



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, DECEMBER 14, 2004
5:00 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 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: 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): 2

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.

ANNOUNCEMENT: DARK MEETINGS ON DECEMBER 21 AND 28, 2004 AND JANUARY 4, 2005.

RECOGNITION: CITY HALL RSVP VOLUNTEERS.

RECOGNITION: CONDOR SQUADRON.

RECOGNITION: WORLD WAR II VETERANS.

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. PUBLIC HEARING:

1. RENEWAL OF CONDITIONAL USE PERMIT NO. 2001-17 (GRACIELA HOTEL):

In January 2002, the Council approved Conditional Use Permit (CUP) No. 2001-17 to allow the Graciela Burbank extended-stay hotel to serve alcoholic beverages through room service, from in-room self-service bars, and in conjunction with food service throughout the hotel, including in the lobby lounge area. The CUP was approved for a one-year trial period ending in January 2003, after which time the permit would sunset and become ineffective unless extended by the Council. In November 2002, the Council renewed the CUP for an additional one-year trial period through January 2004.

In December 2003, the Council considered another extension of the CUP in conjunction with the amendment to Planned Development No. 97-4, which provides the use and development standards for the Graciela Hotel. Several conditions from the original CUP were moved to the Conditions of Approval for the Planned Development so as to apply to the general operations of the hotel and not specifically to alcoholic beverage service. The Council approved the CUP for a third one-year trial period.

The CUP will now expire on January 31, 2005, unless extended by the Council. Per the original terms of the CUP, the Council was obligated to renew the CUP for only a one-year trial period for at least three years following the original adoption. Since three years have passed since the original approval, the Council now has the option to renew the CUP for another trial period or renew the CUP permanently. If the Council takes no action, the CUP will expire on January 31, 2005, and the Graciela Hotel would no longer be permitted to serve alcoholic beverages.

The Graciela Hotel is surrounded by commercial and multiple family residential uses. The hotel is compatible with surrounding uses and has not had any detrimental impacts on neighboring properties. The service of alcoholic beverages is a service that is expected and desired in a full service hotel. Staff does not believe that the service of alcoholic beverages has had any effect on surrounding properties beyond what would be expected of the overall hotel use. The City has received no complaints from neighboring property owners or tenants regarding the service of alcoholic beverages at the hotel.

Staff believes that the six required findings for approval of a CUP can be made for permanently renewing the subject CUP.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CONDITIONAL USE PERMIT NO. 2001-17 (Graciela Hotel - 322 Pass Avenue, Bevedere Hotels and Resorts LLC/Pass Avenue Associates, LLC, Owner/Applicant).

RECESS City Council meeting for the Redevelopment Agency public hearing.

RECONVENE City Council meeting and convene the Housing Authority, Parking Authority and Youth Endowment Services Fund Board.

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:

RECESS Council meeting to continue the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 2 through 12)

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. SUBMISSION OF THE FISCAL YEAR END 2003-04 COMPREHENSIVE ANNUAL FINANCIAL STATEMENT:

The Council engaged an independent certified public accounting firm to perform an annual audit of the City and its component units. The results of the audit performed are formally published in the Comprehensive Annual Financial Statement (CAFR).

The CAFR will be submitted for a national achievement award to the Government Finance Officers Association (GFOA). In order for a City to earn the GFOA award, the City must publish an easily readable and efficiently organized CAFR, whose contents conform to the standards of the award program. The report must satisfy both Generally Accepted Accounting Principles (GAAP) and applicable legal requirements. This award is valid for a period of one year only. The City has received this award for 20 consecutive years, and staff believes that the report submitted to the Council will continue to conform to the standards established by this award program. Additionally, the CAFR is sent out to numerous financial institutions in order to comply with various financial and subsequent bond disclosure requirements.

The overall financial position of the City is presented, in accordance with the Governmental Accounting Standards Board (GASB) pronouncements, on a government-wide basis. This is designed to provide readers with a broad overview of the City's finances similar to a private-sector business. These statements show the June 30, 2004 fiscal year balances and overall results of operations for the period then ended, for all funds of the City, Redevelopment Agency, Housing Authority, Parking Authority, Burbank Community Services Fund and the Youth Endowment Services (YES) Fund. The statements are as follows:

- The **statement of net assets** presents information on all City's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.
- The **statement of activities** presents information showing how the City's net assets changed during the most recent fiscal year.

Management's Discussion and Analysis (MD & A). This analysis starts the financial section of the CAFR and serves as an executive summary. GAAP requires that management provide this narrative introduction, overview and analysis to accompany the basic financial statements. The *letter of transmittal*, which precedes the MD & A in the introductory section, is designed to compliment the MD & A and should be read in conjunction with it. The MD & A is found immediately following the report from the independent auditors.

Following the government-wide statements in the CAFR, a *Balance Sheet, and Statement of Revenues, Expenditures and Changes in Fund Balances* are presented for all major and non-major governmental funds. A major fund is one of material significance and is determined through prescribed calculations. The General Fund is always a major fund by definition.

Proprietary Fund statements follow the governmental funds. Included here are the *Statement of Net Assets, the Statement of Revenues, Expenses and Changes in Fund Net Assets, and the Statement of Cash Flows*. As with the governmental funds, these are also broken into major and non-major fund categories. All of these statements are followed by the *Notes to the Basic Financial Statements*.

The next two sections of the CAFR provide statements for each individual non-major governmental fund, as well as the Internal Service Funds. The governmental funds are presented in their various categories: special revenue funds, debt service funds and capital project funds.

The last section of the CAFR, which is unaudited, contains statistical data about the City. All tables and schedules contain numerous facts about the City, many for the last 10 years. This includes such things as population figures, principal taxpayers and assessed valuations of taxable property.

Recommendation:

Note and file.

3. ANNUAL ADJUSTMENT TO THE DEVELOPMENT IMPACT FEE SCHEDULE:

Ordinance No. 3340 establishes procedures for adoption of certain development fees in compliance with the provisions of Government Code Section 66000 through 60017 which enables the City to adopt such fees. The ordinance mandates the adjustment of these fees by a percentage equal to the construction cost inflation rate for the prior year as determined on December 1 of each calendar year. The Development Impact Fees are adjusted using the Construction Cost Index as published in Engineering News-Record. This year the increase in construction costs is 7.6 percent.

Recommendation:

Staff recommends that the Council approve the adjustment to the Development Impact Fees in accordance with the current Construction Cost Index as required by Ordinance 3340.

4. CONTRIBUTION TO BURBANK, BURROUGHS, PROVIDENCE AND BELLARMINJE-
JEFFERSON HIGH SCHOOL STUDENTS FOR THE ANNUAL CLOSE-UP AND
NATIONAL HIGH SCHOOL MODEL UNITED NATIONS PROGRAMS:

Each year, the Council includes as part of its budget \$20,000 to sponsor the participation of local high school students in the Close-Up Program in Washington, D.C. and the National High School Model United Nations (NHSMUN) conference in New York City. The funds are divided equally among the participating students. Only participants who are both Burbank residents and attend a high school located in Burbank are eligible to receive the City's contribution. Each of the 38 Burbank resident students who attended either the Close-Up Program or NHSMUN last year received \$526.31 from the City.

This year, Burbank High School is expecting to send nine Burbank resident students to the Close-Up program for Inauguration Week from January 16 to 22, 2005 at an estimated cost of \$2,000 per student. Burroughs High School is expecting to send 28 Burbank resident students from March 27 to April 2, 2005 at an estimated cost of \$1,400 per student. Providence High School is expecting to send 22 Burbank resident students from February 19 to 25, 2005 at an estimated cost of \$1,500 per student. Eight Bellarmine-Jefferson Burbank resident students are scheduled to attend NHSMUN from March 9 to 12, 2005 at an estimated cost of \$1,200 per student.

With an expected total of 67 Burbank resident students attending either the Close-Up Program or NHSMUN, the City's \$20,000 contribution will provide approximately \$298 per participant. As in prior years, the checks will be made out directly to the students of the four participating schools.

Recommendation:

Staff recommends that the Council approve a contribution totaling \$20,000 (approximately \$298 per student) to eligible students from Burbank, Burroughs, Providence and Bellarmine-Jefferson High Schools to partially offset the cost of the Close-Up Program and the NHSMUN conference.

5. ANNUAL REPORT OF FINANCIAL TRANSACTIONS OF THE BURBANK
REDEVELOPMENT AGENCY – FISCAL YEAR 2003-04:

The purpose of this report is to present to the Council the Annual Report of Financial Transactions of the Burbank Redevelopment Agency (Annual Report) and to request authorization to submit the Annual Report to the State Controller.

As required by California Redevelopment Law (Health and Safety Code Section 33080), a redevelopment agency must annually prepare for its legislative body's approval an Annual Report and then submit a copy to the State Controller's Office within six months of the end of the agency's fiscal year. The Annual Report contains the following essential

elements: a fiscal statement of the previous year's achievements; an independent financial audit report; and, activities affecting housing and displacement.

The fiscal statement of the previous year's achievements includes information about the amount of tax increment generated by each project area, the amount of indebtedness and other fiscal information. An independent financial audit report will be attached to the Annual Report and is a comprehensive annual financial report that includes the auditor's opinion of the Agency's operation, conformance with laws and administrative standards of the Agency, as well as the Agency's financial position. Finally, the Annual Report identifies activities affecting housing and displacement during the reporting period that affect housing affordable to elderly and non-elderly households, who are very low, lower or moderate-income. Information about these target populations includes, for example: the number of units removed from the market place (replacement housing requirements); the number of new or substantially rehabilitated units produced (inclusionary housing requirements); the number of agency-assisted units constructed, rehabilitated, acquired or subsidized during the prior year; a statement that the Agency accumulated no excess surplus; an estimate of the affordable housing projects to be developed; target populations to be displaced over the next two program years; and, Low and Moderate-Income Housing Fund balances.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING AND AUTHORIZING THE TRANSMITTAL OF THE REDEVELOPMENT AGENCY'S ANNUAL REPORT OF FINANCIAL TRANSACTIONS TO THE STATE CONTROLLER.

6. SHARED PARKING AGREEMENT WITH THE BURBANK COMMUNITY CHURCH:

The purpose of this report is for the Council to consider a Shared Parking Agreement with the Burbank Community Church. On September 21, 2004, the Council considered the Magnolia Park Action Plan (Plan). The Plan is based on the findings of several focus group meetings and a neighborhood survey. One of the components to the Plan includes the implementation of the proposed shared-use parking arrangement with the Burbank Community Church. In exchange for providing certain improvements, the Burbank Community Church would allow the public to use the parking lot, since the Church usually only needs the parking lot on Wednesday evenings and Sundays.

A current estimate indicates that the cost of the improvements would be approximately \$231,000, which will be subject to a competitive bidding process through the City's Purchasing Division. The improvements include: two inches of resurfacing of the asphalt paving; striping; wheel stops; curbing and driveways; landscape improvements including a separate water meter; additional lighting including a separate electric meter; and, a new six-foot wall between the parking lot and the adjacent single-family homes. The six-foot wall would replace an existing distressed wall and would comply with the City's

Code.

The Agreement shall be for a period of 10 years commencing on the completion date of the improvements. Per the terms of the Agreement, the improvements paid by the City will be in the form of a loan to the Church. For each year that the parking remains available to the public, one tenth of the loan (\$23,100 per year) will be forgiven. In addition, the City shall be responsible for paying \$400 per month towards cleaning and landscape maintenance as well as pay for the water and electrical expenses for the lot.

The Agreement will provide much needed parking to the Magnolia Park District. The 40 spaces will provide the neighboring commercial businesses with additional parking for employees and customers and will assist in reducing the number of cars parking in the residential neighborhood. Also, the landscape improvements will help create a buffer between the residential and commercial areas. The approval of this Agreement would facilitate the implementation of the Plan.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE SHARED PARKING AGREEMENT BETWEEN THE CITY OF BURBANK AND BURBANK COMMUNITY CHURCH, INC.

7. APPROVAL OF FINAL MAP NO. 54389 (555 EAST SANTA ANITA AVENUE):

Staff is requesting Council approval of Final Tract Map No. 54389. The property covered on Final Tract Map No. 54389, a subdivision totaling 1,408 square feet, is located at 555 East Santa Anita Avenue. The property is in the R-4 Residential Multiple Medium Density Zone. The property is owned by Isaac and Frieda Vartanian.

The existing property had a duplex and single-family residence on the two properties. In August 2002, the applicant requested to construct a new three-story 15-unit condominium complex with subterranean parking (Development Review No. 2002-35). Final Tract Map No. 54389 finalizes the conversion of the existing property to the condominium subdivision.

All Conditions of Approval and all requirements of the State Subdivision Map Act have been met. The following is a summary of the information pertinent to the approval of Final Tract Map No. 54389:

1. The tentative tract map was conditionally approved by the Community Development Director on July 30, 2003 pursuant to Burbank Municipal Code Section 27-323.
2. The Final Tract Map contains 15 condominium units at 555 East Santa Anita Avenue, which is located in the R-4 Residential Multiple Medium Density Zone.

3. Conditions of Approval will be satisfied when the applicant submits two recorded copies of the Covenants, Conditions and Restrictions to the Planning Division. All other requirements as set forth in the tentative tract map conditions have cleared the Planning Division for purposes of Final Tract Map No. 54389 approval.
4. The Public Works Engineering Division has cleared all conditions for the approval of Final Tract Map No. 54389.
5. This project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301(k). This Class 1 Categorical Exemption applies to the division of multifamily structures into common interest ownership.

According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Tract Map No. 54389 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting when received, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE FINAL MAP OF TRACT NO. 54389 (555 EAST SANTA ANITA AVENUE).

8. APPROVAL OF FINAL MAP NO. 54178 (220 NORTH VALLEY STREET):

Staff is requesting Council approval of Final Tract Map No. 54178. The property covered on Final Tract Map No. 54178, a subdivision totaling 6,777 square feet, is located at 220 North Valley Street. The property is in the MDR-4 Media District Multiple Family Medium Density Residential Zone. The property is owned by Valley Lights, LLC, a Limited Liability Company.

In June 2002, the applicant requested to construct a new, two-story, five-unit apartment building with a semi-subterranean parking garage (Development Review No. 2002-22). Tentative Tract Map No. 54178, approved by the Community Development Director on September 2002, converted the five-unit apartment building to condominiums. Final Tract Map No. 54178 finalizes the conversion of the existing properties to the condominium subdivision.

All Conditions of Approval and all requirements of the State Subdivision Map Act have been met. The following is a summary of the information pertinent to the approval of Final

Tract Map No. 54178:

1. The tentative tract map was conditionally approved by the Community Development Director on September 11, 2003 pursuant to Burbank Municipal Code Section 27-323.
2. The Final Tract Map contains five condominium units at 220 North Valley Street, which is located in the MDR-4 Media District Multiple Family Medium Density Residential Zone.
3. Conditions of Approval will be satisfied when the applicant submits two recorded copies of the Covenants, Conditions and Restrictions to the Planning Division along with the final Articles of Incorporation and Bylaws of the Homeowners Association. All other requirements as set forth in the tentative tract map conditions have cleared the Planning Division for purposes of Final Tract Map No. 54178 approval.
4. The Public Works Engineering Division has cleared all conditions for the approval of Final Tract Map No. 54178.
5. This project is Statutorily Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15268 (b) (3) relating to approval of final subdivision maps.

According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Tract Map No. 54178 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting when received, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE FINAL MAP OF TRACT NO. 54178 (220 NORTH VALLEY STREET).

9. APPROVING THE INSTALLATION OF MULTI-WAY STOP SIGNS AT THE INTERSECTION OF KEYSTONE STREET AND LAMER STREET:

Staff requests Council approval of a resolution authorizing the installation of three-way stop signs at the intersection of Keystone Street and Lamer Street. Staff received requests from the Starlight Hills residents to investigate street improvements to help reduce speed on Lamer Street. Staff met with a number of homeowners in the area, and made several site visits to discuss traffic conditions with the residents. A list of potential

improvements to streets in the area was developed and the potential improvements were discussed with residents to gain concurrence.

The Lamer Street traffic issues were discussed at the regular July 2004 Traffic and Transportation Committee meeting, which was attended by a number of residents. Staff developed recommended improvements in concert with residents of the area and the recommendations were presented to the Traffic and Transportation Committee on November 18, 2004. The committee endorsed the following:

- Installation of three-way stop controls at Lamer Street and Keystone Street;
- Installation of a STOP AHEAD sign for southbound Lamer Street;
- Installation of a double yellow centerline around the curve on Lamer Street north of Keystone Street; and,
- Installation of speed advisory (25 MPH) signs on Lamer Street and on other streets near Brace Canyon Park.

Keystone Street and Lamer Street are both residential collector streets. Presently, Lamer Street has a stop sign at Keystone Street. The current traffic on Lamer Street (north of Keystone Street) has a higher traffic volume than Keystone Street, but traffic stops for the other two traffic movements. Standard traffic engineering practice is to stop the lower traffic volume street for the higher volume street. Thus, Lamer Street east of Keystone Street should stop for the other approaches. The accident experience at the intersection is very good, with no reported accidents within the last three years.

This is a wide three-legged intersection in a hillside area. The latest guidelines established by the State of California, as well as the Manual of Unified Traffic Control Devices (MUTCD) indicate that a multi-way stop is appropriate for the intersection. The intersection does not meet the accident or volume criteria, but it meets general criteria for installation of a multi-stop. The criteria allows the engineer to install a multi-stop at "an intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operation characteristics of the intersection".

Therefore, staff recommends that the Council approve the installation of the three-way stop at the intersection of Keystone Street and Lamer Street. The installation and maintenance costs of the signs are budgeted in the Signs and Markings Section of the Traffic Engineering Division. The estimated cost is \$150.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING RESOLUTION NO. 18,339, TO REFLECT A THREE WAY STOP AT THE INTERSECTION OF KEYSTONE STREET AND LAMER STREET.

10. AUTHORITY FOR IMPROVEMENTS TO THE BURBANK WATER AND POWER OFFICES LOCATED IN THE MAGNOLIA SERVICE BUILDING:

Staff requests that the Council adopt the proposed resolution which will authorize the General Manager of Burbank Water and Power (BWP) to make tenant improvements for the BWP offices to be located in the Magnolia Service Building at a cost of \$835,000. With this approval, it is expected that the improvements can be completed by February 2005.

The Magnolia Service Building is comprised of controls, staff, meeting rooms, restrooms, maintenance facilities, storage and associated activities related to the Magnolia Power Plant. The building is part of the original Magnolia Power Plant that was built in the late 1930s. The original front portion of the plant, basement and foundation has been retained and was reinforced so that the Magnolia Service Building could be built on the existing structure.

The result provided the Magnolia Power Project with a cost-effective building and more interior space than would have been otherwise required. As part of the Site Lease Agreement between the Southern California Public Power Authority (SCPPA) (the owner of the Magnolia Power Plant) and Burbank, BWP was provided this interior space in excess of Magnolia's needs. The building contains 46,352 total square feet, with 30,231 square feet to be used by the Magnolia Power Project and 16,111 square feet to be used by BWP.

The Magnolia Power Project has made significant contributions to tenant improvements required for the BWP areas on the second floor as these areas will be used by Magnolia Power Project staff during the start up and commissioning of the plant. These contributions include HVAC, lighting, security, restrooms on the second floor and window treatments. BWP will only purchase the furniture needed for its second floor space. The Magnolia Power Project has funded the tenant improvements to 4,678 square feet of BWP space so it may use that space during start up rather than securing additional trailers and the land to locate them. This leaves BWP with 9,000 square feet of space that requires tenant improvements.

This building will soon be completed. The tenant improvements have recently been designed and the contractor who is performing the construction of the Magnolia Service Building can make the improvements in the most cost-effective manner. The current contractor could perform the improvements in conjunction with other Magnolia Power Project construction activities, thus using the Magnolia Power Project's construction space, entries, storage, pathways and supervision.

The third floor contains 9,000 square feet and will be used solely by BWP and represents the tenant improvements for BWP in this building. These tenant improvements include offices, conference and storage rooms, lunch room, flooring, restrooms, lighting, HVAC, electrical outlets, data and communications lines, window treatments, wall treatments and interior doors.

The current budget includes \$695,000 for the tenant improvements on the third floor.

Additional funding of \$140,000 may be used from the BWP Administration Remodel Project. Because of delays caused by the workloads associated with the Magnolia Power Project, the Administration Remodel Project will not need all of its funding during this fiscal year.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE GENERAL MANAGER OF BURBANK WATER AND POWER TO PROCEED WITH TENANT IMPROVEMENTS IN THE MAGNOLIA POWER PROJECT CONTROL AND SERVICES BUILDING AND FURTHER AUTHORIZING REIMBURSEMENT OF THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE COST OF SUCH IMPROVEMENTS.

11. AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE 2005 SOBRIETY CHECKPOINT MINI-GRANT:

Staff is requesting Council approval of a proposed resolution that authorizes the City Manager to accept a grant from the California Office of Traffic Safety (OTS) for the 2005 Sobriety Checkpoint Mini-Grant.

The Sobriety Checkpoint Program for Local Law Enforcement Agencies is designed to reduce the number of people killed in alcohol-involved crashes in 2005 through the combined efforts of local law enforcement agencies, California Highway Patrol and OTS. Studies conducted in California and other states point to the fact that cities conducting frequent sobriety checkpoints report significant reductions in alcohol-involved crashes. The grant period is fifteen months and encompasses three “**You Drink & Drive. You Lose**” mobilization periods. During these times Burbank Police Officers will be conducting six sobriety checkpoints to help reduce alcohol-related crashes.

This is a reimbursement grant. The revenue anticipated from the grant will cover the overtime costs of Officers participating in the checkpoints. The City has been approved for approximately \$52,460 in grant funding.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2004-2005 BUDGET FOR THE PURPOSE OF ACCEPTING 2005 SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FUNDS IN THE AMOUNT OF \$52,460 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY.

12. DESTRUCTION OF RECORDS IN THE CUSTODY OF THE CITY CLERK AND/OR THE DEPARTMENT MANAGERS:

Staff is requesting approval of two resolutions that would authorize the destruction of specific records. These records are either located in the Records Center and are in the custody of the City Clerk or located in the various department offices and in the custody of Department Managers. In compliance with the Departmental Records Retention Schedules, these records are over two years old are no longer needed.

California Government Code Section 34090 provides for the annual destruction of municipal records that are no longer needed, if: they are at least two years old; the City Attorney consents to their destruction; and, the Council approves.

The City Clerk, Department Managers and City Attorney have reviewed this listing and consented to destruction in accordance with California Government Code Section 34090.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE CUSTODY OF VARIOUS DEPARTMENTS.

2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE CUSTODY OF RECORDS CENTER DEPARTMENT.

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

REPORTS TO COUNCIL:

13. COUNCIL MEMBER MURPHY'S REQUEST REGARDING AIRPORT AGREEMENT COMMUNITY FORUM MEETINGS:

At the Council meeting of December 7, 2004, staff was requested to arrange for open community forum meetings on the proposed Development Agreement with the Burbank-Glendale-Pasadena Airport Authority and actions related thereto, prior to the Council's consideration of those actions (currently scheduled for January 18, 2005). The goal of these meetings would be to provide an opportunity for the public to have questions answered and provide comments about the proposed Agreement in an open forum outside of the formal public hearings conducted by the Airport Authority, Planning Board and City Council.

With the Council hearing tentatively scheduled for January 18, 2005 and the scheduling

conflicts that arise during the holiday season, there are limited opportunities for the requested meetings. Staff has identified Thursday, January 6, 2005 and Wednesday, January 12, 2005 as the most feasible and practical meeting dates. These meetings would occur after the holiday season when there are fewer competing events and would offer two different nights of the week to maximize the opportunity for interested persons to attend. Staff has reserved the Buena Vista Library community room and the Fire Training Center for both meeting dates and seeks direction from the Council on the preferred location for each meeting.

Staff also seeks direction from the Council as to whether these meetings are intended to be official Council meetings subject to the Brown Act, or informal community meetings. The Brown Act would prohibit more than two Council Members from attending the proposed meetings unless the meetings are noticed Council meetings. Although the meeting format could still be less formal than a regular Council meeting, the meetings must be noticed as official Council meetings if more than two Council Members wish to be present. A significant difference between these two meeting formats is that nothing discussed at an informal community meeting would be part of the public record. With an official Council meeting, minutes are prepared such that the questions asked and issues raised by the community become part of the official public record for the Airport agreement.

Staff seeks further direction from the Council on the preferred approach to the meeting format. One option would be a town hall meeting format, which would consist of staff presenting an overview of the proposed agreement and the various actions related thereto. This would be followed by a public comment period, with residents asking questions or expressing concerns, followed by staff and Council Member responses when appropriate. An alternative to this format would be to forego the initial staff presentation and have staff only respond to questions from the community. Another option would be a workshop/open house format, which would involve a series of tables arranged around the meeting room. Each table would be setup for a different topic related to the agreement and would have materials and staff members to address that particular topic. This format would allow residents to move from table to table to receive information and have their questions answered in a small group setting.

Recommendation:

If the Council's desire is to go forward with the meetings, staff recommends that the Council give direction to schedule two community meetings for January 6, 2005 and January 12, 2005 at the Buena Vista Library or the Fire Training Center. Staff also recommends that Council provide direction as to whether the meetings should be scheduled as official Council meetings or informal community meetings, and as to the desired format of the meetings.

14. AUTHORIZATION TO ACCEPT A SAFE ROUTES TO SCHOOL CYCLE FIVE GRANT FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND AMENDING THE FISCAL YEAR 2004-05 BUDGET:

Staff requests Council approval of a resolution accepting a Safe Routes to School Cycle Five Grant from the California Department of Transportation (Caltrans) and amending the Fiscal Year (FY) 2004-05 budget. The Safe Routes to School Grant program is designed to improve and enhance the safety of pedestrian and bicycle facilities and related infrastructure on identified school travel routes. The Safe Routes to School Grant program provides 90 percent financing for projects deemed of significant importance to school safety. Caltrans administers the grants through the Local Programs office.

In February 2004, the Council authorized staff to apply for Safe Routes to School grants in the Bicycle Enhancements Program area. On November 5, 2004, staff was notified of the grant application approval for the total requested funding of \$73,800 of the Safe Routes to School funding program for FY 2004-05. The grant funds must be used before February 2006.

In August 2004, the Council authorized staff to apply for State funding available under Article 3 of the Transportation Development Act (TDA), Senate Bill 821. These funds will be used to provide for the local match portion of two different grants, including \$8,200 for the Safe Routes to School Grant.

The proposed improvements will be constructed on six Class III bicycle routes included in the Burbank Bicycle Master Plan. The project also includes bicycle safety programs conducted at each elementary school. The improvements include: bicycle route signing; traffic signal bicycle detection; bicycle-friendly drainage grates; and bicycle safety education programs.

The total cost of the project is \$82,000, \$73,800 of which is covered by the Safe Routes to School Grant. The remaining \$8,200 is the local contribution required by the grant which will be reimbursed by the TDA funds. This project will be fully funded by grants. The proposed resolution appropriates \$82,000 from the Safe Routes to School Grants Revenue Account to the Safe Routes Project.

Recommendation:

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2004-2005 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING SAFE ROUTES TO SCHOOL CYCLE FIVE GRANT FUNDS IN THE AMOUNT OF \$73,800 FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, AND THE CITY'S LOCAL CONTRIBUTION IN THE AMOUNT OF \$8,200.

15. DISCUSSION ITEM: LAND USE ELEMENT UPDATE:

This report is the third in a series of discussions with the Council on key components of the Land Use Element of the City’s General Plan which is currently being updated. Staff will present the proposed modifications to commercial and industrial land use categories, and mixed-use and compact single-family proposed land use designations, for discussion. In addition, a schedule for completion of the necessary Zone Text Amendment for new residential densities and design standards, and the new schedule for completion of the update of the Land Use Element will be discussed. Finally, staff will provide follow-up information on the very high residential density land use category for Council discussion.

Recommendation:

Staff seeks direction from the Council regarding the use of the proposed densities in the Land Use Element Update.

RECONVENE the Redevelopment Agency, Housing Authority, Parking 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.

**For a copy of the agenda and related staff reports,
please visit the
City of Burbank’s Web Site:
www.ci.burbank.ca.us**