



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, MARCH 15, 2005
6:30 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.

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.

PROCLAMATION: NATIONAL COLORECTAL CANCER AWARENESS MONTH.

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).

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 for the Public Financing Authority meeting.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 1 through 4)

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.

1. APPROVAL OF FINAL TRACT MAP NO. 60605 – 434 EAST CEDAR AVENUE:

Staff is requesting Council approval of Final Tract Map No. 60605. The property covered on Final Tract Map No. 60605 is a one-lot subdivision totaling 5,558 square feet and is located at 434 East Cedar Avenue. The property is in the R-4 Multiple- Family Medium Density Residential Zone and is owned by Greg Kurdoglanyan.

The owner originally proposed to construct a two-story, four-unit apartment building above a semi-subterranean parking garage and has since requested to create four condominium units instead of the apartments. Final Tract Map No. 60605 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 information pertinent to the approval of Final Tract Map No. 60605:

1. The tentative tract map was conditionally approved by the Community Development Director on April 23, 2004 pursuant to Burbank Municipal Code Section 27-323 (Director's Decision on Tentative Map);
2. The Final Tract Map contains four condominium units at 434 East Cedar Avenue, which is located in the R-4 Multiple-Family Medium Density Residential Zone;
3. The Planning Division has cleared all Conditions of Approval for the tentative tract map for purposes of Final Tract Map No. 60605 approval;
4. The Public Works Engineering Division has cleared all Conditions of Approval for the tentative tract map for purposes of Final Tract Map No. 60605 approval; and,
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. 60605 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. 60605 (434 EAST CEDAR AVENUE).

2. APPROVAL OF FINAL TRACT MAP NO. 53905 AND SUBDIVISION IMPROVEMENT AGREEMENT – BURBANK VILLAGE WALK – NORTHEAST CORNER OF SAN FERNANDO BOULEVARD AND ANGELENO AVENUE EXTENDING TO THIRD STREET:

Staff is requesting Council approval of Final Tract Map No. 53905, and the subdivision improvement agreement. The property covered on Final Tract Map No. 53905 is comprised of 20 lots and two previously-vacated alleys totaling approximately 3.38 acres. The property is located at the northeast corner of San Fernando Boulevard and Angeleno Avenue and extends to Third Street to the east and a portion of the property extends to the north to Olive Avenue, formerly known as the old police block. The subdivision consists of four newly-created lots: Lot Nos. 1 and 2 are utilized to construct two major projects; the Burbank Village Walk and the Burbank Civic Plaza, respectively; and Lot Nos. 3 and 4, created earlier by Certificate of Compliance, will be conveyed to the owner of the adjacent property to legalize the encroachment of the Radio Shack building. Lot No. 1 will be further subdivided to allow 140 residential condominium units, and a condominium for retail and restaurant. Lot No. 1 is owned by Olson 737-Bubank 140, LLC, a California limited liability company. Lot No. 2 consists of the newly-constructed office building fronting Olive Avenue between Third Street and San Fernando Boulevard (Burbank Civic Plaza), and is owned by Burbank Civic Plaza, LLC, a California limited liability company.

All Conditions of Approval and requirements of the State Subdivision Map Act have been substantially met. The following is a summary of information pertinent to the approval of Final Tract Map No. 53905:

1. On February 11, 2003, the Council adopted Resolution No. 26,425, conditionally approving Tentative Tract Map No. 53905;
2. The final tract map pertains to a newly-constructed office building on Lot No. 2 and the newly-constructed 140 units; a five-story residential building with additional space for 14,000 square feet of retail and restaurant space on Lot No. 1 of this tract map. Two additional lots were approved by Certificate of Compliance subsequent to the approval of this tract map;
3. This project is Statutorily Exempt from the provisions of the California Environmental Quality Act pursuant to §15268(b) (3) relating to approval of final subdivision maps;
4. Conditions of Approval have been cleared by the Planning Division for purposes of final tract map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&R) for Burbank Village Walk Project will be satisfied when the applicant submits two recorded copies of the CC&Rs to the Planning Division along with the final Articles of Incorporation and Bylaws of the

Homeowners Association. (Applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at Los Angeles County); and,

5. The owners of the newly-created Tract Map No. 53905 will enter into a subdivision improvement agreement with the City and deliver a deposit or a security as determined by the Public Works Director to guarantee the completion of all the off-site improvements placed on this development. Certain off-site improvements remain outstanding including the reconstruction of certain curbs, gutters and sidewalks, as well as the resurfacing of Angeleno Avenue; all of which shall occur upon the completion of construction. An excavation permit has already been issued for the work. This agreement assures the completion of these conditions.

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. 53905 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, 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. 53905 AND APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT (BURBANK VILLAGE WALK).

3. 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 and approved the Magnolia Park Action Plan (Action Plan). The Action Plan is based on the findings of several focus group meetings and a neighborhood survey. One of the components to the Action 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 the cost of the improvements would be approximately \$247,500, 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 agreement shall be for a period of ten 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, 1/10th of the loan (\$24,750 per year) will be forgiven. In addition, the City shall be responsible for paying approximately \$400 per month towards cleaning and landscape maintenance as well as pay for the water and electrical expenses for the lot.

The shared use parking agreement with the Burbank Community Church 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 Action 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.

4. TERMINATION OF ICG COMMUNICATION'S FIBER OPTIC USE AGREEMENT:

ICG Telecom and ICG Holdings, Inc. have submitted a request to terminate their Fiber Optic Use Agreement. The original term of the Agreement, which was executed January 31, 1997, is 15 years which includes provisions for the termination of the Agreement by paying an amount equal to half of the remaining sum of the lease payments, or about \$583,000. Burbank Water and Power (BWP) Telecom developed an approach with ICG that proposes to exchange high performance, carrier grade telecommunications equipment as well as all of ICG's fiber optic facilities that are of value to BWP in exchange for the termination of this Agreement. In addition, BWP will regain the use of the fibers that were previously leased to ICG. The exchange is comparable to the consideration required under the Agreement for early termination.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A TERMINATION AGREEMENT BETWEEN THE CITY OF BURBANK AND ICG TELECOM GROUP, INC. AND ICG HOLDINGS, INC.

REPORTS TO COUNCIL:

5. RUNAWAY PRODUCTION – CONSIDERATION OF THE FILM AND TELEVISION ACTION COMMITTEE RESOLUTION:

The purpose of this report is to provide an update on the runaway production issue and present supporting and opposing documentation in response to the Film and Television Action Committee's request for the Council to consider adopting a resolution in support of a 301 (a) petition, a provision of United States trade law that provides an avenue to remedy unfair trade practices. The issue of runaway production was first placed on the Council agenda for discussion at the June 11, 2002 meeting. On June 30, 2002, the Council passed a resolution to support Assembly Bill (AB) 2747 which was supposed to advocate a tax credit to retain, promote and encourage motion picture production in California as opposed to signing the Film and Television Action Committee's previous resolution supporting "advocating countervailing duties on imports of feature films and TV productions from Canada." (AB 2747 eventually failed passage). At the February 8, 2005 Council meeting, the Film and Television Action Committee requested the Council to adopt their proposed resolution to support the filing of a 301 (a) petition to help curb runaway production.

The following summarizes legislation aimed at providing solutions to the runaway production problem:

House Resolution 4520 – The Jobs Act was created to offer new tax provisions to encourage domestic film production and became public law on October 22, 2004. New benefits and tax provisions include immediate tax write-off of production expenditures, net income deduction and some accounting structuring flexibility.

Senate Bill 58 – In California, Senate Bill 58 was introduced by Senator Kevin Murray on January 12, 2005. This bill would grant tax breaks for film companies to keep productions in California, aimed at production companies' costs for below-the-line workers on projects that do at least 75 percent of their work in California.

Assembly Bill 261 – In California, Assembly Member Paul Koretz introduced Assembly Bill 261 on February 2, 2005. Existing law established the Film California First Program which includes filming incentives. This bill would express the intent of the Legislature to restore State funding to the program, which allowed production companies to film for free on State land and provided reimbursements for production costs.

Assembly Bill 777 – Assembly Member Nunez introduced Assembly Bill 777 on February 18, 2005 to encourage economic development and film production in California. This bill would grant tax breaks for film companies to keep their productions in California.

ARGUMENTS FOR ADOPTION OF PROPOSED RESOLUTION

Based on information submitted by the Film and Television Action Committee, their membership feels that the most effective way to stop runaway production would be to file

a 301 (a) petition. They offered the following arguments in favor of filing a 301 (a) petition:

- There are 19 countries that have successfully copied the Canada production incentives and are now luring film production away from United States. According to the Film and Television Action Committee's research, the 301(a) petition is the best way to remedy the runaway production issue.
- The Film and Television Action Committee does not feel this 301 (a) petition would create a further trade threat than they believe already exists because a country would not retaliate for violating a trade agreement they already signed.
- The Film and Television Action Committee stated that "the Motion Picture Association of America has already filed a few 301 petitions to end piracy and that there is already a subsidy war out there (which is a form of a trade war)".
- They do not feel that another petition would jeopardize this ongoing subsidy war. The Film and Television Action Committee feels that this petition would actually help end the subsidy war.
- The Film and Television Action Committee's proposed Resolution has the support of the Studio Utility Employees Local 724 (affiliated with Laborers International Union of North America) and the Studio Transportation Drivers Teamster Local 399. They also state that they have the support of the Hollywood Local 695, although its parent organization, the International Alliance of Theatrical Stage Employees (IATSE) has submitted a letter against the proposed resolution.

ARGUMENTS AGAINST ADOPTION OF PROPOSED RESOLUTION

According to the Motion Picture Association of America, a 301 (a) investigation would hurt filmed entertainment exports. They offered the following arguments against adoption of the proposed resolution:

- Film production is up in California and the nation.
- There is no need for a 301 (a) petition because there is a significant increase in out-of-state incentives which match other countries' incentives.
- The Film and Television Action Committee petition would hurt the United States filmed entertainment exports, since over 40 percent of the revenues earned by the filmed entertainment industry are earned in markets outside the United States.
- Film production incentives do not violate trade agreements, so it would be difficult to come up with a substantive basis for a 301 (a) petition. The Motion Picture Association of America feels it would be difficult to accuse other countries of violating trade agreements since the United States employs similar incentive practices (such as House Resolution 4520 which authorizes Federal film production incentives).
- There is a major difference between the Film and Television Action Committee 301 (a) petition and a "Special 301" petition which the Motion Picture Association of America filed to address intellectual property issues abroad (copyright protection). This "Special 301" petition has a high level of international consensus as it benefits the United States and foreign cultural industries.
- A "Special 301" petition does not contain the same possible perception of a direct threat of unilateral or multilateral sanctions as does a 301 (a) case. Opening a

Section 301 (a) investigation against foreign film production subsidies would ignite cultural sensitivities and affect ongoing negotiations.

Statistics from the Entertainment Industry Development Corporation reflect strong 2004 numbers in terms of production activity, location shooting and television shows. There were a total of 52,707 location production days during 2004, up by 19.2 percent over 2003 to a new record level. Television production moved ahead by 26.8 percent to 18,257 days and feature film activity was up by 18.8 percent to 8,707 days, reversing an eight-year decline. In Burbank, the 2004 film permit statistics reflect an increase of nine percent in total film permit activity (267 vs. 245 permits), and a significant increase of 50 percent in feature film activity (27 vs. 18 feature films).

According to a recent Daily News article, runaway production is reflecting an increasingly domestic pattern due to various financial (other State and Federal) incentives, and some productions are now staying in California because of a weaker dollar, location, worker pool and weather. For example, during February, high-profile projects as "The War of the Worlds", "The Bad News Bears" and the remake of "The Shaggy Dog" are all shooting in Los Angeles. Long Beach enjoyed some high profile shoots for several scenes of "The Aviator" and so did the Inland Empire where "Meet The Fockers" was shot. Parts of the upcoming drama "Mr. and Mrs. Smith" were also shot in Victorville, as were scenes of the latest Jamie Foxx movie "Jarhead." Additionally, "Million Dollar Baby," Academy Award winner for Best Picture of the Year, was shot entirely in Los Angeles. With the approved Federal and pending State legislation to keep production in the country and the State, it is hoped that this situation will continue to improve so our local entertainment industry can continue to flourish to provide additional jobs to our local workforce.

Recommendation:

It is recommended that the Council direct staff to track the success of Federal legislation (House Resolution 4520 – the Jobs Act) recently passed in October 2004 as well as Governor Schwarzenegger's pending State legislation (Senate Bill 58, Assembly Bill 261 and Assembly Bill 777) and direct staff to return with an update on the progress of this runaway production legislation. Staff recommends this report be noted and filed.

6. UPDATE ON OUTSOURCING HUMAN RESOURCE/PAYROLL SYSTEMS:

The purpose of this report is to provide the Council with an update on outsourcing the City of Burbank Human Resource (HR) / Payroll systems. The Information Technology Department was directed by the Council to evaluate the fiscal and practical impacts of outsourcing the City's HR, Payroll, Benefits and Time Management processes as compared with various in-house solutions.

Currently, the Information Technology Department operates and maintains a series of custom-developed mainframe applications that have supported the HR/Payroll functions. The need has arisen to replace these older systems with a modern solution,

either in-house or outsourced, that is efficient, flexible and expandable.

The Information Technology Department conducted an analysis comparing the two viable options: 1) outsource the operation to a third party; or, 2) implement an in-house solution to determine the best method to pursue in upgrading the City's HR, Payroll, Benefits, and Time Management systems. The evaluation consisted of a City survey to obtain cost information on existing operations; working with a leading provider of HR outsourcing, ADP, to identify the City's requirements, challenges, and opportunities; an ADP customer survey to evaluate ADP customer satisfaction; and, attending system demonstrations for two in-house systems (Oracle and CGI AMS) at various sites.

Benefits of outsourcing over an in-house solution include a shorter implementation period since the vendor uses existing and proven processes to expedite the implementation as well as the vendor being responsible for the support of the outsourced solution including hardware, software, technical support and disaster recovery.

Challenges of outsourcing versus an in-house solution include loss of data control and integration which decrease confidentiality and security of sensitive information that can be better managed in-house; unanticipated Memorandum of Understanding changes would increase costs and add delays; an outsourced system can not exchange data in real time with other City systems, such as Oracle Financials; and outsourcing HR, Payroll, Benefits and Time Management processes would not significantly reduce staff costs.

In an effort to quantitatively understand costs involved with each option, current system's labor costs were calculated, outsource option costs were calculated using numbers obtained from an ADP proposal, and costs for three in-house solutions were calculated. The following chart summarizes estimated project costs by duration.

Review Cost of Outsourcing vs. In-House	5 Years	10 Years
ADP outsource cost of HR, Payroll, Benefits, and Time Management Implementation	\$6,008,466	\$11,925,862
Oracle in-house cost of HR, Payroll, Benefits, and Time Management Implementation (by Oracle consultants)	\$6,192,853	\$10,131,270
Oracle in-house cost of HR, Payroll, Benefits, and Time Management Implementation (by 3rd party consultants)	\$5,442,853	\$9,381,270
CGI AMS in-house cost of HR, Payroll, Benefits, and Time Management Implementation (by CGI AMS consultants)	\$5,368,268	\$9,496,985

Compared with in-house solutions, outsourcing is more expensive; provides less data control; less security; does not integrate with other City systems; and, would not significantly reduce staff costs.

Recommendation:

Note and file.

7. UPDATE REPORT ON THE POLICE PUBLIC SAFETY SUITE UPGRADE:

The purpose of this report is to provide an update on contract negotiations with Tiburon to implement a Police Safety Suite (PSS) upgrade using Thayer Consulting, an outside contract negotiator with expertise in PSS applications.

The current Public Safety System is outdated and struggles to function within its current capabilities which have caused failures. Staff conducted research on PSS applications available focusing on three criteria: 1) a single vendor that offered Computer Aided Dispatch (CAD) and Records Management (RMS) consistent with our requirements; 2) a strong vendor presence with multiple successful implementations in California; and, 3) having one or more neighboring cities using the same solution.

Motorola and Tiburon applications addressed staff's base criteria and needs; however, Tiburon was found superior. Tiburon complies with 95 percent of the City's critical requirements; the application has open architecture and a non-proprietary database; the upgrade allows for a smooth conversion of existing Police data and can be configured with drop-down menus or existing key strokes which users already utilize; neighboring cities, including Glendale, use Tiburon which enables data sharing; to upgrade our existing system will be dramatically less expensive than a new product implementation; and, the City has an established working relationship with Tiburon that has been successful and productive.

Contract negotiations with Tiburon will be complex and are critical to the success of the upgrade. Upon positive recommendations from surrounding cities staff recommends using Thayer Consulting, a vendor with Public Safety Suite experience, to assist with the contract negotiation at a not to exceed cost of \$19,500.

Recommendation:

Note and file.

8. APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) AND AUTHORIZATION FOR THE CITY MANAGER OR DESIGNEE TO EXECUTE THE MOU WITH THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR HYDROGEN FUEL STATION CONSTRUCTION AND CONVERSION OF FIVE CITY VEHICLES TO

HYDROGEN FUEL AS PART OF A HYDROGEN FLEET DEMONSTRATION PROJECT:

Staff is requesting Council approval of a Memorandum of Understanding (MOU) with the South Coast Air Quality Management District (AQMD) for the construction and maintenance of a hydrogen vehicle fuel station and the conversion of five City-owned vehicles to hydrogen fuel.

The City was asked by the AQMD to participate in a five-year hydrogen fuel infrastructure and fleet vehicle demonstration project. The purpose of the project is to assist with the development of ultra-clean hydrogen-fueled vehicles and establish a hydrogen fueling network in the AQMD basin that will allow for public fueling capabilities 24 hours per day, seven days per week. Other participating cities are Ontario, Riverside, Santa Ana and Santa Monica. The AQMD will also host a fueling station.

In order for the project to proceed, the City must enter into a formal agreement with the AQMD. The City's obligation under the MOU is to provide the land, utilities and miscellaneous infrastructure improvements for the station and very minor maintenance procedures.

The AQMD will pay for the purchase and installation of the hydrogen station components valued at \$850,000; \$460,000 for converting the five-City owned Toyota Prius' from gasoline/electric to hydrogen/electric hybrids; and approximately \$100,000 for five years of station equipment maintenance. The City is responsible for the purchase of five Toyota Prius' for a total of \$140,000; the installation of underground utilities necessary to support the station components estimated at \$125,000; and, the five-year cost of hydrogen fuel and utilities estimated at \$34,375 and \$50,000 respectively. The hydrogen station will be located at the City's Compressed Natural Gas fuel station at 810 North Lake Street.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR THE PURPOSE OF CONSTRUCTING A HYDROGEN FUEL STATION AND CONVERTING FIVE CITY VEHICLES TO HYDROGEN FUEL.

RECONVENE the Public Financing Authority meeting 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,
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