

TUESDAY, MARCH 29, 2005

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, Murphy, Vander Borght and Ramos.

Absent - - - - Council Member Campbell.

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.

5:10 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:

Conference with Labor Negotiator:

Pursuant to Govt. Code §54957.6

Name of the Agency Negotiator: Management Services Director/Judie Sarquiz.

Name of Organization Representing Employee: Represented: Burbank City Employees Association, Burbank Management Association, Burbank Firefighters Chief Officers Unit, and Burbank Police Officers Association; Unrepresented, and Appointed Officials.

Summary of Labor Issues to be Negotiated: Current Contracts and Retirement Issues.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:37 p.m. by Mrs. Ramos, Mayor.

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

Flag Salute The pledge of allegiance to the flag was led by Diane Bruno.

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,

3/29/05

- Mrs. Campos, City Clerk.
- 301-1 Fair Housing Month Mayor Ramos presented a proclamation in honor of Fair Housing Month to Richard Cooper, representing the Fair Housing Council.
- 301-1 Cesar Chavez Week Mayor Ramos presented a proclamation in honor of Cesar E. Chavez Community Service Week to David Kemp, President of the Board of Education, and Dr. Greg Bowman, Superintendent of the Burbank Unified School District.
- Council Comments Mr. Campbell inquired as to the status of the Neighborhood Protection Plan for the area adjacent to the Platt Project.
- Mrs. Ramos requested that Ms. Alvord provide a follow-up report on the status of the signage at Bob Hope Airport. Mr. Hastings, Direct Point Advisors, representing the Hope family, gave a brief presentation on the Airport signage issue.
- Mr. Vander Borcht reported on the continuing Transit Task Force meetings on the marketing and outreach efforts for the new shuttle service to the North Hollywood Red Line Station.
- Mrs. Ramos requested that the City find ways to communicate the 800 telephone number for shopping cart retrieval to the public.
- 7:07 P.M. Hearing 1411-2 Vacation of Alley Adjacent to the Form Buena Vista Library Mayor Ramos stated that "this is the time and place for the hearing regarding the V-370 vacation which would vacate the alley adjacent to the former Buena Vista Library site. Staff has requested that this hearing be taken off calendar at this time. It will be re-noticed at a later date. Is there a motion?"
- Motion It was moved by Mr. Golonski, seconded by Mr. Campbell and carried that "the public hearing be postponed to a future date."
- 7:10 P.M. Hearing 1704-3 Appeal of CUP No. 2004-105 – 1011 La Rambla Mayor Ramos stated that "this is the time and place for consideration of the findings related to the appeal of a hillside Conditional Use Permit denied by the Planning Board. Arsen and Ripsime Retchian applied for a Conditional Use Permit (CUP) to construct a two-story single-family home on a hillside property located at 1011 La Rambla Drive and they have appealed the Planning Board's denial of the CUP. This Council

held a noticed public hearing on March 1, 2005 and, at that time, voted to deny the CUP and uphold the Planning Board's decision. The City Attorney was instructed to return with a resolution with appropriate findings. This matter is now before us as a noticed hearing because the Applicants have asked to have the Council consider revised plans before adopting any findings."

7:10 P.M.
Mrs. Ramos
Left the Meeting

Mrs. Ramos left the meeting at this time due to a potential conflict of interest.

Notice
Given

Vice Mayor Vander Borcht asked the City Clerk 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. Ochsenbein, Senior Planner, Community Development Department, requested the Council reconsider their March 1, 2005 decision to deny Project No. 2004-105, a request for a Conditional Use Permit (CUP) by Arsen and Ripsime Retchian to construct a 3,210 square foot single-family home on a hillside property located at 1011 La Rambla Drive.

Mr. Ochsenbein informed the Council that at the March 8, 2005 Council meeting, the applicants' representative requested that the Council reconsider their decision, based upon the applicants' willingness to make modifications to the project. He added that the City Manager, on the advice of the City Attorney, directed staff to schedule an additional public hearing on the matter with the applicants responsible for all noticing costs. He added that since the previous Council hearing, the applicant has modified the plans to remove a family room area on the top level of the home. He stated that the area has been replaced with an open balcony in an attempt to further protect the views enjoyed from the neighboring property. He added that in an effort to maintain the total floor area, the setback from the north property line has been reduced from 15.5 feet to 12.5 feet, thereby increasing the size of the living room and dining room, as well as the master bedroom on the lower level.

Mr. Ochsenbein noted that pursuant to the Burbank Municipal Code, the Council must adopt a resolution on the CUP within 30 days of the conclusion of the public hearing, and as such, a decision must be made on this project at this meeting. He added that based upon the review of the project and the

3/29/05

proposed modifications, staff recommended that the Council approve the project as proposed.

Mr. Golonski disclosed that he had a meeting with Mrs. Strickland; Mr. Campbell disclosed that he had a meeting with the applicants and the Stricklands.

Mr. Vander Borgh and Ms. Murphy stated that they visited the site but did not meet with either the applicants nor the Stricklands.

Applicants

Gary Yamada, representing the applicants, noted that the project is not subject to the Interim Development Control Ordinance as it was submitted prior to its adoption and the project meets all Code requirements with respect to building heights, setbacks, floor area ratio and parking, etc. He added that on March 1, 2005, the Council denied the project based upon the applicants' decision not to eliminate the family room as requested by the Council. He noted that the applicants are now willing to eliminate the family room. He added that the owners of the property immediately below the project site are concerned with privacy issues, slope stability and drainage and that staff's conditions will help mitigate these concerns. He also addressed several other issues stated in a letter submitted at the March 1, 2005 meeting in opposition to the proposed project, including: the project being a fire hazard; terrain stability; parking issues; and, density. He also noted that the City's residential hillside development standards do not have a specific view shed ordinance. He urged that the Council grant the appeal and approve the CUP subject to the conditions as recommended by staff.

Citizen Comment

Appearing to comment in opposition to granting the appeal were Audrey Hansen and Mary Jane Strickland.

Commenting in support of the appeal were: Stan Hyman; Molly Hyman; James S. Schad; Mike Nolan; and, David Piroli. Also, Mark Barton commented on the applicant's model.

Hearing Closed

There being no further response to the Vice Mayor's invitation for oral comment, the hearing was declared closed.

Rebuttal by Applicant

Gary Yamada, representing the applicants, responded to public comment with regard to privacy issues and view protection.

Rebuttal by

Mr. Ochsenbein responded to public comment with regard to

Staff the view protection ordinances in the Burbank Municipal Code.

Deliberation Mr. Vander Borcht requested Mr. Barlow to address the potential City liability as a result of ground slippage.

Ms. Murphy noted her prior support for the project but stated that she did not see any drastic reduction in the project size since the square footage was maintained.

Mr. Campbell requested clarification on several view obstruction scenarios and suggested that the applicants make modifications to the garage.

Mr. Golonski noted the dramatic slope of the property and the presence of a large driveway serving a home on another piece of property thereby dictating the location of the proposed project. He expressed support for upholding the Planning Board's decision and denying the CUP.

Mr. Vander Borcht noted that he had earlier suggested eliminating the family room to minimize the view impact from the neighboring property. He supported granting the CUP since a reasonable attempt has been made to modify the project and noted the desire to balance the rights of a property owner and address the concerns of the neighbors.

Ms. Murphy stated she would not support the project noting that she perceived the approval as the beginning of lots of problems between the neighbors.

Mr. Campbell inquired as to what restrictions could be placed on the balcony so as not to further impact the neighbor's view and suggested that the applicants perhaps forego the balcony altogether. Mr. Yamada responded that the applicant would agree to eliminate the balcony and a portion of the garage.

Mr. Ochsenbein stated that the eliminated balcony could be replaced with a roof-like structure with a slight pitch to minimize view impact and preclude use of the area.

Ms. Murphy expressed discontent with the fact that the Council must act at this meeting leaving no room for further consideration.

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

1704-3 RESOLUTION NO. 26,932:

3/29/05

Appeal of CUP No. 2004-105 – La Rambla A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK GRANTING THE APPEAL OF THE PLANNING BOARD'S DECISION AND APPROVING A CONDITIONAL USE PERMIT FOR PROJECT NO. 2004-105, AND A MITIGATED NEGATIVE DECLARATION RELATED THERETO (Arsen and Ripsime Retchian, Applicant/Appellant; 1011 La Rambla Drive).

Adopted The resolution was adopted by the following vote:

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

Noes: Council Member Golonski.

Absent: Council Member Ramos.

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

8:13 P.M.
Mrs. Ramos
Returned to the
Meeting Mrs. Ramos returned to the meeting at this time.

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: Bob Olson, in opposition to the proposed traffic mitigation efforts at the Chandler Bikeway; Phil Berlin, on the sale of NBC property located on Catalina Street; Dr. David Gordon, on the Airport Development Agreement Negative Declaration; Eden Rosen, on traffic and noise issues; Molly Hyman, on conflict of interest issues; Stan Hyman, on the development of the Old Police Block and conflict of interest issues; C.L. Stack, on the Airport; Esther Espinoza, on fair housing and group homes for the disabled; Rose Prouser, on campaign contributions; and, David Piroli and Mark Barton, expressing discontent with Mr. Hastings' presentation on Airport signage.

Staff Response Agenda Item Oral Members of the Council and staff responded to questions raised.
Mrs. Ramos called for speakers for the agenda item oral communications at this time.

Communications

Citizen Comment Appearing to comment were: Phil Berlin, on the proposed joint traffic study session with the Planning Board and requesting that the Council appeal the Planning Board's decision of March 28, 2005 approving the Dimples project; Eden Rosen and David Gordon, on the proposed joint traffic study session with the Planning Board; Esther Espinoza, reading from a recent article on traffic issues; Rose Prouser, on redevelopment issues, traffic mitigation on the Chandler Bikeway, the pending sale of NBC property located on Catalina Street and the proposed fast food establishments on Hollywood Way; Mark Barton, on design consultants and graphic illustrators; Stan Hyman, on traffic and parking issues, and ownership of the parcel on the corner of Olive Avenue and San Fernando Road; Mike Nolan, on the proposed fast food restaurants on Hollywood Way; Laverne Thomas, on traffic issues with respect to the sale of the NBC Catalina Street property; and, David Piroli, in opposition to the proposed Chandler Bikeway traffic signal modifications.

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

Jt. Mtg. with the Redev. Agency 203 Burbank Blvd. Streetscape Project Update and Oversight Committee Mrs. Ulloa, Economic Development Manager, Community Development Department, reported that staff identified three major arterials pursuant to the Council's goal of improving the appearance of the major arterials throughout the City. She stated that the three corridors identified were: Olive Avenue between the Golden State Freeway and the Ventura Freeway; Burbank Boulevard from Victory Boulevard to the western City limit; and, West Victory Boulevard from North Victory Boulevard at the "Five Points" intersection to the western City limit. She added that staff retained the services of David Evans and Associates, a landscape architecture firm, to study the three arterials and make a recommendation as to which arterial would be the best candidate for streetscape improvements. She reported that the feasibility study resulted in a recommendation to first focus on the Burbank Boulevard corridor, citing the appearance of Burbank Boulevard and the lack of overhead power lines as the determining factors. She added that the Burbank Boulevard Streetscape Project then became part of the Work Program for Fiscal Year 2004-05. Mrs. Ulloa requested that an Oversight Committee be established for the project, including two members of the Council/Redevelopment Agency Board (Board). She added that staff anticipates presenting a conceptual design for

3/29/05

Council/Board consideration in June 2005 after receiving community input.

Mr. Golonski suggested that the Oversight Committee initially identify priorities or phase improvements.

Motion It was moved by Mrs. Ramos, seconded by Mr. Campbell and carried that "Mr. Vander Borght and Mr. Campbell be appointed to the Burbank Boulevard Streetscape Oversight Committee."

9:56 P.M. Recess The Council recessed at this time. The meeting reconvened at 10:08 p.m. with all members present.

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

1301-3 Sanitary Sewer System Hazard Mitigation Proj. (B.S. 1177) RESOLUTION NO. 26,933:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE SANITARY SEWER HAZARD MITIGATION PROJECT, BID SCHEDULE NO. 1177, AND AMENDING THE FISCAL YEAR 2004-2005 BUDGET BY APPROPRIATING \$180,512.00.

806 PSA with Conrad and Assoc. to Provide Audit Svcs. RESOLUTION NO. 26,934:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND CONRAD AND ASSOCIATES, L.L.P.

1007-1 1009-1 Establish Title of Downtown Manager RESOLUTION NO. 26,935:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND SPECIFICATION FOR THE CLASSIFICATION OF DOWNTOWN MANAGER (CTC No. 0272) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

1007-1 1009-1 Customer Serv. RESOLUTION NO. 26,936:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION OF

Supervisor I to
Customer Serv.
Supervisor CUSTOMER SERVICE SUPERVISOR I (CTC No. 0254) TO
CUSTOMER SERVICE SUPERVISOR.

1007-1 RESOLUTION NO. 26,937:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Customer Serv. REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Supervisor II to CLASSIFICATION OF CUSTOMER SERVICE SUPERVISOR II
Manager (CTC No. 0242) TO MANAGER CUSTOMER SERVICE
Customer OPERATIONS (CTC No. 0540).
Service
Operations

1007-1 RESOLUTION NO. 26,938:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Manager REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Customer CLASSIFICATION OF MANAGER CUSTOMER SERVICE (CTC
Service to Asst. No. 0530) TO ASSISTANT GENERAL MANAGER – CUSTOMER
General SERVICE & MARKETING (CTC No. 0068).
Manager-
Customer Serv.
And Marketing

1007-1 RESOLUTION NO. 26,939:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Electrical Equip. REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Superintendent CLASSIFICATION OF ELECTRICAL EQUIPMENT
To Manager SUPERINTENDENT (CTC No. 0296) TO MANAGER
Electrical Equip. ELECTRICAL EQUIPMENT (CTC No. 0538).

1007-1 RESOLUTION NO. 26,940:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Electrical Test REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Superintendent CLASSIFICATION OF ELECTRICAL TEST SUPERINTENDENT
To Manager (CTC No. 0307) TO MANAGER COMMUNICATIONS SYSTEMS
Communications (CTC No. 0537).
Systems

1007-1 RESOLUTION NO. 26,941:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Re-establish RE-ESTABLISHING THE TITLE AND SPECIFICATION FOR THE

3/29/05

Title of Civil Engineer/BWP CLASSIFICATION OF PRINCIPAL CIVIL ENGINEER/BWP (CTC No. 0680) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

1007-1 RESOLUTION NO. 26,942:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Building Maint. REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Super. to CLASSIFICATION OF BUILDING MAINTENANCE SUPERVISOR
Facilities Maint. (CTC No. 0119) TO FACILITIES MAINTENANCE MANAGER
Manager (CTC No. 0337).

1007-1 RESOLUTION NO. 26,943:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Equipment REVISING AND RE-TITLING THE SPECIFICATION FOR THE
Maint. Super. to CLASSIFICATION OF EQUIPMENT MAINTENANCE
Fleet Services SUPERVISOR (CTC No. 0322) TO FLEET SERVICES
Supervisor SUPERVISOR (CTC No. 0361).

1007-1 RESOLUTION NO. 26,944:
1009-1 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Revise Spec. of REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF
Graphic ILLUSTRATOR (CTC No. 0392).
Illustrator

Adopted The consent calendar was adopted by the following vote:

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

1602-1 Mr. Johnson, Assistant Public Works Director/Traffic Engineer,
Traffic Signal reported that with the opening of the Chandler Bikeway,
Modifications at traffic signal operations at the intersections of Hollywood
Chandler and Way/Chandler Boulevard and Buena Vista Street/Chandler
Hollywood Way Boulevard were significantly changed to ensure that
and Chandler pedestrians and bicyclists traverse each intersection safely.
and Buena Vista However, he noted that the new signal operations are creating
traffic congestion during peak traffic hours. He gave a history
of the signal timings at both intersections before and after the
modifications and the traffic volume on both arterials.

Mr. Johnson informed the Council that staff proposes to
reduce congestion and improve visibility by modifying the
traffic operation at each intersection with the elimination of
some vehicle turning movements across the bikeway. He

explained that prohibiting turning movements across the bikeway will allow the consolidation of several traffic signal phases into one operation to reduce the total signal cycle length.

Staff was directed to modify the current signal timings and to hold community meetings to consider further modifications.

1502
Update of
SR-134
Westbound
Ramp Project

Mr. Herrmann, Assistant Community Development Director/Transportation, reported that at the February 22, 2005 meeting, Council Member Golonski requested to agendaize this item for the Council to consider directing staff to prepare a project update on the State Route (SR) 134 Westbound Ramp Project. He informed the Council that the City has completed the local portions of the project, which included realigning the existing westbound SR 134 off-ramp east of Hollywood Way and relocating the Burbank Water and Power (BWP) Hollywood Way electrical substation. He added that the remaining phase of the project is the construction of a new westbound SR 134 on-ramp that will be accessed from Alameda Avenue, immediately east of the new electrical substation. He reported that in accordance with the executed Cooperative Agreement between the California Department of Transportation (Caltrans) and the City, Caltrans is required to construct the new ramp at no additional cost to the City. He noted that although construction was originally scheduled to begin in 2004, the State budget situation has caused delays for several statewide projects.

Mr. Herrmann reported that the local Caltrans office, District 7, has requested that the California Transportation Commission (CTC) allocate the \$5.8 million in right-of-way funding in September 2005 as part of its statewide disbursement of funds that are budgeted for right-of-way activities. He noted that if funding is made available, the right-of-way activities would be completed in time for a start of construction in late 2006. He stated that while there is no guarantee that the CTC will make the requested allocation, District 7 is optimistic and is developing a schedule for completing the right-of-way work, and the subsequent ramp construction.

Mr. Herrmann reported that staff is continuing to monitor progress on the overall project funding issue and will work with the City's transportation lobbyist David Grannis and with Caltrans to ensure that the needed right-of-way funding is provided as soon as possible.

The Council directed that staff provide an update at a future Council meeting.

3/29/05

201-1
Joint Study
Session with the
Planning Board

Mr. Herrmann, Assistant Community Development Director/Transportation, reported that at the February 22, 2005 meeting, Council Member Golonski requested that the Council consider scheduling a joint study session with the Planning Board on traffic issues. He added that Council Member Golonski specifically mentioned discussing Level-of-Service standards and timetables for implementing traffic and transportation improvements. Additionally, he added that staff suggested that the study session also cover: traffic forecasts and trends; the proposed trip-based development standard; railroad grade crossings; the Citywide traffic signal program; current Levels-of-Service at major intersections; and, planned improvements.

Staff was directed to schedule a joint study session with the Planning Board on traffic issues at a future date.

11:02 P.M.
Reconvene
Redev. Agency
Meeting

The Redevelopment Agency meeting was reconvened at this time.

Final Open
Public Comment
Period of Oral
Communications

Mrs. Ramos called for speakers for the final open public comment period of oral communications at this time.

Citizen
Comment

Appearing to comment was Mike Nolan, on the fast-food restaurants proposed for the Airport area.

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 11:09 p.m. to Tuesday, April 5, 2005 at 5:00 p.m. in the Council Chamber for a Study Session on Proposed Development Standards for R-1, R-1-E and R-1-H Single-Family Residential Zones.

Margarita Campos, CMC
City Clerk

APPROVED AUGUST 16, 2005
Mayor of the Council
of the City of Burbank