



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, APRIL 6, 2004  
4:00 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. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s): 1**

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.

**5:00 P.M.**

**TRAFFIC AND TRANSPORTATION STUDY SESSION:**

This report provides additional information and analysis on issues discussed at the prior Traffic and Transportation Study Session conducted on February 3, 2004, and includes several staff responses to Council questions that were not discussed due to time limitations. The items addressed in this report include:

- Traffic impacts of opportunity site development;
- Update of the Empire Interchange project;
- Update of the SR-134 Ramps project;
- City input into Metropolitan Transportation Authority bus service;
- Feasibility of a noon-time shuttle service;
- Concept and operation of car-sharing programs; and,
- Feasibility of an internal shuttle service at the Empire Center.

This information is intended to serve as a backdrop to the Council discussion of traffic and transportation issues.

Recommendation:

Direct staff as appropriate.

**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:            BURBANK UNIFIED SCHOOL DISTRICT TEACHER OF THE YEAR.

PROCLAMATION:            INTERNATIONAL BUILDING SAFETY WEEK.

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 April 5, 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:

RECESS for the Redevelopment Agency, Housing Authority and Youth Endowment Services Fund Board meetings.

RECONVENE for the City Council meeting.

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 March 16, 2004.

Recommendation:

Approve as submitted.

3. YOUTH ENDOWMENT SERVICES FUND GRANT AWARD REALIGNMENT:

During the Fiscal Year (FY) 2002-03 Youth Endowment Services (YES) Fund Grant Cycle, the Burbank Unified School District (BUSD) was awarded two separate grants: a grant award of \$15,000 to be used at John Burroughs High School (JBHS) for extending the first base foul ball baseline overhang by ten feet; and, a grant award of \$10,000 for re-lamping the baseball field lights at JBHS's Memorial Field.

As the BUSD commenced with the work on the Memorial Field baseball lights it was determined that the fixtures had not caused the light failures and did not need replacing. Therefore, none of the BUSD's \$10,000 YES Fund Grant Award was utilized for fixing the Memorial Field lights. The JBHS Foul Ball Netting Project also began as BUSD's

structural engineer analysis suggested that four poles with the height of 50 feet be installed with the netting along the Keystone Street perimeter fence to meet wind load factor requirements. The total project cost for this safer alternative would be \$25,000.

At their January 21, 2004 meeting, the YES Fund Advisory Committee agreed to recommend to the City Council, Redevelopment Agency Board and the YES Fund Board to approve the reprogramming of the previously-awarded YES Fund Grants toward the new project scope of the Foul Ball Netting Project.

Since the grant reprogramming does not include any increase in, or additional funding for the BUSD, there is no direct fiscal impact. It is important to note that this proposal was approved by the YES Fund Advisory Committee at the January 21, 2004 meeting prior to the recommendation to appropriate the remaining balance or FY 2003-04 YES Fund dollars to the Ovrom Park Project.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE REALLOCATION OF A GRANT AWARD OF YES FUNDS TO BURBANK UNIFIED SCHOOL DISTRICT.

4. REMAINING YOUTH ENDOWMENT SERVICES FUND UNAPPROPRIATED BALANCE DESIGNATION TOWARDS THE ROBERT "BUD" OVROM PARK PROJECT:

At the July 11, 2000 joint meeting of the City Council, Redevelopment Agency Board and the Youth Endowment Services (YES) Fund Board, authorization was given to expend the entire year-end fund balances of the Redevelopment Tax Increment Fund toward the YES Fund Grant Award Program. Any remaining funds after awards were issued would be designated towards the Ovrom Park Project and held in a YES Fund account until expenditure for the project was needed.

At the end of Fiscal Year (FY) 2002-03, \$792,799 of undesignated funds in the YES Fund 130 remained after awards were issued and are available for the Ovrom Park Project.

At their January 21, 2004 meeting, the YES Fund Advisory Committee recommended that the remaining YES Funds at the end of FY 2003-04 be designated towards the Ovrom Park Project. This amount is estimated at \$553,300 and staff recommends these estimated funds be appropriated through the FY 2003-04 budget process.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING CERTAIN YOUTH ENDOWMENT SERVICES APPROPRIATIONS AND AMENDING THE FISCAL YEAR 2003-04 BUDGET BY APPROPRIATING \$792,799 FOR THE ROBERT "BUD" OVROM PARK PROJECT.

END OF CONSENT CALENDAR

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REPORT TO COUNCIL:

5. REVISION TO THE WOOD SHAKE/SHINGLE ORDINANCE BURBANK MUNICIPAL CODE SECTION 7-1-1405 AND 7-1-1503, MODIFICATION TO THE MOUNTAIN FIRE ZONE MAP AND REVISION TO THE FUEL MODIFICATION REQUIREMENTS BURBANK MUNICIPAL CODE SECTION 15-1-1103.2.4 (CALIFORNIA FIRE CODE SECTION 1103.2.4):

The purpose of this report is to adopt the revisions to the Burbank Municipal Code (BMC) which would modify the date for complete removal of wood roofs in the Mountain Fire Zone, revise the section regarding replacement and repairs to wood roofs and wood siding, revise the City's fuel modification requirements (brush clearance) via a BMC Amendment to the California Fire Code and revise the boundary line for the Burbank Mountain Fire Zone to eliminate any arbitrary jogs and inconsistencies in the present boundary that may add to possible fire hazards to adjacent properties.

At the March 23, 2004 Council meeting, Fire Chief Davis made a presentation of the proposed modifications to the present requirements regarding fuel modification or brush clearance and wood shake/ wood shingle roofs and siding in the Mountain Fire Zone. The Council requested that the modifications to the restrictions on wood siding in the Mountain Fire Zone be brought back with clarification on the type of siding which would be permitted, and to provide information on the disposal of the removed wood roof and siding materials.

The proposed changes are as follows:

1. No roof covering shall be applied over existing wood shake or wood shingle roofing;
2. Roofs with two or more layers of roof covering, in which one of those layers is wood shake or wood shingle, must be completely removed before applying a new roof covering;
3. For all property owners with currently covered wood roofs, one or two layers, the deadline to remove and replace all the roof coverings remains August 14, 2012;
4. All exposed wood roofs in the Mountain Fire Zone shall be removed and replaced

- by August 14, 2005. The current deadline to remove all wood shake and shingle roofing is August 14, 2012;
5. In the Mountain Fire Zone the allowable replacement of wood shingle siding with a one hour underlay and treated shingles or shakes is to be eliminated;
  6. Mountain Fire Zone boundary line shall be revised to include additional areas that presently have been arbitrarily excluded from the Mountain Fire Zone. The map of the Burbank Mountain Fire Zone is referred to in BMC Section 7-1-3601 and is on file in the Office of the Building Official;
  7. All City owned property within the Mountain Fire Zone shall continue to have native brush areas modified to provide clearance from structures to a minimum of 100 feet and immediately add a fuel modification zone from 100 feet to 200 feet from all structures. This change has been approved and funded by the Council and work is in progress;
  8. All privately owned property within the Mountain Fire Zone shall continue to have native brush areas modified to provide clearance from structures to a minimum of 100 feet and shall be required to add a fuel modification zone from 100 feet to 200 feet from all structures by June 1, 2004;
  9. Fuel modification/brush clearance must conform to the California Fair Plan Standards in all cases;
  10. No wood shakes or wood shingles shall be installed as an exterior wall covering on any new or existing building or structure. No wood board, hardboard, or engineered wood siding shall be installed as an exterior wall covering on any new or existing building or structure in the Mountain Fire Zone. Pressure treated wood, intumescent paints, and other protective coatings shall not be allowed in the Mountain Fire Zone. The following types of siding may be used: Fiber-Cement siding with a Class 'A' fire rating, Vinyl siding with a maximum flame spread of 25 as defined in Table 8-A of the California Building Code. Such vinyl siding shall be installed over 1- layer of Type 'X' gypsum board with a minimum thickness of 1/2 inch. Alternate siding materials, not mentioned, may be used when approved by the Building Official and Fire Chief in accordance with Section 104.2.8 of the California Building Code; and,
  11. The recycling of removed wood roof and wood siding material can be delivered to the following locations:  
For Roofing: Active Recycling, Los Angeles (323) 295-7774  
For Wood: Bradley Landfill and Recycling, Sun Valley (818) 767-6180  
Recycling Web site : [www.ciwmb.ca.gov/ConDemo/Recyclers/Default.asp](http://www.ciwmb.ca.gov/ConDemo/Recyclers/Default.asp)

Recommendation:

Introduction of proposed ordinance entitled:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING VARIOUS SECTIONS OF THE BURBANK MUNICIPAL CODE RELATING TO WOOD ROOFS, WOOD EXTERIOR WALL COVERINGS, AND BRUSH CLEARANCE.



RECONVENE the Redevelopment Agency, Housing Authority and Youth Endowment Services Fund Board meetings 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. To Tuesday, April 13, 2004 at 4:00 p.m. in the Council Chamber for a Budget Study Session.

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