AMOUNT OF \$71,228 FOR THE PURCHASE AND INSTALLATION OF SIGNAGE FOR THE BURBANK CENTER STAGE AND COLONY THEATRE COMPANY.

Adopted The recommendation and resolution were adopted by the following vote:

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

1503  
Renewable  
Portfolio  
Standard

Ms. McGinley, Legislative Analyst, Burbank Water and Power (BWP), requested Council consideration of increasing the City's Renewable Portfolio Standard (RPS) from 20 percent by 2017 to 33 percent by 2020. She noted that currently, the State's RPS for Investor-Owned Utilities (IOUs) is 20 percent by 2010; however, there is pressure from the Legislature to include Publicly-Owned Utilities in this 20 percent by 2010 mandate.

Mr. Jeider, Power Resources Manager, BWP, elaborated on the City's RPS and the existing, on-going and potential renewable energy projects. He noted that approval of the RPS does not constitute pre-approval for any particular plan or projects and that staff will be coming back to the Council for specific project approval.

Motion

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

1503  
Renewable  
Portfolio  
Standard

RESOLUTION NO. 27,480:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A REVISION TO THE CITY'S RENEWABLE PORTFOLIO STANDARD TO ESTABLISH A COMMITMENT THAT 33% OF ELECTRIC GENERATION SERVING RETAIL LOAD WILL BE SUPPLIED BY ELIGIBLE RENEWABLE RESOURCES BY THE YEAR 2020.

Adopted

The resolution was adopted by the following vote:

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

202-7  
Ord. Amending  
Composition of  
Police  
Commission

A report was received from the City Attorney's Office stating that on May 22, 2007, the Council increased the number of members serving on the Police Commission from five to seven. The proposed ordinance would amend Section 2-413 of the Burbank Municipal Code to reflect the change.

Ordinance

It was moved by Mr. Golonski and seconded by Mr. Bric 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

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AMENDING SECTION 2-413 OF THE BURBANK MUNICIPAL CODE RELATING TO THE COMPOSITION OF THE POLICE COMMISSION.

Introduced                    The ordinance was introduced by the following vote:

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

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

Citizen                        Appearing to comment were: Michelle Feather, on accessing  
Comment                       agenda reports on-line; and, Howard Rothenbach and David Piroli,  
   on valet parking in the Downtown area.

9:09 P.M.                     There being no further business to come before the Council, the  
Memorial                       meeting was adjourned at 9:09 p.m. in memory of Annabelle  
Adjournment                   Godwin.

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Margarita Campos, CMC  
City Clerk

APPROVED JANUARY 8, 2008

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Mayor of the Council  
of the City of Burbank