



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, MARCH 2, 2004
4:30 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): 1

- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 2

- c. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/Susan Georgino
Property: Approximately 2,875 square feet of the northwestern corner of 1200 Flower Street. Generally located on Flower Street near the border of the City of Glendale.
Parties with Whom City is Negotiating: Home Depot USA, Inc., 3800 West Chapman Avenue, 5th Floor, Orange, CA 92868
Name of Contact Person: Jeff Nichols, Home Depot USA, Inc.
Terms Under Negotiation: Price and terms of payment of potential acquisition of easement, lease, fee grant or other transfer of property.

- 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 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.
Summary of Labor Issues to be Negotiated: Contracts for Fiscal Year 2004-05.

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:

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.

PRESENTATION: UNITED WAY OF GREATER LOS ANGELES.

PRESENTATION: BUILDING DIVISION'S STUDENT DESIGN COMPETITION AWARDS.

PROCLAMATION: ARBOR DAY.

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).

REPORTING ON CLOSED SESSION:

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

At the request of the Burbank representatives to the Airport Authority, an oral report will be made to the City Council following each meeting of the Authority.

The main focus of this report will be issues which were on the Airport Authority meeting agenda of March 1, 2004. Other Airport related issues may also be discussed during this presentation.

Recommendation:

Receive report.

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:

CONSENT CALENDAR: (Items 2 through 4)

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.

2. MINUTES:

Approval of minutes for the regular meeting of January 20, 2004.

Recommendation:

Approve as submitted.

3. EZ TRANSIT PASS PROGRAM:

A new program, the EZ Transit Pass Program, has been created by the Metropolitan Transportation Authority (MTA) to simplify the process of transferring between different transit modes and carriers. Under this program, riders who regularly transfer between transit service providers would pay one monthly rate for a pass that would allow them to transfer an unlimited number of times between carriers. With the new EZ Transit Pass Program contract, the MTA will assume the responsibility from Metrolink, of reimbursing the City for transfers to Burbank Local Transit without any alteration from the current level of compensation. The MTA requires Council approval in order to implement the EZ Transit Pass Program in Burbank.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE EZ TRANSIT PASS AGREEMENT REGARDING USAGE AND FARE REIMBURSEMENT BETWEEN THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AND THE CITY OF BURBANK.

4. APPROVING THE AREA C JOINT POWERS AGREEMENT WITH LOS ANGELES COUNTY FOR ENHANCED DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT:

Staff is requesting Council approval of a proposed resolution that authorizes the City Manager to execute the Area C Joint Powers Agreement (JPA). The purpose of the JPA is to promote the coordination of disaster management, planning and preparedness efforts with all Area C cities (Burbank, Pasadena, Glendale, San Fernando, San Gabriel, Monterey Park, Alhambra, South Pasadena and La Canada-Flintridge) by cooperative planning, training and related activities under the direction of a Disaster Management Area C Board (Governing Board).

A representative from the City (typically, the Disaster Services Coordinator) already participates and meets regularly with other Area C Emergency Service Coordinators to discuss issues related to disaster preparedness. There has been no compensation for attending these meetings or budgetary support from Area C to conduct any substantial programs within the area.

This association has existed for at least 15 years and has worked well, given the lack of funding. Thus, the concept of collaboratively working with other cities in the area of Disaster Management is well established. For the past few years, the Disaster Area Management Coordinator has been a Los Angeles County employee. While the individuals serving in this capacity have been dedicated professionals, representation of the best interests of individual cities could not be assumed.

In forming a JPA, each Area C city will appoint a new coordinator. This form of direct representation will be beneficial in many areas including securing State and Federal grants. Until recently, there has been minimal incentive to establish a JPA, however, with the reallocation of Federal Emergency Management Performance Grant (EMPG) funds, a monetary incentive is now present.

Once the JPA is executed, the City, as well as the other JPA signatories, can receive compensation for staff time associated with attending these meetings. In the absence of a JPA, the funds that would have been allocated to Area C cities have been held in "suspense" by the Los Angeles County.

Until two or more Area C cities sign the JPA with the County, the City risks being misrepresented or not being represented at all in critical decision-making discussions with Los Angeles County. Furthermore, the City risks losing access to the EMPG funds. During this time of heightened awareness for disaster preparedness and available grant funding, it is advantageous for the City to sign the JPA.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE JOINT POWERS AGREEMENT TO PROVIDE FOR INTER-AGENCY COOPERATION DURING DISASTERS. (DISTRICT AREA MANAGEMENT C – LOS ANGELES COUNTY OPERATIONAL AREA).

END OF CONSENT CALENDAR *** *** ***

REPORTS TO COUNCIL:

5. APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LEO A. DALY TO COMPLETE AN ABBREVIATED DESIGN DEVELOPMENT PHASE FOR THE DEVELOPMENT AND COMMUNITY SERVICES BUILDING:

Staff is requesting Council approval of an amendment to the Professional Services Agreement (PSA) with Leo A. Daly Company (Daly) to provide additional architectural design, specialty consultants, and engineering services to complete an abbreviated Design Development (DD) Phase for the Development and Community Services Building (DCSB) Project.

On October 14, 2003, the Council approved substituting the original DCSB Project Architect Widom Wein Cohen O’Leary Terasawa (WWCOT) with Daly. This was based on the Oversight Committee’s recommendation that Daly demonstrated in-house qualifications, project expertise and ability to successfully complete the DCSB Project that had previously been placed on hold in late January 2003. Daly offered the following project benefits:

1. A senior project team with substantial project-related experience;
2. A Leadership in Energy and Environmental Design (LEEDs) accredited professional, a critically important staff position to meet the City’s goal of LEEDs certification;
3. Design, administration and engineering support services that would cost-effectively complete the project within budgetary constraints; and,
4. Objective hindsight of the existing design program to address potential design concerns with a critical eye toward improving aesthetics and function without compromising quality and need, and to concurrently realize economic benefits as a result of efficient design throughout the life of the DCSB.

The DCSB Project was officially resumed on November 6, 2003 with a kick-off meeting between Daly and the Oversight Committee. The primary focus of that meeting was to identify opportunities to improve the current design without compromising quality and function and to strategically pursue design systems and components that would net real cost benefits. Since that time, numerous working meetings with the Steering and Oversight Committees, Daly, the project team and tenant-users have been held as part of the feasibility study commissioned with Daly to: evaluate potential exterior and interior design issues; evaluate potential access and site concerns; complete the community room and Public Information Office (PIO) program space; and, provide value engineering and constructability reviews.

The feasibility study findings and recommendations represent the basis for the PSA amendment and are briefly discussed below.

Purpose and Scope

The American Institute of Architect's definition of the DD Phase is: "Illustrate the refinement of the design of the project, establishing the scope, relationships, form, size, and appearance of the project by means of plans, elevations, and sections, typical construction details, and equipment layouts." The purpose of the DD Phase is to coordinate the Architect and Engineering Team's (A/E) design information in preparation for the Construction Document (CD) Phase.

The Abbreviated DD Phase represents an iteration of the DD Phase previously completed by WWCOT, re-using as much of the previous design documentation as practical. New consultants that have been retained for audio/visual and data/communications will use this Abbreviated DD Phase as a time to catch up with the rest of the A/E Team. The scope of work the A/E Team will perform is delineated in the PSA Amendment.

Findings and Recommendations

One of the benefits derived by substituting the Project Architect is the review of the baseline DD WWCOT completed. With the project's ten-month hiatus, there was a prime opportunity to revisit important design issues. Specific issues addressed by the feasibility study and the results are listed below:

1. Modifying private office and work station sizes on a five-foot interval in concert with a multiple five-foot structural grid and window opening design eliminated dead end conditions between interior walls and windows.
2. Private office and work station sizes were reduced and standardized and one additional private office configuration was eliminated. There are currently only three private office and three work station sizes compared to five and seven, respectively.
3. Consolidation and reduction of storage areas from 6,600 square feet (sf) to 4,493 sf. High efficiency storage systems within these areas will accommodate the 32 percent decrease in usable floor space.
4. Consolidation from six to four break rooms allowed for space re-programming for other uses.
5. Floor plan lay-outs were revised at each floor, including: the addition of one main interior stair for improved circulation and code access; shifting the atrium's location toward the building center; a two-story volume for the community room; and, reducing four work stations. These design recommendations resulted in: increased counter space for the One Stop Permit Center; program additions such as a Master Control Room for the PIO and a Business Assistance Center for the Community Development Department; increased public space at the formal and secondary building entrances; and, the overall reduction of the building's gross building area and usable floor area.
6. The building's gross building area and usable floor area as measured by the Building Owners and Managers Association (BOMA) Standards, the building efficiency (the floor usable area/gross building area), and the average floor space

per private office and work station position are shown below.

	Baseline Design Development	Proposed (Interim) Design Development	Variance
Gross Building Area	75,219 gsf	71,137 gsf	4,082 gsf
Floor Usable Area	63,938 sf	58,904 sf	5,024 sf
Building Efficiency	85%	83%	2%

Collectively, these changes have enabled more functional programming¹ to be included within a smaller total floor space, while still maintaining the project's quality and functionality at a lower average cost per square foot. The building's efficiency decreased two percent which is attributable to the addition of a third interior stair, increased restroom count at the main floor and the two-story volume height for the new community room. Pre-construction cost studies to be performed during the Abbreviated DD Phase will demonstrate the value of this feasibility study.

Additional Design Services Cost

The \$241,975 proposed cost for the Abbreviated DD Phase encompasses specialty design services not previously included in either contract with WWCOT and Daly and is discussed in more detail below. This cost represents a 24.3 percent increase to Daly's original \$997,000 PSA. Selective explanations in support of some of the required design services include:

1. An audio/visual consultant to augment design requirements for the new community room that will, in effect, represent an additional Council Chamber to accommodate combined Council and Board of Education meetings, Park, Recreation and Community Services Board meetings and Planning Board meetings.
2. A data/communications consultant to design and coordinate the computer and telephone systems between the project team and end-users. These systems require the expertise of a specialty consultant.
3. Additional civil engineering design services to address evolving storm water mitigation measures before, during and after facility construction.
4. Construction administration services during the Construction Phase and reimbursable costs are now included for the audio/visual and data/communication consultants that were not previously part of the project team.
5. Costs for additional design services are attributable to the balance of the CD Phase. For example, based on the recently-completed feasibility study recommendations, the structural design will be modified to reduce the building floor plate, relocate the atrium and re-configure the structural grid.

1 A Master Control Room for PIO, a Business Development Center for CDD, and three additional work stations have been added to the DCSB program.

Staff was closely involved in all phases of the selection process for new consultants, added scope of work and the required consultant assignment process. Most consultants previously with WWCOT have agreed to work under the auspices of Daly for the same fee for services agreed to with WWCOT as lead architect. This maintains the previous fee for services, design continuity and quality. Staff is confident that the proposed cost for services to successfully complete this project is commensurate with the skill level and effort required.

Following the Council's approval to commence the Abbreviated DD Phase services with Daly, the following milestone activities are anticipated:

- | | |
|---|--------------|
| 1. Commence the Abbreviated DD Phase | March 2004 |
| 2. Complete the Abbreviated DD Phase and Commence the Construction Document Phase | June 2004 |
| 3. Construction Document Completion | January 2005 |
| 4. Construction Document and Guaranteed Maximum Price (GMP) Approvals | March 2005 |
| 5. Commence Construction | April 2005 |
| 6. Complete Construction | June 2006 |
| 7. Occupancy | August 2006 |

There is no fiscal impact as a result of Council's approval of Daly's PSA Amendment. The \$241,975 necessary to complete these augmented design services will be drawn from the current Project Contingency Funds. However, staff recommends that the anticipated future project savings to be realized as a direct consequence of this design effort be returned to the Project Contingency Fund rather than being drawn from the Project's total \$25.14M² budget.

Staff maintains that cost savings will exceed the costs expended for the completed feasibility study, pre-construction cost studies and the proposed supplemental design effort. Pre-construction cost studies will subsequently be performed to compare the Abbreviated DD Phase construction budget with the baseline budget developed for the WWCOT design program.

Staff will present the cost savings information to the Council when the revised DD and CD Phases are presented for approval in June 2004.

A summary comparison of the Schematic Design Budget presented to the Council on December 10, 2002 with a current interim Design Development Budget is shown below, reflecting a commensurate increase in the professional services with a decrease in the

² The DCSB Project Budget has been reduced from \$25.5M to \$25.14M and reflects a \$360,000 reduction for the annual "Under Ground Fund" managed by Burbank Water and Power and Community Development Department. This annual funding source will remain available to cover the actual costs of overhead utility relocation related to the DCSB project as they occur. A portion of the utility relocation effort and its commensurate cost has already been completed to date.

Project Contingency Funds.

	SD Budget (12-10-02)	Interim DD Budget (03-02-04)
Professional Services	\$3,519,464	\$3,761,439
Construction	\$18,442,942	\$18,442,942
Art in Public Places	\$15,000	\$15,000 ³
Furniture, Fixtures and Equipment	\$1,835,000	\$1,835,000
Project Contingency	\$1,327,594	\$1,085,619
Total =	\$25,140,000	\$25,140,000

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AMENDMENT NO. 1 TO AGREEMENT FOR ARCHITECTURAL SERVICES BETWEEN THE CITY OF BURBANK AND LEO A. DALY COMPANY.

6. BURBANK WATER AND POWER MONTHLY OPERATIONS REPORT:

Staff has prepared the Burbank Water and Power (BWP) Water and Electric Monthly Report regarding water quality and power issues for February 2004.

WATER UPDATE

Water quality during January met or exceeded State and Federal drinking water standards.

Fiscal Year (FY) 2002-03 Year-To-Date preliminary Water Fund Financial Results as of January 31, 2004:

³ The Art in Public Places cost is currently being tracked as part of the construction cost category since the element may represent a permanent construction component such as a water feature.

	Year - to - Date			
	Actual	Budget	Variance	% Variance
CCF	5,892,231	6,035,211	(142,980)	(2%)
Potable Revenues	9,525	9,804	(279)	(3%)
Reclaimed and Power Plant Revenues	414	324	90	28%
Purchased Water (1)	4,122	4,024	(97)	(2%)
Gross Margin	5,817	6,103	(286)	(5%)
Direct Operating Expenses	4,084	4,263	179	4%
Allocated Operating Expenses	563	757	194	26%
Operating Income	1,170	1,082	88	8%
Other Income/(Expenses)	360	146	214	147%
Income before Contr. & Transfers	1,530	1,228	302	25%
Contributed Capital (A.I.C)	648	722	(74)	(10%)
Transfers (In Lieu)	477	490	(13)	3%
Change in Net Assets	1,701	1,460	241	17%

ELECTRIC UPDATE

The following table shows the systemwide reliability statistics through January 2004 for FY 2003-04 as compared to FY 2002-03:

Reliability Measure	Fiscal Year 2002-03	Fiscal Year 2003-04, Through Jan. 31
Average Outages Per Year	0.16634	0.1965
Average Outage Duration	91.75 minutes	68.21 minutes
Average Service Availability	99.9971%	99.9955%

- FY 2003-04 year-to-date preliminary Power Financial Results as of January 31, 2004:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
NEL MWh	700,238	690,205	10,033	1%
Weather Normalized NEL MWh	689,469	690,205	(736)	(0%)
Sales MWh	673,335	655,700	17,635	3%
Retail Revenues	85,171	84,688	483	1%
Retail Power Supply Expenses	46,849	54,490	7,641	14%
Retail Gross Margin	38,322	30,198	8,124	27%
Wholesale Revenues	83,439	9,392	74,047	788%
Wholesale Expenses	79,457	7,292	(72,165)	(990%)
Wholesale Gross Margin	3,982	2,100	1,882	90%
Gross Margin	42,304	32,298	10,006	31%
Telecom Revenues	595	624	(29)	(5%)
Operating Expenses	24,448	23,121	(1,327)	(6%)
Operating Income	18,451	9,801	8,650	88%
Other Income & (Expense)	(876)	(1,257)	381	30%
Net Inc. before Contributed Capt.	17,575	8,544	9,031	106%
Contributed Capital (A.I.C)	1,818	1,403	415	30%
Change in Net Assets (N.I.)	19,393	9,947	9,446	95%
Net Power Supply Cost - Cents/Kwh	6.37	7.99	1.62	20%

January 2004 Unit Data

Unit	Availability	Operating Hours	MW Net	NOx, lbs.
M-5	0%	0	-6	-
L-1	100%	85	2629	546
O-1	100%	0	-146	81.96
O-2	55%	90	893	894.67
O-3	0%	0	-33	-
O-4	0%	0	-13.1	-

Recommendation:

Note and file.

7. FUTURE ANIMAL SHELTER CAPITAL PROJECTS:

In response to Council Member Golonski's request, staff is presenting an update on the Animal Shelter (Shelter) Capital Projects. There are two major issues of concern the Shelter needs to address:

- **Traffic problems**
Entering and exiting the Shelter is difficult due to: Empire Center traffic; narrow street design; Right-Turn-Only signage when exiting the parking lot; and, being able to enter the lot only from northbound Victory Place.
- **Inadequate cat facilities**
The Shelter currently has no observation room, maternity or feral cat area; poor design of the cat area facilitates the spread of disease; there is inadequate ventilation due to the open design of the existing kennels; and, the space for incoming cats and kittens, especially during peak cat breeding cycles, is insufficient. There is also a future possibility (10 years) to relocate the Shelter to facilitate the relocation of an adjacent railroad bridge.

Shelter staff, volunteers and Public Works staff have made the following upgrades to the Shelter: install a new heating and air conditioning unit; new roof; upgraded electrical panels; installed Right-Turn-Only and No-Left-Turn signage to ensure safety for traffic entering and exiting the Shelter; established the Kitten Foster Program to limit exposure of kittens to disease; fresh paint and floor coverings; plumbing repairs; and, general repairs and maintenance.

Staff is also in the process of making the following changes: replacing existing food bowls with bowls that are mounted off the kennel floor; use of disposable litter boxes; replacing current disinfectant with a recommended stronger disinfectant; and, installing hand sanitizers and dispensers in the cat rooms.

For mitigating traffic issues, staff proposes keeping the existing driveway as an entrance only and creating an exit only lane at the north end of the property to direct traffic out of the Shelter to the northbound lane on Victory Place at the two-lane juncture. This would ease the congestion created when employees and patrons are unable to exit the Shelter due to the high traffic volume. Changes to the existing landscape and new signage would be required.

Reconstruction, including relocating existing art work, excavation of the new 13-foot wide exit drive and installation of base and paving, should be completed in four to six weeks.

To create a healthier environment for the cats, staff proposes remodeling the existing cat room into two separate rooms; one for a "staff only" accessible maternity area, and the

other for cats available for adoption. The current cat hospital area would remain structurally unchanged and would still be used as such. The old dog quarantine room, which is unused due to drainage problems, would be remodeled and an additional room would be constructed within the existing service building to allow for two more cat rooms which will be used as an observation room and a feral cat area. New Plexiglas kennels would be installed in each of the cat rooms as well as 100 percent air exchange ventilation systems. These upgrades will greatly reduce the spread of cat disease.

Based on a mid-March starting date, the construction project should take nine to 12 weeks to complete.

Funding for this project was not included as part of the Fiscal Year (FY) 2003-04 budget. Staff is recommending an amendment to the FY 2003-04 budget appropriating \$160,000 from the Holding-Capital Project Contingency account to the Public Improvements-Animal Shelter Rehabilitation account.

Recommendation:

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING \$160,000 FOR THE PURPOSE OF ANIMAL SHELTER FACILITY IMPROVEMENT.

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**