

TUESDAY, APRIL 22, 2003

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 5:00 p.m. by Mr. Laurell, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Murphy, Ramos (arrived at 5:09 p.m.), Vander Borgh (arrived at 5:03 p.m.) and Laurell.

Absent - - - - Council Members None.

Also Present - Ms. Alvord, 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 were Howard Rothenbach, commenting on the Airport Authority's B6 Property closed session item scheduled for Thursday, April 24, 2003, inquiring whether the Council will be discussing this same item, noting the Airport Authority's agenda referenced the National Guard Armory and requesting to know who the City is negotiating with regarding this item and what the general subject of the lease was; Mike Nolan, reading from the Airport Authority's agenda regarding the B-6 site closed session item, including the instructions to the negotiator, expressing anger at his inability to obtain information regarding closed session items listed on the City Council closed session agenda in the past, commenting that the description of the item was insufficient, and inquiring if the Council had discussed the relocation of the National Guard Armory; and Marie Paino, commenting that the City should consider constructing five single-family residences in place of the former Buena Vista Branch Library.

5:10 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 Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Ron Davis, General Manager, Burbank Water and Power.
Property: 3900 West Alameda Avenue.
Party With Whom City is Negotiating: West Alameda Avenue Property, LLC.
Terms Under Negotiation: Renewal of rooftop communications lease.
- b. Conference with Legal Counsel – Anticipated Litigation

4/22/03

(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): 2

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:32 p.m. by Mr. Laurell, Mayor.

Invocation The invocation was given by Father Rafael Minassian, Armenian Catholic Church.

Flag Salute The pledge of allegiance to the flag was led by Elizabeth Coleman, Burbank Youth Board Member.

ROLL CALL

Present- - - - Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.

Absent - - - - Council Members None.

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

301-1 Pack for Success Mrs. Stein, Deputy Director of Recreation and Youth Services, Park, Recreation and Community Services Department, stated she served as a liaison to the Burbank Youth Board. She introduced three members from the Burbank Youth Board; Elisabeth Coleman, Monterey High School; Selin Petrosian, John Muir Middle School, and Jenna Wilcox at large member of the Burbank Youth Board. Ms. Wilcox made brief remarks about the Youth Board in general, noting their goal to perform community service projects, and introduced the Pack for Success Project, aimed at filling 40 backpacks with school supplies to be distributed to at-risk youth in the community.

301-1 Earth Day Mayor Laurell invited Public Works Director Bruce Feng to the podium to accept a proclamation in honor of Earth Day.

301-1 Armenian Mr. Martin, representative from the Armenian National Committee, expressed appreciation to the City for the

Genocide
Recognition

opportunity to commemorate the Armenian Genocide of 1915, gave a brief overview of the endeavors of the Armenian community in the United States and requested the government of Turkey accept responsibility for the genocide. He then invited Mr. Sam Kadorian, survivor of the Armenian Genocide, Army Veteran for the World War II, and Shunt Jarchafjian, member of the Armenian Youth Federation of Burbank, who recently was on a hunger strike to protest the lack of commemoration of the Armenian genocide at the Museum of Tolerance, to accept the proclamation. Mayor Laurell presented them with a proclamation in honor of Armenian Remembrance Day.

7:00 P.M.
Continued
Hearing
1702
PD 2000-5
Platt Project

Mayor Laurell stated that "this is the time and place for the continued public hearing on Planned Development No. 2000-5 and the related Development Agreement. The site of the proposed project is the property bounded by Alameda Street, Lima Street, Olive Avenue, and property adjacent to the 134 Freeway off-ramp.

On April 15, 2003, the Council opened the public hearing, heard testimony and received evidence from staff and the City's environmental consultants, the Applicant's representatives, and members of the public. The Council conducted deliberations and directed the City Attorney's Office to prepare appropriate resolutions pertaining to the certification of the EIR and denial of the Project."

Staff
Report

Mr. Garcia, Assistant City Attorney, stated pursuant to Council direction at the April 15, 2003 Council meeting, staff was presenting two proposed resolutions for Council consideration, pertaining to the certification of the Environmental Impact Report (EIR) and the denial of the Platt Project. He added the EIR concluded that all significant impacts of the proposed project would be mitigated to below significance with the exception of air quality impacts during construction. If certified, any future project proposal would be based on the EIR and an addendum, supplemental or subsequent EIR could be prepared dependent upon the nature of the changes to the project. He concluded staff recommended certification of the EIR and informed the Council correspondence was received from the attorney representing the M. David Paul project, and added the period for comments on the EIR and project was closed and as such the Council was not legally required to consider further correspondence, and that no issues were raised in these pieces of correspondence that have not been addressed on this matter.

With regard to project denial, Mr. Garcia stated staff submitted to the Council a proposed resolution with an alternate resolution denying the project and waiving the Planned Development application fees for future project proposals.

Mr. Vander Borght inquired whether it was possible to certify only certain components of the EIR and Mr. Garcia clarified the preference to certify the EIR in its entirety or not at all.

Mayor Laurell stated one card had been turned in for public comment but the period for public comment on the matter was closed. Mr. Barlow stated if the public comment period was reopened, then the item would have to be re-noticed and continued to another date to allow everyone another opportunity for comment.

Mr. Golonski requested staff to address the adequacy of the traffic component in the EIR, noting the letter from a Planning Board Member stating the analysis did not include the cumulative effect of planned projects already approved and the immediate neighborhood to the north of Alameda Avenue.

Mr. Herman, Transportation Division Manager, stated the entitled projects and the studios' Master Plans were included in the EIR's traffic study, and that a regional assumption of traffic growth from outside the City and anticipated forecast until 2008 was used. He noted the challenge of developing a traffic study model to achieve the desired objectives while including residential streets and that proposed turn signals would address traffic issues on the residential streets.

Mr. Loccaciado, Principal of Impact Sciences, also added a robust methodology was used in the cumulative traffic impacts and that over 30 projects were considered from the cities of Burbank, Glendale and Los Angeles.

Mr. Barlow cautioned if the Council decided to deny the project but request further study on the EIR before certification, the study would not be based on any existing project.

Following deliberation, the Council decided to not certify the EIR.

Motion

It was moved by Mr. Vander Borght and seconded by Ms. Murphy that "the EIR not be certified."

4/22/03

8:02 P.M.
Hearing
1702
ZTA 2002-1
(Shopping
Center/Retail
Uses in the
Airport Zone)

Mayor Laurell stated that "this is the time and place for the hearing on Zone Text Amendment No. 2002-1 and a negative declaration related thereto. The zone text amendment establishes a shopping center use and allows that use in all zones which presently allow retail uses. Additionally, shopping centers will be allowed in the Airport zone as a conditional use. This zone text amendment also establishes a "power center" use and allows it in all zones where retail is a permitted use. This use is not allowed in the Airport zone."

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.

Staff
Report

Mr. Forbes, Senior Planner, stated staff was requesting approval for a Zone Text Amendment (ZTA) to create two new zoning use categories in Chapter 31 of the Burbank Municipal Code (BMC) for shopping centers and power centers, with both uses being permitted by-right in most commercial zones. Shopping centers would be permitted in the Airport Zone subject to approval of a Conditional Use Permit (CUP) with power centers prohibited in the Airport Zones.

With a visual aid, Mr. Forbes identified the airport zoned properties in the City, noting the only privately owned parcel was at the corner of Vineland Avenue and Sherman Way which was the impetus for the ZTA. He stated the ZTA was applied for by the property owner in conjunction with an application to redevelop the site with a multi-tenant commercial shopping center, to change retail uses from prohibited to conditionally permitted in the Airport Zone. He added the applicant also applied for a CUP which would be required for the shopping center, should the Council approve the ZTA and that rather than undertake a comprehensive review of the zoning use list to determine which specific use categories should be conditionally permitted, staff recommended that a new use category of shopping center be created. He also stated staff recognized the potential impact of the proposed amendment on undeveloped portions of the airport zone along Hollywood Way, and the potential for a big-box retail development on the Trust Property in the event the property is sold for non airport use. He noted due to the proximity to the Airport and airport generated traffic in the area now and in the future, staff believed that a regional commercial power center may not be an appropriate use for the Trust Property thereby recommending the creation of a separate power center zoning use category, defined as a

shopping center with a total floor area of 200,000 gross square feet or more, or any single tenant with a gross area of 60,000 square feet or more. These power centers would be permitted in commercial zones throughout the City where shopping centers would be permitted, but prohibited in the Airport Zone.

Mr. Forbes added the Planning Board held a public hearing to consider the redevelopment of the site in November 2002 and approved all aspects of the CUP as proposed and creation of the shopping center zoning use category but noted the consideration did not include the power center use, an aspect staff considered subsequent to the Planning Board's consideration of this matter. He informed the Council following the Planning Board's review, the proposed ZTA was also reviewed by the Los Angeles County Airport Land Use Commission (Commission) as it would affect land that is located within the airport planning area as defined in the Los Angeles County Airport Land Use Plan (Plan). A public hearing was held in March 2003 by the Commission, and received unanimous approval and determination that the ZTA was consistent with the Plan. The proposed ZTA would not have any impact on any other zones other than the Airport Zone since shopping centers and power centers are already permitted by-right in most commercial zones in the City. He also added the ZTA was consistent with the purpose and intent of the Airport Zone and all goals and policies of the City's General Plan and that the nine finding Code requirements could be made for the proposed amendment.

Applicant Mr. Pribyl, Architect, representing the applicant, requested Council approval of the ZTA.

Citizen Comment Appearing to comment was David Piroli, in opposition to the power center restriction on the Airport Trust Property, referencing traffic jams during shift changes at the time Lockheed was in business, citing bottleneck traffic problems caused as a result of the relocation of Costco Wholesale Corporation, suggesting a restriction that a power center on the Trust Property must ingress and egress from Vineland Avenue to keep the traffic from being dumped on Hollywood Way and further congest airport traffic.

Mr. Forbes responded to Mr. Piroli's comments regarding access noting the subject property was land-locked and that Hollywood Way was the only means for access.

4/22/03

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

Mr. Golonski requested clarification between shopping and power centers, and the need for adding power center to by-right uses in commercial zones other than the Airport. Mr. Forbes responded a power center was a form of shopping center with the distinction being the size thresholds, that the various commercial and retail uses were permitted by-right with no size thresholds and that the ZTA would create a cap.

Ordinance Introduced and Resolution Adopted It was moved by Mr. Vander Borcht and seconded by Ms. Murphy that "the following ordinance be introduced and read for the first time by title only and passed to the second reading and the following resolution be passed and adopted:"

1702 ZTA 2002-1 (Shopping Center/Retail Uses in Airport Zone) AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO SHOPPING CENTERS. (ZONE TEXT AMENDMENT NO. 2002-1).

1702 Adopt Neg. Dec. For ZTA 2002-1 RESOLUTION NO. 26,464: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A NEGATIVE DECLARATION (ZTA NO. 2002-1).

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

Ayes: Council Members Golonski, Murphy, Ramos, Vander Borcht 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 during the Closed Session meeting.

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 Garen Yegparian, expressing appreciation for the Armenian Remembrance proclamation, and in opposition to using Community Development Block Grant (CDBG) funds obtained for capital projects to fund staff positions, stating he finds such use unethical; Sue Boegh, requesting CDBG funding and support of the Goals Committee and staff regarding funding the Summer Youth Employment Program; Esther Espinoza, on award of City contracts, the recent appointment of City Manager Alvord; Ken Hoaglund, expressing appreciation to the Council for not approving the Burbank Media Center Project (Platt); and Bill Augustyn, Director of Operations for BUILD Rehabilitation Industries, requesting Council support of their CDBG grant application.

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 Comment Appearing to comment were Garen Yegparian, continuing his comments in opposition to using CDBG funding to fund Code Enforcement activities, addressing future uses of South San Fernando Park, suggesting maximizing open space use, preferring a soccer field or basketball court, requesting restrooms be accessed from the inside during the day when school is in session and from the outside at other hours, requesting shade trees be used along the border and in the courtyard area; Rachel Galperin, Executive Director of the Burbank Center for the Retarded, expressing appreciation for the City's support during the past several years of CDBG funding, requesting support of their request for \$20,000 to be used for staff salaries; Laurie Bleick, Director at Family Service Agency, a counseling and educational service in the community for 50 years, requesting support of their CDBG grant application, discussing their programs in detail; George Saikali, General Director of Burbank YMCA, discussing the components of the YMCA proposal, including Summer Camp on Catalina Island, childcare, and youth and senior fitness needs, requesting Council support of their CDBG grant application; Alex Fey, expressing appreciation to the Goals Committee and staff for CDBG allocation for the Burbank Boys and Girls Club, describing the proposed projects in detail, including the expansion of their after-school program to Miller Elementary School.

Esther Espinoza, in opposition to funding the Ota Student

Exchange Program, commenting on the CDBG Consolidated Plan; Bill Augustyn, on the benefits of the CDBG grant proposal noting the need for product diversity requiring newer technology and training; Captain Gary Smith, Salvation Army, in support of their request for CDBG funding, and describing the programs which the funding will be used for; Mike Nolan, in opposition to the Council funding the Ota Student Exchange Program, especially during this time of fiscal austerity, noting the money to fund the chaperones was included in the Library's budget, expressing concern over Burbank students traveling to Asia during the SARS outbreak; David Piroli, inquiring what the food services facility is for South San Fernando Park, requesting more than 41 parking spaces be provided, supporting additional soccer fields and basketball courts, in opposition to a fabric shade structure as opposed to a more durable shade structure; Dr. David Gordon, congratulating the newly-elected Council Members, commenting on improvements in Magnolia Park and expressing concerns with traffic congestion in the Magnolia Park area; and Howard Rothenbach, commenting on the temporary use of Trust Property for Sunrise Ford and the lack of a Public Utility Commission (PUC) 21661 hearing, and commenting on the lack of information given on closed session items.

Staff
Response

Members of the Council and staff responded to questions raised.

804-3
2003-08
Consolidated
Plan

Mr. Yoshinaga, Grants Coordinator, stated in Fiscal Year (FY) 2002-03, the City would submit a five-year consolidated plan as a regulatory requirement that encompasses applications for federal entitlements including Community Development Block Grant (CDBG) and Home Investment Partnerships Act (HOME) funds. He added the consolidated plan was a strategy to address the City's housing and community development needs especially low and moderate-income households, predicated on current data, the 2000 United States Census, the City's current housing element and profile and other demographic information from the United States Department of Housing and Urban Development (HUD) and Los Angeles County.

He stated some of the issues identified in the community included overcrowding in rental units, increase in rent, lack of specialized needs for senior citizens and persons with disabilities, need for emergency shelter and services for the homeless, increasing need for youth services, recreation facilities, shortage of childcare facilities, increase in demand for job training and employment placement, affordable housing, rehabilitation of existing housing and infrastructure

improvements. He noted the strategic plan detailed priorities and programs to deal with these issues and further reflected the Federal, State/local and private resources and programs that were available to meet identified needs, as well as an annual action plan indicating which resources and programs would be used in FY 2003-04 to accomplish specific, quantitative goals.

He added the Annual Plan included new Federal funding available this year and other resources to address strategic plan goals and that of the four entitlement grants covered by the Plan, Burbank was eligible and applied for CDBG and HOME program funds, estimated at approximately \$2.6 million for FY 2002-03. He noted a CDBG Final Statement of Community Development Objectives and Projected Use of Funds, as approved by the Council, would program over \$1.7 million in CDBG activities, while HOME funds (\$904,000) would finance housing projects. He informed the Council the Annual Plan and federal applications must be submitted to HUD no later than May 15, 2003 for the upcoming year.

Compared with last year, Mr. Yoshinaga stated the CDBG entitlement represented over a six percent increase, total program funds were \$195,700 more than FY 2002-03 or 12.6 percent higher, and that the FY 2003-04 HOME funds were \$161,000 more than FY 2002-03 or over 21 percent higher. He added the Community Development Department planned to use all HOME funds for acquisition and rehabilitation projects targeted for focused neighborhoods, and that the projects would be contracted with the Burbank Housing Corporation, a Community Housing Development Organization (CHDO), and would be submitted for Council approval. He noted a total of 21 requests covering 35 projects/activities and \$2.7 million were received, including 17 capital projects for \$2.3 million and 18 public service projects totaling over \$421,000.

He also stated on January 14, 2003, the Council approved the capital projects as recommended by the Executive Team with the exception that the Providencia Elementary School proposal be funded with the prior year's CDBG funds; however, based on new CDBG information effective September 1, 2003, Providencia Elementary School was no longer eligible.

Mr. Yoshinaga informed the Council based on the FY 2003-04 CDBG, capital funds were \$59,348 more than originally estimated in November 2002 with an additional \$540,000 in unprogrammed and unspent funds from prior years, making total capital funds equal \$1,671,198. As a result of this new funding availability, the recommendations of the Executive Team and the Community Development Goals Committee were

4/22/03

revised to allow an increase in public service projects, with recommendations that the Salvation Army, BUILD Rehabilitation, Burbank Temporary Aid Center, the Boys and Girls Club, Burbank Center for the Retarded, Literacy Program, and Partners in Care be funded at the same level as last fiscal year. He added the Committee also recommended new or increased funding for the following organizations: Family Service; Summer Youth Employment Program; YMCA; 2004 Noon Lions and Adult Day Health Care Center. Both Committees recommended the proposal by the Fair Housing Council of San Fernando Valley (\$18,000) be funded with CDBG Program Administration funds at the 20 percent statutory maximum or \$348,061.

Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "the Executive Staff recommendations be passed."

Carried The motion carried by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

Mrs. Ramos requested she recuse herself from voting on the approval of funds for program services as she was a Board member for one of the agencies.

9:46 P.M. Mrs. Ramos left the meeting at this time.
Mrs. Ramos
Left the Meeting

Public Service Mr. Golonski stated the recommendations requested status quo, with exceptions of a \$10,000 increase in funds for the Summer Youth Employment, new \$10,000 funding for the Adult Day Health Care Center, and additional funding for Noon Lions and Family Service Agency. He indicated support for funding the programs but expressed concern about the lack of detail in the Noon Lions application. Mrs. Alvord suggested the allocation be held until further details are provided.

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

- 804-3 Consolidated Plan for 2003-04 RESOLUTION NO. 26,465:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE APPROVAL AND SUBMISSION OF THE CONSOLIDATED PLAN FOR FISCAL YEARS 2003-2004 INCLUDING APPLICATIONS FOR FEDERAL FUNDS FOR FISCAL YEAR 2003-2004, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAMS AND AUTHORIZING THE EXECUTION OF RELATED AGREEMENTS AND CERTIFICATIONS.
- Adopted The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Vander Borght and Laurell.
Noes: Council Members None.
Absent: Council Member Ramos.
- 9:53 P.M. Recess The Council recessed at this time. The meeting reconvened at 10:09 p.m. with all members present.
- Motion It was moved by Ms. Murphy and seconded by Mrs. Ramos that "the following items on the consent calendar be approved as recommended."
- Minutes Approved 1208-6 Renewal of Rooftop Communications Lease The minutes for the regular meetings of January 28 and February 4, 2003 were approved as submitted.
RESOLUTION NO. 26,466:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE RENEWAL OF THE ROOFTOP COMMUNICATIONS LEASE BETWEEN THE CITY OF BURBANK AND WEST ALAMEDA AVENUE PROPERTY LLC.
- 1005 Burbank Employees' Retiree Medical Trust RESOLUTION NO. 26,467:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE CITY TREASURER TO ESTABLISH AN ACCOUNT AT THE BURBANK CITY EMPLOYEES' FEDERAL CREDIT UNION FOR THE CITY OF BURBANK EMPLOYEES' RETIREE MEDICAL TRUST.
- 204-3 204-4 General and Special Election Results RESOLUTION NO. 26,468:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DECLARING THE RESULTS OF THE CONSOLIDATED GENERAL MUNICIPAL ELECTION AND SPECIAL ELECTIONS HELD ON APRIL 8, 2003.

4/22/03

701
801-2
Library Staff
Education
Program

RESOLUTION NO. 26,469:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING FUNDS AWARDED FOR THE PUBLIC LIBRARY STAFF EDUCATION PROGRAM IN THE AMOUNT OF \$3,186.

1702
AMC Pledge to
Extend
\$150,000
Annual Donation
Two More Years

RESOLUTION NO. 26,470:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING A PLEDGE TO DONATE MONEY BY AMERICAN MULTI-CINEMA, INC. AND APPROVING AN AGREEMENT RELATED THERETO.

907
801-1
Inmate
Telephones

RESOLUTION NO. 26,471:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF APPROPRIATING REVENUE FUNDS RECEIVED FROM THE CITY'S INMATE PAY TELEPHONE PROVIDER FOR ITEMS THAT WILL BENEFIT THE INMATES IN THE AMOUNT OF \$5,000.

1506
Rehab. Of BWP
Reservoir No. 2

RESOLUTION NO. 26,472:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AMENDMENT TO THE CONTRACT FOR THE INTERNAL REHABILITATION OF RESERVOIR NO. 2 BETWEEN THE CITY OF BURBANK AND THE HOWARD RIDLEY COMPANY (QUOTATION NO. 2002-062).

Adopted The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght (except Resolution No. 26,468) and Laurell.
Noes: Council Members None.
Absent: Council Members None.
Abstain: Council Member Vander Borght (Resolution No. 26,468).

305-4
Sister City
Program

Mrs. Cohen, Interim Library Services Director, stated this item was agendized at Mrs. Ramos' request, for Council consideration to use the unappropriated Close-Up Program funds of \$10,000 to send Burbank students on the summer 2003 Burbank Sister City Student Exchange with Ota City, Japan.

She recounted the first student exchange between Burbank and Ota City occurred in 1984, when Burbank entertained a

group of Japanese students and that since that time, students from each city have exchanged visits on alternate years with Summer 2003 being the tenth out-bound group of Burbank students to travel to Ota City and the twentieth year of the exchange program.

She informed the Council the student exchange selection process was open to all high-school-age Burbank residents and consisted of a written application signed by the student and parents, copies of grade reports, letters of recommendation, and an oral interview of the student, with the parents separately interviewed to verify unconditional willingness to continue in the program and to participate as a host family the following year. She added two chaperones accompany the selected out-bound students on each visit and that chaperones have historically been teachers, school administrators, and well-known community members. Further, she stated the Burbank program did not cover the expense of the airfare to Japan which must be paid by the exchange student, and that any fundraising activities by the students prior to the trip were credited toward the airfare.

Mrs. Cohen stated each year the Council allocates \$20,000 in the budget to send Burbank students to Washington, D.C. as part of the Close-Up Program. In Fiscal Year (FY) 2001-02 no students were sent on this trip due to safety concerns following the World Trade Center attack on September 11, 2001 and as a result, the \$20,000 was carried over to this fiscal year. She added at the January 14, 2003 Council meeting, the Council allocated \$30,000 from the \$40,000 to the Close-Up Program with \$10,000 remaining in unappropriated funds.

Council Member Ramos requested the Council consider allocating the remaining \$10,000 to the Sister City Committee to fund airfare for 12 students and added the chaperones' airfare was purchased from the Library Services expense account budgeted for that purpose. While acknowledging the pending budget crisis, Mrs. Ramos noted the Exchange Program provided an opportunity to educate future international ambassadors, and expressed the desire that this program be available to all students in the community and not be limited to only those who had the economic ability to participate.

Ms. Murphy agreed it was an important program but expressed concern that this funding has not been available in the past and will probably not be available in the future, especially with the imminent budget crisis.

4/22/03

Mr. Vander Borgh suggested the money be used over a period of several years rather than as a windfall to the students traveling in summer 2003.

Staff was directed to return with a detailed report on how the Sister City Committee proposed to spend the funds within the criteria proposed by the Council.

1108
1102
412
Jt. Mtg.
w/Redev.
Agency
S. San Fernando
Park/School/
Community
Center Project &
S. San Fernando
Streetscape
Project

Mr. Clifford, Capital Projects Manager, stated the purpose of the staff report was to request Council acceptance of the Architectural Program for the South San Fernando Project (Project) Phase One and to request approval to move forward with the Schematic Design Phase subject to any recommendations by the Park, Recreation and Community Services Board, City Council, and the Burbank Board of Education; and to provide an update to the Redevelopment Agency Board on the Design Development Phase of the South San Fernando Boulevard Streetscape Project (SSF1). He stated on August 30, 2002, the Council directed staff to proceed with the site demolition, design and preconstruction services for the Project including: a 16,000 square foot (sf) joint use facility to address the need for the Burbank Youth Recreation Program and serve as a permanent home for a community school, a children's play area, a basketball court, open space, picnic area, and on-site surface parking for at least 16 spaces. He added a community stakeholder's design workshop in three neighborhoods was held to provide guidance and ensure that the Project met the recreational needs of the local neighborhood to the greatest extent possible. He noted the City's commitment to pursue a minimum silver rating under the Leadership in Energy and Environmental Design Standard (LEEDS) criteria, to represent the first green building within City limits.

Mr. Wolff, Wolff Lang Christopher, gave a PowerPoint presentation outlining the planning process and noted the architectural programming that allowed for 41 parking spaces under the building footprint, adding a parking study would be undertaken to ensure that the projections met the parking needs of the facility. He described the different rooms which included: a 200-person capacity multi-purpose room, a dance/aerobics facility, several flex program spaces for a variety of different functions, a computer laboratory, administrative space for the City, storage and a central lobby on both stories. He also described the landscape architectural design that allowed for the creation of a tot-lot, basketball court, a park, open and picnic area spaces.

Mr. Clifford outlined the future scheduling milestones of the

Project including; completion of the schematic design phase in Late July 2003; design development in October 2003; submitting 90 percent complete plans to the Department of State Architect in March 2004; construction documents to be completed in July 2004; commencement of construction in September 2004; completion construction in July 2005 and building occupancy and park opening in August 2005. With regard to the fiscal impact, Mr. Clifford stated there was no fiscal impact as a result of Council approval, and that sufficient funding was available.

Ms. Davidson-Guerra, stated at the conclusion of the schematic design phase, the Streetscape Project was presented to the Council and that the project had now moved into the design development phase and all information necessary to proceed to the next level of design had been collected. She added at the community meetings held jointly for the park and school projects, three primary issues concerning vehicular traffic, street crossings and safe pedestrian access to the park, were raised and affirmed that all these concerns could be mitigated through the design process. She added the Streetscape Project met the goals and objectives of the South San Fernando Redevelopment Plan in terms of enhancing the aesthetics of the corridor as well as creating an environment conducive to economic growth and development and also provided a transitional character of the corridor, more sensitive to the adjacent residential neighborhoods. She informed the Council the project had been well received by the community and requested the Council approve the architectural program for the South San Fernando Park, School and Community Center and direct staff to proceed with a schematic design phase subject to any recommendations by the Council and School Board and that the Redevelopment Agency would appoint the Park and School Oversight Committee to also serve as the oversight committee for the South San Fernando Streetscape project.

Motion

It was moved by Ms. Murphy and seconded by Mr. Golonski that the "Council accept the Architectural Program for the South San Fernando Project Phase 1 and approve to move forward with the Schematic Design Phase subject to any recommendations by the Park, Recreation and Community Services Board, City Council, and the Burbank Board of Education for the Community Park/School Project, and appoint the South San Fernando Community Park/School Oversight Committee to serve as the Oversight Committee for the South San Fernando Boulevard Streetscape Project."

4/22/03

1301-3
Magnolia Park
Street Imp.
(B.S. 1136)

Ms. Teaford, Chief Assistant Public Works Director, requested approval of a construction contract for phase four of the Magnolia Park Street Improvement Project to create additional angled parking on City streets. She stated the first three phases of the project were constructed in 1999 and 2000, and in November 2001 the Magnolia Park Citizens Advisory Committee requested additional funds for additional improvements in the area over a five-year period. In Fiscal Year (FY) 2002-03 the Council authorized allocation of \$125,000 to widen Avon Street and Lima Street north of Magnolia Boulevard, to accommodate angled parking. She noted angled parking would provide a visual narrowing of the street at its entrance and create a traffic calming measure. She denoted six additional parking spaces would be created, four on Avon Street and two on Lima Street, and stated Tyna Paving Company submitted the lowest bid in the amount of \$68,062.61 for this phase, with work anticipated to begin in late May or June 2003 and be completed in 42 calendar days.

Motion

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

1301-3
Magnolia Park
Street Imp.
(B.S. 1136)

RESOLUTION NO. 26,473:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR MAGNOLIA PARK STREET IMPROVEMENTS – PHASE 4, BID SCHEDULE NO. 1136.

Adopted

The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

704
1108
PSA w/Jones
Lang Lasalle for
Pre-Construction
Svcs. For DeBell
Clubhouse
Replacement
Proj. and S. San
Fernando Proj.

Mr. Clifford, Capital Projects Manager, requested Council approval for a Professional Services Agreement (PSA) with Jones Lang LaSalle (JLL) to provide pre-construction services for the DeBell Clubhouse Replacement Project and the South San Fernando Project, Phase I (SSP-1). He stated the Steering Committees for both projects recommended retaining one pre-construction service provider to augment staff for each of these important projects. He added staff sent out a Request for Proposal (RFP) in July 2002 to seven firms with five firms submitting cost proposals on February 18, 2003, for review by

the Pre-Construction Service Provider Selection Committee. He added the Committee selected the top three qualified firms for oral presentations on March 13, 2003 and unanimously decided to retain JLL. He noted the projects recently completed by JLL and stated JLL was considered an integral part of the Project Team representing the City's overall best interest, and would provide technical expertise in establishing project controls that would enable these projects to be completed on time, on budget, and consistent with project objectives.

He added a Not-to-Exceed Fee (Fee) of \$182,500 was negotiated for the pre-construction services described above and was more specifically detailed in the PSA. He noted the Fee represented one and one-half percent of the \$12,000,000 total estimated and combined value of both projects, and was within the industry-accepted range and norm of one to two percent for professional services of this nature. Regarding fiscal impact, he stated the Consultant's Fee would be equally divided between both projects at \$91,250 each and that sufficient funds were available from each project.

Mr. Vander Borght inquired if staff considered providing the services in-house and Mr. Feng replied using in-house staff would pose a possible conflict and stated his preference for an independent party to evaluate the City's cash flow and project management.

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

704 RESOLUTION NO. 26,474:
 1108 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 PSA w/Jones APPROVING A PROFESSIONAL SERVICES AGREEMENT
 Lang Lasalle for BETWEEN THE CITY OF BURBANK AND JONES LANG
 Pre-Construction LASALLE FOR PRE-CONSTRUCTION SERVICES FOR THE
 Svcs. For DeBell DEBELL CLUBHOUSE REPLACEMENT PROJECT AND THE
 Clubhouse SOUTH SAN FERNANDO PROJECT, PHASE I.
 Replacement
 Proj. and S. San
 Fernando Proj.

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.

406
2nd Amend. To
Grant of
Easements for
Sunrise Ford.

Ms. Riley, Sr. Assistant City Attorney, presented a request by the Burbank-Glendale-Pasadena Airport Authority (Authority) to enter into a second amendment to the Trust Property Easements to permit the temporary use of approximately three acres for the storage of cars by Sunrise Ford. She recounted in 1999 the City and the Authority entered into several agreements arising out of the Authority's condemnation of the B-6 Site and subsequent City lawsuits. She explained the B-6 Site was divided into the Adjacent Property and Trust Property, and stated one of the Trust Property agreements entailed limitations on the uses on the Trust Property and prohibited any airport expansion. She advised in order to allow Sunrise Ford to lease any of the site on the Trust Property even on a temporary basis, the City and the Authority would need to amend this agreement to allow Sunrise Ford to store new cars on part of the M-2 Zoned area.

She informed the Council Sunrise operates a car dealership at 5500 Lankershim Boulevard in North Hollywood and that the term of the proposed amendment would be for a maximum of two years, with the access to the site through two separate gates at Tulare Avenue and San Fernando Road. She noted improvements proposed by Sunrise Ford included additional lighting, fencing, payphone installation, and that there was a provision in the agreement that these improvements would be removed at the end of the term. She added the M-2 Zoning allowed automobile storage yards and clarified the Public Utilities Code requirements.

Mr. Brown, Sunrise Ford General Manager, affirmed the temporary use of the Trust Property pending relocation to their permanent site located in Burbank.

Motion

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

406
2nd Amend. To
Grant of
Easements for
Sunrise Ford.

RESOLUTION NO. 26,475:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A SECOND AMENDMENT TO THE "GRANT OF EASEMENTS, DECLARATION OF USE RESTRICTIONS AND AGREEMENT FOR TRUST PROPERTY" TO PERMIT TEMPORARY USE OF APPROXIMATELY 130,680 SQUARE

FEET OF THE M-2 ZONED PORTION OF THE TRUST PROPERTY FOR USE BY SUNRISE FORD, INC. (BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY, APPLICANT).

- | | |
|--|--|
| Adopted | <p>The resolution was adopted by the following vote:</p> <p>Ayes: Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.</p> <p>Noes: Council Members None.</p> <p>Absent: Council Members None.</p> |
| 11:21 P.M.
Reconvene
Redev. Agency
Meeting | <p>The Redevelopment Agency meeting was reconvened at this time.</p> |
| Third Period of
Oral
Communication
Citizen
Comment | <p>Mr. Laurell called for speakers for the third period of oral communications at this time.</p> <p>Appearing to comment were Mark Barton, commenting on the Wayfinding Signage Program proposed for downtown Burbank and potential cost reductions; David Piroli, on the number of people in attendance at last week's Council meeting due to the Platt Project hearing, requesting a contingency plan for overflow crowds at future Council meetings; Eden Rosen, in opposition to sending students to Japan at the present time due to SARS outbreak and animosity towards the United States by North Korea, on upcoming workers compensation regulation amendments, and requesting a status report on the Methodfest event; and Mike Nolan, commenting on negotiations with Sunrise Ford moving into the Zero site, reading again from the Airport Authority closed session agenda with regard to the B-6 Property, commenting on the public's lack of knowledge on the joint National Guard Armory negotiations between the cities of Burbank and Glendale and on the negotiations with Sunrise Ford.</p> |
| Staff
Response | <p>Members of the Council and staff responded to questions raised.</p> |

4/22/03

Adjournment There being no further business to come before the Council,
the meeting was adjourned at 11:39 p.m.

Margarita Campos, City Clerk

APPROVED JUNE 17, 2003

Mayor of the Council
of the City of Burbank