



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, APRIL 13, 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:

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.

4:30 P.M.

TRAFFIC AND TRANSPORTATION STUDY SESSION:

Staff will provide additional information and analysis on issues discussed at the prior Traffic and Transportation Study Session conducted on April 6, 2004, including several staff

responses to Council questions that were not discussed due to time limitations. The items to be addressed include:

- 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.

5:00 P.M.

BUDGET STUDY SESSION – INITIAL OVERVIEW OF FISCAL YEAR 2004-05:

The purpose of this Study Session is to provide the Council with a preview of the City's Fiscal Year 2004-05 Proposed Budget, primarily concentrating on the City's General Fund. Typically, the first preview of the budget is presented to the Council at their annual May Goal Setting Workshop and includes a review of the City's third quarter financial status. However, due to the fact that the City is dealing with significant budget challenges, staff felt that it was essential to meet with the Council sooner during the budget process. Meeting in April will give staff the ability to reveal the proposed budget recommendations before presenting a proposed budget document in early May.

Recommendation:

It is recommended that the Council review the Proposed Budget recommendations for the Fiscal Year 2004-05 Budget prior to a proposed budget document being presented in early May. It is further recommended that the Council incorporate the Department Budget Study Sessions into the Tuesday night Council meetings, similar to last year. The Study Sessions for this year have been scheduled for the following Tuesdays: May 11, May 18 and May 25, 2004.

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.

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. CONTINUED PUBLIC HEARING:

1. APPEAL OF DEVELOPMENT REVIEW NO. 2003-27 – 637 NORTH FAIRVIEW STREET:

The purpose of this report is to request a continuance of the public hearing for Development Review (DR) No. 2003-27.

On March 9, 2004, the Council held a public hearing to discuss an appeal of a DR approval for a four-unit apartment project in the R-3 Low Density Multiple Family Residential Zone. The Council continued the hearing to April 13, 2004 to allow the developer time to modify his project in a manner that might be acceptable to the community and considered compatible given current codes. The developer's architect met with the appellants on March 21, 2004 and has scheduled a follow-up meeting. The applicant would like the opportunity to meet with the appellants before the next public hearing and therefore staff requests that the matter be continued to the April 20, 2004 meeting. This would allow the developer and appellants the opportunity to meet again and possibly come to a compromise on the proposed project. Staff will also prepare a report on the outcome of the meetings.

Recommendation:

Staff recommends that the Council continue the hearing to the April 20, 2004 meeting.

PUBLIC HEARING:

2. APPEAL OF THE HOME DEPOT FINAL ENVIRONMENTAL IMPACT REPORT, CONDITIONAL USE PERMIT NO. 2002-6, SIGN VARIANCE NO. 2002-1 AND DEVELOPMENT REVIEW NO. 2002-12:

The purpose of this report is to consider an appeal of the Planning Board's decision of March 1, 2004 pertaining to the proposed Home Depot store on an 11.1-acre site zoned M-2 Industrial and located at 1200 South Flower Street. The Planning Board adopted resolutions approving the following matters: certification of the Final Environmental Impact Report; adoption of findings of environmental impact and a statement of overriding considerations; a Conditional Use Permit; a Sign Variance for a second ground sign; and, a Development Review.

The Municipal Code establishes a 15-day appeal period beginning on the day a signed copy of the Planning Board's resolution approving the project is sent to the applicant. A signed copy of the Planning Board's resolution approving the project was sent to the applicant on Wednesday, March 3, 2004, and the 15-day appeal period ended on Thursday, March 18, 2004. An appeal of the Planning Board's certification of the Final Environmental Impact Report and approval of the project was filed by Howard Rothenbach and Mike Nolan on March 18, 2004.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DENYING AN APPEAL OF THE PLANNING BOARD'S DECISION AND APPROVING CONDITIONAL USE PERMIT NO. 2002-6, SIGN VARIANCE NO. 2002-1, AND DEVELOPMENT REVIEW NO. 2002-12 (1200 South Flower Street).
2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2002091134) FOR THE BURBANK HOME DEPOT PROJECT, MAKING FINDINGS FOR EACH ENVIRONMENTAL EFFECT OF THE PROJECT, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING PROGRAM.

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:

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. APPROVING AN AGREEMENT WITH PACIFIC BELL TELEPHONE COMPANY TO PROVIDE INMATE PAY PHONE SERVICE FOR THE BURBANK JAIL:

Staff is requesting Council approval of an agreement with Pacific Bell Telephone Company dba SBC California (SBC) to continue providing inmate pay phone service for the Burbank jail.

The California Penal Code, Section 4025, allows the City to collect a percentage of income generated from collect calls made from inmate pay phones. Revenue generated from this service must be deposited into an inmate welfare fund, which can only be used for the benefit, education and welfare of the inmates confined in the jail. The Burbank jail currently has 16 pay phones from which it receives revenues. SBC has been a vendor for the Burbank jail since 1999 and the Police Department has been very satisfied with

their service. With the continuation of this Agreement the Police Department estimates \$17,000 in yearly revenue to help offset General Fund costs for jail supplies. This new Agreement will be in effect for three years.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE INMATE PAY PHONE SERVICE AGREEMENT BETWEEN THE CITY OF BURBANK AND PACIFIC BELL TELEPHONE COMPANY d/b/a SBC CALIFORNIA.

4. AMENDING THE FISCAL YEAR 2003-04 BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$40,000 FOR LITIGATION COSTS:

On April 6, 2004 the Council authorized the City Attorney's Office to file a lawsuit against Kajima Construction Services and WLC Architects relating to construction defect issues at the Police/Fire Headquarters. The purpose of this resolution is to amend the Fiscal Year 2003-04 Budget to appropriate funds in the amount of \$40,000 from retained earnings to the City Attorney litigation account to cover the anticipated costs.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2003-2004 BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$40,000 FOR LITIGATION COSTS.

5. APPROVAL OF REQUEST FOR CAPITAL ADDITIONS TO UPGRADE LOS ANGELES DEPARTMENT OF WATER AND POWER'S RECEIVING STATION E:

Burbank Water and Power (BWP) is constructing the Magnolia Power Project (MPP), a 310 megawatt generating facility that will deliver power to the cities of Anaheim, Cerritos, Colton, Glendale and Pasadena, as well as to Burbank customers. The MPP power to these other cities will flow through the electrical systems of BWP and Los Angeles Department of Water and Power (LADWP), increasing the potential short circuit currents (fault duties) that could occur at LADWP's Receiving Station E (RSE) and, to a much lesser extent, other LADWP facilities.

BWP and LADWP, under the framework of an existing Interconnection Agreement, have been crafting a facilities agreement that would allow the MPP power to flow through LADWP's system in return for BWP paying \$3.5 million in mitigation costs. The Southern California Public Power Authority (SCPPA) will fully absorb BWP's \$3.5 million share. SCPPA will advance the funds to Burbank, which will then pay LADWP.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING EXECUTION OF A REQUEST FOR CAPITAL ADDITIONS TO UPGRADE RECEIVING STATION E BETWEEN THE CITY OF BURBANK AND THE DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES.

END OF CONSENT CALENDAR

REPORTS TO COUNCIL :

6. BURBANK WATER AND POWER PROPOSAL TO OFFER ADDITIONAL ENERGY-EFFICIENCY REBATES TO THE BURBANK UNIFIED SCHOOL DISTRICT IN SUPPORT OF SOLAR WATER HEATING:

The City is currently renegotiating the Burbank Unified School District's (BUSD) Electric Service Agreement. A basic proposal for these negotiations is that Burbank Water and Power (BWP) offer conservation and efficiency incentives to the BUSD. These incentives would be tied to the District's ability to contain energy usage at or below a pre-determined energy baseline. However, it is not currently feasible to determine with any accuracy what that baseline should be as the BUSD is undergoing extensive renovations at several school sites through 2006. Until baselines can be developed, staff proposes that billing incentives be tied to two specific energy conservation projects. These projects are passive solar water heating systems installations for the John Burroughs and Burbank High School pools.

Solar water heating for pools has a long-standing history of success, as recently witnessed by the City's McCambridge Park pool project. A solar water heating system run year-round can reduce natural gas heating costs by 33 percent. The typical 20-year system life span results in an exceptionally quick payback period followed by over 15 years of pure savings. In the case of the McCambridge Park project, the total cost to install the 4,500 square foot project was \$93,000. The expected payback period is 3.3 years. This results in a stunning 36 percent annual return on investment.

The BUSD and BWP agree that installing solar water heating systems at Burbank and John Burroughs High Schools makes both fiscal and environmental sense. These are sound community projects that BWP would like to support. As with the existing Energy Solutions Business Rebate Program, staff proposes to rebate 25 percent of the anticipated project costs of the two solar water heating system installations, not to exceed a combined total rebate of \$95,000.

Planning for the pool projects is underway. The BUSD projects annual fuel savings of 50 percent to 70 percent. Reducing natural gas fuel requirements by this amount results in a three to five-year simple payback period. The actual savings will depend on a number of factors, including; the cost of natural gas; the temperature setting of the pools; use of a pool blanket to retain heating; and, the number of solar water heating panels installed for each project.

The BUSD has received preliminary estimates for the projects. The Burbank High School and John Burroughs High School installations are estimated at \$170,000 and \$210,000, respectively. At these costs, BWP would award the BUSD with a one-time additional rebate of \$95,000. The final rebate amount would be calculated from actual project costs that are expected to come in at or below these estimates.

Funds are available in the BWP Public Benefits budget to cover this amount. There are no projected adverse impacts on other programs as a result of extending these additional rebates.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND AUTHORIZING ADDITIONAL ENERGY SOLUTIONS PROGRAM REBATES TO THE BURBANK UNIFIED SCHOOL DISTRICT IN SUPPORT OF SOLAR WATER HEATING.

7. DOWNTOWN BURBANK STAKEHOLDERS' ASSOCIATION OUTSTANDING FUND BALANCE:

The purpose of this item is for the Council to consider the options available for the use of the outstanding fund balance of the former Downtown Burbank Business Improvement District. In July 1994, the Downtown Burbank Business Improvement District No. 1 was formed as a tool for raising funds to promote the Burbank Village. Through a management contract with the City, the Downtown Burbank Stakeholders' Association (Stakeholders) was given the authority to administer the funds levied from the Business Improvement District. From the inception of the District through June 30, 2003, the Stakeholders administered the proceeds, creating programs and events in an effort to increase the commercial activity of the Burbank Village. Each year, the Council renewed the management agreement; however in June 2003, the Council chose not to renew the contract, because the Property-Based Business Improvement District was created to replace the Business Improvement District.

After June 30, 2003, the Stakeholders recognized that a fund balance of \$7,049.43 existed; however, since the management agreement expired, it was determined by the City Attorney's Office that the funds could no longer be expended under the authority of the Stakeholders. At the February 10, 2004 Council meeting, a check for this amount was presented to the City by Mary Ann Sutliff, the former President of the Stakeholders.

During the presentation, Ms. Sutliff requested that the funds be used on a project to commemorate the work of the Stakeholders. Since expiration of the Stakeholders' contract, the Council is the only body that has the authority to spend the funds. In accordance with State law and the Fiscal Year 2002-03 Annual Levy Report, there are two options available for the use of these funds:

- 1) Consider spending the funds in accordance with the defined scope of responsibilities of the Business Improvement District and then disestablish the District. When the Council made the last levy of the Business Improvement District, it approved an Annual Levy Report that defines, among other things, the eligible uses for the assessment proceeds of the District; or
- 2) Disestablishing the Business Improvement District without spending the remaining funds and instead refunding those monies back to the businesses that contributed the funds.

This matter was presented to the newly-formed Property-Based Business Improvement District Board during the Board's monthly meetings of February 23, 2004 and March 15, 2004. The Board had a number of questions and comments that included discussions on the allowable uses of the funds, the possibility for any outstanding debt or expense that may arise that has not been paid by the Stakeholders, and the compatibility of the proposal with the public improvements being planned for the area. It was determined that it is unlikely that any new expense or claim will be made on the funds, however, a claim could be made at any time until the statute of limitations on such claims expire. There was also concern about whether the Stakeholders' proposal is the appropriate use of the funds. Finally, the Board concluded that given the turnover of businesses and the relatively small amount of remaining funds, it would be impractical to refund what may end up being a relatively small amount of money for each business. The Board voted to study the matter and assist the Council with determining the possible uses for the funds which staff would then bring back for Council consideration.

Recommendation:

It is recommended that the Council direct staff to work with the Property-Based Business Improvement District Board to determine an acceptable use of the funds that is compatible with the overall public improvements that are planned for the Downtown and that staff return to the Council once the Board has formulated a recommendation.

8. BURBANK WATER AND POWER PUBLIC BENEFITS PROGRAM - NEIGHBORS OFFERING EMERGENCY LOVE (PROJECT NOEL) PROGRAM:

Neighbors Offering Emergency Love (Project NOEL) was designed to assist Burbank Water and Power (BWP) customers facing an unexpected financial emergency such as the loss of a job, a family medical emergency or a death in the family. Since the program's inception in 1999, Burbank customers have generously contributed to the fund allowing BWP to help over 300 customers maintain their utility services through difficult

times. Unfortunately, contributions to Project NOEL have dwindled, and since November 2003, the City has only received \$402 in donations.

Staff proposes a three-pronged approach to replenishing the fund: 1) limit fund assistance to only that amount needed for the current situation, rather than providing the maximum level of assistance allowed by the program; 2) aggressively and proactively market the NOEL Program throughout the year rather than just during the holiday season; and, 3) supplement the fund with a one-time \$5,000 boost from the Public Benefits budget. Low income assistance is a qualified Public Benefit expense.

Recommendation:

Direct staff to supplement the Project NOEL fund with funds in the amount of \$5,000 from the Public Benefits budget.

ADOPTION OF PROPOSED ORDINANCE:

9. 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

This ordinance was introduced at the April 6, 2004 Council meeting.

Recommendation:

Adoption 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.

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. Tuesday, April 20, 2004 at 5:00 p.m. in the Council Chamber, for a Code Enforcement 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**