

TUESDAY, OCTOBER 19, 2004

A regular meeting of the Council of the City of Burbank was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 5:03 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Murphy, and Ramos.  
Absent - - - - Council Members Golonski and Vander Borght.  
Also Present - Mr. Barlow, City Attorney and Mrs. Campos, City Clerk.

Oral Communications There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

5:03 P.M. Recess The Council recessed at this time to the City Hall Basement Lunch Room/Conference Room to hold a Closed Session on the following:

- a. Conference with Real Property Negotiator:  
Pursuant to Govt. Code §54956.8  
**Agency Negotiator:** Assistant Executive Director/Susan Georgino.  
**Properties:** Opportunity Site #6B-Bounded by Magnolia Boulevard, First Street, Orange Grove Avenue and Bonnywood Place (I-5 Freeway). Opportunity Site #7-Bounded by Magnolia Boulevard, railroad tracks and Olive Avenue – adjacent to the Downtown Burbank Metrolink Station.  
**Party With Whom Agency is Negotiating:** Nick Behunin, Rey Properties, 1036 North Lake Street, Burbank, California 91502.  
**Name of Contact Person:** Maribel Frausto, Senior Redevelopment Project Manager.  
**Terms Under Negotiation:** Sale of City and Agency-owned property located on Opportunity Site 6B and Opportunity Site 7.
  
- b. 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, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.  
**Summary of Labor Issues to be Negotiated:** Current Contracts and Retirement Issues.

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

Regular Meeting Reconvened in Council Chambers	The regular meeting of the Council of the City of Burbank was reconvened at 6:38 p.m. by Mrs. Ramos, Mayor.
Invocation	The invocation was given by Mr. Kramer, Community Assistance Coordinator.
Flag Salute	The pledge of allegiance to the flag was led by Officer Vee Jones.
ROLL CALL	
Present- - - -	Council Members Campbell, Murphy, Vander Borgh and Ramos.
Absent - - - -	Council Member Golonski.
Also Present -	Mr. Flad, Assistant City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.
301-1 Professional Esteem Award	Chief Hoefel presented a Professional Esteem Award to Officer Vee Jones, citing her exemplary work in community policing and the Teens In Action group, and the extremely successful National Night Out event.
301-1 National Health Education Week	Mayor Ramos presented a proclamation in honor of National Health Education Week to Rachel Pearson and Olga Vigdorichik, Health Educators with the Los Angeles County Department of Health Services.
301-1 Make a Difference Day	Mayor Ramos presented a proclamation in honor of Make a Difference Day to Ellie Myer, Chair of the Civic Pride Committee.
301-1	Mayor Ramos presented a Certificate of Recognition to Patrick

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2004 Lifeguard  
Medal of Valor

O'Neill, a Los Angeles County Lifeguard, who was recently awarded the 2004 Lifeguard Medal of Valor for his heroic rescue of four rip tide victims at Corral Beach, Malibu. Patrick is a graduate of Burbank High School and a Burbank resident.

6:57 P.M.  
Hearing  
1102  
1103  
1108  
1104  
Jt. Public Hrg.  
With Redev.  
Project Area  
Merger

Mayor Ramos stated that "this is the time and place for the joint public hearing of the Redevelopment Agency and the Council of the City of Burbank to consider amendments to the Golden State, City Centre and South San Fernando Redevelopment Plans for the purpose of creating the Burbank Merged and Amended Redevelopment Project Area."

Notice  
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff  
Report

Mrs. Frausto, Senior Redevelopment Project Manager, Community Development Department, presented to the Council and Redevelopment Agency (Agency) Board the proposed project area merger of the Golden State, City Centre and South San Fernando Redevelopment Project Areas. She reported that the proposed merger includes three of the four redevelopment project areas and that the West Olive Redevelopment Project Area is not part of the proposed merger as the only projects in that area that the Agency foresees are public infrastructure improvements.

Mrs. Frausto explained that the proposed merger will provide the Agency enhanced ability to use tax increment funds in the areas of greatest need within the three project areas. She emphasized that the proposed amendments to financially merge the three project areas will not: alter the boundaries of the project areas; extend the Agency's ability in the three project areas to establish additional project area debt; raise the cap on the amount of tax increment the Agency may receive; change any time limits; nor, re-establish lapsed Agency eminent domain authority. She further stated that the merging of one or more redevelopment project areas requires a redevelopment plan amendment, a legal process governed by California Redevelopment Law. She noted that as directed by the Council and Agency Board, staff has been taking steps leading to the adoption of the proposed project area merger and plan amendments. She stated that in September 2004, the

Planning Board determined that the proposed amendments were in conformity with the General Plan of the City and recommended the approval of the three plan amendments. She added that the Golden State Redevelopment Plan Amendment proposes to authorize the merger with the South San Fernando and City Centre Redevelopment Project Areas for financial purposes and proposes to update land use language contained in the original 1970 plan text. She also added that the amendment will delete references to land uses in the Golden State Amended and Restated Redevelopment Plan and will instead state that land uses in the Golden State Redevelopment Project Area will be in conformity to the City's General Plan. In addition, the proposed amendments to the City Centre and South San Fernando Redevelopment Plans authorize the merger of each project area as the final step in the prescribed process.

Mrs. Frausto informed the Council that staff held two community meetings to inform the public of the proposed merger in May and June 2004. She reported that there were no concerns expressed with the proposed merger; however, the community was highly interested in the different projects and programs being undertaken by the Agency. She also informed the Council that notice of the joint public hearing was: mailed to all community meeting attendees; published in the Burbank Leader three successive weeks prior to the hearing; mailed to all affected taxing agencies via certified mail, return receipt requested; and, mailed to all affected property owners, businesses, and residents within the area 30 days prior to the hearing via first-class mail. She reported that as required by State law, the report to the Council has been prepared, and the appropriate environmental review process, pursuant to the California Environmental Quality Act, has been completed. She also stated that a Negative Declaration has been prepared for the financial merger of the three plans and a restated Relocation Grievance Procedure is also incorporated. She noted that the proposed project area merger does not include specific project approvals and any future proposed projects will be brought separately to the Agency Board for consideration.

Citizen  
Comment

Appearing to comment were: Mark Barton, in support of the proposed merger; Rose Prouser, expressing concern about redevelopment debt, inquiring as to the tax increment and the project deadlines; Carolyn Berlin, inquiring whether the Home Depot site is part of the South San Fernando Project Area and as to the clean up of contamination in redevelopment project

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areas; Esther Espinoza, on development in the Golden State Redevelopment Project Area, including Bob Hope Airport; Mike Nolan, on tax increment in the Golden State and City Center Redevelopment Project Areas; Justin Toryman, inquiring how the merger will impact taxes; Ron Vanderford, in opposition to the proposed merger; Denise McLaughlan, expressing concerns that the merger may affect zoning and parking fees; and, David Piroli, in opposition to the proposed merger.

- Hearing Closed There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.
- Rebuttal Staff presented rebuttal comments with regard to public comment.
- Motion It was moved by Ms. Murphy and seconded by Mr. Campbell that "the following resolutions be passed and adopted and the following ordinance be introduced and read for the first time by title only and be passed to the second reading:"
- Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2118 Approving and Transmitting the Report to the City Council; Approving the Redevelopment Plan Amendments, and the Negative Declaration for the Merger of the Golden State, City Centre and South San Fernando Redevelopment Project Areas, and Adopting Related Owner Participation Rules was adopted.
- Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2119 Finding that the use of Taxes Allocated from the Burbank merged and Amended Redevelopment Project Area for the Purpose of Affordable Housing Outside of the Merged Project Area will be of Benefit to the Merged Project Area was adopted.
- Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2120 Adopting Relocation Grievance Procedures was adopted.
- 1102 RESOLUTION NO. 26,809:  
1103 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
1108 ACCEPTING THE BURBANK REDEVELOPMENT AGENCY'S  
1104 REPORT TO CITY COUNCIL ON AMENDMENT NO. 6 TO THE  
Project Area CITY CENTRE REDEVELOPMENT PLAN; AMENDMENT NO. 2  
Merger TO THE SOUTH SAN FERNANDO REDEVELOPMENT PLAN;  
AMENDMENT NO. 5, THE AMENDED AND RESTATED PLAN



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results of an internet poll taken by the Burbank\_voters\_and\_taxpayers group; Eden Rosen, on traffic congestion at Victory Boulevard and Olive Avenue; Ron Vanderford, stating the Chamber of Commerce does not represent homeowners; Esther Espinoza, on common values and the respect of property; Phil Berlin, continuing the results of an internet poll, inquiring as to the payment of taxes by Bob Hope Airport; and, Mark Barton, on the Downtown Wayfinding Signage Program.

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

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

Citizen Comment Appearing to comment were Esther Espinoza, on the proposed approval of a coordinate network agreement with the Los Angeles Department of Water and Power; Mike Nolan, on the B-6 property; Ron Vanderford, Rose Prouser and Carolyn Berlin, on the mobility element traffic forecasts; Eden Rosen, expressing concerns with traffic and on the Airport Mitigated Negative Declaration; David Piroli, on the mobility element traffic forecasts and the Draft Airport Development Agreement; Phil Berlin, on the concept of community property and Airport issues; and, Mark Barton, on the proposed Airport Development Agreement and in support of the redevelopment project areas merger.

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

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

204 Cost for Candidate Statements RESOLUTION NO. 26,811:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK PERTAINING TO CANDIDATES' STATEMENTS FOR THE 2005 PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS TO BE HELD ON FEBRUARY 22, 2005 AND APRIL 12, 2005, RESPECTIVELY.

204 RESOLUTION NO. 26,812:

Requesting County Services For the 2005 Elections

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO PERMIT THE REGISTRAR OF VOTERS TO RENDER ELECTION SERVICES TO THE CITY OF BURBANK RELATING TO THE PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS TO BE HELD FEBRUARY 22, 2005 AND APRIL 12, 2005.

204  
Approval of Consolidated Precinct Map for The 2005 Municipal Elections

RESOLUTION NO. 26,813:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK CONSOLIDATING PRECINCTS ESTABLISHED BY THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS INTO 42 MUNICIPAL PRECINCTS FOR THE 2005 PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Campbell, Murphy, Vander Borcht and Ramos (except Resolution No. 26,811).

Noes: Council Members None.

Absent: Council Member Golonski.

Abstain: Council Member Ramos (Resolution No. 26,811).

204-3  
Prop. 1A on the Nov. 2, 2004 General Election Ballot

Mr. Hanway, Financial Services Director, requested Council approval of a resolution to support Proposition 1A (Prop 1A). He stated that the proposition, if passed by the voters, would restore local control over local tax revenues by preventing the State Legislature from taking or cutting funding that belongs to local governments whenever it finds itself in a budgetary bind.

Mr. Hanway informed the Council that for over ten years, the California State Legislature has been taking away increasing amounts of local tax dollars that local governments use to provide essential services to residents. He noted that the aggregate loss to Burbank including the Redevelopment Agency over the last twelve years is over \$47 million.

Mr. Hanway noted that over 150 cities and 25 counties, and numerous organizations including the League of California Cities and the California Society of Municipal Finance Officers, support Prop 1A.

Mr. Hanway further explained that Prop 1A restricts the State Legislature's ability to raid local government funding, including local government share of existing Sales Taxes, Property Taxes and Vehicle License Fee revenues but also provides more



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flexibility than Proposition 65 by allowing the State to borrow local revenue in case of a fiscal emergency. In addition, he stated that Prop 1A provides that State mandates must be reimbursed or suspended if no reimbursement is provided. He emphasized that Prop 1A does not raise taxes nor reduce funding to schools or other State programs and does not prevent a more comprehensive reform of State and local government finance. He also noted that Prop 1A replaces the need for Proposition 65.

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

204-3 RESOLUTION NO. 26,814:  
Prop. 1A on the A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
Nov. 2, 2004 EXPRESSING SUPPORT FOR PROPOSITION 1A (PROTECTION  
General Election OF LOCAL GOVERNMENT REVENUES) ON THE NOVEMBER 2,  
Ballot 2004, GENERAL ELECTION BALLOT.

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Campbell, Murphy, Vander Borght  
and Ramos.  
Noes: Council Members None.  
Absent: Council Member Golonski.

1502 Mr. Herrmann, Assistant Community Development Director/  
Mobility Element Transportation, requested that the Council select a growth  
2025 Traffic scenario to be the basis for analysis in the Environmental  
Forecasts Report being prepared for the joint update of the Land  
Use and Mobility Elements of the City's General Plan. He  
reported that at the September 28, 2004 meeting, the Council  
considered three alternative scenarios for commercial and  
industrial growth during the 20-year period covered by the  
current Land Use and Mobility Element updates. He noted that  
following a review of the results of the year 2025 traffic  
forecasts for each of the growth scenarios, staff was directed  
to develop a fourth growth scenario, somewhat lower than the  
prior Moderate Growth Scenario, and to forecast the traffic  
conditions that would result from that set of assumptions.

Mr. Herrmann reported that staff developed the Reduced  
Growth Scenario and discussed the results of the associated  
traffic forecast. He noted that compared to the Moderate  
Growth Scenario, the Reduced Growth Scenario would result  
in a reduction of LOS E and F intersections from 17 to 12

with moderate improvements and that all intersections could be mitigated to LOS D or better with substantial improvements.

Mr. Herrmann informed the Council that staff also developed a fifth growth scenario, the Strategic Growth Scenario, to provide the Council with more options. He explained that this scenario allocated additional development to areas that the street and freeway capacity can handle, specifically the Downtown and South San Fernando Redevelopment Project areas. He added that the results of the Strategic Growth Scenario were similar to the Reduced Growth Scenario, with all intersections capable of being mitigated with similar improvements.

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| Motion   | It was moved by Mr. Vander Borght, seconded by Ms. Murphy and carried with Mr. Golonski absent that "staff be directed to utilize the Reduced Growth Scenario as the theoretical build-out of commercial and industrial development for the Land Use and Mobility Element updates, and associated Environmental Impact Report." |
| 10:32 P.M.<br>Reconvene<br>Redev. Agency<br>Meeting              | The Redevelopment Agency meeting was reconvened at this time.   |
| Final Open<br>Public Comment<br>Period of Oral<br>Communications | Mrs. Ramos called for speakers for the final open public comment period of oral communications at this time.  |
| Citizen<br>Comment   | Appearing to comment were Mike Nolan, on tax increment for the B-6 property; and, David Piroli, on the Draft Airport Development Agreement.   |
| Staff<br>Response  | Members of the Council and staff responded to questions raised.   |
| Adjournment  | There being no further business to come before the Council, the meeting was adjourned at 10:37 p.m.   |

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Margarita Campos, City Clerk

APPROVED NOVEMBER 23, 2004

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Mayor of the Council  
of the City of Burbank