

TUESDAY, DECEMBER 14, 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 5:10 p.m. by Mrs. Ramos, Mayor.

CLOSED SESSION

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

5:11 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. 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): 2

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 Archbishop Hovnan Derderian, Primate of the Western Diocese of the Armenian Church of North America.

Flag Salute The pledge of allegiance to the flag was led by Charles Johnson.

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.

6:43 P.M.
Ms. Murphy Left
the Meeting Ms. Murphy left the meeting at this time.

301-1
City Hall RSVP
Volunteers Mayor Ramos recognized the City Hall Lobby volunteers who have devoted hundreds of hours of volunteer service through the City's Retired Senior Volunteer Program by providing assistance to the members of the public who come into City Hall on a daily basis. Certificates of Recognition were presented to: Janice Bunch; Betty Ganzel; Jane Rowe; Sondra Struble; and, Joan Farrel, who was not present.

301-1
Condor
Squadron Mayor Ramos recognized the Condor Squadron which is based out of Van Nuys Airport. She noted that the Squadron performs search and rescue activities, air shows and movie work, and has performed several flyovers at several Burbank ceremonies, including Memorial Day and Veteran's Day ceremonies.

301-1
World War II
Veterans Mayor Ramos honored the following World War II veterans who are Burbank residents: Sanford Ross; Michael Jacobowski; Randy Kramer; Richard Sykes; Charles Johnson; Haskell Heimlick; Paul Norquist; Hermilo Sanchez; Frederick E. Branson; and, Rudy Perez. She commended them individually for their service and bravery in defending the country during World War II, and expressed richly-deserved gratitude to them.

Reporting on
Council Liaison
Committees Mr. Vander Borght acknowledged the Mayor's efforts in commending the World War II veterans. He also noted receipt of concerns regarding the Council's consideration of the information provided at the Platt Project hearing subsequent to the closing of the public testimony portion at the December 7, 2004 meeting. He requested that the Council re-open the public hearing at the second reading of the ordinance. Mrs. Ramos and Mr. Campbell concurred.

12/14/04

Mayor Ramos reported on a Los Angeles City County Selection Committee meeting she attended, at which Mr. Frank Roberts, Mayor of the City of Lancaster, was selected as the North County Corridor's representative to the Metropolitan Transportation Authority. She noted that the term expires in 2009.

7:18 P.M.
Hearing
1704-3
Renewal of CUP
No. 2001-17
(Graciela Hotel)

Mayor Ramos stated that "this is the time and place for the hearing on the renewal of Conditional Use Permit No. 2001-17 pertaining to the sale of alcoholic beverages at the Graciela Burbank Hotel at 322 North Pass Avenue. Belvedere Hotels and Resorts/Pass Avenue LLC is the owner/applicant."

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

Mr. Forbes, Senior Planner, Community Development Department, requested that the Council consider the renewal of a Conditional Use Permit (CUP) that allows the Graciela Extended Stay Hotel (Graciela Hotel) located at 322 Pass Avenue to sell alcoholic beverages. He added that the Graciela Hotel is currently authorized to sell beer wine and distilled spirits through room service, from in-room self-service bars and in conjunction with food service throughout the hotel, including the lobby lounge area. He noted that the CUP was originally approved in January 2002 for a one-year trial period and the Council subsequently renewed the CUP for two additional one-year periods. He noted that the CUP will expire on January 31, 2005 unless renewed by the Council.

Mr. Forbes explained that per the original terms of the CUP, the Council was obligated to renew the CUP for a one-year trial period for at least three years following the original adoption. He added that since three years have passed, the Council now has the option of renewing the CUP for an additional trial period or permanently. He noted that if the Council takes no action, the CUP will sunset on January 31, 2005, and the Graciela Hotel would no longer be permitted to serve alcoholic beverages.

Mr. Forbes informed the Council that although the Graciela Hotel is surrounded by commercial and multiple-family residential uses, the City has received no complaints from neighboring property owners or tenants regarding the service of alcoholic beverages at the hotel. He concluded with staff's

recommendation to permanently renew the subject CUP noting that the six required findings for approval can be made.

- Applicant Mee Lee, representing the Graciela Hotel, expressed appreciation for staff's recommendation and urged the Council to approve the permanent CUP renewal.
- Citizen Comment Appearing to comment was Rose Prouser, noting the proximity of the Warner Bros. Child Care Center to the Graciela Hotel, and requesting the Council not grant a permanent CUP.
- Rebuttal Mr. Forbes noted that there is no Code requirement restricting alcohol sales or service of this nature based on proximity to a day care center and that there is a Condition of Approval on the CUP that limits the hours of alcohol sales in consideration of the operation of the day care center.
- Hearing Closed There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.
- Council Deliberations Mrs. Ramos noted that the Graciela Hotel has demonstrated the ability to do outreach and act responsibly. She suggested extending the CUP for an additional three-year period as the Graciela Hotel is contemplating future improvements to the site. The Council concurred.
- Motion It was moved by Mr. Vander Borgh and seconded by Mr. Campbell that "the following resolution be passed and adopted as amended that the CUP be brought back in three years:"
- 1704-3
Renewal of CUP
No. 2001-17
(Graciela Hotel)
- RESOLUTION NO. 26,846:
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).
- Adopted The resolution was adopted by the following vote:
- Ayes: Council Members Campbell, Golonski, Vander Borgh and Ramos.
Noes: Council Members None.
Absent: Council Member Murphy.

12/14/04

7:31 P.M. Recess	The Council recessed at this time to permit the Redevelopment Agency to hold a public hearing. The Council meeting was reconvened at 7:52 p.m. with the same members present.
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: Tim McHugh, on runaway production; Julia Nguyen, Christina Jaspe, Alexander Knopper, Jeffrey Kurges, Michele Smallwood, Gina Van Dyke, Matt Martinez, Bart Jolley and Karina Passi, expressing appreciation to the Council for supporting the Close Up Program; Stephen Veres, Linda Kenchetian, Ron Rothacher, Stuart Chase and Robert Edwards, in support of the proposed Airport Development Agreement; Nancy Lacher, expressing disappointment with the Council's decision on the Platt Project at a previous Council meeting; Theresa Karam, on the upcoming municipal elections; Eden Rosen, on cars blocking sidewalks, noise pollution and new motor scooter laws; Mark Barton, on the signage at the Burbank Civic Plaza project; Rose Prouser, in support of community meetings on the proposed Airport Development Agreement and inquiring as to the contents of records being destroyed; Donna Stebbeds, Mark Stebbeds, Ron Vanderford and Stan Hyman, on Airport issues; David Piroli, in support of a Council resolution regarding runaway production and on Airport issues; and, Esther Espinoza, on donations to the Salvation Army.
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: Michael Bergfeld, on the proposed Airport Development Agreement, a report given to

Council Member candidates at the orientation meeting and the format of the proposed community meetings on the proposed Airport Development Agreement; Esther Espinoza, on the Graciela Hotel Conditional Use Permit and the sobriety checkpoint mini grant; Mark Stebbeds, Wayne Jackson, Ron Vanderford, Eden Rosen, Mark Barton, David Piroli and Mike Nolan, on the proposed community meetings on the Airport Development Agreement; Molly Hyman, on the Planning Board's action with regard to the proposed Airport Development Agreement and the contents of Resolution No. 17,390; Rose Prouser, on Airport issues; Stan Hyman, commenting on Resolution No. 17,390, the Platt Project and Airport issues.

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

9:15 P.M. Mrs. Ramos left the Council Chamber.

9:32 P.M. Ms. Murphy returned to the meeting at this time.
Ms. Murphy Returned to the Meeting

9:44 P.M. Recess The Council recessed to permit the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board to hold their meetings. The Council reconvened at 9:46 p.m. with Mrs. Ramos and Mr. Golonski absent.

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

802-4
FY 2003-04
CAFR A report was received from the Financial Services Department on the Comprehensive Annual Financial Statement (CAFR). The report indicated that the City's CAFR will be submitted for a national achievement award to the Government Finance Officers Association (GFOA). It was stated that 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 and that the report must satisfy both Generally Accepted Accounting

Principles (GAAP) and applicable legal requirements. The report indicated that 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, it was stated that the CAFR is sent out to numerous financial institutions in order to comply with various financial and subsequent bond disclosure requirements.

The report also stated that the overall financial position of the City is presented, in accordance with the Governmental Accounting Standards Board (GASB) pronouncements, on a government-wide basis. It was noted that this is designed to provide readers with a broad overview of the City's finances similar to a private-sector business. The report concluded that 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 Council noted and filed the report.

804-1
Adjustment to
the
Development
Impact Fee
Schedule

A report was received from the Community Development Department requesting Council approval of the Adjustment to the Development Impact Fee Schedule. It was stated that Ordinance No. 3340 which establishes procedures for adoption of certain development fees 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 report added that Development Impact Fees are adjusted using the Construction Cost Index as published in Engineering News-Record and that this year the increase in construction costs is 7.6 percent.

The Council approved the adjustment to the Development Impact Fees in accordance with the current Construction Cost Index as required by Ordinance 3340.

801-2
412
Close-Up
Program

A report was received from the City Manager's Office requesting Council approval of a contribution totaling \$20,000 to eligible students from Burbank, Burroughs, Providence and Bellarmine-Jefferson High Schools to partially offset the cost of the Close-up Program and the National High School Model United Nations (NHSMUN) conference in New York City. The report indicated that 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 NHSMUN conference. It was stated that the funds are divided equally among the participating students and that only participants who are both Burbank residents and attend a high school located in Burbank are eligible to receive the City's contribution. The report indicated that each of the 38 Burbank resident students who attended either the Close-Up Program or NHSMUN in 2004 received \$526.31 from the City. It was further reported that with an expected total of 67 Burbank resident students attending either the Close-Up Program or NHSMUN in 2005, the City's \$20,000 contribution will provide approximately \$298 per participant and that the checks will be made out directly to the students as in prior years.

The Council approved a contribution totaling \$20,000 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.

1102
Redev. Agency
Annual Report

RESOLUTION NO. 26,847:

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.

1204-1
Final Map No.
54389 (555 E.
Santa Anita)

RESOLUTION NO. 26,848:

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

1204-1
Final Map No.
54178 (220 N.
Valley Street)

RESOLUTION NO. 26,849:

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

1602-2
Multi-Way Stop
Signs at
Keystone and
Lamer

RESOLUTION NO. 26,850:

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.

411
Imps. to the
BWP Offices in

RESOLUTION NO. 26,851:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE GENERAL MANAGER OF BURBANK

12/14/04

the Magnolia
Svc. Bldg.

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.

804-3
907
2005 Sobriety
Checkpoint
Mini-
Grant

RESOLUTION NO. 26,852:
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.

104-1
Destruction of
Records in
Various Depts.

RESOLUTION NO. 26,853:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE CUSTODY OF VARIOUS DEPARTMENTS.

104-1
Destruction of
Records in
Records Center
Dept.

RESOLUTION NO. 26,854:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING DESTRUCTION OF CERTAIN RECORDS IN THE CUSTODY OF RECORDS CENTER DEPARTMENT.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Campbell, Murphy, and Vander Borght.

Noes: Council Members None.

Absent: Council Members Golonski and Ramos.

9:48 p.m.

Mr. Golonski returned to the Council Chamber.

406
Airport Agmt.
Community
Forum Meetings

Mr. Forbes, Senior Planner, Community Development Department, reported that at the December 7, 2004 Council meeting, staff was requested to arrange for open community forum meetings on the proposed Airport Development Agreement with the Burbank-Glendale-Pasadena Airport Authority and actions related thereto, prior to the Council's consideration of those actions on January 18, 2005. He requested Council direction on the preferred dates, location and format of the meetings.

Staff was directed to schedule one meeting on January 12, 2005 with an open house session prior to a town hall meeting and question and answer session. A notice of the meeting will

be sent City-wide.

804-3
Safe Routes to
School Grant

Mr. Johnson, Assistant Public Works Director/Traffic Engineer, requested Council approval of a resolution accepting a Safe Routes to School Cycle Five Grant from the California Department of Transportation (Caltrans). He noted that 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. He added that the program provides 90 percent financing for projects deemed of significant importance to school safety and that Caltrans administers the grants through the Local Programs Office.

Mr. Johnson informed the Council that the proposed improvements will be constructed on six Class III bicycle routes included in the Burbank Bicycle Master Plan and include: bicycle route signing; traffic signal bicycle detection; bicycle-friendly drainage grates; and, bicycle safety education programs.

Mr. Johnson also reported that 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. He noted that 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.

Motion

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

804-3
Safe Routes to
School Grant

RESOLUTION NO. 26,855:

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.

Adopted

The resolution was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Murphy, and Vander Borght.

Noes: Council Members None.

12/14/04

Absent: Council Member Ramos.

1101-2
Land Use
Element Update

Mrs. Lazar, Senior Planner, Community Development Department, requested that the Council discuss key components of the Land Use Element of the City's General Plan which is currently being updated. She presented the proposed modifications to commercial and industrial land use categories and hierarchy; residential and commercial land use categories; and, a new compact single-family land use category, for Council discussion. In addition, she discussed the schedule for completion of the necessary Zone Text Amendment for new residential densities and design standards, and a new schedule for completion of the update of the Land Use Element. She also provided follow-up information on the Very High Residential Density land use category.

Mrs. Lazar also provided the Council with additional information as requested regarding the new category names for the proposed multiple-family residential densities and a reduction in the amount of land designated in the area above Glenoaks Boulevard for Very High Density residential use.

Mrs. Lazar then reported on a new schedule for completion of the Zone Text Amendments necessary to add the new densities and development standards to the Code, as well as for completing the updates of the Land Use and Mobility Elements of the General Plan.

Staff was directed to provide more detailed information on the proposed land use designation changes.

11:23 P.M.
Reconvene
Redev. Agency,
Housing
Authority,
Parking
Authority, and
YES Fund Board
Meetings

The Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings were reconvened at this time.

Final Open
Public Comment
Period of Oral
Communications

Mr. Vander Borcht called for speakers for the final open public comment period of oral communications at this time.

Citizen

Appearing to comment was Mike Nolan, on valet parking

Comment procedures at the Burbank Town Center along Magnolia Boulevard.

Staff
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 11:26 p.m.

Margarita Campos, City Clerk

APPROVED JULY 26, 2005

Mayor of the Council
of the City of Burbank