



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, JANUARY 13, 2004
5:30 P.M.

CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48 hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

CLOSED SESSION ORAL COMMUNICATIONS IN COUNCIL CHAMBER:

Comments by the public on Closed Session items only. These comments will be limited to **three** minutes.

For this segment, a **PINK** card must be completed and presented to the City Clerk.

CLOSED SESSION IN CITY HALL BASEMENT LUNCH ROOM/CONFERENCE ROOM:

- a. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 2
- b. Public Employee Performance Evaluation:
Pursuant to Govt. Code §54957 and 54957.6
Title of Employee’s Position: City Attorney.

When the Council reconvenes in open session, the Council may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions concerning these matters.

6:30 P.M.

INVOCATION: Chaplain Margaret Burdge, Saint Joseph Medical Center.
The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

- ANNOUNCEMENT: WEDNESDAY NIGHT PRIME TIME PROGRAMS.
- RECOGNITION: MARTIN LUTHER KING JR. DAY.
- PRESENTATION: GIRL SCOUTS OF AMERICA AWARDS.
- PRESENTATION: TOURNAMENT OF ROSES HONOR BAND.
- PRESENTATION: LOS ANGELES COUNTY POLICE CHIEFS ASSOCIATION.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

6:30 P.M. PUBLIC HEARING:

1. INTERIM DEVELOPMENT CONTROL ORDINANCE FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT:

At the November 18, 2003 meeting, the Council directed staff to return with several options for adopting an Interim Development Control Ordinance (IDCO) that would temporarily restrict the development of certain types of multi-family residential development. The purpose of the IDCO would be to stop any multi-family development that may be inconsistent with amendments to the multi-family densities and/or development standards that would be studied by staff while the IDCO is in place.

Over the past 18 months, Council Members and Burbank residents have expressed increasing concern about the number of multi-family housing development taking place across the City. The concern is focused on the anticipated impacts of the new development and its effect on neighborhood character. The two central components of residential development are density and design. Density is generally the number of dwelling units per acre of land. Design can refer to a wide variety of issues concerning a project's layout, architecture and other aesthetic attributes, and is not easily defined. When people express concern about multi-family development, it is generally in the form of opposing "density" and a desire for "lower" densities. Some impacts that people perceive as being the result of denser development, such as parking, building height and bulk, and compatibility with surrounding neighborhoods, are often related to project design rather than simply the density.

Issues of concern that are generally related to density more so than design include traffic, public utilities and services, and increasing rates of in-fill development. Other issues of concern, although sometimes linked to density, are typically more the result of project design. These include parking, building bulk/massing, compatibility with existing development, compatibility with nearby R-1 properties and design challenges and limitations on small lots. These issues would be studied as part of the review of existing densities and development standards through the IDCO process.

There are numerous options for determining the types of projects to which the IDCO will apply. The Council's consideration of these options should be based upon the ultimate goal of preventing development that may be inconsistent with the revised densities and/or development standards that could result from the IDCO process. The Council may adopt a full moratorium to prohibit all multi-family development in all zones citywide. As an alternative to a total moratorium, the Council has numerous options including placing restrictions upon:

- development in specified multi-family zones;
- designated densities of development;
- defined types of development or development with certain design features;
- the rate of development or the cumulative amount of development; and,
- development in certain neighborhoods or areas of the City rather than citywide.

The Council also has various options for how to handle project applications that are currently in process at the time the IDCO is adopted. The major steps in the project approval process at which the Council may decide to stop development include: 1) Development Review (DR) application submittal; 2) DR application deemed complete for processing; 3) DR application approved; 4) project submitted for plan check; and, 5) building permit issued.

The amount of time required to study densities and/or development standards during the IDCO process will depend upon the scope of work requested by the Council. Staff estimates that a comprehensive study of the existing densities and development standards would take approximately four to six months. Depending upon the results of that study and the scope of the resulting zoning amendments, staff estimates that an additional four to six months would be required to fully develop the revised densities and development standards. If work on this effort commenced immediately, staff would anticipate completion around October 2004. Staff estimates that the cost to complete a comprehensive review of Burbank's existing multi-family densities and development standards and identify areas where change is needed or desired would be between \$53,000 and \$65,000. Full development and implementation of new standards and densities would incur additional costs.

Recommendation:

Introduction and adoption of proposed ordinance entitled:
(4/5 vote required)

AN URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING INTERIM DEVELOPMENT CONTROLS ON THE APPROVAL OF DISCRETIONARY OR MINISTERIAL PERMITS FOR PROPERTIES WITHIN THE R-3, R-4, R-5, MDR-3, MDR-4, AND MDR-5 ZONES, WITH CERTAIN SPECIFIED EXCEPTIONS, TO ALLOW THE COUNCIL TIME TO STUDY AND CONSIDER ENACTMENT OF ZONING MEASURES PERTAINING TO MULTI-FAMILY DEVELOPMENT WITHIN THESE ZONES.

REPORTING ON CLOSED SESSION:

INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning City Business.)

There are four segments of Oral Communications during the Council Meeting. The first precedes the Closed Session items, the second and third segments precede the main part of the City Council's business (but follow announcements and public hearings), and the fourth is at the end of the meeting following all other City business.

Closed Session Oral Communications. During this period of oral communications, the public may comment only on items listed on the Closed Session Agenda(s). A **PINK** card must be completed and presented to the City Clerk. Comments will be limited to **three** minutes.

Initial Open Public Comment Period of Oral Communications. During this period of Oral Communications, the public may comment on any matter concerning City Business. A **BLUE** card must be completed and presented to the City Clerk. NOTE: Any person speaking during this segment may not speak during the third period of Oral Communications. Comments will be limited to **two** minutes.

Agenda Item Oral Communications. This segment of Oral Communications immediately follows the first period, but is limited to comments on agenda items for this meeting. For this segment, a **YELLOW** card must be completed and presented to the City Clerk. Comments will be limited to **four** minutes.

Final Open Public Comment Period of Oral Communications. This segment of oral communications follows the conclusion of agenda items at the end of the meeting. The public may comment at this time on any matter concerning City Business. NOTE: Any member of the public speaking at the Initial Open Public Comment Period of Oral Communications may not speak during this segment. For this segment, a **GREEN** card must be completed and presented to the City Clerk. Comments will be limited to **two** minutes.

City Business. City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under City Council jurisdiction, they are not City business and may not be discussed during Oral Communications.

Videotapes/Audiotapes. Videotapes or audiotapes may be presented by any member of the public at any period of Oral Communications or at any public hearing. Such tapes may not exceed the time limit of the applicable Oral Communications period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the period of oral communication the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Oral Communications, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

Disruptive Conduct. The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

AGENDA ITEM ORAL COMMUNICATIONS: (Four minutes on Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY:

2. SOUTH SAN FERNANDO STREETScape AND ROBERT R. OVROM PARK/COMMUNITY SCHOOL PROJECTS:

South San Fernando Boulevard Streetscape Project - The South San Fernando Boulevard Streetscape Project includes roughly a half-mile portion of the boulevard between Verdugo and Alameda Avenues. The Project is located in the South San Fernando Redevelopment Project Area and is an important component of the redevelopment of the area as this corridor is one of the primary gateways to the City and serves as a direct link into Downtown Burbank. The Project is designed to provide an environment geared toward enhancing the economic base of the area by improving the overall appearance and viability of the South San Fernando Boulevard corridor.

In September 2001, the Redevelopment Agency (Agency) Board approved a Professional Services Agreement (PSA) with David Evans and Associates (DEA) for design services for the schematic design phase of the Project. On July 30, 2002, the proposed schematic streetscape design was presented to the Council and Agency Board, after which staff was directed to proceed with the Design Development Phase.

As part of the Schematic Design and Design Development Phases, staff held seven community meetings to gather input from residents, property and business owners in the area. The first streetscape community meeting occurred in May 2002. Subsequent to that meeting, the streetscape project was presented together with the Robert R. Ovrom Park Project at community meetings held in August 2002, March 2003, April 2003 and June 2003. Also in April 2003, both projects were presented to the Council and Agency Board, and staff was directed to proceed with the Schematic Design Phase of the Ovrom Park Project and continue with the Design Development Phase of the Streetscape Project. The Agency Board also appointed the South San Fernando Community Park/School Oversight Committee. Since then, there have been two Oversight Committee meetings on May 22, 2003 and October 9, 2003, and Committee comments have been incorporated into the latest streetscape design.

The proposed design includes: median improvements with low-level landscaping; an irrigation system; 48-inch and 60-inch box trees; landscape accent lighting; and, a public art component. Parkway improvements include: new curb and gutter; acid-etched paving with a diagonal scoring pattern; 48-inch box trees; decorative tree

grates; bicycle racks; bus shelters; benches; and, trash containers. New pedestrian lighting will be introduced with ornamental light standards. The estimated budget is \$2.8 million plus an additional amount for utility infrastructure enhancement which is still being identified. The funding source is the 2003 Tax Allocation Bonds for the South San Fernando Redevelopment Project Area. Staff is also requesting approval of a PSA with DEA to prepare the construction documents for the streetscape improvements. The cost of this contract is \$156,000.

Robert R. Ovrom Park/Community School Project – The South San Fernando Redevelopment Project Area is comprised primarily of industrial and commercial uses; however, the area immediately surrounding the South San Fernando Corridor has a high residential concentration with no direct access to adequate open space and recreational facilities. For this reason, when the South San Fernando Redevelopment Project Area was formed in 1997, the plan specifically recommended development of a 10-acre park facility. Since then, the Council has dedicated funds from various sources for property acquisition in the South San Fernando Boulevard Area and, with the support of the Agency, a site for a community park and community school has been assembled.

The Burbank Unified School District (BUSD) took operational control of the existing community school from the County of Los Angeles in 1999. The BUSD has also been seeking a permanent home for its community school. As the City began assembling a site for a community park, it became apparent that there was an opportunity to combine much-needed recreational amenities with the community school at a single location.

On April 22, 2003, the Council accepted the recommended project and allowed staff to proceed with the Schematic Design Phase. The project includes a two-story 16,900 square foot (sf) joint use community school and neighborhood recreational facility to be separately operated by the BUSD and the Park, Recreation and Community Services Department.

In its land assemblage efforts, the City exercised the proper due diligence to identify and mitigate the presence of identifiable and potentially hazardous materials as a consequence of each parcel's prior use. The City maintains the project site is environmentally free of hazardous materials and poses no environmental threats. However, since the project has a school element, there exists a stricter protocol mandated by the State to ensure potential environmental issues have been appropriately addressed. For the subject project, this will include the State of California Department of Toxic Substances Control (DTSC).

There is no legal requirement for the City to engage the DTSC to oversee any further environmental investigations since the BUSD has not requested nor elected to receive State funds for its community day school. However, through discussion with the Oversight Committee and the Development Oversight Committee, it is deemed in the City's best long-term interest to accept the DTSC's recent grant funding to complete a Preliminary Endangerment Assessment (PEA) since it will provide further and

undeniable assurances that the project site is environmentally safe for all users. In order to complete the PEA, the Council must approve an Indemnification Agreement between the City and DTSC to accept funding for the PEA and a Cooperation Agreement between the City and BUSD for preparation of the PEA.

Should the Council approve the project as proposed, staff will request a commensurate design services change to increase WLC Architects' (WLC) PSA by \$53,836. This added design services cost is comprised of two elements: 1) a \$48,836 cost for all design services required to provide the semi-subterranean garage and representing 4.0 percent of the \$1.23 million construction cost increase; and, 2) a \$5,000 cost for electrical design services for the park program. This latter cost was inadvertently left out from the design services scope when WLC's PSA was first approved.

The Project budget for the park/community school project was initially established at \$6 million based on a conceptual program that included 16,000 sf of program space for a neighborhood recreation center and a community day school (one or two story facility), on-site surface parking for approximately 16 vehicles, with the remainder of the site to be utilized for outdoor recreational amenities. Several conceptual plans were presented to the Park, Recreation and Community Services Board, the Council, the Board of Education, and the Planning Board (for a parking determination) between April and June 2003 with unanimous acceptance of one conceptual plan and approval to proceed with the Schematic Design Phase. This accepted conceptual plan was revised from the initial concept plans with the primary deviation being the provision of a semi-subterranean parking garage below a LEED Certified two-story building. These revisions increased the project budget to \$9.2 million (a 53 percent increase).

PROJECT SCHEDULES

The following are proposed schedules for the remaining tasks for both projects.

South San Fernando Boulevard Streetscape

Consideration of Design Development Plans	January 2004
Commence Construction Documents Phase	January 2004
Agency/Council Approval of Construction Documents	May 2004
Commence Construction	August 2004
Complete Construction	February 2005

Robert Ovrom Park/Community School

Design Development Phase Completion	March 2004
Commence Construction Document Phase	April 2004
City Council Approval of a CM @ Risk	April 2004
90 Percent Construction Documents to State Architect	September 2004
Completion of PEA Process	June 2004
City Council Approval of Complete Construction Docs	January 2005
Commence Construction	March 2005
Complete Construction	May 2006

Recommendation:

Adoption of proposed City Council resolutions entitled:

(4/5 vote required)

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A FIXED FEE, GUARANTEED MAXIMUM PRICE (GMP) PROJECT DELIVERY METHOD AND AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR STATEMENT OF QUALIFICATIONS (SOQ) FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE ROBERT R. OVROM PARK/ COMMUNITY SCHOOL/SOUTH SAN FERNANDO STREETScape PROJECT AND CONSENTING TO AGENCY FUNDING OF CERTAIN PUBLIC IMPROVEMENTS.

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF BURBANK AND BURBANK UNIFIED SCHOOL DISTRICT RELATED TO THE ENVIRONMENTAL ASSESSMENT REQUIRED FOR THE ROBERT R. OVROM PARK AND COMMUNITY SCHOOL PROJECT AND ACCEPTING A GRANT FROM THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY, DEPARTMENT OF TOXIC CONTROL SUBSTANCES.

3. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND WOLFF LANG CHRISTOPHER ARCHITECTS, INC.

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE AGENCY AND DAVID EVANS AND ASSOCIATES AND AUTHORIZING THE PAYMENT OF CERTAIN PUBLIC IMPROVEMENTS. (SOUTH SAN FERNANDO STREETScape PROJECT).

CONSENT CALENDAR: (Items 3 through 5)

The following items may be enacted by one motion. There will be no separate discussion on these items unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A **roll call** vote is required for the consent calendar.

3. CITY COMMENT LETTER ON DRAFT 2004 REGIONAL TRANSPORTATION PLAN:

The Southern California Association of Governments (SCAG) has released the Draft 2004 Regional Transportation Plan (RTP) for public comment. At the December 16, 2003 meeting, the Council selected a Subcommittee to meet with staff on possible revisions to the draft City comment letter. Staff has modified the letter in accordance

with the direction received and is submitting the revised letter for Council's review and authorization to submit it to SCAG prior to the January 16, 2004 comment period deadline.

Recommendation:

Direct staff to submit the proposed comment letter to SCAG.

4. PROFESSIONAL SERVICES AGREEMENT FOR SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, MEDIA STUDIOS NORTH:

The purpose of this report is to request Council authorization for the City Manager to enter into a Professional Services Agreement (PSA) with Christopher A. Joseph and Associates to prepare a Subsequent Environmental Impact Report (EIR) for a proposed amendment to Planned Development (PD) No. 89-7, Media Studios North.

On September 23, 2003, M. David Paul Development, LLC reinitiated a request to amend PD No. 89-7, commonly known as the Media Studios North project. This project is located along Empire Avenue between Ontario Street and Avon Street and is currently entitled for 650,000 square feet (sf) of office space. The current request would increase the entitlement by 275,000 sf to a total of 925,000 sf. An Environmental Impact Report was prepared for the original project proposal and a Mitigated Negative Declaration was prepared for the First Amendment to the PD in 1997.

After an initial review of the project, staff has determined that a Subsequent EIR will be required and that consultants will be necessary to perform the required Subsequent EIR. A Request for Proposals to prepare the Subsequent EIR was sent to six qualified consulting firms, two of which responded. Based upon the proposals submitted, staff determined that Christopher A. Joseph and Associates was the best candidate based upon the quality, cost and work schedule anticipated in their proposal. The Subsequent EIR will be prepared in accordance with State guidelines and the accepted practices of the City of Burbank.

No costs will be incurred by the City by entering into a PSA with Christopher A. Joseph Associates. The applicant will be required to deposit to the City the cost of the contract plus 10 percent as required by the City's fee resolution.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND CHRISTOPHER A. JOSEPH AND ASSOCIATES.

5. AUTHORIZING THE ACCEPTANCE OF A DONATION TO THE FIRE DEPARTMENT FROM THE TARGET STORE, EMPIRE CENTER, AND AMENDING THE FISCAL YEAR 2003-04 BUDGET BY APPROPRIATING THE FUNDS:

Staff is requesting Council authorization to accept a donation in the amount of \$1,000 from the Target Store, Empire Center, to the Fire Department to be used at the Fire Department's discretion for on-going educational programs directed toward children in Burbank.

Staff is also requesting that the Council amend the Fiscal Year 2003-04 Budget by appropriating the donation to the Fire Department's budget for use to support the Department's new "Lil Squirt" character for use as an ambassador to children and adults in the City and to enhance fire and life safety education programs and events.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING FISCAL YEAR 2003-2004 BUDGET FOR THE PURPOSE OF ACCEPTING TARGET STORE, EMPIRE CENTER BRANCH'S DONATION OF \$1,000.

END OF CONSENT CALENDAR

REPORTS TO COUNCIL:

6. APPROVING SUBMITTAL OF APPLICATION FOR FUNDS FROM THE STATE OF CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000; CERTIFYING PROJECT BUDGET, LOCAL FUNDING COMMITMENT, SUPPLEMENTAL FUNDS AND PUBLIC LIBRARY OPERATION; AND, APPROVING A JOINT USE AGREEMENT WITH THE BURBANK UNIFIED SCHOOL DISTRICT:

On March 11, 2003, the Council adopted an ordinance approving the Civic Center Master Plan, Planned Development (PD) No. 2002-2. Part of this Master Plan, included the development of a new two-story Central Library. The City is being presented an excellent opportunity for major funding contribution to complete this project via the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Bond Act). This Bond Act authorizes library construction grant awards on a competitive basis to communities for new or expanded library facilities.

The Bond Act allocates \$350 million to be distributed to public libraries in three rounds over a three-year period. The first round closed in June 2002, the second round closed on March 28, 2003, and the final round will close on January 16, 2004. The

maximum grant per project is \$20 million. The State will fund 65 percent of the cost of constructing new or expanded public library facilities, while the grant applicant must identify a local funding match for the remaining 35 percent at the time of application.

On November 26, 2002, the Council approved a resolution to place a General Obligation Bond Measure (Measure L) on the February 25, 2003 ballot. Measure L stated that the \$14,000,000 raised by the issuance of General Obligation Bonds would be used to provide the City's 35 percent local match required for the State Grant to construct the new Central Library. The remaining money from Measure L would be used to finance the renovation and expansion of the Northwest Branch Library. Bonds would be issued contingent upon the City receiving the State Grant.

On February 25, 2003, Measure L was approved by 67.9 percent of Burbank voters, receiving more than the required two-thirds majority vote. With the passage of Measure L, voters showed their support for the construction of a new Central Library and a renovated Northwest Branch Library. The City now can show proof of the ability to provide the required 35 percent local match.

The City applied in the second round for the grant on March 28, 2003. On September 28, 2003, the City learned that Burbank was not among the second round award winners. While Burbank's application was a strong contender, competition was tough. Much has been learned by having already gone through the process. It is the City's intention to reapply for the third round, submitting an application by January 16, 2004.

Projected costs for the City's proposed new 65,500 square foot Central Library, including the Library's 55 percent¹ pro-rata share for a five-level parking structure and common plaza area, is \$33,379,963.

Library services have changed. Public access computers are a great example of a new library service need that was not envisioned when the present Central Library was constructed in 1964. Other major facility inadequacies that need to be addressed are:

- Insufficient parking for public and staff
- Space needs for technology
- Inadequate electrical capacity
- Inadequate space for programming needs
- Recurrent plumbing problems
- Accessibility issues
- Lack of student study areas

The State grant provides an excellent opportunity for the State to contribute 65 percent, or a maximum of \$20,000,000, to the cost of constructing a new Central

¹ The 55 percent pro-rata share is based on the shared parking utilization between the future Development and Community Services Building (DCSB) and the proposed new Central Library, viz. 205 and 249 parking spaces respectively.

Library for the City. The 35 percent balance shall be funded by City resources. Since Burbank residents are already paying a portion of their property taxes to fund the Public Library Construction and Renovation Bond, applying for and receiving the State grant allows the community to benefit directly from this tax.

The requirements for submittal of the application to the State are quite detailed and have required extensive inter-departmental assistance. The State requires this information to determine the capability of the grantee to build and operate the facility for the next 40 years.

Once the grant has been successfully awarded to Burbank, it is estimated that the project will be completed by February 2007.

Under the Bond Act, first priority is given in the award of grant funds to joint use projects in which the public agency which operates the library and one or more school districts have entered into a cooperative agreement. The resolution before the Council also includes an Agreement for Library Cooperative Joint Use Between the City of Burbank and the Burbank Unified School District (Agreement). The Agreement is part of the application packet, and is contingent upon the City receiving the grant from the State of California.

Project BLAST (Burbank Library and School Together) focuses on joint activities between the Library and the Burbank Unified School District (BUSD) at critical times in a student's school career, to reinforce reading and research skills. The program focuses on children entering the District (either through kindergarten or because they are new to the District), 4th grade students beginning to do research, 8th grade students preparing to enter high school, and the technology needs of all students. In addition, the program provides a Homework Center for students in elementary and middle schools, with homework assistance staff and software.

Under the terms of the Agreement, an Advisory Committee will be established to implement and evaluate the BLAST program. This Agreement may be modified to meet the spirit and intent of the original cooperative Agreement as well as the intent of the Bond Act. The City and the BUSD commit to providing joint use library services consistent with the intent of this Agreement and build into the project a mechanism for review and modification of the conditions of the Agreement. The commitment to provide services over the 20-year period is contingent upon the award of this grant funding.

Projected costs for a new 65,500 square-foot Central Library, including only the Library's 55 percent pro-rata share for a five-level parking structure and common plaza area, is \$33,379,963. The 55 percent pro-rata cost share is based on the shared parking utilization between the future Development and Community Services Building (DCSB) and the proposed new Central Library, viz. 205 and 249 parking spaces, respectively.

Please note that the estimated costs shown below were submitted with the application in round two. At this time, the costs are still being computed. These costs will be revised and made public as they become available.

Central Library costs are generally comprised of:

1.	Library Soft Costs	\$ 3,094,542
2.	Library On & Off-site Work	1,406,339
3.	Library Construction	16,009,510
4.	FF&E	3,243,000
5.	Parking Structure & Common Plaza Area	4,364,210
6.	Other (State Ineligible) Project Costs	880,095
7.	Land Value Contributions ²	4,382,267

	Total Estimated Library Cost =	\$ 33,379,963

Total available funding resources, including the \$20,000,000 maximum State Grant is \$29,664,000; \$9,500,000 from the issuance of the General Obligation Bonds approved through Measure L; and the allowable \$164,000 Architect-Engineer (A-E) Application Fee the City has already appropriated. In addition to the available funding sources, it's important to note that the Bond Act also recognizes City-owned land as a viable project funding source. Therefore, the total project cost in real dollars can be reduced by the \$4,382,267 in land value contribution.

The total increased recurring operating costs for the new Central Library is estimated at \$662,413. There is also a one-time only cost of \$479,573. The current plan is to ramp up the additional necessary funding over a three-year period, starting in Fiscal Year 2005-06. Corporate funding is another possible means of financing portions of the anticipated operating costs.

Based on staff's evaluation, the estimated cost for the new Central Library including the 55 percent pro-rata cost of a five-level parking structure and common plaza area consistent with the previously accepted Master Plan, is \$33,379,963; the sum of the City's local match, excluding land value, is \$9,664,000; and, net of the State's projected \$20,000,000 contribution, the City will need to commit \$3,715,963 in supplemental funds that is more than off-set by the combined \$4,382,267 appraised land value.

Total Estimated Library Cost	\$33,379,963
State Funding	20,000,000
Local Bond Match	9,500,000
A-E Fees (Paid)	164,000

	29,664,000

Required Supplemental Funds	\$ 3,715,963

² A recent certified appraisal for the Library, parking structure, and common plaza area parcels stated the land value at \$55.00 per square foot. This represents \$4,382,267 in real dollars toward the project cost. Only 55 percent of the appraised value of the parking structure and common plaza area parcel can be accounted for per State application requirements.

Finally, it should be noted that an additional \$3,593,025 is required above and beyond the estimated Library project cost to address 45 percent of the parking structure and common plaza area cost. The ultimate disposition of the existing Central Library, including a potential future sale, represents a viable consideration to off-setting this real project cost to complete the five-level parking structure and common plaza area.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING SUBMITTAL OF APPLICATION FOR FUNDS FROM THE STATE OF CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000; CERTIFYING PROJECT BUDGET, LOCAL FUNDING COMMITMENT, SUPPLEMENTAL FUNDS AND PUBLIC LIBRARY OPERATION; APPROVING A JOINT USE AGREEMENT WITH THE BURBANK UNIFIED SCHOOL DISTRICT.

7. MAYOR'S YOUTH TASK FORCE RECOMMENDED YOUTH COUNSELING PROGRAM:

At the request of the Council, staff is providing a more detailed description of the Youth Counseling Program which was previously recommended for funding by the Mayor's Youth Task Force. The purpose of the Youth Counseling Program is to provide local middle school students with a positive, safe environment in which to seek counseling that is both accessible and affordable. If approved by the Council and the Burbank Unified School District (BUSD) Board of Education, the proposed Youth Counseling Program will be operated in the BUSD middle schools in the 2004 spring semester through a partnership with the Burbank Family Service Agency.

In June 2003, staff submitted the Mayor's Youth Task Force recommendations for additional youth services and programming. The Council directed staff to return with a strategic plan of action for initiating the Youth Counseling Program. The Mayor's Youth Task Force created a Youth Counseling Subcommittee in order to further develop the strategy for implementation. The Subcommittee included representatives from the Boys and Girls Club, the YMCA, the City, the Council and the BUSD.

Through discussion, the Youth Counseling Subcommittee determined that the requirements for the Youth Counseling Program are accessible, affordable counseling services for middle school youth, within their schools, and facilitated by trained professionals who are familiar with issues facing middle school students and with whom the students can feel comfortable.

The Subcommittee requested proposals from local counseling agencies with strategies for addressing the identified target needs. The proposals were presented to the Youth Counseling Subcommittee for review. In December 2003, the agencies

were given the opportunity to present their proposals to the Mayor's Youth Task Force. After discussion and evaluation of each of the programs, the Mayor's Youth Task Force recommended implementing the proposal presented by the Burbank Family Service Agency.

If the funding for this counseling service is approved by the Council, the proposal will be placed on the BUSD Board of Education agenda in February 2004 for approval prior to initiating the program on BUSD campuses.

During the Fiscal Year 2002-03 budget process, the Council directed staff to establish a Non-Departmental Holding Account (Youth Services) and approved the one-time appropriation of \$500,000 for the development and implementation of youth-oriented projects and services. Currently, \$225,800 is still available for expenditure. If approved as proposed, the Youth Counseling Program will expend \$50,000 of the remaining funds available in the General Fund Non-Departmental Holding Account (Youth Services).

Recommendation:

It is staff's recommendation that the Council approve the one-time expenditure of \$50,000 from the previously established Non-Departmental Holding Account (Youth Services) for implementation of the Burbank Family Service Agency's proposed Youth Counseling Program in BUSD middle schools, as recommended by the Mayor's Youth Task Force and the Youth Counseling Subcommittee.

8. REVIEW OF PROVISIONS FOR COMPACT CAR PARKING SPACES:

On October 28, 2003, the Council discussed compact car parking spaces and asked staff to provide a first-step report on the history of Zone Text Amendment (ZTA) No. 99-6 that had been prepared by staff in response to a City Planning Board directive in 1999.

The Planning Board conducted a public hearing for ZTA No. 99-6 on September 25, 2000, and voted to recommend elimination of all provisions for compact parking spaces from the Burbank Municipal Code (Code). The Planning Board also voted to establish a minimum width of nine feet for all full-size parking spaces. On December 12, 2000, the Council considered ZTA No. 99-6, but did not approve it. The Council directed staff to look into the feasibility of eliminating the existing Code provisions for compact car parking spaces for multi-family uses only.

A draft staff report dated June 26, 2001, was prepared for Council consideration which addressed the feasibility of eliminating the existing Code provisions for compact car parking spaces in new multi-family residential developments. However, staff was directed to stop the process until further direction was provided by the Council.

Recommendation:

If the Council wishes to reconsider a ZTA to modify or eliminate the existing Code provisions for compact car parking spaces, staff recommends Council direction to prepare an amendment to modify the existing Code provisions for compact car parking spaces.

9. SELECTION OF COUNCIL REPRESENTATIVES FOR MAGLEV CORRIDOR MEETING:

The Southern California Association of Governments (SCAG) has proposed the development and implementation of a high-speed rail system for the region as a means of reducing vehicle congestion and decentralizing air passenger demand. One of the envisioned lines would connect Palmdale to Union Station, via the cities of Santa Clarita, San Fernando, Los Angeles, Burbank and Glendale. At a recent meeting, staff representatives of each of the corridor cities agreed to invite two Council Members to attend the next meeting and comment on the feasibility of conducting a joint study.

Council Members questioned the value of the Maglev system, especially considering the very high estimated cost of the pre-deployment work and the speculative nature of the plan for privately funding the construction. Staff agrees that given the current budgetary problems, it seems very unlikely that the necessary continuation of funding commitments could be sustained throughout the project development process. However, it appears that there is sufficient support by SCAG and some of the cities along the proposed Palmdale-Union Station corridor for continuing the initial planning that SCAG has begun. The City's participation in the initial discussions of that potential work, and continued involvement if the decision is made to proceed, will ensure that Burbank's concerns and views are considered.

Recommendation:

Staff requests that the Council select two representatives to attend the upcoming Palmdale-Union Station Maglev Corridor meeting.

10. CITY'S EFFORTS REGARDING AIR QUALITY ISSUES:

The Council requested staff prepare a first-step report on air quality issues, including: identifying the sources of air pollution within the City that affect air quality; what police powers the Federal, State, and regional governmental agencies have to enforce the requirements they establish; what police powers the City has via the General Plan and Municipal Code to establish local requirements that would affect the sources of air pollution within the City; and, a list of the recommendations the Air Quality Management District and the Air Resources Board have identified that could be

incorporated into the General Plan and Municipal Code to mitigate exposure of residents to local sources of air pollution.

Air pollution within the City is comprised of two primary sources; fixed (e.g. gas stations, auto body shops, etc.) and mobile (vehicle emissions). The City's police powers regarding emission standards are very limited; however, the General Plan and zoning regulations enable cities to properly site uses in order to minimize or avoid air quality impacts such as disallowing the placement of an auto body shop next to a school.

Recommendation:

Should the Council wish to place this matter on a future agenda for further discussion, staff recommends that the Council identify specific issues for staff to investigate and prepare a detailed report.

11. AFTER-ACTION REPORT ON THE OCTOBER 21, 2003 COUNTRY CLUB FIRE AND RECOMMENDATIONS FOR FUTURE FIRE PREVENTION AND DAMAGE MITIGATION MEASURES:

The After Action Report is a summary of the events which took place during the brush fire in the Country Club Drive area beginning on October 21, 2003 at approximately 4:00 p.m. and ending on October 22, 2003 at approximately 6:00 p.m. The report's main purpose is to highlight the strong points and identify the weak points in the operational planning, management and recovery of this incident.

Staff's presentation will highlight a number of recommendations for Council approval. These range from updating the City's current wood shingle roof ordinance to increasing the setback for vegetation management from 100 feet to 200 feet from any structure.

Recommendation:

Staff recommends the Council adopt those measures that will best protect the community.

RECONVENE the Redevelopment Agency meeting for public comment.

FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning the business of the City.)

This is the time for the Final Open Public Comment Period of Oral Communications. Each speaker will be allowed a maximum of **TWO** minutes and may speak on any matter concerning the business of the City. However, any speaker that spoke during the Initial

Open Public Comment Period of Oral Communications may not speak during the Final Open Public Comment Period of Oral Communications.

For this segment, a **GREEN** card must be completed, indicating the matter to be discussed, and presented to the City Clerk.

COUNCIL AND STAFF RESPONSE TO THE FINAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

ADJOURNMENT.

**For a copy of the agenda and related staff reports,
please visit the
City of Burbank's Web Site:
www.ci.burbank.ca.us**