

TUESDAY SEPTEMBER 25, 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 6:06 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Bob Kramer, Community Assistance Coordinator.

Flag Salute The flag salute was led by Todd Campbell.

ROLL CALL

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

Absent - - - - Council Members None.

Also Present - Ms. Alvord, City Manager; Ms. Scott, Chief Assistant City Attorney; and, Mrs. Campos, City Clerk.

301-1 Mayor Ramos presented a proclamation in honor of Childhood Injury Prevention Week to Sabahat Quiraish, Health Educator with Los Angeles County.

301-1 Mayor Ramos presented a proclamation in honor of Dollar Wise Week 2007 to Margo White, Executive Vice President/ Programs, for Junior Achievement of Southern California.

301-1 Mayor Ramos recognized the following Starlight Bowl Summer Season Sponsors for their generous donations which assisted the City to provide quality family entertainment to the community. The Season Sponsors included: Bob Hope Airport; Burbank Water and Power; Clean Energy; Lexus of Glendale; NBC 4 and NBC Universal; Von Keith Properties; Burbank City Employees Credit Union; and, Warner Bros. Mayor Ramos also recognized the following Starlight Sponsors: AT&T; Burbank Recycle Center; Downtown Burbank; and, The Walt Disney Company.

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: Hospice Apprentice Bryan Artiles, United States Navy; Ensign Elliot Giles; United States Army; and, Seaman Recruit Steven Moss, United States Navy.

Council Comments Mrs. Reinke reported on attending the Magnolia Park Citizens Advisory Committee meeting.

Dr. Gordon reported on a visit to the Boys & Girls Club of Burbank. Mr. Bric reported on attending the Transit Services Task Force meeting with Mrs. Ramos.

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Mr. Golonski reported on attending the Youth Task Force meeting.

Mrs. Ramos reported on attending: a working lunch with Board of Education Member Kukta; a Leadership Burbank introductory meeting; a Race and Community Relations panel discussion workshop in Los Angeles; a meeting with representatives of the Armenian Chamber of Commerce; a dinner reception at the East Valley YMCA; the Transit Services Task Force meeting; and, the 35th Anniversary celebration for the Joslyn Center.

Public
Comment

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

Citizen
Comment

Appearing to comment were: Gary Garrison; Steven Mayhew; Tim McHugh; Gene Warren, Jr.; Greg Jackson; Robert Caplan; Douglas Hill; Fred Prouser; Rose Prouser; David Piroli; Chris Gardos; Beverly Hartly; James Schad; and, Rich Kontas.

Council and Staff
Response

The Council and staff responded to questions raised.

Motion

It was moved by Dr. Gordon and seconded by Mr. Bric that "the following items on the consent calendar be approved as recommended."

202-10
Youth Board
Appointments

The Council approved the following school representatives for two-year term appointments and appointed At-Large members for a one-year term: Bellarmine Jefferson High School, Phoebe Kunitomi; Burbank High School, Elizabeth Johnston; John Burroughs High School, Cristina Zapata; Providence High School, Grace Samson; Jordan Middle School, Kylie Lewis; John Muir Middle School, Camille Epps; Luther Burbank Middle School, Nicole Encarnacion; Saint Finbar, Allyson Cruz; Saint Francis Xavier, Darryn Albert; Saint Robert Bellarmine, Barbara Moore; and, Monterey High School, Rick Lewis.

The appointed At-Large members were Nick Dao and Whitney White.

1007-1
1009-1
Est of Job Spec
Right-Of-Way

RESOLUTION NO. 27,550:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF RIGHT-OF-WAY SPECIALIST (CTC No. 0728) AND PRESCRIBING

Specialist CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

804-3 RESOLUTION NO. 27,551:
 404 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 908 APPROVING AMENDMENT NO. 1 TO THE CARDIAC CARE
 Agt w LA County PROGRAM AGREEMENT BETWEEN THE CITY OF BURBANK
 For a Prehospital AND COUNTY OF LOS ANGELES, ACCEPTING A
 Emergency PREHOSPITAL EMERGENCY MEDICAL CARE ACT GRANT
 Medical Care Act FROM THE COUNTY OF LOS ANGELES, AND AMENDING THE
 Grant FISCAL YEAR 2007-2008 BUDGET BY APPROPRIATING
 FUNDS IN THE AMOUNT OF \$15,625 FOR THE PURCHASE OF
 ONE ADDITIONAL DEFIBRILLATOR.

801-2 RESOLUTION NO. 27,552:
 1503 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 1301-1 APPROVING AND ADOPTING CONTRACT DOCUMENTS,
 B. S. No. 1241 PLANS AND SPECIFICATIONS, AND DETERMINING THE
 MPP Additional LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND
 Platforms AUTHORIZING EXECUTION OF A CONTRACT FOR
 FABRICATION AND ERECTION OF ADDITIONAL PLATFORMS
 FOR THE MAGNOLIA POWER PROJECT PURSUANT TO BID
 SCHEDULE NO. 1241, AND AMENDING THE FISCAL YEAR
 2007-2008 ANNUAL BUDGET IN THE AMOUNT OF \$700,000 TO
 PROVIDE FUNDING FOR SAID PROJECT.

1301-3 RESOLUTION NO. 27,553:
 911 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 B.S. No. 1224 APPROVING AND ADOPTING CONTRACT DOCUMENTS,
 Verdugo Ave PLANS AND SPECIFICATIONS, AND DETERMINING THE
 Sewer LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND
 Improvements AUTHORIZING EXECUTION OF A CONTRACT FOR SANITARY
 SEWER IMPROVEMENTS ON VERDUGO AVENUE TO THE
 SJ&B GROUP INC., BID SCHEDULE NO. 1224.

1212-2 RESOLUTION NO. 27,554:
 Lease Agt w OCE A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 North America for APPROVING AND AUTHORIZING EXECUTION OF
 a Duplicating AGREEMENTS BETWEEN THE CITY OF BURBANK AND OCE
 Machine NORTH AMERICA, INC., FOR LEASE OF A BLACK AND WHITE
 DUPLICATING MACHINE.

Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Bric, Golonski, Gordon, Reinke and Ramos.

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Noes: Council Members None.
Absent: Council Members None.

7:55 P.M.
Mrs. Reinke
Recused

Mrs. Reinke recused herself from participating in the following item due to the fact that she owns property on Rose Street. She left the Chamber at this time.

1602-2
1703
Resident-Only
Parking on
Evergreen Street

Mr. Johnson, Assistant Public Works Director/Traffic Engineer, reported that staff was directed to provide parking usage information for Evergreen Street between Magnolia and Chandler Boulevards. He noted that the requests were in anticipation of parking issues associated with the Planned Development of the commercial parcel at 4201-4207 Magnolia Boulevard. He reported that staff's data indicates there is sufficient on-street parking supply in the commercial area to accommodate construction activities for the Planned Development, and parking restrictions for construction workers can be instituted through the existing street-use permit process to prevent excessive use of the residential on-street parking. He noted that the current residential parking demand is significantly below the level that requires parking restrictions as established by the Council and a significant increase in demand is not expected during project construction.

Motion

It was moved by Mr. Golonski, seconded by Dr. Gordon and carried with Mrs. Reinke recused that "staff be sensitive to the residents' parking and traffic concerns when issuing permits necessary for the commercial project and to ensure that if a problem arises during or post construction, the Council is approving a fast track process waiving the six-month two-hour period and that the matter be brought back to the Council in a rapid fashion."

8:18 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 8:29 p.m. with all members present.

1602
412
Parking
Conditions in the
300 Block of
Lomita Street

Mr. Johnson, Assistant Public Works Director/Traffic Engineer, reported that at the request of the Lomita Street residents, the Council directed staff to investigate potential parking restrictions near Jordan Middle School to control recreational facility users of the school grounds. He noted that staff investigated the current parking conditions and concluded that the opening of the on-

Near Jordan Middle School campus parking lot significantly reduced the on-street parking demand. He anticipated that the remaining on-street parking demand related to recreational activities at the school will be eliminated with the completion of the new parking lot on Shelton Street. He noted that implementing parking restriction prior to opening the new parking lot would simply shift the parking demand to other streets in the immediate vicinity. He noted staff's recommendation that the imposition of on-street parking restrictions be delayed until the construction of the Shelton Street parking lot is complete, at which time staff will survey the parking conditions to determine if any additional parking controls are needed.

Motion It was moved by Mr. Golonski, seconded by Mrs. Reinke and carried that "the report be noted and filed."

1504 Southern California Critical Water Shortage Mr. Mace, Assistant General Manager/Water Systems, Burbank Water and Power, reported that in 1913 the City of Los Angeles constructed the Los Angeles Aqueduct and subsequently, the Metropolitan Water District was formed and the Colorado River Aqueduct was built and placed in operation in the early 1940s. He added that in the 1960s, the State Water Project, the California Aqueduct, was built and has currently been the principal source of water supply for Southern California. With the aid of a PowerPoint presentation, he identified the location of the Southern California water supply facilities such as the Los Angeles Aqueduct, Colorado River Aqueduct and local supplies such as groundwater and recycling sources. He also identified the Sacramento/San Joaquin Delta through which the majority of the imported water received in Southern California from the northern part of the State behind Lake Oroville and Lake Shasta has to flow prior to being put into the California Aqueduct. He noted that on August 31, 2007, following years of legal issues regarding the ecological health of the Delta, a Federal Judge issued an order reducing deliveries through the Delta by up to 30 percent. He noted that since all Southern California water has to flow through the Delta, a reduction in flow will greatly curtail the available water.

Mr. Mace then elaborated on the water supply reliability as of March 2007 and the supply/demand balance. He discussed the Metropolitan Water District action plan which includes: a public information campaign for enhanced conservation and use of local resources; maximizing groundwater production; acquiring additional water supplies; maximizing dry-year storage, groundwater and surface reservoir programs; near-term Delta actions that may allow less of a cut-back as ruled by the Judge; and, a backstop with emergency supplies. He showed the route of an alternative approach to the Delta issue which entails the construction of a

facility to convey water around the Delta. He also elaborated on the potential impact to the City's water resources.

Mrs. Meyer, Marketing Manager, Burbank Water and Power, elaborated on the City's local actions which include: the 20-gallon challenge; adoption of a Recycled Water Masterplan; and, construction of a water spreading connection in Pacoima. She also stated that staff will be coming back to the Council with interim water use ordinances such as: retrofit on sale; commercial, industrial and institutional irrigation; and, water allocation program. For the long term, she stated that the City will need a new sustainable model for the use of water and a Delta solution that maintains an environmentally-healthy Delta and incorporates a conveyance canal.

Mr. Golonski suggested developing a mechanism that provides feedback to residents on their water use compared to the average use and informs residents if they attain a certain percentage in reduction of water use. In addition, he suggested face-to-face water usage discussions with residents, with the aid of youth as conservation ambassadors.

The Council noted and filed the report.

907
Film Permit
Policy

Captain Varner reported that the intent of the Film Permit Policy is to protect the public from safety hazards associated with film production activity and to protect the City from liability through mandated insurance coverage. He stated that prior to granting a permit, the Police Department must determine that the filming activities will not unreasonably interfere with public health and safety or endanger public property. He added that the Police Department also reviews any requests for filming on City property. He noted some exemptions to the requirements if: the filming is for private or family use; for news purposes; or, for a criminal investigation or civil proceeding. He noted that the current fee for the application and investigation is \$350 including seven days of filming, and stated that it's a long-standing practice of the Police Department to waive the application and investigation fee for small-scale student films. He informed the Council that staff compared the City's Film Permit Policy to other cities such as Arcadia, Beverly Hills, Culver City, Glendale, Inglewood, Monrovia, Pasadena, San Marino, Santa Monica and reported that their film permit policies are consistent with Burbank's with minor differences such as Burbank having a very low fee and not requiring a permit for still photography.

Ms. Scott, Chief Assistant City Attorney, stated that the City Attorney's Office has reviewed the Film Permit Policy and has discovered some inconsistencies and ambiguities that staff will

rectify. She also elaborated on the requirement that the application disclose what kind of filming will be done if City property is being used, to avoid inappropriate filming activity.

Staff was directed to return with a second step report amending the City's Film Permit Policy.

905
1503
Balloon
Regulation

Ms. Scott, Chief Assistant City Attorney, reported that the Penal Code prohibits the sale or distribution of electronically-conductive material balloons without affixing a weight to the balloon to counter its lift; affixing a statement to the balloon that warns the consumer about the risk if the balloon comes into contact with electrical power lines; and, a printed identification of the balloon's manufacturer. She added that the Burbank Municipal Code requires businesses that offer metallic balloons for sale to post signs warning that the balloons conduct electricity and should not be used or released near sources of electric power, including transmission lines. She also informed the Council that there may be issues regarding pre-emption if the City enacts more restrictive regulations than State law.

Staff was directed to return with a report providing information on: any measures taken or being considered by other utilities such as Glendale Water and Power, Pasadena Water and Power, Los Angeles Department of Water and Power and Southern California Edison; Code enforcement activity; and, whether the City would be pre-empted by State law.

Public
Comment

Mrs. Ramos invited speakers for final public comment at this time.

Appearing to comment was David Piroli.

Council and
Staff Response

The Council and staff responded to questions raised.

10:47 P.M.
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:47 p.m.

Margarita Campos, CMC

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City Clerk