



Weekly Management Report

June 22, 2018

- 1. Memo** Keeping of Certain Nondomestic Animals Prohibited (Tortoises)
Police Department
- 2. Notice** Burbank Cultural Arts Commission Meeting Cancellation Notice for July 12, 2018
Parks and Recreation Department
- 3. Notes** City Notes, June 22, 2018
City Manager Department

**CITY OF BURBANK
POLICE DEPARTMENT
MEMORANDUM**



DATE: June 11, 2018

TO: Ron Davis, City Manager

FROM: Scott LaChasse, Chief of Police *Scott LaChasse*
By: Brenda Castaneda, Animal Shelter Superintendent

**SUBJECT: CITY MANAGER TRACKING LIST NO. 2110 – KEEPING OF CERTAIN
NONDOMESTIC ANIMALS PROHIBITED (TORTOISES).**

RECOMMENDATION

Staff recommends this memorandum be noted and filed with no changes to Burbank Municipal Code (BMC) Title 5, Chapter 1, Section 301 relative to restricting ownership of certain nondomestic animals within the City of Burbank.

BACKGROUND

During the March 13, 2018 Burbank City Council Meeting discussion concerning increasing the number of dogs and cats allowed per household, a question came up as to why BMC Section 5-1-301 prohibits owning tortoises in Burbank. Staff was subsequently directed to review the ordinance provisions that prohibit the exclusion of tortoises as domestic animals.

DISCUSSION

The general wildlife conservation policy of the State is to encourage the conservation and maintenance of wildlife resources under the jurisdiction and influence of the State (Section 1801, Fish and Wildlife Code). The policy includes several objectives which include maintaining sufficient populations of all species of wildlife and the habitat. The policy has helped stabilize populations of species at risk, prevented the extinction of many others, and conserved the habitats upon which they depend.

In 1970 California became one of the first states to implement an act that conserves and protects endangered species and their environments. On August 3, 1989, the California Desert Tortoise (*Gopherus agassizii*) was officially listed as threatened under the California Endangered Species Act (CESA). CESA (Fish and Game Code Sections 2050-2116) sets forth procedures by which individuals, organizations, or the Department can submit petitions to the Fish and Game Commission requesting that a species, subspecies, or variety of plant or animal be added to, deleted from, or changed in status on the State lists of rare, threatened or endangered species. The factors that contribute to determining the need to list a species include the present or threatened modification or destruction of habitat, competition, predation, disease, overexploitation by collectors, or other natural occurrences or human-related activities.

Fish and Game Code § 2080 specifically prohibits any person to import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided.

At the Federal level, the Endangered Species act was enacted in 1973 in recognition of the fact that our rich natural heritage is of esthetic, ecological, educational, recreational, and scientific value to our Nation and its people. The law also prohibits any action that causes a "taking" of any listed species of endangered fish or wildlife. Likewise, import, export, interstate, and foreign commerce of listed species are all generally prohibited.

Burbank Municipal Code Ordinance Number 2467 which became effective on November 18, 1974 revised animal regulations and added 78 species including tortoises, to the prohibited list of nondomestic animals in the City of Burbank.

CONCLUSION:

In compliance with the Fish and Game Code, it would be staff's recommendation that no amendments be made to the Burbank Municipal Code relative to ownership of the California Desert Tortoise which continues to be listed as an endangered specie on the State's Department of Fish and Game California Natural Diversity Database as of May 2018.

Attachments:

Page 1 of Ordinance 2467

State and Federally Listed Endangered and Threatened Animals of California

Last Updated May 2018

ORDINANCE NO. 2467AMENDING CHAPTER 6 OF THE BURBANK MUNICIPAL
CODE TO REVISE ANIMAL REGULATIONS.

THE COUNCIL OF THE CITY OF BURBANK DO ORDAIN AS FOLLOWS:

Section 1. Chapter 6 of the Municipal Code of the City of Burbank is amended as follows:

1. Sections 6-1, 6-32, 6-50, 6-56, 6-57, 6-58, 6-59 and 6-60 are repealed.

2. Article 1 is redesignated Article 3, consisting of Sections 6-2, 6-3, 6-4, 6-5, 6-6 and 6-13 which are renumbered 6-18, 6-19, 6-20, 6-21, 6-22 and 6-23, respectively, and amended as follows:

(1) The title of the article is changed to read:
"Restrictions on Keeping Animals."

(2) Section 6-2 (renumbered 6-18) is changed to read:

Sec. 6-18. Keeping of Certain Nondomestic Animals
Prohibited.

No person shall keep any of the following animals within the City, except in a circus, carnival, motion picture studio, television studio, pet shop or parade:

Alligator	Deer	Orangutan
Alpaca	Donkey	Ostrich
Anaconda Snake	Eagle	Otter (Sea)
Anoa	Eland	Panda
Aoudad	Elephant	Pig (Swine)
Ape	Elk	Piranha
Badger	Gerbil	Poisonous Reptiles
Bat	Gibbon	Porcupine
Bear	Giraffe	Puma (Cougar)
Beaver	Goat	Rhinoceros
Bobcat	Guinea Hen	Rooster
Buffalo	Hippopotamus	Sea Lion
Bull	Hyena	Sea Otter
Burro	Jack Rabbit	Seal
Caiman	Jaguar	Sheep
Calf	Jaguarundi	Skunk
Camel	Kangaroo	Tiger
Chamois	Koala	Tortoise
Cheeta	Leopard	Vulture
Chimpanzee	Lion	Wallaby
Civet	Lion (Sea)	Walrus
Coatimundi	Llama	Warthog
Cougar (Puma)	Lynx	Weasel
Cow	Mongoose	Wolf
Coyote	Moose	Yak
Crocodile	Mountain Sheep	Zebra

State of California
 Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Biogeographic Data Branch
 California Natural Diversity Database

STATE AND FEDERALLY LISTED ENDANGERED AND THREATENED ANIMALS OF CALIFORNIA

May 2018

This is a list of animals found within California or off the coast of the State that have been classified as Endangered or Threatened by the California Fish & Game Commission (state list) or by the U.S. Secretary of the Interior or the U.S. Secretary of Commerce (federal list). The federal agencies responsible for listing are the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS).

All species with a federal list date of March 11, 1967 were listed under the federal Endangered Species Preservation Act of 1966. Subsequent federal laws include the Endangered Species Conservation Act of 1969, and the Endangered Species Act of 1973. The official federal listing of Endangered and Threatened animals is published in the Federal Register, 50 CFR 17.11.

The California Endangered Species Act of 1970 created the categories of "Endangered" and "Rare," and taxa with a state list date of June 27, 1971 were protected under this statute. The California Endangered Species Act was amended in 1984, at which time the "Rare" status was changed to "Threatened," and on January 1, 1985, all animal species previously designated as "Rare" were reclassified as "Threatened." The official California listing of Endangered and Threatened animals is contained in the California Code of Regulations, Title 14, Section 670.5.

Also included on this list are animal "candidates" for state listing and animals "proposed" for federal listing. A state candidate species is one that the California Fish and Game Commission (FGC) has formally declared a candidate species. A species designated as "federally proposed" is one that was found by the governing agency to warrant listing, and was officially proposed as such with a published "Proposed Rule to List" in the Federal Register. Federal *candidate* species are not included herein.

Abbreviation	Designation	Totals as of May 2018
SE	State listed – Endangered	48
ST	State listed – Threatened	39
SC	State candidate – T or E	4
SCD	State candidate – Delisting	0
SDR	State delisted – Recovered	2
SDE	State delisted – Extinct	2
FE	Federally listed – Endangered	87
FT	Federally listed – Threatened	42
FPE	Federally proposed – Endangered	0
FPT	Federally proposed – Threatened	1
FPD	Federally proposed – Delisting	2
FDR	Federally delisted – Recovered	12
FDE	Federally delisted – Extinct	2
Number of candidate/proposed animals for listing		5
Number of animals State-listed only		42
Number of animals Federally-listed only		78
Number of animals listed under both State & Federal Acts		51
Total number of animals listed		171
(total includes subspecies, distinct population segments, and ecologically significant units when listed separately)		

State and Federally Listed Endangered and Threatened Animals of California
Last updated May 2018

Taxon	Common Name	State Status	State List Date	Federal Status	Federal List Date	Notes
BUFONIDAE	True toads					
<i>Anaxyrus californicus</i>	Arroyo toad			FE	19950117	At the time of listing, arroyo toad was known as <i>Bufo microscaphus californicus</i> , a subspecies of southwestern toad. In 2001, it was determined to be its own species, <i>Bufo californicus</i> . Since then, many species in the genus <i>Bufo</i> were changed to the genus <i>Anaxyrus</i> , and now arroyo toad is known as <i>Anaxyrus californicus</i> .
<i>Anaxyrus canorus</i>	Yosemite toad			FT	20140630	
<i>Anaxyrus exsul</i>	Black toad	ST	19710627			Listed by the State of California as <i>Bufo exsul</i> .
RANIDAE	True frogs					
<i>Rana boylei</i>	Foothill yellow-legged frog	SC	20170621			Date of Commission vote to advance to candidacy was 20170606. Official Notice of Findings pending.
<i>Rana cascadae</i>	Cascades frog	SC	20171027			Date of Commission vote to advance to candidacy was 20171011. Official Notice of Findings pending.
<i>Rana draytonii</i>	California red-legged frog			FT	19960624	Synonymous with <i>Rana aurora draytonii</i> .
<i>Rana muscosa</i>	Southern mountain yellow-legged frog	SE	20130401	(FE)		Though the scientific name <i>Rana muscosa</i> is not disputed, the State uses this common name, whereas the USFWS listing refers to two distinct population segments. This species is also known by the common name Sierra Madre yellow-legged frog (Vredenburg et al. 2007).
<i>Rana muscosa</i>	Mountain yellow-legged frog [Southern California DPS]	(SE)		FE	20020801	San Gabriel, San Jacinto, and San Bernardino Mountains only.
<i>Rana muscosa</i>	Mountain yellow-legged frog [Northern California DPS]	(SE)		FE	20140630	North of the Tehachapi Mountains from the Monarch Divide to portions of the Kern River drainage.
<i>Rana pretiosa</i>	Oregon spotted frog			FT	20140929	
<i>Rana sierrae</i>	Sierra Nevada yellow-legged frog	ST	20130401	FE	20140630	
REPTILES						
CHELONIIDAE	Sea turtles					
<i>Caretta caretta</i>	Loggerhead sea turtle [North Pacific DPS]			FE FT	20111024 19780728	The 1978 listing was for the worldwide range of the species. The 20111024 final rule is for the North Pacific DPS (north of the equator & south of 60 degrees north latitude).
<i>Chelonia mydas</i>	Green turtle			FT FE	19780728 19701013	Alternate common name: green sea turtle.
<i>Lepidochelys olivacea</i>	Olive (=Pacific) ridley sea turtle			FT	19780728	
DERMOCHELYIDAE	Leatherback turtles					
<i>Dermochelys coriacea</i>	Leatherback sea turtle			FE	19700602	
TESTUDINIDAE	Land tortoises					
<i>Gopherus agassizii</i>	Desert tortoise	ST	19890803	FT	19900402	

CITY OF BURBANK
BURBANK CULTURAL ARTS COMMISSION

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN THAT THERE WILL BE NO REGULAR MEETING OF THE
BURBANK CULTURAL ARTS COMMISSION ON JULY 12, 2018.

THE NEXT REGULAR MEETING WILL TAKE PLACE IN AUGUST 2018.

Copies to:

City Manager
Deputy City Manager
City Clerk
Council Liaison
Parks and Recreation Board Liaison

Committee Members:

Mary-Elizabeth Michaels
Cynthia Pease
Barbara Beckley
Jeff Rector
Diana Means
Katherine Zoraster
Leah Harrison
Gerrard Panahon
Monica Groves

Staff:

Judie Wilke, Parks and Recreation Director
Marisa Garcia, Parks and Recreation Assistant Director
Kristen Smith, Deputy Director
Erin Barrows, Recreation Services Manager
Paul Paolone, Recreation Supervisor
Mary Hamzoian, Economic Development Manager
Press
PIO (agenda only)
Building Maintenance

BURBANK CULTURAL ARTS COMMISSION

Caroline Arrechea

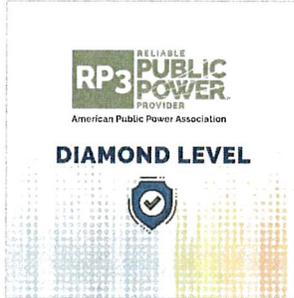
Recording Secretary

DATED 6/21/18

Important Updates for the Burbank City Council

June 22, 2018

BWP is Recognized as a National Leader in Electric Reliability



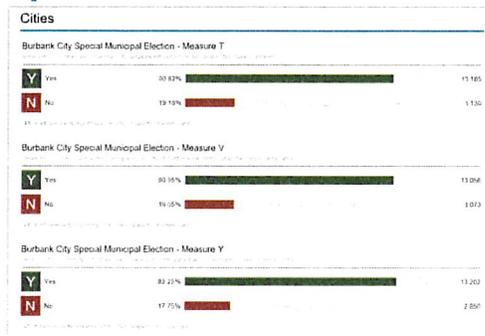
The American Public Power Association (APPA) has awarded BWP with the Diamond Level Designation in recognition of the outstanding reliable electric service provided to the Burbank community. BWP completed a demanding application over the course of several months and achieved a perfect 100/100 score in order to achieve the highest level Diamond Designation. Applications are reviewed by an 18-member panel of utility experts in safety, transmission and distribution and system planning. The RP3 application is carefully evaluated every three years to ensure that the criteria is relevant, thorough and is keeping up with industry trends and best practices.

Burbank Police Carry the Special Olympics Torch

Several members of the Burbank Police Department participated in the 2018 Special Olympics Torch Run on Wednesday, June 6. BPD received the torch around 12:30 p.m., from the Los Angeles Police Department at the intersection of Riverside Drive and Clybourn Avenue. Runners then carried the torch east through the City of Burbank, passing City Hall and stopping for a photo in front of Police and Fire Headquarters. The torch was then carried south on Glenoaks Boulevard and handed off to runners from the Glendale Police Department. A highlight of the event was when runners passed Saint Finbar Catholic School on Olive Avenue, where dozens of students were lined up with signs and flags to cheer them on. The five mile run is an annual tradition, which many look forward to each year. A video recap is available by visiting Burbank PD's Facebook page @BurbankPD.



Special Election 2018 Results

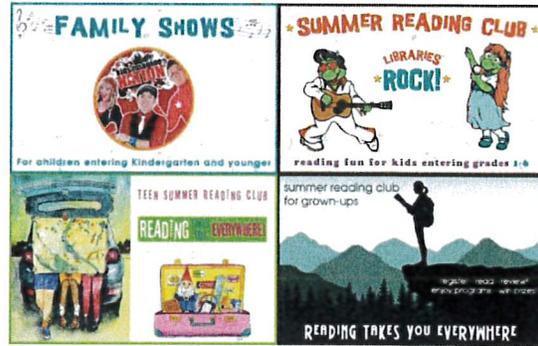


The preliminary results are in for the Tuesday, June 5 Statewide Direct Primary Election, showing Burbank Measures T, V and Y passing with more than 80% in favor. The final election results will be certified by City Council on Tuesday, July 17. The successful passage of Measure T will ensure that the essential City services/infrastructure will maintain with the continuation of the estimated \$12.5 million transferred from Burbank Water and Power's gross annual sales of electricity to the General Fund. The success of Measures V will consolidate Burbank's election with the statewide general elections beginning in

November 2020, and will extend the elected official's term by one year and eight months. This ensures compliance with the California Voter Participation Rights Act (SB 415). Measure Y will change Burbank's City Charter to reflect the Burbank School Board's election consolidation with the statewide general elections pursuant to the School Board's request. The City Clerk's Office staff successfully executed this election with the expertise and stellar customer service it is known for and their commitment to running an impartial and transparent election.

Summer Reading at the Library

Summer Reading Clubs, like the one in Burbank, are focused on encouraging reading as a lifelong habit. Children who do not read outside of school, either because of lack of interest, or a lack of access to books, can lose much of the progress they made during the previous school year. Burbank's Summer Reading program has grown to incorporate programs for teens, adults, and pre-school age, and will continue to evolve to support the needs of the community. From outdoor concerts to discussions of digital worlds, today's programs connect books and reading to culture, technology, and community. With only two weeks of the sessions complete, more than 3,000 readers of all ages have attended a summer program.



Students Tour Public Works



Fourth grade students from Saint Finbar School were introduced to the world of Public Works on Tuesday, May 22. Students toured the Public Works Yard while learning about the various types of equipment and jobs in the Public Works Department. Included in the tour were demonstrations of heavy equipment, police vehicles, concrete pouring, computerized traffic signal monitoring, City sign production, street sweeping, and sewer line video and pipes. Students were also educated on what not to dispose of in sewer lines. The goal of the tour was to provide the students with a greater knowledge of how their city operates.

Los Angeles Kings Burbank Sports Center Updates

The LA Kings Burbank Sports Center (LAKBSC) started its inaugural season at Ralph Foy Park with 36 roller hockey teams and 4 ball hockey teams. The season concluded with playoffs and championship team awards. Since opening in February, LAKBSC also completed upgrades to the facility including the addition of a pro shop, office, and maintenance shed. In May, LAKBSC replaced the rink boards, painted new lines on the playing surface and added the LA Kings logo at center court. LAKBSC continues to thrive and is currently accepting registration for the summer season.

