



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, SEPTEMBER 18, 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 – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 1
- b. 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: Contract and Retirement Issues.

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:

RECOGNITION: 2007 U.S.A. ARTISTIC ROLLER-SKATING NATIONAL CHAMPIONS.

PROCLAMATION: PROSTATE CANCER AWARENESS MONTH.

PROCLAMATION: NATIONAL EMBLEM CLUB WEEK.

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 September 17, 2007. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

6:00 P.M. PUBLIC HEARING:

2. PROJECT NUMBER 06-0200799 – VARIANCE AND SECOND DWELLING UNIT - 1632 NORTH FREDERIC STREET:

The purpose of this report is for the Council to consider an appeal of the Planning Board's decision to deny Project Number 06-0200799, Variance and Second Dwelling Unit. The Variance is for approval of the Second Dwelling Unit without an additional off-site parking space and for a proposed portion of the Second Dwelling Unit to encroach 10 feet into the 15 foot required rear yard setback. The appeal was submitted by the applicant, Zahira Fazilat. She states that the additional parking space is not needed because her mother will reside in the Second Dwelling Unit and she no longer drives.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK UPHOLDING THE
PLANNING BOARD'S DECISION AND DENYING PROJECT NO. 06-0200799,
VARIANCE AND SECOND DWELLING UNIT (1632 NORTH FREDERIC 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:

CONSENT CALENDAR: (Items 3 through 5)

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.

3. MINUTES:

Approval of minutes for the Joint Council/Board of Education meeting of January 31, 2007 and the regular meetings of February 6, February 13, February 20 and February 27, 2007.

Recommendation:

Approve as submitted.

4. AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM TARGET FOR THE 24TH ANNUAL NATIONAL NIGHT OUT AND AMEND THE FISCAL YEAR 2007-08 BUDGET BY APPROPRIATING FUNDS:

Staff is requesting Council approval of a resolution that authorizes the City Manager to accept a \$2,000 grant from Target for the 24th Annual National Night Out event and amends the Fiscal Year 2007-08 budget by appropriating funds. The purpose of National Night Out is to heighten crime and drug prevention awareness; generate support for, and participation in, local anti-crime programs; strengthen neighborhood spirit and police-community partnerships; and, send a message to criminals that neighborhoods are organized and fighting back. National Night Out has proven to be an effective, inexpensive and enjoyable program to promote neighborhood spirit and police-community partnerships in the fight for a safer community.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING RECEIPT OF GRANT FUNDS FROM TARGET AND AMENDING THE FISCAL YEAR 2007 - 2008 BUDGET TO APPROPRIATE FUNDS IN THE AMOUNT OF \$2,000 TO FUND BLOCK PARTY PROMOTIONAL ITEMS FOR THE ANNUAL NATIONAL NIGHT OUT.

5. SECOND AMENDMENT TO THE AFFILIATION AGREEMENT WITH THE UNIVERSITY OF CALIFORNIA:

The purpose of this report is to request Council approval of a three-year amended agreement with the Regents of the University of California, allowing the City of Burbank Fire Department Paramedics to be preceptors for paramedic students from University of California Los Angeles-Daniel Freeman Paramedic School. The Burbank Fire Department has been a preceptor for many students for more than twenty-five years. The program is beneficial because preceptors are able to reinforce their knowledge and skills by teaching and mentoring others. This partnership improves emergency medical services to citizens and the medical community.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING THE SECOND AMENDMENT TO THE AFFILIATION AGREEMENT BETWEEN THE CITY OF BURBANK AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA.

END OF CONSENT CALENDAR

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REPORT TO COUNCIL:

6. PROPOSED NEW ENERGY EFFICIENCY AND DEMAND REDUCTION PROGRAMS AND CHANGES TO AN EXISTING ENERGY EFFICIENCY PROGRAM:

Burbank Water and Power staff will present two new energy programs – a demand response program recommending the installation of 20 Ice Bear thermal storage units and an air conditioning efficiency program for residents and small businesses – as well as changes to the existing Home Rewards residential energy-efficient appliance rebate program.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING IMPLEMENTATION OF NEW AND REVISED ENERGY EFFICIENCY AND DEMAND REDUCTION PROGRAMS OF BURBANK WATER AND POWER.

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**