

TUESDAY, DECEMBER 9, 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 4:05 p.m. by Ms. Murphy, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Ramos, and Murphy.
Absent - - - - Council Members Golonski and Vander Borcht.
Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Wilson, Deputy City Clerk.

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

Citizen Comment Appearing to comment was Howard Rothenbach, inquiring as to why the City was interested in purchasing the former Crown Bookstore property, and on the proposed lease of the property located at 141 North Glenoaks Boulevard to the Boys and Girls Club, noting this property was to be utilized as a parking facility for the new Central Library project.

4:09 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)
Name of Case: Christy Leming v. City of Burbank, et al.
Case No.: EC035180
Brief description and nature of case: Trip and fall.
- 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): 3

- d. Conference with Labor Negotiator:
Pursuant to Govt. Code §54957.6
Name of the Agency Negotiator: Management Services Director/Judie Sarquiz.
Name of Organization Representing Employee: Represented: Burbank Management Association, Burbank City Employees Association and the Burbank Firefighters Association.
Summary of Labor Issues to be Negotiated: Current Contracts and Retirement.
- e. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/Susan Georgino
Property: 110 North Glenoaks Boulevard (Burbank Central Library-City Property) and 141 North Glenoaks Boulevard (Agency Property).
Parties with Whom City is Negotiating: Boys and Girls Clubs of Burbank, 2244 North Buena Vista Street, Burbank, CA 91504
Name of Contact Person: Alex Fey, Executive Director.
Terms Under Negotiation: Possible lease of either the current Central Library site at 110 North Glenoaks Boulevard or the Community Development Department building at 141 North Glenoaks Boulevard if either of those two sites becomes available.
- f. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: Deborah McMurray, et al. v. City of Burbank.
Case No.: BC247304
Brief description and nature of case: Alleged employment discrimination.

Regular Meeting Reconvened in Council Chambers	The regular meeting of the Council of the City of Burbank was reconvened at 6:40 p.m. by Ms. Murphy, Mayor.
Invocation	The invocation was given by Mr. Kramer, Community Assistance Coordinator.
Flag Salute	The pledge of allegiance to the flag was led by Mrs. Georgino, Community Development Director.

12/9/03

ROLL CALL

Present- - - -

Council Members Campbell, Golonski, Ramos, Vander Borgh and Murphy.

Absent - - - -

Council Members None.

Also Present -

Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Wilson, Deputy City Clerk.

301-1
Certificate of
Recognition

Mayor Murphy and Ken Carroll, Executive Director of Burbank Health Care and Rehabilitation Center, presented a Certificate of Recognition to Jose Ramos for his courageous actions which saved the life of a Burbank senior resident.

301-1
Donation from
Toluca Lake
Kiwanis Club

Robert Divia, President of the Toluca Lake Kiwanis Club, made a special presentation to benefit Officer Pavelka's memorial fund and Officer Campbell's trust fund, and commended the Police and Fire Departments for the valuable service they provide to Burbank residents. Chief Hoefel expressed appreciation to the Toluca Lake Kiwanis Club for their donation.

406
Airport Authority
Meeting Report

Commissioner Lombardo reported on the Airport Authority meeting of December 1, 2003. He stated that the Authority awarded a contract for airfield security gates; retained the services of McDermott, Will & Emery for plaintiff and defense counsel in the Zelman A-1, LLC litigation; and, extended the Public Safety Director's contract. He also reported that United Airlines rescheduled its 6:47 a.m. flight and that a letter from the Authority has been sent urging them to comply with the voluntary curfew hours. He urged the Council to send a similar letter to United Airlines, briefly elaborated on the voluntary curfew violations and distributed a flight operations schedule for the Airport.

The Council noted and filed the report.

6:49P.M.
Hearing
1704-3
Amendment to
PD 97-4 and
CUP 2001-17
(Graciela Hotel)

Mayor Murphy stated that "this is the time and place for the hearing on the Extension and Amendment of Conditional Use Permit No. 2001-17; on the Amendment of Planned Development No. 97-4; and, on the Negative Declaration related thereto for the Graciela Hotel. Belvedere Hotels and Resorts/ Pass Avenue LLC is the owner/applicant of the Graciela Burbank Hotel located at 322 North Pass Avenue."

Notice
Given

The Deputy 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, Community Development Department, requested that the Council consider amendments to Planned Development (PD) No. 97-4 and Conditional Use Permit (CUP) No. 2001-17 for the Graciela Hotel, located at the corner of Pass Avenue and Oak Street. He stated that Belvedere Hotels and Resorts, LLC (Applicant) has requested to convert two guestrooms on the ground floor of the Hotel into a small conference room. He explained that the proposed project would remove a wall between the two existing rooms, resulting in one conference room with a capacity of approximately 35 people, and convert one of the bathrooms into a small pantry.

Mr. Forbes stated that PD No. 97-4 was approved by the Council in 1998 to allow for the development of a 119-room Homestead Village extended-stay hotel. He added that in 1999, then-Community Development Director Bob Tague found that the Graciela Hotel was in substantial conformance with the original PD approval. He explained that because the existing Hotel is based upon the Director's decision, the proposed conditions of approval would also recognize the project as it exists today. He further stated that CUP No. 2001-17 was approved by the Council in January 2002 to allow the Hotel to sell alcoholic beverages for a one-year trial period, and in November 2002, the Council renewed the CUP for an additional year through January 2004. He noted that because some of the proposed conditions of approval for the PD amendment would modify or replace certain CUP conditions, the Council would also consider amending the CUP, if the PD amendment is approved. He added that staff recommended that those CUP conditions related to the operation of the Hotel as a whole be incorporated into the PD conditions and that the CUP be extended for another trial period through January 2005.

Mr. Forbes informed the Council that in analyzing the PD amendment, staff retained the services of Kaku Associates to conduct a parking study to determine whether the existing parking would be adequate to serve the anticipated demand. He stated that based upon the results of the surveys and counts, Kaku Associates developed a parking model and concluded that although the on-site garage has 107 marked

parking spaces, up to 140 vehicles could effectively be stacked in the garage through the use of a valet parking service. He added that based upon the model, staff determined that up to 64 event patrons could be accommodated using the 107 on-site parking spaces, assuming full occupancy of the Hotel and lounge area. However, he stated that staff recommended that the valet parking service be required at all times regardless of the number of event patrons, consistent with the current CUP conditions to allow for more consistent operations and enforcement. He added that the Planning Board concurred with this recommendation as reflected in the conditions they adopted.

Mr. Forbes also stated that with a valet parking service, up to 112 event patrons could be accommodated on-site with stack-parking, and as such, staff recommended that the number of attendees be capped at 112. He added that the Planning Board held a public hearing to consider the PD amendment on November 10, 2003, and amended several of staff's proposed conditions of approval. He noted that staff concurred with the Planning Board's recommended changes, which are included in the conditions as currently proposed. He also stated that the Planning Board voted unanimously in support of the PD amendment. He noted that because the CUP is currently under the purview of the Council through the annual renewal requirement, the Planning Board did not consider the CUP amendment, but was made aware of the proposed changes to the CUP conditions, should the PD amendment be adopted.

Mr. Forbes informed the Council that the City's policy requires project applicants to sign Development Agreements prior to the Council public hearing. However, he stated that the Applicant was not supportive of the condition of approval requiring valet parking service at all times, in preference of a condition that would require valet parking service only when needed. Because of this desire to seek a change to that proposed condition, he stated that the Applicant elected not to sign the Development Agreement prior to this hearing.

He concluded with staff's opinion that the proposed PD amendment would not result in any parking or other impacts on the surrounding neighborhood, and that the proposed conditions of approval would be adequate to mitigate any potential concerns and ensure that the Hotel is not intrusive on the surrounding neighborhood. He also added that staff

believed that the required PD design review criteria are satisfied by the proposed amendment. With regard to the CUP, he stated that staff was not aware of any problems or incompatibility issues that have resulted from the service of alcoholic beverages. He added that renewing the CUP for an additional trial period would allow the service to continue as it has been with no changes to those conditions related to alcohol service. He also stated that staff believed that the required CUP findings can be made for the amendment and renewal of the permit.

Applicant Ms. Lee, representing the Graciela Hotel, requested that the Council reconsider the condition of approval requiring valet parking service 24 hours a day, 7 days a week. She explained that the Hotel has determined that there are very few patrons requiring the service during late-night hours and suggested limiting the number of hours that the service would be provided. She informed the Council that the Development Agreement would be signed before the Ordinance was brought back to the Council for a second reading and requested that the Council also consider waiving the third year trial period and grant permanent approval of the CUP.

Citizen Comment Appearing to comment were David Piroli, in opposition to waiving the third year trial period and the fold-up beds in the conference room; Ron Vanderford, in opposition to expanding the uses at the Hotel and the fold-up beds in the conference room; Mark Barton, noting the lack of complaints against the Hotel; and, Mike Nolan, in opposition to expanding the uses at the Hotel and requesting that the matter be reconsidered in January 2004 to allow for input from the neighborhood.

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

Council Deliberation Mr. Vander Borght requested the Applicant clarify the usage of the valet parking service, occupancy rate of the Hotel and the intended use for the conference room. Ms. Lee suggested that valet parking not be provided between midnight and 6:00 or 7:00 a.m. She also stated that the occupancy rate was higher during the week and low during the weekend, depending on the studios' activities. Regarding the use of the conference room, she stated that the primary use will be to accommodate guests' meetings but added that other service

organizations and clubs would also be allowed to utilize the facility.

Mrs. Ramos expressed concern regarding the lack of a designated area as a loading dock, and Mr. Forbes responded that the concern had been addressed in the proposed conditions. He acknowledged prior issues with delivery trucks parking in red zones and blocking traffic lanes and added that the Applicant resolved the issue with the help of the Public Works and Police Departments. He also added that drivers were made aware of the need to park legally and added that the condition as adopted by the Planning Board requires that the valet parking service operators park the cars in the driveway such that they would not impede the ability of a delivery truck to park. Regarding permitting loading on the streets adjacent to the Hotel, Mr. Forbes stated that as long as the trucks were parked legally and were not obstructing traffic, staff considered it acceptable for the trucks to park for a short period of time to make deliveries. Mrs. Ramos expressed support for minimal loading from the streets.

Mr. Campbell inquired as to how the Hotel project was approved without a designated loading dock and Mr. Forbes responded that although the Burbank Municipal Code requires hotels to have loading areas, when the substantial conformance for this project was made in 1999 the Hotel permits were issued without a loading dock. He noted that the front driveway area is the only available location to accommodate delivery vehicles and that the area has now been designated as a loading dock.

Mr. Campbell inquired whether delivery trucks could park in residential areas and Chief Hoefel responded that delivery trucks could legally park in residential areas as long as they were actively loading and unloading, with the exception of areas where all large trucks are prohibited.

Mr. Campbell inquired how imperative it was to the Applicant to have the beds in the conference room and Ms. Lee responded that the Applicant had no major objection if the Council did not approve the fold-up beds. She also noted that the Applicant is currently regulating the delivery hours and requested that, if possible, the Applicant maintain the ability to do so. She added that the Hotel's General Manager has worked with the neighborhood to solve and avoid any potential issues and noted that his efforts partly explain the

absence of residents at the hearing in opposition to the proposed amendments.

Mr. Campbell also requested clarification on the noticing procedure and Mr. Forbes responded that the notices for the Planning Board hearing on the PD amendment were sent out to all tenants and property owners within a 1,000-foot radius of the Hotel and was also published in the Burbank Leader newspaper; and added that a second notice for the public hearing on the PD amendment and CUP amendment and renewal was also sent out to all tenants and property owners within the 1000-foot radius of the Hotel and was published in the Burbank Leader newspaper as well.

Mr. Golonski expressed support for the PD amendment and CUP amendment and renewal, but stated that he was not in favor of waiving the third year trial period as requested by the Applicant. He also supported modifying the valet parking service condition of approval to not require valet parking between the hours of midnight and 7:00 a.m.

Ms. Murphy also expressed opposition to waiving the third year trial period especially due to the proposed change in use and stated that she was willing to consider modifying the valet hours to correspond with its demand. She expressed disappointment that the guestrooms have already been utilized as meeting rooms prior to Council approval and requested that staff agendize consideration of a policy to institute sanctions or rules regarding changing of uses prior to Council or Planning Board approval.

Mr. Campbell supported Ms. Murphy's request and also expressed opposition to waiving the third year trial period. He suggested that valet parking services not be required between the hours of midnight and 5:00 a.m. and stated his preference for a dedicated use for the conference room with no beds.

Ms. Murphy noted that there may be a necessity for the Hotel owner to stay overnight without occupying a guestroom and expressed support for the beds in the conference room.

Mr. Golonski supported maintaining the beds in the conference room and noted that the beds would have no impact on the neighborhood.

Mr. Vander Borcht commended the operation of the Hotel but noted that the approval process for this project has always

12/9/03

concerned the neighborhood. He expressed opposition to any amendments to this project and stated that the denial of this request would not impede the current operations of the Hotel. Ms. Murphy noted the need for businesses to periodically reinvent themselves and expressed support for the project amendments.

Mrs. Ramos noted her prior objection to the project but expressed support for the amendments with consideration of input from the neighborhood that, although residents are still concerned, the Hotel has been a good neighbor. She also stated that staff should have taken action on discovering that the guestrooms were already being utilized as meeting rooms without Planning Board and Council approval. She noted the need for the Council to consider a policy on sanctions for such actions.

Mrs. Georgino noted the Code enforcement challenge with regard to the valet service requirement based on occupancy and clarified that the condition as proposed by staff required a dedicated valet operator 24 hours a day. As an alternative, she recommended that valet service hours coincide with the restrictions on alcohol service.

Motion

It was moved by Mr. Golonski and seconded by Mrs. Ramos that "the following resolution be passed and adopted and the following ordinance be introduced and read for the first time by title only and be passed to the second reading with modifications to the Planned Development that valet parking service hours coincide with the restrictions on alcohol service and not be required between midnight and 6:00 a.m. Monday through Thursday and Sunday; and, between 1:00 a.m. and 6:00 a.m. Friday and Saturday."

1704-3
Amendment to
PD 97-4 and
CUP 2001-17
(Graciela Hotel)

RESOLUTION NO. 26,613:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
EXTENDING AND AMENDING CONDITIONAL USE PERMIT
NO. 2001-17 AND APPROVING A NEGATIVE DECLARATION
RELATED THERETO (Graciela Hotel—322 Pass Avenue,
Belvedere Hotels and Resorts LLC/Pass Avenue Associates,
LLC, Owner/Applicant).

1704-3 Amendment to PD 97-4 and CUP 2001-17 (Graciela Hotel)	AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING PLANNED DEVELOPMENT ZONE NO. 97-4 AND APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT NO. 97-4 (Graciela Hotel—Applicant: Belvedere Hotels and Resorts, LLC/Pas Avenue Associates LLC).
Adopted	The resolution was adopted and the ordinance was introduced by the following vote: Ayes: Council Members Campbell, Golonski, Ramos, and Murphy. Noes: Council Member Vander Borght. Absent: Council Members None.
Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council and the Redevelopment Agency during the Closed Session meetings.
Initial Open Public Comment Period of Oral Communications	Ms. Murphy called for speakers for the initial open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment were Joshua Betancourt, John Burroughs High School student, urging the Council to support the Annual Close-Up Program; Julia Nguyen, Providence High School student, urging the Council to support the Annual Close Up Program; Edward Guerrero, offering condolences to the Pavelka family and the Police Department and commenting on police officers' misconduct; Stan Hyman commenting on the hire of three public relations specialists by the Airport Authority and on airport curfew violations; Ron Vanderford; requesting elimination of compact parking spaces; David Piroli, on Vehicle License Fees; Mark Barton, proposing signage for the Bob Hope Airport; Eden Rosen, announcing a public broadcast on Alzheimers Caregivers month; and, Gerald Walls, requesting reinstatement of the 4 th of July Parade and Burbank on Parade.
Staff Response	Members of the Council and staff responded to questions raised.

12/9/03

Agenda Item
Oral
Communications Ms. Murphy called for speakers for the agenda item oral communications at this time.

Citizen
Comment Appearing to comment were Mary Clingen, a massage therapist, in support of the proposed Burbank Municipal Code (BMC) amendment relative to chair massage; Stan Hyman, on airport curfew violations and requesting a status update on the Part 161 Study; Mike Nolan, in opposition to the proposed BMC amendment relative to chair massage, commenting on the lack of a loading dock at the Graciela Hotel, noting the change of use at the Graciela Hotel prior to Council or Planning Board approval, and in opposition to the City's consideration of purchasing the former Crown Bookstore property; Mark Barton, on the Graciela Hotel amendments; and, David Piroli, requesting the status of the Part 161 Study and inquiring as to who will pay for the California Department of Transportation (CalTrans) signage regarding the Bob Hope Airport.

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

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

Minutes
Approved The minutes for the regular meetings of November 18, November 25 and December 2, 2003 were approved as submitted.

1502
Supplemental
Funding Agmt.
w/CalTrans for
ITS Project RESOLUTION NO. 26,614:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE SUPPLEMENTAL AGREEMENT NUMBER M011 BETWEEN THE CITY OF BURBANK AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.

1204-1
Approve Final
Tract Map No.
53799 (630 E.
Palm Ave.) RESOLUTION NO. 26,615:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 53799 (620 EAST PALM AVENUE).

- 1205-2
PUE's between
Third St. and
San Fernando
Blvd. (V-360)
- RESOLUTION NO. 26, 616:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ORDERING THE SUMMARY VACATION OF TWO PUBLIC UTILITY EASEMENTS BETWEEN THIRD STREET AND SAN FERNANDO BOULEVARD (V-360).
- 1702
Correct Legal
Desc. To
PD Nos. 2002-1
And 2002-3
- RESOLUTION NO. 26,617:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A NUNC PRO TUNC ACTION TO CORRECT THE RECORD WITH RESPECT TO THE LEGAL DESCRIPTIONS OF ORDINANCE NO. 3618 (WHICH APPROVED PLANNED DEVELOPMENT NO. 2002-1, THE OLSON COMPANY) AND ORDINANCE NO. 3619 (WHICH APPROVES PLANNED DEVELOPMENT NO. 2002-3, BURBANK CIVIC PLAZA, LLC).
- 804-3
703
Murray-Hayden
Program, Clean
Water, Clean
Air Act of 2002
- RESOLUTION NO. 26,618:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE MURRAY-HAYDEN PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.
- 804-3
703
Urban Park Act
of 2001 Clean
Water, Clean
Air Act of 2002
- RESOLUTION NO. 26,619:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN PARK ACT OF 2001 PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.
- 1007-1
Establish Title of
Fleet
Superintendent
- RESOLUTION NO. 26,620:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF FLEET SUPERINTENDENT (CTC No. 0355) PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.
- 1010
Allow Mid-
Management
Employee to
Participate in
VEBA
- RESOLUTION NO. 26,621:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING RESOLUTION NO. 22,795 RELATING TO THE COMPENSATION PLAN FOR THE MID-MANAGEMENT EMPLOYEES.

12/9/03

Adopted

The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

8:46 P.M.
Recess

The Council recessed at this time. The meeting reconvened at 8:59 with all members present.

604
Amend BMC
Relative to
Chair Massage

Ms. Pease, Senior License and Code Services Inspector, Community Development Department, reported that in August 2003 the Council received a letter from Burbank licensed massage technician, Mary Clingen, requesting that the Burbank Municipal Code (BMC) Massage Ordinance be amended to delete the requirement for a tub or shower facility at businesses whose primary business is not massage, such as a beauty salon, but the business provides the service of chair massage on their premises. She stated that since 1983 the massage profession has been tightly regulated in the interest of protecting the public in several ways, including: ensuring that those performing the massage are knowledgeable enough to pass the Los Angeles County massage technicians test and that their facilities are hygienically clean; and, to have sufficient licensing requirements and background checks to eliminate prostitution activity disguised as legitimate massage. She added that since 1984 requests have been received to amend the Massage Ordinance but noted that staff, in conjunction with the Police Department, has strongly supported tight regulation.

Ms. Pease informed the Council that staff considered Ms. Clingen's request as reasonable, and that it will not jeopardize public protection from illegitimate uses. However, she stated that staff recommends amending the BMC to add: the definition of the terms "chair massage" and "fully clothed"; the language "any business whose primary function is not massage but offers chair massage if exempt from the restriction of being required to have a tub or shower on the premises"; and, the following restrictions as part of the Burbank Massage Ordinance: 1) at all times during the massage both the massage technician and the person receiving the chair massage shall remain fully clothed in non-revealing opaque clothing; 2) at all times during the massage, the massage must take place within public view in a well lit area and shall not take place in a private area of any building,

structure, or room; 3) specified anatomical areas and anatomical parts of the body may not be touched by any part of the massage technician's body or any mechanical device or apparatus operated by the massage technician; and, 4) chair massage may not take place in any business establishment whose primary business activity is serving food, alcoholic beverage, or entertainment.

Motion

It was moved by Mr. Campbell, seconded by Mr. Vander Borcht and carried that "staff return in February 2004 with an ordinance to amend the Burbank Municipal Code relative to chair massage."

1601-1
Bicycle Master
Plan

Mr. Kriske, Assistant Transportation Planner, Community Development Department, requested that the Council approve the proposed Bicycle Master Plan (Plan). He explained that the Plan is a policy and planning document that ensures that future transportation decisions consider bicycle travel in the design of new facilities and approval of new development projects. He added that the goal of the Plan is to build upon recent investments in bicycle facilities to further strengthen the use of cycling. He also added that in achieving this goal, the City will enhance the viability of bicycling as a transportation mode, thereby reducing congestion, improving air quality and providing recreational opportunities and options to the private automobile. In support of these objectives, he stated that the Plan addresses three components required of a bicycle system: the route network; end of trip facilities such as bicycling parking and other amenities; and, connections to other transportation network. He added that the Plan also discusses maintaining design standards and educational outreach. He noted that in identifying the proposed routes outlined in the Plan, staff developed a list of criteria to evaluate various alternatives which favored routes that link Burbank into the greater regional bicycle system as well as provide important local connectivity between various destinations and land uses within the City.

Mr. Kriske explained that the Plan emphasizes connectivity between the Chandler Accessway and other major regional routes such as the Los Angeles River Bikeway; connections with major internal destinations such as the Burbank Village, Media District, employment areas, shopping centers and rail stations; gap closure of the existing network; utilization of available street width or right-of-way; and, linkages with

12/9/03

adjacent cities. He stated that following Council approval, individual projects would be brought back for further discussion and approval prior to implementation. He noted that completion and approval of an updated Bicycle Master Plan also allows the City to become eligible for annual State funding opportunities for bicycle projects through the California Department of Transportation-administered Bicycle Transportation Account (BTA) as well as enable identified routes and facilities to be more competitive for other funding sources.

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

1601-1 RESOLUTION NO. 26,622:
Bicycle Master Plan A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING THE BICYCLE MASTER PLAN AND CERTIFYING COMPLIANCE WITH STREETS AND HIGHWAYS CODE SECTION 891.2.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

1503 Mr. Davis, General Manager, Burbank Water and Power,
1504 presented the Burbank Water and Power Monthly Operating
BWP Monthly Report. He stated that water quality continues to meet or
Report exceed all Federal and State drinking water standards and the standards set by the Council. He noted the substantial increase in the use of water from the Metropolitan Water District and added that the trend will continue through the year for both dry and liquid vapor phase portions.

Mr. Davis also reported that the Water Fund continues to be on budget and that brief information on the progress of building reserves for the Water and Electric Funds, as requested by the Council, was provided.

Mr. Davis stated that regardless of the outstanding reliability statistics, the City experienced another power outage at the Media Center Mall over the weekend. He added that staff is

almost certain that a design flaw at the Mall is responsible for the recurring power switch failures and will re-evaluate the design, nature and types of switches at the Mall.

Mr. Davis further reported that in a rare occurrence, the retail margins for the Electric Utility exceeded wholesale margins and added that staff also provided the Council with information on rebuilding the electric cash reserves and balances. He also informed the Council that the older jet units, Olive 3, 4 and Magnolia 5, will permanently be out of service at the end of December 2003. He reported that the Magnolia Power Project is continuing on schedule and within budget and that the City has acquired NBC Studios as a fiber-optic customer. He added that fiber optic services continue to be extended to the media community. He also noted that other capital projects including the Hollywood Way Station continue to be on schedule and within budget.

Regarding legislation, Mr. Davis stated that Congress did not pass the Comprehensive Energy Bill, and noted the continued opposition to the comprehensive settlement to re-regulate natural gas in California. He informed the Council that Southern California Gas filed a motion to withdraw their comprehensive settlement.

The Council noted and filed the report.

201
Annual Close-Up
And National
High School
Model United
Nations Program

Ms. Wolfe, Administrative Analyst, City Manager's Office, requested Council approval of a request from the Burbank Unified School District, Providence High School and Bellarmine-Jefferson High School to aid Burbank students for the annual Close-Up Program and the National High School Model United Nations Program. She explained that the Close-Up Program is an educational experience designed to acquaint high school students with the operation of the Executive, Legislative, and Judicial branches of the Federal government. She added that the National High School Model United Nations Program provides a unique educational opportunity through the simulation of United Nations committees.

Ms. Wolfe informed the Council that both programs have served as a tremendous learning experience for students interested in a career in government, community and public service, and stated that only participants that are both Burbank residents and attend a Burbank high school are eligible for the City's contribution. She noted that the City's Fiscal Year 2003-04 budget appropriated \$20,000 for the programs, and as in prior years, staff will ensure that checks will be made out directly to the participating students.

12/9/03

Motion It was moved by Mr. Vander Borcht, seconded by Mr. Campbell and carried that "the Council approve a contribution of up to \$20,000 to participating Burbank Unified School District (Burbank and Burroughs High Schools) and Providence and Bellarmine-Jefferson High School students to partially fund the 2004 Close-Up Program and 2004 National High School Model United Nations Program.

406 Mr. Barlow, City Attorney, reported that at the November 18, Airport 2003 meeting, Council Member Golonski requested Authority consideration of eliminating the regular Airport Authority Commissioners Report, and substituting it with a periodic Commissioners Reports report when determined necessary by the Commissioners. He added that the expressed reason for this change was that the Airport Authority meetings are now regularly cablecast which allows the public to view the proceedings. He stated that staff has done no additional work on this item and if there was sufficient support on the Council to further consider this matter, staff would bring back the necessary ordinance to change the order of business for the Council meetings.

Mr. Golonski noted that the intent of the report was to inform the community of the proceedings at the Airport but noted that the meetings are currently televised. He suggested that the Commissioners be requested to report on specific items of interest and stated that the regular reports were not an efficient use of the Council meeting time.

Mr. Vander Borcht suggested limiting the reporting frequency to once a month and requested that the Commissioners report to the Council at any other meeting if any item requires immediate attention. He added that the Council could reconsider the new procedure after a one-year period.

Mr. Campbell expressed concern that the Airport is still a critical issue for the community, noted the changes that are occurring, such as the Southern California Association of Governments' influence regarding the annual passenger levels and added that several issues such as the curfew are not yet resolved. He stated his preference to maintain the ability to receive input from the Commissioners regarding their votes and indicated support for maintaining the current reporting schedule.

Mrs. Ramos expressed support for the current reporting procedure and noted that it provides the Council a regular opportunity to discuss Airport-related issues.

Ms. Murphy expressed support for maintaining the reporting procedure as it currently stands.

Motion It was moved by Mr. Golonski, seconded by Ms. Murphy and carried that "this report be noted and filed."

Final Open Public Comment Period of Oral Communications Ms. Murphy called for speakers for the final open public comment period of oral communications at this time.

Citizen Comment Appearing to comment were Esther Espinoza, on Police Officers' conduct; and, Mike Nolan, on parking requirements at the Graciela Hotel.

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 9:45 p.m.

Josephine Wilson, Deputy City Clerk

APPROVED JANUARY 6, 2004

Mayor of the Council
Of the City of Burbank