

TUESDAY, JULY 10, 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 5:03 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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

5:03 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 Labor Negotiator:

Pursuant to Govt. Code §54957.6

Name of the Agency Negotiator: Management Services Director/Judie Sarquiz.

Name of Organization Representing Employee: Burbank Police Officers Association and Unrepresented Managers (Z Group).

Summary of Labor Issues to be Negotiated: Contracts and Retirement Issues.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:40 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Pastor Rick Durrance, Emmanuel Church.

Flag Salute The pledge of allegiance to the flag was led by Kristen, Britney, Nathan, Carly and Lauren Turner.

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 Youth Task Force Award Ms. Stein, Deputy Park, Recreation and Community Services Director, presented the 2007 Winston Crouch Award for Innovation In Government that was awarded to the Youth Task Force by the

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Los Angeles Metropolitan Chapter of the American Society for Public Administration. She noted that the award was in recognition of the City's collaborative leadership to create an innovative approach which addresses the needs of the youth through civic engagement, and developing programs that will have a positive impact on the youth.

301-1
Military service
Recognition

Mayor Ramos introduced the families of the following members of the armed forces who are currently serving in the military and are being honored through the City's Military Banner Program: Seaman Corrie Renee Parish, US Navy; Private Griffin Turner, US Marines; and, Sergeant Juan J. Guillen, Jr., US Marines, who appeared in person.

Council
Comments

Mr. Golonski reported on attending the Burbank Boulevard Art Selection Committee meeting with Mrs. Reinke.

Mr. Bric requested staff provide an update on the July 4th activities at the Starlight Bowl.

Mrs. Ramos reported on attending a Policy Committee meeting for the League of California Cities, Los Angeles Division and the Metropolitan Transportation Authority San Fernando Governance Council meeting.

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 in support of funding for the Family Service Agency youth counseling program were: Elise Stearns-Niesen; Debbie Kukta; Jan Britz; Joel Shapiro; Shanna Warren; Barbara Howell; and, Daniel Hacking.

Also appearing to comment were: Nancy Winogradow, Sandy Spero and Brad Korb, in support of the reforestation program in Magnolia Park; and, Stan Hyman, on a response made by the City Attorney to his comments during oral communications.

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: Laurie Bleick, Bethany Veltman Baker, Steven Ferguson and Pat Smola in support of funding for the Family Service Agency youth counseling program; Esther Espinoza, on her past experience with youth outreach; Stan Hyman, expressing concerns with the disbursement of City funds to the Family Service Agency; and, David Piroli, on tree roots and sewer laterals and requesting additional information on the Family Service Agency youth counseling program.
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 item on the consent calendar be approved as recommended."
1503 1504 Water and Electric Monthly Report	The Water and Electric Monthly Report regarding water quality and power issues for July 2007 was received from Burbank Water and Power. The report was noted and filed.
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.
203 412 Approval of a Youth Task Force Recommended Program	Ms. Stein, Deputy Park, Recreation and Community Services Director, requested Council authorization to provide funding for youth counseling programs on Burbank Unified School District (BUSD) campuses. If approved, the Family Service Agency of Burbank (FSA) would receive up to \$200,000 from the Youth Services Holding Account (YSHA) to fund the continuance of programming at three middle school campuses, three high school campuses and the expansion of high school services to include a Phase II component. She noted that the Burbank Youth Task Force (BYTF) desires to continue and enhance the on-campus counseling programs, and to initiate Phase II of the counseling services for students on the high school campuses as proposed by

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FSA. As such, the BYTF recommended an appropriation of \$75,000 to continue counseling services on the three BUSD middle schools, \$100,000 to continue services on Burbank, Burroughs and Monterey High School campuses and \$25,000 to fund a Phase II component for the high schools. She added that the FSA is also dedicated to seeking and identifying additional funding sources to expand services which may include additional groups, individual, family and other services to best meet the needs of Burbank students. She stated that funds are available in the YSHA.

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

203 RESOLUTION NO. 27,495:
412 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Approval of a APPROVING THE APPROPRIATION OF \$200,000 FOR THE
Youth Task Force FUNDING OF YOUTH COUNSELING PROGRAMS FOR THE
Recommended BURBANK UNIFIED SCHOOL DISTRICT.
Program

Adopted The resolution was adopted by the following vote:

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

1602-8 Mr. Johnson, Assistant Public Works Director/Traffic Engineer,
1703 reported that on April 24, 2007, several residents of Evergreen
Consideration of Street between Magnolia Boulevard and Chandler Boulevard
Parking requested that the Council consider restricting parking in their
Restriction on the neighborhood to residents only, in anticipation of parking issues
1000 Block of associated with the Planned Development of the commercial parcel
Evergreen Street at 4201-4207 Magnolia Boulevard. He noted that the number of
available parking spaces adjacent to the commercial frontage of
Evergreen Street and Magnolia Boulevard is sufficient to
accommodate the construction activities at 4201-4207 Magnolia
Boulevard without unduly impacting parking in the residential area
of Evergreen Street. He stated that staff can regulate the parking
during construction to the commercial frontage of Magnolia
Boulevard through the Street Use Permit process, which will be
required for major portions of the construction. He added that other
construction activities can also be accommodated in the
commercial areas adjacent to the proposed development.
Staff was directed to return with a report providing parking
restrictions for the 1000 block of Evergreen Street.

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Street Tree
Report

Ms. Bartolo, Deputy Park, Recreation and Community Services Director, provided an overview of the value of trees to the City, in terms of their aesthetic appeal and environmental benefits. She also discussed City Codes which are relevant to the administration of the street tree program and provided information on the Tree Keeper Software Program, the Street Tree Master Plan, maintenance procedures and tree wells. She noted that the City has been recognized by the National Arbor Day Foundation as a Tree City USA city for 30 consecutive years, making it one of two cities with that recognition. She stated that the designation acknowledges the City's commitment and efforts in providing an on-going community forestry program. She added that the City has approximately 35,000 trees located in parkways, parks, public lands and golf course, helping to provide shade, stabilize soil, slow down high winds, turn carbon dioxide into oxygen and provide noise alteration. In addition, the trees provide energy-savings and aesthetic value to neighborhoods, which increases property values.

Ms. Bartolo reported that the City continues to have a goal of planting 100 new trees each year, which will increase canopy coverage. She stated that the Burbank Municipal Code provides details on the management of trees, tree removal procedures, protection and maintenance procedures. She added that the Forestry Division is responsible for the planting, removal and maintenance of all trees.

Ms. Bartolo then provided a status update on the pilot free parkway tree program which the Council funded in Fiscal Year 2006-07. She also described the upcoming reforestation projects, the procedure for removing parkway trees and commented on the Tree Keeper software which keeps track of the tree inventory and maintenance history for each tree. She also briefed the Council on the Magnolia Park reforestation project and stated that staff is in the process of investigating various options that can be put in place to mitigate problems by the enlarged tree wells in Magnolia Park.

Motion It was moved by Mr. Golonski, seconded by Mrs. Reinke and carried that "staff be directed to come back with recommendations for dealing with large tree wells in the interim until the trees are removed."

Motion It was moved by Mr. Golonski, seconded by Mrs. Reinke and carried that "staff be directed to establish an internal committee to review the Street Tree Master Plan from the perspective of increasing the tree canopy coverage provided by the species currently chosen for streets throughout the City."

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Motion

It was moved by Mr. Golonski, seconded by Mr. Bric and carried that "staff be directed to bring back a report for the Council to allocate funds from the sustainability holding account to fund 150 free parkway trees."

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911

Tree Roots and
Sewer Laterals

Mr. Andersen, Assistant Public Works Director/Wastewater Systems, reported that at the request of the Council, staff conducted an analysis on the current policy concerning sewer lateral damage attributed to City trees. He noted that the analysis compared the City's policy to other cities to allow the Council to determine if a policy change is desired. He noted that Resolution No. 17,805 provides that the City will reimburse the property owner for the repair of the portion of the sewer lateral that has been crushed or misaligned. He stated that this reimbursement policy was discussed and affirmed during a May 4, 2004 Council Study Session, and in August 2005, was adopted into the Burbank Municipal Code. He added that to qualify for the reimbursement, the following steps are required: the resident selects a contractor to perform the necessary repair; the resident or contractor obtains the required permits; the contractor exposes but does not remove the sewer line crushed or misaligned by the City tree; the contractor calls for City inspectors to verify the condition of the exposed pipe before replacing the damaged pipe; and, the resident submits a claim form with the City Clerk's Office. He added that if all of the steps have been completed and the claim is legitimate, the City processes the claim and the resident is reimbursed for the repair costs for that portion of the lateral crushed or misaligned by a City tree.

Mr. Andersen mentioned the public outreach efforts undertaken to ensure that the public is aware of the policy. He reported that during Fiscal Year 2005-06, eight claims were submitted for sewer laterals alleged to have been crushed or misaligned by roots from City trees. He noted that all but three of the claims were denied because the requirements of the reimbursement policy were not met. He stated that the average number of claims received is approximately 10 a year and that the average cost of each claim is slightly more than \$4,500.

Mr. Andersen then reviewed the policies of other cities such as Los Angeles, Brentwood, Universal City and Santa Barbara and discussed the issues relative to equity, liability and cost that need to be addressed with any policy. He then provided the Council with three possible program alternatives: status quo, the City of Los Angeles' policy where no reimbursement is provided; or, establishing a new policy. He recommended the City of Los Angeles' alternative which is consistent with surrounding cities,

minimizes City liability, is equitable for all residents and maintains competitive sewer rates.

Motion It was moved by Mrs. Reinke, seconded by Mr. Golonski and carried that "the status quo be maintained."

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.

Citizen Comment Appearing to comment were: Esther Espinoza, on police activity at her home; and, Eden Rosen, on cars blocking sidewalks.

11:03 P.M. Memorial Adjournment There being no further business to come before the Council, the meeting was adjourned at 11:03 p.m. in memory of Cesar Villarama.

Margarita Campos, CMC
City Clerk