

TUESDAY, MAY 13, 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 5:04 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell (arrived at 5:08 p.m.), Golonski, Ramos, Vander Borcht (arrived at 5:05 p.m.) and Murphy.
Absent - - - - Council Members None.
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

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

Citizen Comment Appearing to comment was Mike Nolan, stating he encountered two non English-speaking men trying to get into City Hall to do carpet cleaning, suggesting the City hire only English-speaking workers, and requesting more information regarding the items under negotiation on the Charter Communications Franchise renewal.

5:09 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:** City of Burbank v. Burbank-Glendale-Pasadena Airport Authority.
Case No.: BC259852
Brief description and nature of case: Declaratory Relief.

- 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): 2

- d. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: City Manager/Mary Alvord
Property: All public streets and rights-of-way in the City of Burbank.
Parties with Whom City is Negotiating: Charter Communications.
Terms Under Negotiation: Renewal of cable television Franchise.

- e. Conference with Labor Negotiator:
Pursuant to Govt. Code §54957.6
Name of the Agency Negotiator: Management Services Director/John Nicoll.
Name of Organization Representing Employee:
Represented: Burbank City Employees Association, Burbank Management Association, International Brotherhood of Electrical Workers, Burbank Firefighters Association, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:33 p.m. by Ms. Murphy, Mayor.

Invocation The invocation was given by Mr. Nicoll, Management Services Director.

Flag Salute The pledge of allegiance to the flag was led by Gay Maund, Burbank Senior Board Member.

ROLL CALL
Present- - - Council Members Campbell, Golonski, Ramos, Vander Borght and Murphy.
Absent - - - Council Members None.
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1 Outstanding Senior Volunteers Mayor Murphy invited Forrest Barker, Chair of the Older Americans Senior Citizen Volunteer Awards Committee, to join her at the podium to recognize the Outstanding Senior Volunteers. Mr. Barker outlined the process and criteria used to select the winners, and noted this year's theme, "What we do makes a difference". Mr. Barker outlined the volunteer activities of each of the awardees, and Certificates of

Recognition were awarded by Mayor Murphy to the following recipients: Genevieve Cadmus, Severo B. Chairez, Edith Dourisboure, Elsie Jeffers, David Gold and Joyce Shane. In addition, Mayor Murphy presented a Certificate of Recognition to the Los Angeles County Outstanding Older American Awardee, Don Farquhar.

301-1
Greater L.A.
Vector Control
Preparation for
The West Nile
Virus

Stephanie Miladan, Public Information Officer, Greater Los Angeles County Vector Control District, made a presentation on the West Nile Virus, and updated the Council on the status of the outbreak of this virus and the efforts being undertaken to control it.

Reporting on
Council Liaison
Committees

Mr. Vander Borcht reported on the PIO Subcommittee meeting, noting Mr. Golonski was also in attendance. Mr. Vander Borcht noted the Environmental Oversight Committee meeting scheduled for Thursday, May 15, 2003 would be postponed.

406
Airport
Authority
Report

Commissioner Wiggins recognized the presence of Commissioners Brown and Lombardo. He reported a Special Meeting of the Airport Authority (Authority) was held on May 12, 2003 to consider staff's proposed plan for presentation to the Federal Aviation Administration (FAA) regarding the B-6 Property. Mr. Wiggins introduced Mr. Marrero, Executive Director of the Airport, to discuss the proposed plan.

Mr. Marrero informed the Council in commemoration of the 73rd Anniversary of the Airport, and the Centennial of Flight, the Authority was hosting an Open House at the Airport on Saturday, May 31, 2003. He also announced the unveiling of a scale model of a Lockheed Constellation, which the Authority has approved for construction inside the terminal.

Mr. Marrero then referenced the letter received from the FAA requesting a reconciliation of Federal funds devoted to the acquisition of the Lockheed Property, originally intended to be the location of a replacement terminal. With the aid of a PowerPoint presentation, he stated the Airport acquired 139 acres, made up of two basic properties; the Lockheed Property (130 acres) and the Aviall Property (9 acres). He identified the funding sources for the two acquisitions as \$45 million in Federal grants, approximately \$28 million in Passenger Facility Charges, and \$59 million of Airport funds. He noted outstanding funds with the FAA totaled \$73 million and that the initial proposal focused on the \$45 million Federal grant, to be followed with a subsequent proposal addressing the

5/13/03

Passenger Facility Charge funds. He identified the subject properties on an aerial photograph and discussed the reconciliation plan proposed to use 117 acres of the total 139 acres for aviation related issues as follows: 49 acres to honor the building restriction line; 19 acres to preserve the building restriction line or various safety projects; 8 acres for noise abatement; 10 acres for security enhancements; and, 31 acres to remain in Trust and subject to all current Trust restrictions. He added the remaining 22 acres in the City of Los Angeles were currently in escrow, which was expected to close on June 2003. He also presented a list of proposed projects for the above acres and stated he did not know how long the FAA would take to review the proposed plan.

The Council received the report.

7:25 P.M.
Hearing
1701
ZTA 2001-11
Second Dwelling
Units in Single
Family Zones

Mayor Murphy stated that "this is the time and place for the continued public hearing on the proposed public hearing on Zone Text Amendment 2001-11 concerning Second Dwelling Units. This matter has been continued from April 1, 2003."

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. Bowler, Assistant Planner, presented a report and recommendations regarding second dwelling units in single-family zones, as a follow up to the April 1, 2003 meeting, where the Council requested staff to provide a list of options for regulating concentration and separation of second units at the neighborhood or block level. He reported following several surveys, staff found that the cities of Stockton and Lancaster had a provision in their code that prohibited over concentration with no numerical standards and noted with the lack of discretionary approval following the passage of Assembly Bill (AB) 1866, staff would not recommend this approach as it was not consistent with the ministerial approval process. He added other cities limited the number or percentages of second units by a census tract of the area and noted while this provided a clear numerical standard, it would still allow for over concentration at the level of the individual street or block. He further reported the cities of Seattle and San Diego have chosen to limit the number of units per block

or net acre and noted since blocks are not of uniform size this approach would permit more units on larger lots and vice versa.

Mr. Bowler noted staff was not able to find a city that limited second dwelling units to a certain number per block or per acre although some cities such as Costa Mesa and Daly City limited the units to per acre in conjunction with some definable areas such as a block. He explained the units could be limited to a certain number per net residential acre by block. He noted this was an excellent approach that offered a clear numerical standard, easy to enforce and understand. The two draw-backs would be that in some areas of Burbank there are no well-defined blocks and this approach would be difficult to apply in the hillside area, and that it could still allow for a single-family lot to be surrounded on all sides by lots with second units. He added staff examined various radial-separation requirements; 500 foot separation (one unit per block), 300 foot separation (two units per block); and 200 foot separation (a maximum of three units per block).

He also reported staff was asked to consider: linear separation along the street, cautioning that linear separation did not alleviate the back-to-back unit problem; one linear separation along the street and another perpendicular separation; and the possibility of combining the per acre density limit with a minimal separation which would avoid having one single-family residence surrounded by two-family lots, and limit the total number of units on a block or acre, noting the need to come up with a definition for a block.

He explained staff's recommendation for a 200 foot separation was not entirely driven by noise, parking and traffic congestion issues but also considered limitations of the utility capacity.

Mr. Bowler also commented on the draft notice presented to the Council that would be sent to nearby property owners advising them of a second dwelling unit application in their neighborhood, noting that if an appeal process was chosen, criteria, such as the Development Review (DR) process, would have to be developed to guide the application and appeal procedure. However, he stated changes would have to be made to the DR process as it currently has prohibitions in application to the R-1 Zone areas. He stated another option would be to develop a new process that would be designed to apply exclusively to second dwelling unit permits.

Citizen
Comment

Appearing to comment were Mark Barton, requesting staff reports on hearings be condensed; David Piroli, commenting on

the discretionary process proposed by staff, inquiring whether existing second dwelling units will be grandfathered-in under staff's proposal, noting the complexity of the issue and what he believes are problematic aspects in staff's proposal, and urging the Council to protect private property rights; Esther Espinoza, commenting on overcrowding issues with regard to limiting second dwelling units, suggesting the Council abide by State law and allow the construction of second dwelling units; Marie Paino, commenting on a housing shortage in Burbank, suggesting the Council begin by grandfathering-in existing second dwelling units before they begin issuing permits for additional units; Helen Cob, noting there are single individuals who look to a granny flat for rental, requesting some type of controls be instituted with regard to second dwelling units, suggesting inspections be done periodically of the units; and Paula Mindyas, resident of West Valencia, stating it appears that many of the stables in her neighborhood have been turned into apartments over the years.

Hearing
Closed

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

Mr. Bowler clarified the DR process was a discretionary procedure, that any new procedure would be designed in such a way as not to permit undue discretion, and that the State law would make it easier to obtain a permit for second dwelling units.

Responding to public comment, Mr. Golonski, explained although State law did not require a discretionary process in approving second dwelling units, there was need to establish a set of standards to avoid individual discretionary review of every application. Regarding over-concentration he added there was potential for a variety negative impacts in an area with too many second units and stated his disagreement with the radial separation, preferring the per acreage density limitation along with the radial separation, noting staff's concern regarding definition of a block in certain areas. He cautioned the 200 foot radial separation allowed for too much of a concentration and suggested approval of at least two units per block.

Mr. Campbell noted the limitations on the utility capacity, issues regarding traffic and parking, and noted the dilemma in determining the impacts on City services. He suggested a phased-in approach, and having an assessment and review of the impacts after a specified period of time.

Mrs. Ramos noted the value of preserving the residential neighborhoods but stated she was in favor of staff's recommendation of the 200 foot separation with the caveat that the policy be reviewed in one year.

Mr. Vander Borght stated the City already had good standards regarding limiting the size of the units, requiring that second units be attached to the main unit, with one parking space provided on the lot. He added based on history, he did not anticipate an overwhelming number of applications and stated while he was not in favor of being very restrictive, he also did not want the character of residential areas eroded by an over-concentration of these units. He stated his preference for a 200 foot separation requirement subject to review in one year and inquired whether a homeowner could apply for a variance if they chose to build a second dwelling unit and their application was denied.

Mr. Bashmakian stated the homeowner could apply for the variance, noted the difficulty in making the required findings and stated this process would defeat the purpose of the ordinance. Mr. Barlow agreed with this opinion.

Mr. Golonski stated he disagreed with Mr. Vander Borght's opinion, and cautioned against the permanent impacts that would be created in the interim period for certain neighborhoods with no remedy.

Ms. Murphy inquired as to the status of existing second dwelling units and Mr. Bashmakian responded applications for second dwelling units averaged three a year with the majority being built above garages and noted this ordinance would preclude second dwelling units on second floors or above garages.

Mr. Barlow cautioned any separation requirement recommended should have a solid basis to avoid potential violation of constitutional principles.

Following Council deliberation, Mr. Vander Borght suggested adopting the ordinance based on a 300 foot radius without the acreage requirement, with the caveat that the ordinance be reviewed in one year.

Ordinance
Introduced

It was moved by Mr. Vander Borght and seconded by Mr. Campbell that "the following ordinance be introduced and amended to provide for a 300 foot radial separation and a provision for review within one year, and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

5/13/03

1701 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
ZTA 2001-11 AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE
Second Dwelling UNITS RELATED TO SECOND DWELLING UNITS IN SINGLE FAMILY
Units in Single RESIDENTIAL ZONES.
Family Zones

Carried The motion carried by the following vote:

Ayes: Council Members Campbell, Golonski, Ramos,
Vander Borcht and Murphy.

Noes: Council Members None.

Absent: Council Members None.

Reporting on Mr. Barlow reported on the items considered by the City
Closed Session Council and the Redevelopment Agency during the Closed
Session meetings.

First Period of Ms. Murphy called for speakers for the first period of oral
Oral communications at this time.
Communications

Citizen Appearing to comment were Stephen Beecher, commenting on
Comment the denial of a petition for speed bumps on Valencia Avenue
due to the objection of the principal of McKinley Elementary
School, requesting the Council reconsider this decision as the
criteria for construction has been met; Kim Beecher, requesting
the Council expedite the installation of speed bumps on
Valencia Avenue; David Pigg, requesting the Council expedite
the installation of speed bumps on Valencia Avenue; Paula
Mindyas, requesting the Council expedite the installation of
speed bumps on Valencia Avenue; Dr. Theresa Karam,
commenting on issues relevant to the case of Karam v. City of
Burbank; Esther Espinoza, inquiring as to the number of
minority students who participated in the Ota-Burbank Student
Exchange Program; Stan Hyman, commenting on former Mayor
Laurell's new position with the Burbank Boys & Girls Club,
requesting a monthly report on any contracts entered into by
the City Manager; Howard Rothenbach, inquiring how much
money was spent on painting traffic signal poles on Glenoaks
Boulevard noting the subsequent replacement with new poles;
Ron Vanderford, inquiring as to issues surrounding the case of
Karam v. City of Burbank; and Mark Barton, on traffic sign
regulations.

Staff Response	Members of the Council and staff responded to questions raised.
Second Period of Oral Communications	Ms. Murphy called for speakers for the second period of oral communications at this time.
Citizen Comment	<p>Appearing to comment were Esther Espinoza, on traffic concerns as a result of living on Vanowen Street, commenting on coffee cart service at the Buena Vista Branch Library and the re-titling of specific classifications; Ron Vanderford, commenting on the presentation made by Executive Director Dios Marrero, in opposition to the loss of any traffic lanes on Magnolia Boulevard, on the resignation of two Planning Board Members and on reorganization in the Community Development Department; Dr. Theresa Karam, in support of coffee cart service at the Buena Vista Branch Library; Mark Barton, on the length of time allowed for public hearings; Howard Rothenbach, in opposition to the closing of a traffic lane on Magnolia Boulevard and on the use of parking by a valet company in a parking structure built with taxpayers money, disagreeing that there will be no environmental impacts as a result of this action; David Piroli, commenting on the presentation by Airport Executive Director Dios Marrero, stating the Airport's proposal does not address the FAA's request of a repayment plan, in opposition to the closing of a traffic lane on Magnolia Boulevard; and Mike Nolan, in opposition to the closing of a traffic lane on Magnolia Boulevard and the approval of the related Mitigated Negative Declaration.</p>
Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Mrs. Ramos and seconded by Mr. Campbell that "the following items on the consent calendar be approved as recommended."
802-1 Treasurer's Report	The City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending March 31, 2003 was noted and ordered filed.
1402 801-2 401-2 Vanowen St. Imp. (AB 2928)	<p><u>RESOLUTION NO. 26,481:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF APPROPRIATING FUNDS IN THE AMOUNT OF \$269,188.97 FROM THE TRAFFIC CONGESTION RELIEF FUND</p>

5/13/03

MONIES RECEIVED IN FY 2001-2002.

1301-3
Robert Gross
Park Frontage
Renovations
(B.S. 1145)

RESOLUTION NO. 26,482:

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 ROBERT GROSS PARK FRONTAGE RENOVATION PROJECT, BID SCHEDULE NO. 1145.

701
Coffee Service
at Buena Vista
Library

A report was received from Mrs. Cohen, Library Services Director, updating the Council on the status of coffee cart service at the Buena Vista Branch Library. She reported as early as June 1999, there were plans to have a coffee cart at the proposed Buena Vista Branch Library, and that the storage area was now ready for occupancy and the Library Services Department was ready to identify a vendor. She informed the Council Requests for Proposals (RFP) for a coffee cart vendor had been submitted with a closing date of May 20, 2003 and that a five-member committee of avid coffee drinkers had been appointed to make the final selection based primarily on the quality of beverages and food product to be sold. She noted in accordance with the present policy, patrons would not be allowed to bring coffee or food inside the Buena Vista Branch Library. She also stated the service was expected to be available seven days a week, during most of the hours that the Library is open, with the target opening date in late spring to accomplish the long awaited opportunity for Library patrons to check out a book, buy a beverage and linger in Lincoln Park.

Mrs. Cohen stated the fiscal impact to the Library Services Department to implement or provide the coffee cart service was the minimal cost of providing water and electricity to the vendor and that the selected vendor was responsible for all costs incurred in setting up and maintaining the coffee service. She added the selected vendor would return a percentage to be negotiated of gross sales to the City.

The Council noted and filed the report.

1007-1
Utility Comm.
Manager to
Manager
Telecommunica-

RESOLUTION NO. 26,483:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF UTILITY COMMUNICATIONS MANAGER (CTC No. 0947) TO MANAGER TELECOMMUNICATIONS (CTC No. 0532).

tions

1007-1 RESOLUTION NO. 26,484:
 Utility A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 Environmental REVISING AND RE-TITLING THE SPECIFICATION OF UTILITY
 Coord. To ENVIRONMENTAL COORDINATOR (CTC No. 0972) TO
 Environmental ENVIRONMENTAL COORDINATOR (CTC No. 0327).
 Coordinator

1007-1 RESOLUTION NO. 26,485:
 Revise Specs. Of A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 Principal Civil REVISING THE SPECIFICATION OF PRINCIPAL CIVIL
 Eng/BWP ENGINEER/BWP (CTC No. 0680).

804-3 RESOLUTION NO. 26,486:
 Safe Routes to A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
 School Grant AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
 TO CALTRANS FOR A SAFE ROUTES TO SCHOOL GRANT FOR
 FISCAL YEAR 2003-2004.

Adopted The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

9:09 P.M. The Council recessed to permit the Redevelopment Agency,
 Recess Housing Authority, Parking Authority and Youth Endowment
 Services Fund Board to hold their meetings. The Council
 reconvened at 9:22 p.m. with all members present.

406 Mr. Barlow, City Attorney, stated this item was placed on the
 FAA Letter/B6 agenda at Council Member Vander Borght's request to discuss
 Site and Long the letter by the Federal Aviation Administration (FAA)
 Beach Airport requiring the Airport Authority to provide a 30-day plan to
 repay the money owed to the FAA. He added the response by
 Airport Authority President Chris Holden and a summary and
 an analysis of the Long Beach Airport's decision was presented
 to the Council.

Mr. Vander Borght began the discussion by presenting his
 opinion of the Long Beach Airport's agreement with the FAA
 and noted the shift in the FAA's priorities from helping local

5/13/03

entities with noise controls, and stated the FAA would be more willing to endorse a plan that increased capacity. He suggested waiting to see what the FAA's response would be to the Airport Authority's proposal.

Mrs. Ramos agreed that the City was in a wait-and-see position while the Part 161 Study continues and affirmed the need for a mandatory curfew.

Mr. Campbell noted Aviation Improvement Grants provided for Federal access, and recognized that each airport had special circumstances and therefore decisions with regard to specific airports should be made pursuant to those unique circumstances.

Mrs. Ramos requested that the information provided is made available on the website.

The Council noted and filed the report.

1503
BWP Risk
Management
Policy

Mr. Davis, General Manager, Burbank Water and Power (BWP), reported on BWP's Energy Risk Management Plan to help manage the reliability and volatility of costs for providing energy to the City.

With the aid of a PowerPoint presentation, he noted the energy resources and stated the new market structure at the Federal and State levels precipitating volatility in energy and power costs, as well as risk, thereby prompting staff to adopt a risk management plan. He stated the policy would seek to manage operational risk; retail energy input risk; wholesale power risk and credit risk.

Mr. Liu, Financial Analyst, stated a Risk Oversight Committee (ROC) had been created to ensure that BWP's risk management practices and trading activities were aligned with BWP's risk objectives. He added the ROC would meet monthly to discuss risk management, operating processes, trading controls, authorization limits, and credit issues. He then discussed the procedures undertaken in managing each risk category and the role of specific staff in accomplishing the goals and objectives of the risk management plan.

The Council noted and filed the report.

1402

Mr. Ochsenbein, Senior Planner, requested Council approval of

Magnolia Blvd.
Imp. And Media
City Center Mall
Valet Agmt.

a request by Burbank Mall Associates, LLC to modify Magnolia Boulevard to accommodate a dedicated drop-off/pick-up lane in conjunction with an encroachment and valet agreement to allow for valet parking at the Media City Center Mall. He stated the Media City Center Mall was originally approved as part of Planned Development (PD) No. 89-4 which includes IKEA, AMC, Virgin Records and Circuit City, and has been modified four times. He stated Burbank Mall Associates, LLC was currently in the process of entering into a lease agreement with P.F. Chang's Restaurant to operate along Magnolia Boulevard and that the valet service would include a drop-off site south of the San Fernando and Magnolia Boulevard intersection and the pick-up site north of that intersection.

He added Burbank Mall Associates, LLC has proposed to make improvements on Magnolia Boulevard to facilitate the valet service by bulbining the sidewalk abutting the mall property at Third Street and San Fernando Boulevard to reduce the distance of the cross-walk along Magnolia Boulevard and use the remainder of the existing third west-bound lane for loading and unloading, a dedicated bus lane, a public loading and unloading lane and a valet pick-up and drop-off area, noting the existing lane configurations at First Street and Magnolia Boulevard would be retained.

He stated the proposed modifications would reduce the distance across Magnolia Boulevard both at San Fernando and Third Street, creating better pedestrian access by shortening the cross-walk by almost 12 feet. Additionally, the proposed P.F. Chang's Restaurant would provide outdoor dining facilities along the Magnolia Boulevard frontage and provide an entertainment and restaurant linkage between the AMC and Mall projects. He informed the Council the proposed projects were all subject to California Environmental Quality Act (CEQA) review and that a traffic study was completed based on the AMC project's traffic study results.

Mr. Vander Borcht requested clarification on the location of the valet parking area, noting the valet parking problems at the Virgin Megastore/In-N-Out Burger parking lot.

Mr. O'Neill, Crown Realty & Development, representing Burbank Mall Associates, LLC, responded the valet parking spaces would be located in either the west parking structure (Sears) or the east parking structure (Mervyn's) in the less desirable parking stalls to avoid impacting public parking. He recognized the parking problem at the Virgin Megastore and stated a policy was implemented to stop employees who were parking in that lot, and added the parking lot was now frequently policed to mitigate problems at that location. He

5/13/03

added they have met with several valet services to address the process so that customers will not have a long wait to use the valet service, and that the proposed configuration would allow for temporary parking for customers picking up orders from P.F. Changs Restaurant.

Mr. Vander Borghht inquired whether the public would be allowed to drop off or pick up passengers, and Mr. O'Neill responded that there was provision for this use.

Mr. Golonski stated he did not believe the proposed use would significantly impact traffic on that segment along Magnolia Boulevard and indicated support for staff's recommendation.

Mr. Campbell disagreed with Golonski's assessment and stated the AMC project would impact traffic on Magnolia Boulevard, and added he was not convinced staff's approach was the best method to relieve congestion.

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

1402 RESOLUTION NO. 26,487:
Magnolia Blvd. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Imp. And Media ADOPTING A MITIGATED NEGATIVE DECLARATION AND
City Center Mall APPROVING THE STREET IMPROVEMENT AGREEMENT AND
Valet Agmt. ENCROACHMENT AND VALET PARKING AGREEMENT FOR
BURBANK MALL ASSOCIATES, LLC.

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Ramos, Vander Borghht and Murphy.

Noes: Council Member Campbell.

Absent: Council Members None.

604 Mr. Hirsch, Assistant Community Development
Amend Chapters Director/License and Code Services Administrator, requested
3, 5, & 8 of the Council approval to amend Chapters 3, 5, and 8 of the
BMC Pertaining Burbank Municipal Code (BMC) to remove existing regulatory
To Business business license, permit and application fees from the BMC
License, text and place them into the Fee Resolution; and delete
Business Permit, outdated business licensing and business permitting
and Application requirements and terminologies from the BMC.
Fees

He added the BMC provided for over 80 types and variations of regulatory business license, permit and application fees with

two-thirds of these fees still found in the text of the Code and the rest in the Fee Resolution.

Ordinance Introduced It was moved by Mr. Golonski and seconded by Mr. Campbell that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

604 Amend Chapters 3, 5, & 8 of the BMC Pertaining To Business License, Business Permit, and Application Fees AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTERS 3, 5 AND 8 OF THE BURBANK MUNICIPAL CODE PERTAINING TO FEES FOR REGULATORY BUSINESS LICENSES, BUSINESS PERMITS, AND APPLICATIONS FOR SUCH LICENSES AND PERMITS.

Carried The motion carried by the following vote:

Ayes: Council Members Campbell, Golonski, Ramos, Vander Borgh and Murphy.
 Noes: Council Members None.
 Absent: Council Members None.

10:30 P.M. Reconvene Redev. Agency, Housing Authority, Parking Authority, and YES Fund Board 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 Ms. Murphy called for speakers for the third period of oral communications at this time.

Citizen Comment Appearing to comment were Eden Rosen, expressing appreciation for the presentation on the West Nile Virus, commenting on safety in City parks; and Mike Nolan,

5/13/03

commenting on the passage of the Mitigated Negative Declaration for the encroachment and valet parking agreement for Burbank Mall Associates.

Staff
Response

Members of the Council and staff responded to questions raised.

Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:41 p.m.

Margarita Campos, City Clerk

APPROVED JULY 15, 2003

Mayor of the Council
of the City of Burbank