

TUESDAY, NOVEMBER 9, 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 4:36 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Murphy, Vander Borght and Ramos.

Absent - - - - Council Member Golonski.

Also Present - Ms. Alvord, City Manager; 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.

4:37 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 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.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 1
- c. 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 6:52 p.m. by Mrs. Ramos, Mayor.

Invocation The invocation was given by Mr. Kramer, Community Assistance Coordinator.

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Flag Salute The pledge of allegiance to the flag was led by Christopher Seip.

ROLL CALL

Present- - - - Council Members Campbell, Golonski, Murphy, Vander Borght and Ramos.

Absent - - - - Council Members None.

Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1
Burbank
Temporary Aid
Center Mayor Ramos presented a proclamation in honor of Burbank Temporary Aid Center Week to Barbara Howell, Executive Director, Burbank Temporary Aid Center.

301-1
National Family
Literacy Month Mayor Ramos presented a proclamation in honor of National Family Literacy Month to Dr. Cherise Moore, representing the Burbank Adult School.

Reporting on
Closed Session Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting.

Initial Open
Public Comment
Period of Oral
Communications Mrs. Ramos called for speakers for the initial open public comment period of oral communications at this time.

Citizen
Comment Appearing to comment were: George Brogan and Erin Ravelo, in support of the proposed Airport Development Agreement; Marianna Walton, on noise created by whistling trains; Mr. Lucero, on a pending criminal case; Victor Nerone, expressing appreciation for receipt of information on the proposed Airport Development Agreement; Michael Scandiffio, representing Burbank Rancho Homeowners, on the proposed Airport Development Agreement; Mark Barton, on the Chandler Bikeway art installation; Mark Stebbeds, on the proposed Airport Development Agreement; Eden Rosen, on Alzheimers awareness; Phil Berlin, Carolyn Berlin, Ron Vanderford and David Piroli, on Airport issues; Theresa Karam, on the case of Karam v. City of Burbank and the upcoming municipal elections; and, Esther Espinoza, on invocations at public meetings.

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: Eva Sippel, Dr. Martin Small, Claudia Bonis, Mark Stebbeds and Esther Espinoza, in support of reconsidering the Kennel Attendant position; Tony Rondinella, on multiple family residential densities; Ron Vanderford, on the validity of prior agreements written by the City's Special Airport Counsel; Theresa Karam, in support of reconsidering the Kennel Attendant position and on the City Attorney's performance evaluation; Eden Rosen, on multiple family residential issues and the City Attorney's performance evaluation; Mike Nolan and Carolyn Berlin, on the performance evaluations of the City Manager and City Attorney; and, David Piroli, on the City Attorney's performance evaluation.
Staff Response	Members of the Council and staff responded to questions raised.
8:31 P.M. Recess	The Council recessed to permit the Redevelopment Agency to hold its meeting. The Council reconvened at 8:32 p.m. with all members present.
Motion	It was moved by Mr. Campbell and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."
1301-3 Burbank/Victory Intersection Realignment Proj. Phase 3 (B.S. 1046)	<u>RESOLUTION NO. 26,825:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING VARIOUS AGREEMENTS AND AMENDING THE FISCAL YEAR 2004-2005 ANNUAL BUDGET IN THE AMOUNT OF \$1,500,000 FOR THE CONSTRUCTION OF BURBANK BOULEVARD/VICTORY BOULEVARD INTERSECTION REALIGNMENT PROJECT, PHASE 3 (BID SCHEDULE NO. 1046 – BRIDGE WIDENING PROJECT).
405-1	<u>RESOLUTION NO. 26,826:</u>

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1507
Coordinate
Network Agmt.
With LADWP

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE COORDINATE NETWORK AGREEMENT BETWEEN THE CITY OF BURBANK AND THE CITY OF LOS ANGELES FOR THE PURPOSE OF COORDINATING TELECOMMUNICATIONS SERVICES AND APPLICATIONS.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Murphy, Vander Borgh and Ramos.

Noes: Council Members None.

Absent: Council Members None.

1007
Kennel
Attendant
Position

Lieutenant Speirs presented Council Member Golonski's request to reconsider the Kennel Attendant position. He reported that during the Fiscal Year (FY) 2004-05 budget process, the Police Department eliminated one Kennel Attendant position. He explained that Kennel Attendants are responsible for the hands-on care of the animals and maintenance of the shelter and when not available, Animal Control Officers are required to perform the duties, decreasing patrol time and extending response time to calls for service. He added that historically, the Animal Shelter operated with one Kennel Attendant, but in FY 2000-01, the Police Department increased staffing to two Kennel Attendants due to more animals entering the shelter and animals being kept for longer periods of time. He noted that eliminating the Kennel Attendant has directly affected service to the public.

Motion

It was moved by Mr. Golonski, seconded by Mr. Campbell and carried that "staff be directed to allocate \$75,000 from the Unappropriated Fund Balance to fund the Kennel Attendant position for an 18-month period."

916
Commercial
Shade Tree
Program

Mrs. Meyer, Marketing Manager, Burbank Water and Power (BWP), reported that since March 2003, BWP has successfully implemented a residential shade tree program and is proposing to expand the program to Burbank's business customers via the commercial shade tree program. She discussed that the program has three elements, one of which will provide business customers up to 20 trees free of charge. She added that the second element will cater to businesses not interested in trees on their private property but are interested in planting street trees. She noted that BWP is proposing to partner with the Forestry Division in promoting and sponsoring Forestry's Tree Stewardship Program which provides 15-gallon

commercial street trees for \$55 per tree. She explained that the price includes the cost of the tree, tree planting, any concrete work necessary and the encroachment permit. She added that BWP will include this program in all marketing efforts for the private property shade tree program and will pay the \$55 per tree cost to make the program attractive to businesses.

Mrs. Meyer reported that the third element is designed to assist the Community Development Department (CDD) reach its goal for tree plantings along selected commercial corridors. She stated that BWP proposes to provide funding in the amount of \$75,000 to CDD in support of tree plantings for streetscape enhancement projects, such as the South San Fernando and Burbank Boulevard projects.

Mrs. Meyer informed the Council that staff anticipated limited participation in the first year but overall, staff's goal was to provide 400 trees for private property and 50 street trees and that \$25,000 has been earmarked for this portion of the program. She also noted that funds are available in the approved Fiscal Year 2004-05 budget to support the program.

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

916 RESOLUTION NO. 26,827:
Commercial A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Shade Tree APPROVING A COMMERCIAL SHADE TREE PROGRAM.
Program

Adopted The resolution was adopted by the following vote:

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

1501-2 Mr. Simay, Assistant General Manager, Burbank Water and
Location Agmt. Power, requested Council approval of a five-year Location
With Starwest Agreement with Starwest Public Communications, Inc.
Public Comm. (Starwest). He noted that under the old agreement, the City
paid a fixed monthly amount and received 10 percent of the

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revenue; however, as payphone usage declined in favor of cell phones the operation became an added expense. He noted that the proposed contract with Starwest has no monthly charge and the City will receive 30 percent of the revenue in addition to a \$4,000 signing bonus.

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

1501-2
Location Agmt.
With Starwest
Public Comm. RESOLUTION NO. 26,828:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE LOCATION AGREEMENT BETWEEN THE CITY OF BURBANK AND STARWEST PUBLIC COMMUNICATIONS, INC.

Adopted The resolution was adopted by the following vote:

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

1101
Multiple Family
Residential
Densities Mrs. Lazar, Senior Planner, Community Development Department, presented information on multi-family residential densities. She noted that the amount and density of multi-family residential development has been an ongoing and increasing concern in the community for the past two years. She noted that the Land Use Element, as a blueprint for future development in the City, is the ideal vehicle for initiating any necessary changes.

Mrs. Lazar recounted that in February 2004, the Council adopted an emergency ordinance modifying the existing Development Review process by adding required compatibility findings for all new multi-family development. She added that staff was also directed to proceed with a study of densities and development standards and to specifically look at reducing the development intensity in the City's multi-family residential areas and ways of protecting the quality of residential neighborhoods.

Mrs. Lazar discussed the new multi-family density hierarchy which: reduces the overall amount of new development that can be built in the multi-family residential area by more than 50 percent; protects the single-family residential

neighborhoods and the character of multi-family residential neighborhoods; and, preserves adequate residential capacity for the City to meet its local growth needs and the State-mandated responsibilities.

Mrs. Lazar noted that staff proposes four changes as part of the 2005 Land Use Element update as follows: 1) changing the land use categories in certain multi-family areas; 2) reducing overall densities in all multi-family land use categories; 3) allowing for higher-density residential development in appropriate areas around the Downtown and the Media District; and, 4) encouraging residential development in commercial areas, such as Downtown and along commercial corridors. She noted that the first two proposed changes have the effect of reducing the residential densities and capacity of the City, while the last two proposed changes provide for necessary housing opportunities in the City. She then discussed the elements of each proposed change.

Mrs. Lazar informed the Council that even with the reduced densities, staff estimated that approximately 4,400 additional units could be built in the multi-family residential areas Citywide, 760 of which could be built above Glenoaks Boulevard. In addition, she reported that 3,700 units could be built in commercial mixed use areas. She also added that assuming 25 percent of all new development took advantage of the State-mandated density bonus for affordable housing production, an additional 700 units could be built, for a total of 8,800 units.

She concluded that following the adoption of the Land Use Element staff intends to begin a workshop program to establish new development and design standards for multi-family development, similar to what is being done for the R-1 development standards. She noted that these new standards will be brought back to the Council for discussion following the public workshops. She introduced Linda Tatum, consultant with EIP Associates, who worked with staff on formulating appropriate densities, and Jim Rabe, consultant with Keyser-Marston Associates, Inc., who worked on the economic analysis of the proposed densities to ensure feasibility and economic viability.

Mr. Vander Borcht indicated support for staff's proposed changes but expressed his preference to further reduce densities recognizing that economic viability also needs to be maintained.

Mr. Campbell agreed with staff's direction and noted that the proposed changes protect the residential neighborhoods while

increasing density in commercial areas which is a necessary component as cities plan to accommodate future densities. He disagreed that the proposal discourages multi-family development in the R-1 Zone, noting that it ensures that new development is compatible with the R-1 neighborhood. He also added that staff's proposal is identifying the areas that can accommodate a higher density and that it keeps the high densities out of the residential areas, which is a key element, while encouraging a mixed use environment.

Mr. Golonski expressed support for the proposed densities and noted concern with the current medium density standards that encourage land assemblage. He indicated support for the concept of encouraging land assemblage for better quality projects along with density increases on the larger lot sizes, but noted the need for setback requirements. He also suggested renaming the densities to provide a better reflection of their potential and requested further clarification on the R-2 compact single family proposal.

Ms. Murphy concurred with staff's proposed densities but expressed concern with the number of units that could still be built. She also indicated support for renaming the densities.

Mrs. Ramos commented on the areas designated for high density and noted that the compact single-family residential proposal will be of benefit to the community if economically viable. She also indicated support for establishing setback requirements for assembled parcels and noted the need for reviewing parking standards and landscaping requirements.

Ms. Murphy suggested that staff bring back a report with more specific information on areas proposed to be designated for higher densities.

Following further Council deliberation, staff was directed to focus on preparing Zone Text Amendments for multi-family density reductions and development standards as soon as possible, prior to completing the Land Use Element update. The Council also approved the proposed density reductions and the workshop program as the means for bringing public input to the process.

Ordinance
Submitted

It was moved by Mr. Campbell and seconded by Ms. Murphy that "Ordinance No. 3656 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

1702

ORDINANCE NO. 3656:

ZMA 2004-76 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK
1001 N. San APPROVING A ZONE MAP AMENDMENT FOR PROJECT NO.
Fernando Blvd. 2004-76 (1001 North San Fernando Boulevard; Applicant:
Change Zone Rafik Khatchaturian).
From M-1 to C-3

Adopted The ordinance was adopted by the following vote:

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

9:47 P.M. The Redevelopment Agency meeting was reconvened at this
Reconvene time.
Redev. Agency Meeting

Final Open Mrs. Ramos called for speakers for the final open public
Public Comment comment period of oral communications at this time.
Period of Oral
Communications

Citizen Appearing to comment was Mike Nolan, inquiring as to the
Comment status of the contamination clean up at the B-6 site.

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

Adjournment There being no further business to come before the Council,
the meeting was adjourned at 9:50 p.m.

Margarita Campos, City Clerk

APPROVED DECEMBER 7, 2004

Mayor of the Council
of the City of Burbank