

TUESDAY, JUNE 11, 2002

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 5:04 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Ramos, Vander Borgh and Laurell.

Absent - - - - Council Member Murphy.

Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

Oral Communications Mayor Laurell called for oral communications on Closed Session matters at this time.

Citizen Comment Appearing to comment was Marie Thelman, inquiring as to the purpose for the transfer of the property on Bonnywood Place. Mr. Ovrom stated that he cannot provide information other than to identify the developer prior to the closed session because it involves property acquisition negotiation. Mayor Laurell informed the speaker that if this matter progresses beyond closed session, a staff member would contact her.

5:08 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:

- a. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
 1. **Name of Case:** In the matter of the application of Burbank-Glendale-Pasadena Airport Authority – Administrative (Variance) Hearing conducted by Cal Trans.
Case No.: OAH No. L-2001-110412
Brief description and nature of case: Administrative review of Airport noise variance standards.
 2. **Name of Case:** City of Burbank v. Burbank-Glendale-Pasadena Airport Authority.
Case No.: BC259852
Brief description and nature of case: Declaratory Relief.
 3. **Name of Case:** City of Burbank v. National Flare Company.

Case No.: EC033744

Brief description and nature of case: Tort-product liability.

- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 1
- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 1
- d. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/ Susan Georgino
Property: That portion of Bonnywood Place between the south side of the alley (between Orange Grove and Palm Avenue) and Magnolia Boulevard and the southerly half of Magnolia Boulevard between First Street and Bonnywood Place.
Parties with Whom City is Negotiating: Opus West Corporation.
Terms Under Negotiation: Sale of City owned property.

Regular Meeting Reconvened in Council Chambers	The regular meeting of the Council of the City of Burbank was reconvened at 6:47 p.m. by Mr. Laurell, Mayor.
Invocation	The invocation was given by Dr. Jerry Jones, Burbank Community Church.
Flag Salute	The pledge of allegiance to the flag was led by Sam Engel.
ROLL CALL	
Present - - -	Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.
Absent - - -	Council Members None.
Also Present -	Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; Ms. Alvord, Assistant City Manager; and, Mrs. Campos, City Clerk.
301-1 Flag Day	A proclamation in honor of Flag Day was presented to Sam Engel, representing the Burbank Kiwanis Club. Mr. Engel invited the community to attend the Flag Day Ceremony

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301-1
Police Honor
Guard Attending
National Law
Enforcement
Officers
Memorial in
Washington,
D.C.

scheduled for Friday, June 14, at 3:00 p.m., at the Burbank Tennis Center located in McCambridge Park and recognized the winners of the art and photo contests based on a patriotic theme sponsored by the Kiwanis Club.

Mayor Laurell and Chief Hoefel presented Certificates of Recognition to the following participants who attended the National Law Enforcement Officers Memorial in Washington, D.C.: Lieutenant Craig Varner, Sergeant Tracy Sanchez, Detective Matt Ferguson, Officer Chris Dunn, Officer Michael Reyes, Officer Chris Canales, Captain Larry Koch, and Officer Joe Dean. Officer Joe Dean introduced a video depicting the events in Washington, and presented plaques from the National Law Enforcement Officers Memorial to the participants as well to Mayor Laurell and Vice Mayor Murphy.

7:29 P.M.
Ms. Murphy
Left the Meeting

Ms. Murphy left the meeting at this time.

Reporting on
Council Liaison
Committees

Mayor Laurell reported on a trip he took to Incheon, Korea for the Opening Ceremony for the World Cup Games, and expressed appreciation to his gracious hosts. Mayor Laurell noted discussions with Incheon included the implementation of a student exchange program as a means to expand the cities' relationship.

Additional
Agenda Item

Mr. Barlow asked that an additional item related to California State Legislature Assembly Bill 2333 (Nakano), which is in committee, be placed on the agenda stating that "there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted."

Motion

It was moved by Mrs. Ramos, seconded by Mr. Vander Borght and carried with Ms. Murphy absent that "the additional item related to the California State Legislature Assembly Bill 2333 (Nakano) be added to the agenda."

7:30 P.M.
Jt. Hearing with
Redev. Agency,
Housing
Authority,
Parking
Authority, and

Mayor Laurell stated that "this is the time and place for the hearing on the proposed budget for the fiscal year 2002-03 for the City, Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund budgets."

YES
 801-2
 804-2
 Proposed FY
 2002-03 Annual
 Budget,
 Citywide
 Fee Schedule
 and
 Appropriations
 Limit

Notice Given The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

7:32 P.M.
 Ms. Murphy
 Returned to the
 Meeting Ms. Murphy returned to the meeting at this time.

Staff Report Ms. Michaels, Budget Manager, noted that the report before the Council included integration of several reports previously presented throughout the Budget Study Session process, beginning with the Goal Setting meeting in May, and a series of subsequent Study Sessions, the last being held on June 5, 2002. She stated that each Department has had an opportunity to present highlights from their individual budgets. In addition, she stated that included in the report were Discussion Papers approved by the Council for funding on June 5.

Ms. Michaels began by indicating the purpose of the public hearing is to obtain input on the Fiscal Year (FY) 2002-03 Proposed Budget, Proposed Citywide Fee Schedule and Proposed Appropriations Limit. She noted total resources of \$456,464,819, of which \$112,458,308 represents the General Fund, and approximately \$344,006,511 for all other funds. She reported total appropriations of \$450,549,774, of which \$110,819,946 represents the General Fund, and \$339,729,828 for all other funds.

Next, she highlighted the General Fund revenues, which total \$112,458,308, and stated the top three revenue sources remain Sales Tax, Property Tax and Utility Users Tax, which represent about 51 percent of revenues. She noted General Fund appropriations total \$110,819,946, and summarized the

following expenditures: personnel costs associated with a negotiated MOU for Burbank Police Officers; a one percent MS&S increase to the departments totaling \$536,000; a \$1.816 million increase in Internal Service Fund Rates; new positions totaling \$1.167 million, \$444,000 of which is revenue off-set and \$432,000 being part of the Buena Vista Branch Library ramp-up bringing the total net impact to the General Fund to \$291,000; MS&S exceptions such as the postage rate increase and Verdugo Communications Center costs in the amount of \$369,655; and, Capital Outlay representing \$357,840 of non-recurring funds, plus additional recurring funds for the Library Learning Center and Public Information Office.

Ms. Michaels presented a revised Resources and Appropriations Summary, noting corrections being made to the Capital Projects Fund due to a miscalculation of the Community Development Block Grant backfilling total, and in the Redevelopment Agency, to include Educational Revenue Augmentation Fund (ERAF) funds pursuant to Council discussion on June 5, 2002. She projected a General Fund revenue increase of 2.8 percent, partially due to sales tax revenue generated at the Burbank Empire Center and transient occupancy tax generated to the hotels at the Burbank Empire Center, as well as the new Graciela Hotel. Next, Ms. Michaels noted the General Fund impact as a result of the Governor's May Revised State Budget which includes reductions in Public Library Funds in the amount of \$67,022, booking fees in the amount of \$12,772, Police Department Technology Grants in the amount of \$31,000, and State mandates in the amount of \$227,500, totaling \$338,294, and stated these reductions have not been factored into revenue projects, but they have been taken into account when calculating recurring fund balance. Ms. Michaels discussed the approved Discussion Paper items which total \$632,577 of non-recurring and \$12,678 of recurring funds, and include the Magnolia Park Streetscape, the Enforcement Program for Conditions of Approval pilot project, the Disaster Preparedness Program, the Hazardous Materials Plan Update, Buena Vista Branch Library Sunday hours, backfilling Public Works sidewalks, and the Downtown tree lights (funded by the Burbank Water & Power Street Lighting Fund).

Ms. Michaels noted the projected recurring fund balance is \$57,027, as a result of the release of \$50,000 from the Utility Users Tax (UUT) and \$50,000 from In-Lieu which are currently in designated reserves within the General Fund, and incorporates other changes disclosed during the Study Session. With regard to the non-recurring fund balance, she indicated the City had a \$336,819 fund balance coupled with

the recommendation to freeze certain positions until January; however, this did not cover the \$556,000 needed to fund all the non-recurring Discussion Papers recommended the previous week. At that time, it was disclosed that there was approximately \$2.3 million in designated reserved accounts for the In-Lieu and UUT, and in order to make up the deficit, \$70,000 was released thereby leaving \$1.23 million in the designated accounts, and this brought us to a positive non-recurring fund balance. Prior to this release of dollars, the non-recurring fund balance reflected a deficit of \$64,000 and pursuant to the City Charter, a balanced budget must be adopted prior to July 1st.

With regard to fee schedules, Ms. Michaels noted this would be the first year of a 4.8 percent increase in water rates, that this is the third year of a four-year smooth transition 5.75 percent increase in water reclamation and sewer rates, indicating this represented about a .70 cent increase for the average family, and that building fees also were increasing. She concluded by noting the Gann Initiative Appropriation Limit was \$112,058,395, with the appropriations subject to limitation being \$86,010,273 for a difference of \$26,048,122, and stated the City has remained well below the appropriation limit each year.

Citizen
Comment

Appearing to comment were Dorie Beaumont, requesting non-recurring funds with which to purchase art and plants to decorate the Buena Vista Branch Library, on a recent meeting to the Cerritos Library where she observed art and plants throughout the facility; Larry Johnson, in support of the discussion paper on the Buena Vista Branch Library, expressing appreciation to the Council for funding Sunday hours, and requesting additional non-recurring funding for artwork and plants for the Buena Vista Branch Library; Cele Burke, requesting funding for the purchase of art and plants for the Buena Vista Branch Library; Dr. Jay Adams, in support of the Magnolia Park Streetscape Project Discussion Paper item, and requesting that this funding be recurring over the next five years to improve parking as well as streetscape; C.L. Stack, in support of additional funding for the Buena Vista Branch Library; Mark Barton, in support of additional funding for the Buena Vista Branch Library; and Lee Paysinger, expressing appreciation to the Council for all they've done for the City, and especially for the Buena Vista Branch Library, and in support of additional non-recurring funds for the purchase of art and plants.

Hearing

There being no further response to the Mayor's invitation for

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Closed

oral comment, the hearing was declared closed.

Mr. Golonski expressed concern about some of the increases on the Fee Schedule, and after Council discussion, staff was directed to prepare a report justifying any proposed fee increase totaling 15 percent or greater. Mr. Golonski expressed concern about the purchase of chairs, and was assured by Mr. Ovrom that staff is already looking into the standards so the City has a uniform purchasing procedure. Mr. Golonski inquired as to the \$1.8 million increase in the Internal Service Funds remaining in the Proposed Budget while negotiations are pending, and Mr. Nicoll indicated he expected the amount would be less at the end of negotiations and would be adjusted accordingly. Mr. Golonski also questioned the Hillside Protection Plan appropriation, Mr. Ovrom assured him that these funds were in a holding account, and no funding would be expended prior to Council consideration, and Mr. Golonski requested this item be brought back at the mid-year budget review for discussion, so that the money could be reprogrammed, if needed, to other projects.

Ms. Murphy indicated she was in support of additional funding for the Buena Vista Branch Library for the purchase of art and plants. Discussion ensued regarding the three options for funding art and plants. Mr. Fuchs outlined the three options given by the consultant, and offered to have the consultant make a presentation to the Council. Ms. Murphy requested that this request be brought back to the Council in a timely fashion, including a presentation.

No amendments to the budget were recommended at this time.

8:33 P.M.
Jt. Public Hrg.
With Redev.
Agency
1702
1102
Burbank Senior
Artists Colony

Mayor Laurell stated that "this is the time and place for the joint public hearing of the Redevelopment Agency and the Council of the City of Burbank regarding the Burbank Senior Artists Colony Project proposed by Meta Housing Corporation and Western Services Foundation. The various components of this project that require Council or Agency consideration are: a Mitigated Negative Declaration; an Implementation Agreement to the Disposition and Development Agreement; and Amendment to Planned Development No. 2000-1; and a Development Agreement."

Notice
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised

Staff
Report

that no written communications had been received.

Ms. Davidson-Guerra, Senior Redevelopment Project Manager, stated the purpose of this item was to present the information necessary to consider: 1) an amendment to the approved Planned Development 2000-1 (PD 2000-1) and the associated Development Agreement, 2) a Mitigated Negative Declaration, 3) the landscape plan which was a condition of approval for PD 2000-1, and 4) the Implementation Agreement related to the approved Disposition and Development Agreement (DDA). She summarized the history of the project, and noted the approved project included 141 for-rent senior residential units, 113 parking spaces in a semi-subterranean parking facility; requirements for higher-than-typical education and recreation facilities and programs for the senior residents; and an intergenerational education program involving senior resident mentors and the adjacent Miller kindergarten children; an affordability component for all of the units and warranted Redevelopment Agency assistance of \$3.25 million. She added that the project site was located within the South San Fernando Redevelopment Project Area, also known as Opportunity Site No. 4, and is roughly bounded by San Fernando Boulevard, Verdugo Avenue and the east/west alley between Verdugo Avenue and Santa Anita Avenue. She stated that since the project was approved two years ago, the developer has assembled the 1.5-acre site, and has applied twice for tax credit financing as prescribed by the approved DDA. She explained that because the financing plan was specified in the DDA and the developer has been unable to obtain the nine percent tax credit financing, the developer is proposing to modify both the financing plan and certain elements of the project design.

Mrs. Forbes, Principal Planner, discussed land use and the entitlement process by presenting powerpoint photos depicting existing conditions on the site, the surrounding uses in the neighborhood, next, she outlined the project itself, and discussed the land use features. Mrs. Forbes highlighted changes which include the age of seniors which was previously 62 years and older, that the proposed units will be available to seniors 55 and older; affordability was originally 100 percent all low and very low income residents and it is now 30 percent low and very low with 70 percent market-rate units; the unit sizes were increased; and that the project is providing additional parking. Mrs. Forbes noted surveys and studies were prepared to determine whether the additional parking was sufficient to compensate for the decrease in age and the decrease in affordable units, including a utilization study prepared of all the senior apartments throughout the City and the greatest ratio found was .58 percent during a peak weekday morning for usage. She stated the parking

ratio compares favorably to the Park Avenue Apartments, which were found to have a parking ratio of 1.08. She cited a study prepared by National Survey Systems, who compile a database for the California Housing Finance Agency, which determined that although many senior projects are available to seniors age 55 and older, the average age tends to be around 72 years at first opening of the project, and they recommend that a 1-per-1 parking ratio is appropriate for senior housing, and recommend it be lowered if the project is made available to very low income seniors and if it is near transit routes and large transportation hubs, which subject project is. She compared the total square footage of amenities which is very similar to the previously-approved project, and stated that there is a significant change in that the revised project provides for open space for every unit, and additionally provides for an enclosed private storage space outside the unit (which is on the balcony) so that items which might otherwise be left on the balcony detracting from the aesthetics of the project can be put away.

Mrs. Forbes noted there was a total overall reduction in open space, but that the previously approved project included open space which was provided in areas that did not meet common open space minimum requirements nor did it provide a functional open space, and by comparison the revised project contains more functional open space than the original project. Next, Mrs. Forbes addressed the building height and explained the tiering of the revised project, and compared the setback requirements between the two projects. Mrs. Forbes stated the Mitigated Negative Declaration noted no impacts in addition to those previously noted and all the impacts are mitigated, and pointed out an error in the Development Agreement (Section 4.6.2) which makes a reference to assisted living facilities as this project is not an assisted living facility and cannot be approved as such. She said the Planning Board recommended approval of the project on a 3-1 vote, and their recommended conditions were included in the proposal before the Council.

David Cain, Architect, representing Scheurer Architects, explained architectural plans, beginning with a layout of the first floor. He noted they have incorporated usable open space, specifically a pool facility, fitness center courtyard, picnic areas, gardens, and several courtyards, and a special feature of the project is a theater which will be used for the residents to put on programs, pointed out side slope and discussed components which were used to animate the project at the corner. He indicated 19 spaces for guest parking was separate from resident parking, which is behind security gates. Mr. Cain discussed the interior of each of the

floors of the different wings in detail.

Craig Thibault, Landscape Architect, representing Collaborative West Designs, described the Verdugo Avenue and San Fernando elevations and stated the objective of the landscape application was to accentuate the elevation of the architecture with plant material reminiscent from the period from 1930's-1940's. He discussed the specific landscape application for each of the areas of the project.

Ms. Davidson-Guerra stated the proposed Implementation Agreement amends the approved DDA allowing the project to move forward with certain specific modifications. She noted that the primary revisions pertain to the affordability factor and loan repayment to the Agency and are necessary because of the revised financing plan. She outlined the three primary components of the financing plan as follows: 1) a bond issuance by the California Housing Financing Agency (CHFA); 2) project approval by the California Debt Limitation Allocation Committee (CDLAC); and 3) the same level of financial assistance by the Redevelopment Agency. She reiterated that the project affordability had been reduced from 100 percent to 30 percent, and the warranted Redevelopment Agency assistance of \$3.25 million is structured in the form of an interest-bearing loan for a term of 40 years. She noted that the approved project did not include interest revenue to the Agency, and that the term was extended from 30 to 40 years due to the participation of CHFA. She stated that the repayment of the Agency loan will be the greater of either a minimum residual receipts payment of \$40,000 per year or 25 percent of the residual receipts generated by the project, and in addition any outstanding loan balance that exists at the end of the term is due and payable in full immediately. She stated that because the developer's tax exempt status does not extend to the proposed market-rate units, the project will now generate tax increment revenue of over \$5 million in non-discounted terms. She noted that if the project revisions were approved at this meeting, CDLAC will consider the project on June 24, 2002, relocation activities will begin in August and the developer will submit construction drawings within four months of project approval, construction will begin in six to nine months, and overall project construction will take about 18 months, or mid-2004. In conclusion, Ms. Davidson-Guerra stated that while several aspects of the approved project have evolved, staff believes that the financial and design attributes are even more favorable than those of the approved project.

Applicant

Mr. Clark, Vice President of Meta Housing Corporation,

summarized the tax credit application process undertaken by developer twice in an unsuccessful effort to secure tax credit financing beginning in June 2000 and made even more difficult because of the fact that during the second round of applications, the project rules required that the project be located within a qualified census tract, which this project isn't. For this reason, the developer contacted CHF and worked out a solution which seems to be the most feasible, a combination of market-rate and targeted units. CHFA conducted a market study and, as a result, changes were made to the project such as increasing the size of the units, increasing amenities inside the units, added open space, adequate parking, and the bedroom mix. He concluded that the developer has acquired the site, and has a commitment from the CHFA for tax exempt bonds, and if the allocation of bonds is approved, they can move forward with the project.

Citizen
Comment

Howard Rothenbach, expressing concerns about the market-share units included in the project, on the change in annual receipts paid to the City, on the split of residential receipts being changed to 25-75 for a period of 40 years favoring the developer, on the tax increment revenue, asking whether the increase in unit sizes includes balcony space and storage space, requesting who will pay for background checks for the mentors, whether the theater be available to people in the community, and, if so, whether there will be a charge for it; Eden Rosen, expressing concern about the change in affordability to 70 percent market-value and only 30 percent low-income; David Piroli, on the market study from National Survey System indicating the average age of residents is 72, that most 72 year olds still own their cars, questioning what the theater will be used for and the potential increase in parking when the theater is being used, inquiring why the theater increased in size from the original proposal, on the project going from 100 percent affordable to 70 percent market-rate, and on the need to address affordable housing for the needs of families, rather than just seniors; Mark Barton, in support of the project, but requesting additional parking; and Mike Nolan, stating the project has been stripped from its original intention, that this proposal fails to address the needs of low- to-moderate income family housing, that the dollars must be spent on housing, that the only needs being addressed are those of the developer, and that the Council should approve the project originally proposed.

Applicant

John Husky, President of Meta Housing Corporation, stated they presented a project for 100 percent senior tax credit housing, but that for several reasons, this can only be done

now in a qualified census tract. He discussed that the reason they've gone from 50/50 to 25/75 in the residual receipts participation is directly related to the substantial portion of the units being market-rate because the amount from the 25 percent is so significantly greater than what the 50 percent was that the numbers are upside down, which will result in a significant increase to the City. Mr. Husky noted that the \$40,000 payment is a guaranteed minimum annual payment, and whether Meta Housing is still a part of the project or not will not reduce the payment. Also, he stated the unit size does not include the balconies, and that background checks are conducted for anyone participating in the intergenerational programs.

Ms. Davidson-Guerra clarified that tax increment revenue would not flow to the Agency under the original project comprised of 100 percent affordable units, and reiterated that the current proposal results in a \$4.1 million net increase above and beyond the \$1.3 million as provided for in the original project. She agreed with a public speaker that the minimum guaranteed annual payment of \$40,000 per year for a term of 40 years results in a \$1.6 million less to the City; however, she pointed out that any amount of the loan which is outstanding at the end of the term of the loan is payable in full, so whether the Agency is repaid through the minimum guaranteed \$40,000 per year, or the 25 percent of the project's cash flow in terms of residual receipts, the Agency is guaranteed to get payment in full of the \$3.25 million, plus interest.

Mrs. Forbes, Principal Planner, noted the School District is very supportive of the intergenerational programs and, with regard to the use of the theater, she responded that there is a condition of approval which states the theater and all amenities on the property are for the sole use of residents of the project. She added that any events held where guests are invited would require having a shuttle service or valet service approved by the Public Works Director and Police Chief, that they cannot advertise any such events, or receive fees or in-kind payment for such events, and therefore events such as renting the theater would not be permitted under the conditions of approval. Mrs. Forbes noted that empirical data was collected with regard to parking, in addition to studies undertaken to arrive at the parking ratio.

Hearing
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

A discussion ensued regarding the massing of units along

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Verdugo Avenue, after which it was decided any change of massing at this point would not significantly affect the design. As a result of a detailed discussion regarding the landscaping along Verdugo Avenue, the Italian Cypress trees will be replaced with Mellaluca trees.

Motion It was moved by Ms. Murphy and seconded by Mrs. Ramos that "the following resolutions be passed and adopted and that the following ordinance be introduced and read for the first time by title only and be passed to the second reading."

1702 RESOLUTION NO. 26,252:
1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Adopt Mitigated ADOPTING A MITIGATED NEGATIVE DECLARATION
Neg. Dec. (SOUTHEAST CORNER OF VERDUGO AVENUE AND SOUTH
(S/E corner of SAN FERNANDO BOULEVARD).
Verdugo and
San Fernando)

1702 RESOLUTION NO. 26,253:
1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
DDA w/Redev. APPROVING THE IMPLEMENTATION AGREEMENT TO THE
Agency & DISPOSITION AND DEVELOPMENT AGREEMENT BY AND
Burbank Senior BETWEEN THE REDEVELOPMENT AGENCY AND BURBANK
Artists Colony SENIOR ARTISTS COLONY, L.P., A LIMITED PARTNERSHIP.

Redev. Agency Redevelopment Agency Resolution NO. R-2027 Approving and
Reso. Adopted Authorizing the Execution of the Implementation Agreement
to the Disposition and Development Agreement by and
Between the Agency and Burbank Senior Artists Colony, L.P.,
A Limited Partnership was adopted.

1702 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
1102 APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT
Approve PD No. NO. 2000-1 AND A DEVELOPMENT AGREEMENT RELATED
2000-1 (S/E THERETO (SOUTHEAST CORNER OF SOUTH SAN FERNANDO
corner South BOULEVARD AND VERDUGO AVENUE).
San Fernando &
Verdugo)

Adopted The resolutions were adopted and the ordinance was
introduced by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander
Borgh and Laurell.

Noes: Council Members None.

Absent: Council Members None.

Reporting on
Closed Session

Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings. Mr. Barlow noted that a phone call had been received from the Court requesting that the June 26 hearing on Measure A be continued until August, that staff had requested the hearing not be continued, and pending a decision to the contrary from the Judge, the hearing is still scheduled for June 26. In addition, he reported that on a 5-0 vote the Council agreed to settle the case of City of Burbank v. National Flare Company for \$88,000, which is the full cost of the City's losses in that case.

Mayor Laurell made a statement regarding the hope of finding resolution over the City's long-standing dispute over modernization of the Burbank Airport, and announced that beginning next week the Council will start a public discussion that the Council hopes will lead to a resolution to the issues surrounding the Burbank Airport, and directed staff to return next week with an outreach plan.

10:39 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 10:57 p.m. with all members present.

First Period of
Oral
Communications

Mr. Laurell called for speakers for the first period of oral communications at this time.

Citizen
Comment

Appearing to comment were Mark Barton, on using color to achieve the desired façade look along Verdugo Avenue; and Esther Espinoza, on housing in Burbank and the lack of building low to moderate income housing, and referring to Mr. Ovrom as a "Hitler."

Staff
Response

Members of the Council and staff responded to questions raised.

Second Period
of
Oral
Communications

Mr. Laurell called for speakers for the second period of oral communications at this time.

Citizen

Appearing to comment were Howard Rothenbach, inquiring

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Comment whether the City laid fiber optic lines along the Chandler Bikeway, and expressing disappointment that the City did not file objections to the Negative Declaration with the Airport although they were aware that the deadline was yesterday; Mark Barton, on a computer hacker who can get into the Al Qaeda system and their capability of obtaining information that we need for security reasons; Mike Nolan, on the Council losing their focus on the Senior Artists Colony project with regard to affordable family housing, on the housing set-aside money being wasted, on the reasons why Meta Housing was not successful in securing tax credit financing, on the Council discussing the issue of unit massing in closed session; and Esther Espinoza, in opposition to the Household Hazardous Waste grant, and on the City profiting from recycling.

Staff Response Members of the Council and staff responded to questions raised.

Motion It was moved by Mr. Vander Borght and seconded by Ms. Murphy that "the following items on the consent calendar be approved as recommended."

Minutes Approved The minutes for the regular meetings of May 7 and May 14, 2002 were approved as submitted.

804-3
904-2
Household
Hazardous
Waste Grant
11th-cycle

RESOLUTION NO. 26,254:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING SUBMITTAL TO THE STATE OF CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD AN APPLICATION FOR THE HOUSEHOLD HAZARDOUS WASTE GRANT-ELEVENTH CYCLE AND TO IMPLEMENT AND CARRY OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.
Noes: Council Members None.
Absent: Council Members None.

201-2
Runaway
Productions

Mrs. Wolfe stated that at the April 18, 2002 Town Hall meeting, Mayor Laurell requested that the issue of runaway production be placed on the City Council agenda for discussion, and noted that staff has done no further work on this issue.

Motion It was moved by Ms. Murphy, seconded by Mrs. Ramos and

carried that "staff be instructed to research pending legislation regarding runaway production, including obtaining input from the unions and the major studios."

1502
410
Chandler Blvd.
Bikeway Project

Mrs. Forbes, Principal Planner, reported that several months of negotiation with the Metropolitan Transportation Authority (MTA) on the License Agreement have been completed. She stated that after the License Agreement has been executed, the City can obtain our right-of-way certification from MTA which will be given to CalTrans to allow the City to obtain our grant funds. She noted that although on the Agenda this evening, the issue of fiber optics and the Memorandum of Understanding is still before the MTA.

Motion

It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following resolution be passed and adopted:"

1502
410
Execute Bikeway
Agmt. w/ MTA
For Chandler
Right-of-Way

RESOLUTION NO. 26,255:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE CITY MANAGER TO EXECUTE A BIKEWAY LICENSE AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY CONCERNING THE BIKEWAY PROJECT FOR THE CHANDLER RIGHT-OF-WAY.

Adopted

The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.

Noes: Council Members None.

Absent: Council Members None.

201-2
Nakano Bill –
AB 2333

Mrs. Wolfe, Administrative Analyst, reported that at the June 4, 2002 Council meeting, Mrs. Ramos requested that Assembly Bill 2333 (Nakano) be placed on the Council agenda for discussion and stated staff has done no further work on this issue, other than to research the current status of the bill, which is that the bill is currently before the Senate Transportation Committee for a second reading, and in addition that the League of California Cities has recommended opposing this bill.

Motion

It was moved by Mr. Golonski, seconded by Ms. Murphy and carried that "the Mayor be authorized to sign a strongly-worded letter raising objection to the use of numbers published by the Southern California Association of Governments and incorporated in the Regional Transportation

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Plan, including the fact that the City's previous objections to the numbers have been completely ignored."

11:24 P.M.
Reconvene
Redev. Agency,
Housing
Authority,
Parking
Authority, and
YES
Meetings

The Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings were reconvened at this time.

Third Period of
Oral
Communication

Mr. Laurell called for speakers for the third period of oral communications at this time.

Citizen
Comment

Appearing to comment were Howard Rothenbach, asking why the City did not send written responses to the Negative Declaration, requesting that the Council vote to reconsider the Childcare Demonstration Project approved last week, and submitting information received from Supervisor Antonovich's office regarding the median income in Los Angeles County; Eden Rosen, inquiring when the Blue Ribbon Task Force on Housing will be meeting, on her opinion that the Landlord-Tenant Commission is not helping residents with regard to noise complaints, on the Fair Housing Council giving her misinformation with regard to children in rented housing; and Mike Nolan, on the proposed Sunday hours at Buena Vista Branch Library and stating that buses don't run on Buena Vista as they do on an hourly basis on Glenoaks Boulevard, inquiring about a letter being sent to Library Board members encouraging them to attend the meeting and lobby the Council for additional funding, on a presentation made to the Library Board by the Mr. McManus, Public Information Officer, on his solution to the problem of "gadflies" at Council meetings whereby tapes would be analyzed by professionals to determine whether people addressing the Council were dangerous, and inquiring whether the minutes indicate this discussion took place, as well as the discussion on plants at the Buena Vista Branch took place.

Staff
Response

Members of the Council and staff responded to questions raised.

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Memorial
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 11:35 p.m. in memory of John Heisman and to Monday, June 17, 2002, 6:00 p.m. in the Council Chamber, for a joint meeting with the Board of Education to discuss matters of joint interest.

Margarita Campos, City Clerk

APPROVED AUGUST 6, 2002

Mayor of the Council
of the City of Burbank