

TUESDAY, JUNE 12, 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 6:37 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Pastor Paul Clairville, Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Sam Engel, Sr.

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
Flag Day Mayor Ramos presented a proclamation in honor of Flag Day to Sam Engel, Sr., member, and Greg Glaser, President of the Burbank Kiwanis Club. Mr. Engel briefly described the annual Pause for the Pledge ceremony and the patriotic drawing contest, displaying the winning entries.

301-1
Native Daughters
of the Golden
West Mayor Ramos presented a proclamation in honor of Native Daughters of the Golden West Week to Adeline Coronado, Grand President.

301-1
Fire Regional
Occupational
Program Chief Pansini gave a brief introduction of the Fire Regional Occupational Program (ROP) and introduced the Fire Department personnel in attendance. Captain Rhoads further described the ROP program, the intent of which is to introduce students to various occupations within Fire service. Mayor Ramos presented Certificates of Recognition to the following graduates for a job well done and fine representation of the City: Matthew Bell; Kevin Brown; Gevorg Grigorian; Kayla Gurley; Paul-Michael Guterrez; Ty Jackson; Matthew Jones; Andrew McCown; Bryan Millo; Richard Mitchell; Chad Nichols; Krista Smith; Nathaniel Wilson; and, Teaching Assistants, Tom Conrad and Kyle Vickery.

Council
Comments Mr. Golonski reported on attending a League of California Cities meeting and the DeBell Clubhouse Subcommittee meeting together with Mr. Bric.

Mrs. Ramos reported on participating in the Tri-Cities Real Estate

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Connection Conference held in Glendale along with the Mayors of Glendale and Pasadena. She also stated that she attended the topping-off ceremony of the Community Services Building.

7:03 P.M.
801-2
804-2
201
Jt Hearing w the
Agency, Housing
Auth., Parking
Auth, Pub. Fin
Auth, YES Fund-
FY 2007-08
Citywide Fee
Schedule and
Council Goals.

Mayor Ramos stated that "this is the time and place for the hearing on the proposed budget for the Fiscal Year 2007-08 for the City, Redevelopment Agency, Housing Authority, Parking Authority, Public Financing Authority, Youth Endowment Services Fund, the 2007-08 Citywide Fee Schedule and Council Goals, including fees and charges for water, refuse and sewer service."

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 13 written protests concerning fees and charges for water, refuse and sewer service proposed for the 2007-08 Citywide Fee Schedule, and two e-mails pertaining to the proposed budget.

Staff Report

Mr. Torrez, Financial Services Director, requested consideration of the proposed Fiscal Year (FY) 2007-08 Annual Budget, Citywide Fee Schedule and Appropriations Limit. He also presented the Council with the FY 2007-08 Council Goals implementation matrix, and requested the Council verify those items which are not to be included as part of the FY 2007-08 Council Goals and provide any final direction. He reported that citywide resources total \$731.6 million while expenditures total \$719.6 million. He noted that after deducting the recurring appropriations from revenues, the recurring Fund Balance for the General Fund was \$312,222. With regard to non-recurring expenditures, he stated that staff anticipated beginning the new fiscal year with an available balance of \$2.1 million but after subtracting one-time appropriations including items added by the Council, the non-recurring balance was depleted and there was a need to use \$25,496 of Recurring Fund Balance to cover all proposed non-recurring appropriations. This would result in a recurring balance of \$286,726. He added that if the additional discussion paper

requests pertaining to parking enforcement tools and Secondhand Smoke Control Ordinance education/ ambassador program were approved, the recurring balance would be further reduced to \$147,722.

Mr. Torrez also requested Council approval of the following rate increases in the Enterprise Funds to cover related costs and comply with Bond Rate covenants: a six percent sewer rate increase; nine percent refuse rate increase; two and a half percent electric rate increase effective January 1, 2008; and, 4.8 percent water rate increase. He noted that the combined impact on residential customers is approximately \$7 to \$8 per month. He informed the Council that the public hearing fully complies with new noticing and hearing requirements for water, sewer and refuse charges, and that affected rate payers had the opportunity to vote against the rate increases.

Mr. Torrez further stated that the GANN appropriations limit is a State constitutional limit on the amount of total tax revenue that may be collected or received and appropriated by each local government agency in California. He noted that the City's FY 2007-08 appropriations limit is estimated to be \$143,579,990 and the actual amount of the appropriations contained in the budget that is subject to the limit is \$105,803,101. As such, the City is well below its appropriations limit. He also noted that although the Five Year Financial Forecast has improved, there is a deficit projected for FY 2011-12 and as such, staff will continue to monitor and provide options with regard to mitigating the projected deficit. He requested the Council conduct the public hearing, direct staff to prepare a resolution for adoption of the budget, adopt resolutions approving the water, refuse and sewer fees, and verify the Council Goals Matrix.

Public Comment Appearing to comment were: Robert Phipps, on funding for the Secondhand Smoke Control Ordinance enforcement; Joan Swanson, on funding for additional maintenance of the palm trees along Bel Air Drive; Roland Kaali, on refuse fees; Rose Prouser, on water rates and charges, refuse collection fees and management of the recycling program; Esther Espinoza, on funding for the Youth Endowment Services Fund; Eden Rosen, on the proposed utility rate increases pertaining to Lifeline customers, Burbank Water and Power's sponsorship of the Starlight Bowl and expenditures for public art projects.

7:45 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,

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seconded by Mrs. Reinke and carried with Dr. Gordon voting no that “staff be directed to return with the documents necessary to adopt the budget as presented, with a one-time \$100,000 allocation to a parking enforcement holding account and \$59,004 for an Ordinance Education/Ambassador Program.”

Motion It was moved by Mr. Golonski, seconded by Mr. Bric and carried that “staff perform some more due diligence on possible ways to maintain the original refuse rate smoothing plan or develop a modified rate increase that mitigates the need for a nine percent refuse rate increase in any year, while remaining in compliance with the refuse bond covenants. The information would be brought back for consideration with the budget adoption.”

Motion It was moved by Mr. Bric, seconded by Mrs. Reinke and carried that “the Council Goals be approved as presented.”

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: Molly Shore, on the Secondhand Smoke Control Ordinance; Gary Garrison, on the Joslyn Adult Center karaoke program; Steve Starleaf, in support of naming Burbank Tennis Center Court No. 1 in honor of Mike Tawdy and announcing an upcoming tennis academy; Essam Tawdy, in support of naming Burbank Tennis Center Court No. 1 in honor of Mike Tawdy; Rose Prouser, in support of enforcement for the Secondhand Smoke Control Ordinance, on left-turn lanes eastbound on Verdugo Avenue and Hollywood Way, expressing appreciation for the extra funding for the shuffleboard court at Tuttle Adult Center and on the proposed oral history program; Eden Rosen, on World Elder Abuse Day and utility deregulation; Mark Stebbeds, on Senate Bill 964 to strengthen the Brown Act and inquiring why Burbank is listed as being opposed to the bill; Stan Hyman, on the purchase of 261 West Verdugo Avenue; and, Esther Espinoza, on construction activity on Verdugo Avenue and in opposition to the rate increases.

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: Bob Olson, on the Art in Public Places guidelines; Esther Espinoza, on amending Police Commission's composition and on diversity training; Rose Prouser, on property values in Redevelopment areas, the sale of parking permits in residential areas, AT&T trenching, Council Goals not in the matrix, the Burbank Housing Corporation (BHC) Audit and commending City employees for tree trimming and refuse collection; and, Stan Hyman, on the appraisal of the property at 261 West Verdugo Avenue and on the BHC audit.

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

9:34 P.M. The Council recessed at this time to allow the Redevelopment Agency to conduct its meeting. The meeting was reconvened at 10:26 p.m. with all members present.

Motion It was moved by Mr. Golonski and seconded by Mr. Bric that "the following items on the consent calendar be approved as recommended."

804-3
902
ARB Grant for
Purchase of a
Low Emission
Scraper RESOLUTION NO. 27,481:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF BURBANK AND THE CALIFORNIA AIR RESOURCES BOARD (ARB) AND AUTHORIZING RECEIPT OF GRANT FUNDS IN THE SUM OF \$216, 748 TO ASSIST IN THE PURCHASE OF A LOW EMISSION SCRAPER.

1506
1207
Const Agt with
Icon West for the
Light Fleet Bldg
Tenant Improv.
Project
Adopted RESOLUTION NO. 27,482:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING THE GENERAL MANAGER OF BURBANK WATER AND POWER TO EXECUTE A CONSTRUCTION AGREEMENT WITH ICON WEST, INC., FOR TENANT IMPROVEMENTS TO THE LIGHT FLEET BUILDING IN AN AMOUNT NOT-TO-EXCEED \$828,950.
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.

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703
Renaming Tennis
Center Court
No. 1 in honor of
Mike Tawdy

Mr. Hansen, Park, Recreation and Community Services (PRCS) Director, requested Council approval of the PRCS Board's recommendation to name the Burbank Tennis Center Court No. 1 in honor of Mike Tawdy. He added that on April 12, 2007, the PRCS Board unanimously recommended that staff proceed with the submittal of a Naming of Public Facilities Application for the purpose of naming Court No. 1 in honor of Mr. Tawdy. He noted staff and the PRCS Board's opinion that Mr. Tawdy meets the criteria established and is eligible for public facility naming consideration, as he has made impressive contributions to the City and PRCS Department in the sport of tennis during his twenty years as a tennis instructor. He stated that there is a minor cost associated with the creation and installation of a plaque as a result of the recommended action. Funds were sufficient in the existing budget to cover these costs.

Motion

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

703
Renaming Tennis
Center Court
No. 1 in honor of
Mike Tawdy

RESOLUTION NO. 27,483:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING RENAMING THE BURBANK TENNIS CENTER COURT NUMBER 1 IN HONOR OF MIKE TAWDY.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

1705-2
Art in Public
Places
Guidelines for
Publicly-funded
Art projects

Mr. Hansen, Park, Recreation and Community Services Director, requested the Council discuss the existing Art in Public Places Guidelines for publicly-funded art projects and, if desired, amend the guidelines or establish new guidelines. He stated that on December 14, 1993, the Council adopted guidelines which include: selection of an art consultant to be paid up to 10 percent of the project's budget; selection of a Site Specific Art Selection Committee (SSASC) to provide public input, select the artist and select a design proposal for the project; final approval of art installation by the SSASC which would be forwarded to the Council for consideration and approval; and, review and approval of the project by the Council-appointed Art in Public Places Committee for Ordinance compliance. He noted that these guidelines have been followed for most of the publicly-funded projects.

Mr. Hansen then presented the following options which have been utilized in selecting previous publicly-funded art projects for Council consideration: Option I, employing the current guidelines; Option II, employing the current guidelines, without utilizing an Art Consultant; Option III, employing the current guidelines, without utilizing an Art Consultant, and bringing all artist finalists proposals to City Council for selection; and, Option IV, staff conducting an artist search, selecting finalists and presenting them to the Council for selection. He recommended the Council expand the existing guidelines and adopt all of the four stated options which will become the Art in Public Places Guidelines for publicly-funded art projects.

Motion It was moved by Mr. Golonski, seconded by Mrs. Reinke and carried that “the following options be adopted as the Art in Public Places Guidelines for publicly-funded art projects: Option I, employing the current guidelines; Option II, employing the current guidelines, without utilizing an Art Consultant; Option III, employing the current guidelines, without utilizing an Art Consultant, and bringing all artist finalists proposals to City Council for selection; and, Option IV, staff conducting an artist search, selecting finalists and presenting them to the Council for selection.”

Ordinance Submitted It was moved by Mr. Golonski and seconded by Mr. Bric that “the following ordinance be read for the second time and be passed and adopted.”

202-7 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
 Ord. Amending AMENDING SECTION 2-413 OF THE BURBANK MUNICIPAL
 Composition of CODE RELATING TO THE COMPOSITION OF THE POLICE
 Police COMMISSION.
 Commission

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.

10:41 P.M. Mrs. Ramos called for speakers for the final open public comment
 Reconvene period of oral communications at this time.

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Agency, Housing
Auth, Parking
Auth, Pub Fin
Auth and YES
Fund meetings

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

10:41 P.M. Memorial Adjournment There being no further business to come before the Council, the meeting was adjourned at 10:41 p.m. in memory of Gina Lee Anfenson.

Margarita Campos, CMC
City Clerk

APPROVED JANUARY 8, 2008

Mayor of the Council
of the City of Burbank