



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, AUGUST 21, 2007
5:00 P.M.

CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

PUBLIC COMMENT: Comments by the public on Closed Session items only. These comments will be limited to **three** minutes. A **PINK** card must be completed and presented to the City Clerk.

CLOSED SESSION IN CITY HALL BASEMENT LUNCH ROOM/CONFERENCE ROOM:

- a. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: Pina v. City of Burbank
Case No.: EC042608
Brief description and nature of case: Fall in the parkway in front of 409 South Beachwood Drive from a sink hole.
- b. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: In the Matter of the Application of the Burbank-Glendale-Pasadena Airport Authority.
Case No.: OAH No. L2001-110412
Brief description and nature of case: Application of Burbank-Glendale-Pasadena Airport Authority made to Department of Transportation, State of California for Noise Variance.

When the Council reconvenes in open session, the Council may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions concerning these matters.

6:00 P.M.

INVOCATION:

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The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

PRESENTATION: BURBANK STUDENT EXCHANGE TRIP TO OTA, JAPAN.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

At the request of the Burbank representatives to the Airport Authority, an oral report will be made to the City Council following each meeting of the Authority.

The main focus of this report will be issues which were on the Airport Authority meeting agenda of August 20, 2007. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

6:00 P.M. CONTINUED PUBLIC HEARING:

2. APPEAL OF PROJECT NO. 06-0201641 VARIANCE AND SECOND DWELLING UNIT – 2221 MANNING STREET:

The purpose of this hearing is to consider an appeal of the Planning Board's decision to deny Project No. 06-0201641, a Variance and Second Dwelling Unit. The appeal was received from the applicant, Andy Ferrera, who resides at the subject property. Mr. Ferrera requests approval to legalize an existing converted garage as a dwelling unit with substandard setbacks and without the extra parking space required. He also requests approval to construct a new garage with substandard dimensions and setbacks.

This hearing was continued from the July 24, 2007 Council meeting.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK UPD HOLDING
THE PLANNING BOARD'S DECISION AND DENYING PROJECT NO. 06-0201641,
A VARIANCE AND SECOND DWELLING UNIT (2221 MANNING STREET).

REPORTING ON CLOSED SESSION:

PUBLIC COMMENT: (Five minutes on any matter concerning City Business.) A **YELLOW** card must be completed and presented to the City Clerk.

City Business. City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under City Council jurisdiction, they are not City business and may not be discussed during Public Comment.

Written Communication. Members of the public seeking to present documents to the Council must provide ten (10) copies of such documents or the documents will not be accepted.

Videotapes/Audiotapes. Videotapes or audiotapes may be presented by any member of the public at any public comment period or at any public hearing. Such tapes may not exceed the time limit of the applicable Public Comment period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the public comment period during which the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Public Comments, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

Disruptive Conduct. The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and

disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO PUBLIC COMMENT:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PARKING AUTHORITY AND YOUTH ENDOWMENT SERVICES FUND BOARD:

3. TREASURER'S REPORT:

The City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending June 30, 2007.

Recommendation:

Note and file.

CONSENT CALENDAR: (Items 4 through 11)

The following items may be enacted by one motion. There will be no separate discussion on these items unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A **roll call** vote is required for the consent calendar.

4. REQUEST FOR AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR RENEWABLE WIND ENERGY FROM THE MILFORD WIND CORRIDOR PHASE 1, LLC ("UPC"):

Staff seeks Council approval granting authorization for the General Manager of Burbank Water and Power (BWP) to enter into a Power Sales Agreement (PSA) with the Southern California Public Power Authority (SCPPA) for the output associated with five percent (10 MW) of the Milford Wind Corridor Phase 1, Limited Liability Corporation (Milford Wind) facility located in Utah. This request will involve approval of both an Ordinance and a Resolution, as it is contemplated under the PSA, that SCPPA will be purchasing the facility during the term of the Agreement with Burbank's

proportionate share of the cost being financed through bonds issued by SCPA. The Council adopted a Resolution on June 5, 2007 that set a goal of 33 percent renewable energy by 2020 for BWP. Acquiring the renewable energy associated with Milford Wind would be an important step in meeting Burbank's Renewable Portfolio Standard and in reducing the production of Greenhouse Gas.

Recommendation:

Adoption of proposed resolution entitled
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING OFFICIALS TO EXECUTE AND DELIVER THE MILFORD WIND CORRIDOR PHASE I PROJECT POWER SALES AGREEMENT AND APPROVING THE SHARE OF ENERGY AND ASSOCIATED ENVIRONMENTAL ATTRIBUTES TO BE PURCHASED PURSUANT TO SUCH POWER SALES AGREEMENT.

Introduction of proposed ordinance entitled:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING ENTERING INTO THE MILFORD WIND CORRIDOR PHASE I PROJECT POWER SALES AGREEMENT.

5. APPROVAL OF FINAL MAP NO. 62724 – 545 EAST ANGELENO AVENUE:

Staff is requesting Council approval of Final Map No. 62724, a one-lot subdivision totaling 7,629 square feet located at 545 East Angeleno Avenue. The property is in the R-4 Multiple-Family High-Density Residential Zone and is owned by S.C. Construction Enterprise, a California Corporation. Conditions of Approval for Tentative Tract Map No. 62724 have been cleared by the Planning Division (Planning) for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to Planning (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's Office). According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Map No. 62724 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 62724 (545 EAST ANGELENO AVENUE).

6. APPROVAL OF FINAL MAP NO. 63785 – 550-560 EAST SANTA ANITA AVENUE:

Staff is requesting Council approval of Final Map No. 63785, a one-lot subdivision totaling 15,019 square feet located at 550-560 East Santa Anita Avenue. The property is in the R-3 Multiple-Family High-Density Residential Zone and is owned by Isaac and Frieda Vartanian. Conditions of Approval for Tentative Tract Map No. 63785 have been cleared by the Planning Division (Planning) for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to Planning (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's Office). According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Map No. 63785 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 63785 (550-560 EAST SANTA ANITA AVENUE).

7. APPROVAL OF FINAL MAP NO. 60966 – 540 EAST ANGELENO AVENUE:

Staff is requesting Council approval of Final Map No. 60966, a one-lot subdivision totaling 15,498 square feet located at 540 East Angeleno Avenue. The property is in the R-4 Multiple-Family High-Density Residential Zone and is owned by Coast to Coast Development at White Oak, a California Limited Liability Company. Conditions of Approval for Tentative Tract Map No. 60966 have been cleared by the Planning Division (Planning) for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to Planning (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's Office). According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Map No. 60966 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 60966 (540 EAST ANGELENO AVENUE).

8. APPROVAL OF FINAL MAP NO. 62862 – 735 EAST ANGELENO AVENUE:

Staff is requesting Council approval of Final Map No. 62862, a one-lot subdivision totaling 7,627 square feet located at 735 East Angeleno Avenue. The property is in the R-3 Multiple-Family Low-Density Residential Zone and is owned by Angeleno Properties, a California Limited Liability Company. Conditions of Approval for Tentative Tract Map No. 62862 have been cleared by the Planning Division (Planning) for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to Planning (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's Office). According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Map No. 62862 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 62862 (735 EAST ANGELENO AVENUE).

9. ESTABLISHMENT OF THE SPECIFICATION, TITLE AND SALARY FOR THE CLASSIFICATION OF GRANTS AND REVENUE MANAGER:

Staff is requesting Council approval of the establishment of the specification, title and salary for the classification of Grants and Revenue Manager (GRM) (CTC No. 0390). In 2003, the Financial Services (FS) Department eliminated the position of Revenue Manager, due to mandatory Citywide budget cuts. Consequently, staff members have absorbed the workload and took on the duties and responsibilities of that position. Since then, efforts to track and monitor the City's revenues have been minimal. However, due to recent legislative actions, monitoring the City's revenues on a regular basis will be of great importance. The FS staff also manages the Federal Emergency Management Agency grants post disaster recovery process. Historically, this has been a collective effort, but the department feels it would be more efficient to have one person coordinate these activities and be the point of contact for all departments.

The GRM will report directly to the Assistant FS Director and will be responsible for managing and analyzing the City's diverse revenue, and also coordinating and monitoring all Citywide grants. The classification will be an Unrepresented Management position exempt from Civil Service and the Fair Labor Standards Act, under the administrative employee exemption. This position will be included in the City's Conflict of Interest Code. The proposed salary for this classification is \$6,706 to \$8,148 and was established by reviewing the internal salary relationships within the FS Department. There will be no fiscal impact for the establishment of the classification of GRM. The Department has included this position in its budget for Fiscal Year 2007-08.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF GRANTS & REVENUE MANAGER (CTC No. 0390) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

10. ESTABLISHMENT OF THE SPECIFICATION, TITLE AND SALARY FOR THE CLASSIFICATION OF PUBLIC SAFETY FACILITY TECHNICIAN:

Staff is requesting Council approval of the establishment of the specification, title and salary for the classification of Public Safety Facility Technician (PSFT) (CTC No. 0645). The City's public safety facilities are in operation 24 hours a day, 365 days a year, which exposes them to twice the normal wear and tear of most other City buildings. These facilities are a critical component of the City's safety services and it is crucial that all maintenance and repair issues are dealt with quickly and efficiently. Therefore, staff has identified the need for a full-time employee to manage the maintenance, repair and renovation of the City's public safety facilities. The PSFT will be a non-sworn classification within the Police Department and report directly to the Police Sergeant. The classification will be a Civil Service position, represented by the Burbank City Employees Association, subject to the Fair Labor Standards Act and will be included in the City's Conflict of Interest Code. The proposed salary for this classification is \$3,902 to \$4,873 and was established by reviewing the internal salary relationships within the City. There will be no fiscal impact for the establishment of the classification of PSFT. The Department has included this position in its budget for Fiscal Year 2007-08.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF PUBLIC SAFETY FACILITY TECHNICIAN (CTC No. 0645) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

11. APPROVING AN AGREEMENT WITH GLOBAL TEL LINK CORPORATION TO PROVIDE INMATE PAY PHONE SERVICE FOR THE BURBANK JAIL:

Staff is requesting Council approval of an agreement with Global Tel Link Corporation (GTL) to provide inmate pay phone service for the Burbank jail. The California Penal Code, Section 4025, allows the City to collect a percentage of income generated from collect calls made from inmate pay phones. Revenue generated from this service must be deposited into an inmate welfare fund, which can only be used for the benefit, education and welfare of the inmates confined in the jail. Southwestern Bell Corporation (SBC) has been a vendor for the Burbank jail since 1999 and the Police Department has been satisfied with their service. However, SBC is no longer providing inmate pay phone service and has recommended GTL. All phone equipment would remain the same and GTL would simply take control of the lines.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AGREEMENT WITH GLOBAL TEL LINK CORPORATION TO PROVIDE INMATE PAY TELEPHONE SERVICE FOR THE BURBANK JAIL.

END OF CONSENT CALENDAR *** *** ***

REPORT TO COUNCIL:

12. PREPAID NATURAL GAS AGREEMENT WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY:

Burbank Water and Power is proposing to substantially lower gas costs by entering into a 30-year prepaid natural gas supply agreement with Southern California Public Power Authority (SCPPA). Natural gas is an integral element of the City’s long term electric generating resource portfolio. The agreement will reduce natural gas cost by \$32 to \$45 million over the next 30 years. It will also provide long term gas from a financially-strong gas supplier.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK, APPROVING THE GAS SUPPLY AGREEMENT BETWEEN THE CITY OF BURBANK AND THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY, AUTHORIZING SPECIFIED CITY OFFICIALS TO EXECUTE AND DELIVER THE GAS SUPPLY AGREEMENT, AND APPROVING THE PARTICIPATION OF THE CITY OF BURBANK IN THE ACTIVITIES AND PROGRAM REFLECTED THEREIN PURSUANT TO THE TERMS AND CONDITIONS OF THE GAS SUPPLY AGREEMENT.

RECONVENE the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings for public comment.

PUBLIC COMMENT: (Three minutes on any matter concerning the business of the City.)
A **GREEN** card must be completed and presented to the City Clerk.

COUNCIL AND STAFF RESPONSE TO PUBLIC COMMENT:

ADJOURNMENT.

**For a copy of the agenda and related staff reports,
please visit the
City of Burbank's Web Site:
www.ci.burbank.ca.us**