

TUESDAY, JULY 17, 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 5:37 p.m. by Mrs. Ramos, Mayor.

CLOSED 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.

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

5:38 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.

**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 6:33 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 Ralph Walker, American Legion Post 150.

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 Mayor Ramos presented Certificates of Recognition to Pierce

7/17/07

Moving Vietnam Wall Event Brothers Valhalla Memorial Park, Boy Scouts of America, Verdugo Hills Council, Troop 201 and American Legion Post 150 for their dedicated efforts in bringing the memorable Traveling Vietnam Wall event to the Burbank community.

Council Comments Dr. Gordon reported on attending the Environmental Oversight Committee meeting with Mrs. Reinke.

Mr. Bric reported on attending a Lions Club event and the Arroyo Verdugo Cities meeting, and participating in the Civitan Jamboree Day event.

Mrs. Reinke also reported on attending the Environmental Oversight Committee meeting, ribbon cutting for First Capital Financial and Civitan Jamboree Day event. She also announced upcoming meetings for the Environmental Oversight Committee, Burbank Boulevard Merchants Association and the Magnolia Park Community Advisory Committee.

Mrs. Ramos reported that she received calls from two Congressmen regarding the Interagency Communication Interoperability System, park detail and youth mentoring program funding appropriations. She also reported that Congressman Schiff extended the time limit for the \$1.18 million for the transit hub next to Bob Hope Airport.

406 Airport Authority Report Commissioner Wiggins reported on the Airport Authority meeting of July 16, 2007. He thanked Mayor Ramos for taking the time to address the Airport Authority. He then reported that the Authority approved a leasehold transfer for Mercury Aviation. He also announced that Councilman Bob Yousefian from the City of Glendale was elected as the new Authority President, Mr. Wiggins was elected Vice President, and Mr. Turner from the City of Pasadena was elected Secretary.

7:33 P.M.  
410  
404  
Public Hearing  
MTA CMP and  
Adoption of the  
2007 LDR Mayor Ramos reported that "this is the time and place for the hearing on the City's conformance with the Metropolitan Transportation Authority's Congestion Management Program and the adoption of the 2007 Local Development Report."

Meeting Disclosures There were no meeting disclosures.

Notice The City Clerk was asked if notices had been given as required by

- Given law. She replied in the affirmative and advised that the City Clerk's Office received no correspondence on the matter.
- Staff Report Mr. Price, Assistant Planner, Community Development Department, requested the Council approve the proposed resolution certifying that the City is in compliance with the Los Angeles County Metropolitan Transportation Authority's (MTA) Congestion Management Program (CMP) and approve of submitting the Local Development Report (LDR) for the 2006-07 reporting period as required by the CMP. He stated that continued eligibility for Proposition 111 State Gas Tax revenue is contingent on the City's conformance with CMP requirements, including submitting an annual report documenting the demolition and new commercial and residential development impacting the transportation system.
- Mr. Price noted that as was the case in 2005 and 2006, the traditional credit and debit method of tracking development versus transportation improvements is suspended while the MTA continues work on a nexus study on the feasibility of implementing a county-wide congestion mitigation fee in lieu of the debit-credit system. He reported that the City currently has a 103,590 point surplus accrued under the program from prior years and remains fixed pending the result of the MTA nexus study. As such, the City remains in compliance with the requirements of the CMP and, with the approval of the proposed resolution and submittal of the LDR as required, will continue to be eligible for Proposition 111 State Gas Tax revenues as well as other transportation funding sources that require CMP compliance.
- Public comment Appearing to comment was Esther Espinoza on the development at Empire Avenue and Buena Vista Street.
- 7:39 P.M.  
Hearing  
Closed There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.
- Motion It was moved by Mr. Golonski and seconded by Mr. Bric that "the following resolution be passed and adopted."
- 410  
404  
Conformance RESOLUTION NO. 27,496:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
FINDING THE CITY TO BE IN CONFORMANCE WITH THE

7/17/07

with the MTA  
CMP and  
Adoption of the  
2007 LDR

CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE  
LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 65089.

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.

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: Robert Phipps, requesting the Council  
pass a resolution in opposition to the war; La Vergne Rosow, on  
parking issues; Gary Garrison, on the karaoke program at the  
Joslyn Adult Center; Jim Schad, on standing water by Johnny  
Carson Park; Ana May Nelson, on a film presentation being shown  
at McCambridge Park; and, Esther Espinoza, on police activity at  
her home.

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: Esther Espinoza, on the Burbank  
Community Foundation; and, Howard Rothenbach, on the energy  
efficiency programs.

Staff  
Response

Members of the Council and staff responded to questions raised.

8:09 P.M.

The Council recessed at this time to allow the Redevelopment

Recess Agency Board to conduct its meeting. The meeting reconvened at 8:22 p.m. with all members present.

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

1702 RESOLUTION NO. 27.497:  
 1108 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Subord Agt with APPROVING A SUBORDINATION AGREEMENT AND  
 Agency, Burbank ESTOPPEL CERTIFICATE BETWEEN THE CITY, THE  
 Accessible REDEVELOPMENT AGENCY OF THE CITY OF BURBANK,  
 Apartment Corp BURBANK ACCESSIBLE APARTMENT CORPORATION AND  
 and dept of Hsg THE DEPARTMENT OF HOUSING AND COMMUNITY  
 and Comm Devt DEVELOPMENT.  
 600 S. San  
 Fernando Blvd.

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.

202-1 Mrs. Campos, City Clerk, requested the Council make  
 202-13 appointments to vacancies on the Board of Building and Fire Code  
 203-3 Appeals, Heritage Commission and Civic Pride Committee. She  
 Appt to stated the Burbank Municipal Code provides that no person shall  
 Vacancies on the serve on more than one board, commission or committee at the  
 Bd of Bldg and same time, and as such, some members who were currently  
 Fire Code serving on other boards and got appointed to various boards,  
 Appeals, Heritage commissions and committees on May 22, 2007 had to resign their  
 Comm and Civic positions effective June 1, 2007. She stated that on May 29, 2007,  
 Pride Committee the City Clerk's Office began advertising and accepting applications  
 for these vacancies. As of the June 29, 2007 deadline, applications  
 were received from: Robert L. Kinzel, Jesse L. Byers, Marisa K.  
 DiDomenico, Armond Aghakhanian and Laurie A. Kierstein for the  
 Civic Pride Committee; Laurie A. Kierstein, Marisa K. DiDomenico  
 and Barbara C. Sawyer-Pitkin for the Heritage Commission; and,  
 Jef Vander Borght for the Board of Building and Fire Code Appeals.  
 Members Following a vote of the Council, Armond Aghakhanian (2008) was  
 Appointed appointed to the Civic Pride Committee; Laurie A. Kierstein (2008)  
 and Marisa K. DiDomenico (2010) were appointed to the Heritage  
 Commission; and, Jef Vander Borght (2009) was appointed to the  
 Board of Building and Fire Code Appeals.

7/17/07

1503  
1504  
Update on BWP  
Water and  
Energy Efficiency  
Programs

Mrs. Meyer, Marketing Manager, Burbank Water and Power (BWP), provided the Council with an update on the following BWP water and energy efficiency programs: Refrigerator Exchange Program; Refrigerator Round-Up Program; Made in the Shade; Energy Solutions Business Rebate Program; Home Rewards Residential Rebate Program; Home Energy Analyzer; Business Bucks; Solar Photovoltaic Installations; Green Energy Champion Program; Plug-In Hybrid Electrical Vehicle; Livingwise Educational Program; Wet Cleaning Program; and, Leadership in Energy and Environmental Design (LEED) Certification Incentive Program. She informed the Council that BWP's energy-saving efforts during Fiscal Year 2006-07 have reduced the City's electrical consumption by over 4.8 million kilowatt-hours, enough to power 810 Burbank homes for a full year.

Mrs. Meyer then reported on the following water conservation programs: High Efficiency Toilet Rebate Program; High Efficiency Washing Machine Rebates; Energy Star Dishwashers; Residential Drip Irrigation Program; Water-Saving Devices Program; and, LivingWise Program. She noted that these programs have yielded a savings of over nine million gallons of water, enough to serve the water needs of 41 Burbank households for an entire year.

Mrs. Meyer also elaborated on BWP's educational efforts to promote water and electricity conservation which included the Energy Expo and Water Festival; Efficient Landscape Education workshop; Water Is Life Poster Contest; Business Energy Workshops; and, several communication avenues.

The Council noted and filed the report.

202  
203  
Prioritizing the  
Order of  
Appointments For  
vacancies  
On Bds, Comm &  
Committees

Mrs. Campos, City Clerk, requested Council consideration of prioritizing the order of appointments for vacancies on boards, commissions and committees. She reported that at the present time, subsequent to the expiration of the application deadline for vacancies, the City Clerk's Office conducts a random drawing to select the order that the appointments will be presented for Council consideration on the agenda. In addition, a random drawing is conducted to select the order the applicants appear on the voting sheets.

Mrs. Campos reported that on May 22, 2007, the Council made appointments to several boards, commissions and committees and Vice Mayor Golonski suggested that the Council consider prioritizing the appointments based on the vacancy-to-applicant ratio; however, the Council chose to maintain the random order selection process. She noted that at the May 29, 2007 meeting, Council Member Bric requested that staff bring back for Council

consideration a discussion of prioritizing the order of appointments for vacancies.

Motion Failed It was moved by Mrs. Reinke, seconded by Mr. Golonski and failed with Mr. Bric, Mr. Golonski, Dr. Gordon, Mrs. Reinke and Mrs. Ramos voting no that “a new procedure be established for the appointment of vacancies on boards, commissions and committees, with a random drawing to establish the order of appointments in the event of ties and that those boards with the highest vacancy-to-applicant ratios be placed at the top in descending order.”

Motion It was moved by Mrs. Reinke, seconded by Dr. Gordon to “maintain the random order process as is.”

Substitute Motion It was moved by Mr. Golonski, seconded by Mr. Bric and failed with Mr. Bric, Dr. Gordon, Mrs. Reinke and Mrs. Ramos voting no “to adopt a new procedure based on the vacancy-to-applicant ratio from the past appointments to boards, commissions and committees.”

Original Motion The original motion moved by Mrs. Reinke and seconded by Dr. Gordon carried with Mr. Bric and Mr. Golonski voting no “to maintain the random order process as is.”

700  
Burbank  
Community  
Foundation  
Agreement Ms. Flores, Community Resources Coordinator, Community Development Department, provided an update on the previously-proposed City of Burbank and Burbank Community Foundation (Foundation) agreement. She reported that the agreement planned to create an additional platform for building a stronger community and would potentially expand funding possibilities to help meet the growing needs of the service-providing and non-profit community. She added that on September 26, 2006, staff clarified the roles of the City and Foundation Board, described potential charitable giving programs, eligibility criteria for funding, types of funds and agreements, the grant allocation process, information about other successful City foundations and future steps. She noted that based on the Council support and concept approval, efforts to reconstitute the organization and create a sound base to fulfill its mission were set in motion.

Ms. Flores reported that subsequent to the Council’s authorization, the Foundation Chair presented staff with additional reservations of the Foundation Board related to the proposed composition of the Board of Directors and the Brown Act applicability. She

7/17/07

recommended the City not continue with the proposal to reconstitute the Foundation at this time and noted that currently, staff is utilizing available resources to concentrate on other pivotal projects and programs that focus on opportunities to strengthen the community, local non-profits and assist in igniting and furthering the community service agendas of local businesses and other organizations.

The Council noted and filed the report.

201-2  
Annual Work  
Program and  
Performance  
Indicator  
Presentations

Ms. Alvord, City Manager, reported that the City has an annual process following the budget via which staff reviews the annual work program by department. The following individuals presented the Annual Work Program and Performance Indicators for their respective Department: Ms. Wyatt, Information Technology Director; Mrs. Georgino, Community Development Director; and, Mr. Davis, Burbank Water and Power General Manager.

11:32 P.M.  
Reconvene  
Agency Mtg

The Redevelopment Agency meeting was reconvened at this time for public comment.

Final Open  
Public Comment  
Period of Oral  
Communications

There was no response to the Mayor's invitation for speakers for the final open public comment period of oral communications at this time.

11:33 P.M.  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 11:33 p.m.

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Margarita Campos, CMC  
City Clerk