

TUESDAY, SEPTEMBER 18, 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 Mr. Golonski, Vice Mayor.

CLOSED SESSION

Present- - - - Council Members Bric, Golonski, Gordon and Reinke.
Absent - - - - Council Member Ramos.
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

Public Comment There was no response to the Vice Mayor's invitation for public comment on Closed Session matters at this time.

5:04 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:

Anticipated Litigation (City as potential defendant):

Pursuant to Govt. Code §54956.9(b)(1)

Number of potential case(s): 1

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.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:03 p.m. by Mayor Ramos.

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

Flag Salute The pledge of allegiance to the flag was led by Harrison Hartley, Nicole Calderon and Western Nelson, members of the Junior Precision Skate Team In Sync.

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 a proclamation in honor of National

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National Emblem Week Emblem Club Week to Elaine Paonessa, of the Emblem Club of Burbank.

301-1 Prostate Cancer Awareness Month Mayor Ramos presented a proclamation in honor of Prostate Cancer Awareness month to Ben Marks, prostate cancer survivor and volunteer with the American Cancer Society.

301-1 2007 U.S.A. Artistic Roller-Skating National Champions Mayor Ramos recognized the In Sync Junior Precision Skate Team which has skated in the California State Games in Orange County, the Regional Artistic Roller-skating Competitions in Fresno and the Nationals in Omaha, Nebraska and placed first in all three competitions. She congratulated the team for becoming the 2007 Artistic Roller-skating National Champions. Certificates of Recognition were presented to the following team members: Harrison Hartley; Nicole Calderon; Western Nelson; Seth Fred; Jessica George; Earon Guerrero; Sharon Kim; Carly Paronelli; Casey Parsons; Samantha Rubin; Valerie Schwade; Briane Shin; Isabelle Ursini; Ali Stravino; Katie Keil; Kaylynn Medlock; Britney Medlock; and, Coaches David Allen and Tammy Gantz Patino.

Reporting on Council Liaison Committees Mr. Bric reported on attending the Kiwanis Club installation ceremony and the Arroyo Verdugo Steering Committee meeting. He also reported on meeting with Chief Stehr.

Dr. Gordon reported on meeting with Chief Stehr.

Mrs. Reinke reported on attending the Kiwanis Club and Kids Community Dental Clinic events. She also reported on taking a tour of the Warner Bros. studios with Mr. Bric and meeting with Chief Stehr.

Mrs. Ramos reported on attending the Kids Community Dental Clinic event and meeting with the Sister City Committee Chair. She also reported on attending the St. Robert Bellarmine Church Centennial Celebration.

406 Airport Authority Report Commissioner Brown reported on the Airport Authority meeting of September 17, 2007. He stated that the Authority awarded a contract under the Residential Acoustical Treatment Program to insulate 29 homes.

6:47 P.M. 1704-5 Mayor Ramos stated that "this is the time and place for a hearing on Project No. 06-0200799, to consider permitting a Second

Public Hearing Variance for Second Dwelling Unit – 1632 N. Frederick St.	Dwelling Unit with a request for a five-foot rear yard setback without providing an additional parking space at 1632 North Frederick Street. The applicant, Zahira Fazilat, has appealed the matter to the Council, and desires that the Council approve the project and overturn the Planning Board’s decision.”
Meeting Disclosures	Mrs. Reinke disclosed a meeting with a resident who lives in close proximity to the proposed project.
Notice Given	The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that two emails were received by the City Clerk’s Office.
Staff Report	Mr. Velasco, Assistant Planner, Community Development Department, requested Council consideration of a request by Zahira Fazilat to approve a Second Dwelling Unit (SDU) application and a variance to allow a portion of the proposed SDU to encroach 10 feet into the required 15-foot rear yard setback. He stated that the original request denied by the Planning Board included a variance to approve the SDU without providing an additional on-site parking space. He explained that the applicant has submitted revised plans showing the addition of an on-site parking space but still requests a variance for the rear yard encroachment. He mentioned that the subject property is located at 1632 North Frederick Street and is Zoned R-1 Single-Family Residential. He added that the proposed SDU is 500 square feet, 265 feet of which is an existing un-permitted SDU. He stated that the applicant is proposing to move into the main dwelling unit. He informed the Council that that opponents at the Planning Board hearing cited concerns over increased traffic and compounding the already-congested parking situation. He requested the Council uphold the Planning Board’s decision to deny the appeal.
Appellant	<p>Nami Marandi, General Contractor, requested the Council approve the appeal as a parking space has been provided, and stated that the applicant intends to occupy the property as her primary residence.</p> <p>Zahira Fazilat, applicant/appellant, urged the Council to approve the appeal, stating that she will be moving back to her residence with her elderly mother. She also highlighted the submission of revised plans with the additional parking space but requested a variance for the rear yard encroachment.</p>
Citizen Comment	Appearing to comment were Tina McDermott, Kathleen Schaedler and Jean Schaedler.

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Rebuttal Mr. Marandi responded to public comment with regard to the shared driveway and occupancy of the proposed studio project.

Ms. Fazilat clarified that she is moving back to her house with her elderly mother who does not drive but desires privacy.

Staff Response Mr. Velasco responded to public comment with regard to the driveway width.

7:10 P.M.
Hearing Closed There being no further response to the Mayor's invitation for public comment, the hearing was declared closed.

Council
Deliberation Council deliberation centered on the revised plans submitted at the last minute and preference to send the matter back to the Planning Board. There was also discussion on the possibility of adding to the SDU without encroaching into the rear yard setback. The applicant was asked if there was any uniqueness to the proposed design and whether she could revise the plans to meet Code requirements. She replied in the affirmative.

Motion It was moved by Mr. Golonski and seconded by Dr. Gordon that "the following resolution be passed and adopted, without prejudice."

1704-5
Variance for
Second Dwelling
Unit – 1632 N.
Frederick St.
RESOLUTION NO. 27,546:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK UPHOLDING THE PLANNING BOARD'S DECISION AND DENYING WITHOUT PREJUDICE PROJECT NO. 06-0200799, VARIANCE AND SECOND DWELLING UNIT (1632 NORTH FREDERIC STREET).

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 items considered by the City Council during the Closed Session meeting.

Public Comment Mrs. Ramos called for speakers for public comment at this time.

Appearing to comment were: Theresa Zapata and Vic Georgino; Boris Markosian, Diana Markosian and Arin Haghverdian; Gary Garrison; Elizabeth Montgomery; Eden Rosen; James Schad; and, David Piroli.

Staff
Response

Members of the Council and staff responded to questions raised.

Motion

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

Minutes
Approved

The 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 were approved as submitted.

804-3
907
National Night
Out Grant from
Target

RESOLUTION NO. 27,547:
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.

405-1
908
Second
Amendment To
The Affiliation
Agt with UCLA

RESOLUTION NO. 27,548:
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.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Bric (except the minutes), Golonski, Gordon, Reinke and Ramos.

Noes: Council Members None.

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Absent: Council Members None.
Abstain: Council Member Bric (on the minutes only).

1503
Energy
Efficiency
Programs

Mrs. Meyer, Marketing Manager, Burbank Water and Power, introduced two new energy-efficiency programs, the Ice Bear Unit Program and Air Conditioning Tune-Up Program, and requested the Council adopt a resolution authorizing implementation of the proposed programs. She reported that staff proposed to install 20 Ice Bear Units at City, commercial and non-profit facilities and would contract with Proctor Engineering to provide the Check Me! air conditioning programs which include retro-commissioning, duct testing and sealing and installing extended fan time relay devices. She elaborated on the anticipated energy savings and how the programs would be structured. She reported that \$125,000 has been allocated in the Fiscal Year 2007-08 Public Benefits budget to cover the associated costs.

Mrs. Meyer also discussed the proposed improvements to the Home Rewards Program to: add rebates for wall and attic insulation; set rebate limits to a standard amount for in-Burbank purchases rather than based on the cost of the item; and, eliminate the \$500 rebate cap per year per residence.

Dr. Gordon supported the programs with the exception of installing Ice Bear Units in non-profit organizations. He urged that the schools be considered a high priority.

Motion

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

1503
Energy
Efficiency
Programs

RESOLUTION NO. 27,549:
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.

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.

Final Public
Comment

There was no response to the Mayor's invitation for speakers for final public comment.

8:57 P.M.
Memorial
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 8:57 p.m. in memory of Mary Margaret Brady.

Margarita Campos
City Clerk