



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, SEPTEMBER 20, 2005  
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 Legal Counsel – Existing Litigation:

Pursuant to Govt. Code §54956.9(a)

1. **Name of Case:** Coordination Proceeding Special Title (Rule 1550(b)) vs. Natural Gas Anti-Trust Cases – Cases I, II, III and IV.

**Case No.:** Judicial Council Coordination Proceedings Nos. 4221, 4224, 4226 and 4228.

**Brief description and nature of case:** Anti-trust Claim Against Southern California Gas Company.

2. **Name of Case:** City of Burbank v. Sempra Energy Trading Corp.

**Case No.:** CV05-5448 U.S. District Court.

**Brief description and nature of case:** Breach of Contract.

b. 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:** Contracts and Retirement Issues.

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.

**5:30 P.M.**

TRAFFIC AND TRANSPORTATION STUDY SESSION: IMPLEMENTATION OF TRIP-BASED INTENSITY MEASUREMENT STANDARD (TIMS) AND CENTERS AND CORRIDORS CONCEPT:

Staff will present the proposed Trip-Based Intensity Measurement Standard (TIMS), a new development standard that aims to limit by-right development based upon the number of vehicle trips that the development would generate. Staff seeks direction from the Council on the implementation of TIMS in conjunction with the centers and corridors land use concept that underlies the proposed land use forecast.

Over the last 24 months, the Council has held a number of Traffic and Transportation Study Sessions in the process of developing a land use forecast of development through the year 2025 to be analyzed as part of the update to the Land Use and Mobility Elements of the General Plan. One of the long-stated goals of the General Plan update is to ensure that both the Land Use and Mobility Elements are tightly integrated so that transportation policy and long-term street improvements correspond to land use policies. Traffic congestion is a major impact to development, and both the Council and the greater Burbank community have identified increased traffic congestion as one of the major issues in planning for Burbank's future. Throughout the Mobility and Land Use Element planning process, staff has sought to develop a policy or system that would correlate the City's land use plan to the transportation system.

The standard measure of density used in land use planning is Floor Area Ratio, or FAR, which is simply a ratio of a given parcel's building square footage to its land area. However, FAR is deficient in relating development density to traffic impacts because a building size is not the only determinant of how much traffic can be generated by a given development. Trip generation is derived by a combination of variables, including the size of the development as well as its use. Instead of relying on FAR as a measure of density for traffic impact comparisons, staff is proposing a new ratio be used that relates peak hour trips to parcel land area rather than building square footage. This new ratio, termed TIMS, sets a ratio of peak hour trips per 1,000 square feet of land area for all parcels throughout the City based upon their General Plan land use designation. The purpose of TIMS is to ensure that new by-right development will be consistent with the growth forecast selected for analysis in the General Plan update.

Although not dependent upon a particular Land Use Plan layout, the numbers being developed by staff for use in TIMS are correlated with the proposed Land Use Plan for the on-going update to the General Plan Land Use Element. One of the main concepts upon which the proposed Land Use Plan is based is the idea of centers and corridors. Various

locations around the City (22 total), mostly around major intersections, would be identified as neighborhood centers to serve local residents. These centers would all be linked by corridors, notably Burbank Boulevard, Magnolia Boulevard, Olive Avenue, Victory Boulevard, and Glenoaks Boulevard. Perhaps the most significant feature of the centers and corridors concept is the promotion of mixed use commercial/residential development within the neighborhood centers and mixed use and residential development along the corridors between the centers as an alternative to commercial development.

The Planning Board raised concerns about the centers and corridors concept at its August study session. The Council denied the proposed mixed use project at Glenoaks Boulevard and Keeler Street. Both the Planning Board's concerns and the Council's denial of the mixed use project suggest that there is some on-going concern with the centers and corridors concept as currently envisioned for the Land Use Element and the mixed use and residential projects that would result from the proposed goals and policies. Staff is seeking further direction from the Council on this matter.

Recommendation:

Staff recommends that the Council provide direction on the implementation of the proposed TIMS system and on the proposed centers and corridors land use concept.

**6:30 P.M.**

INVOCATION: Reverend Ross Purdy, First Presbyterian Church.  
The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

RECOGNITION: STARLIGHT BOWL SPONSORS.

PROCLAMATION: PROSTATE CANCER AWARENESS WEEK.

PROCLAMATION: DISASTER PREPAREDNESS.

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).

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

At the request of the Burbank representatives to the Airport Authority, an oral report will be made to the City Council following each meeting of the Authority.

The main focus of this report will be issues which were on the Airport Authority meeting agenda of September 19, 2005. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

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 action items on the agenda 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 Action Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

CONSENT CALENDAR: (Items 2 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.

2. MINUTES:

Approval of minutes for the regular meetings of July 5, July 12, July 19 and July 26, 2005.

Recommendation:

Approve as submitted.

3. APPROPRIATION OF STARLIGHT BOWL SPONSORSHIP FUNDS FOR MATERIALS, SERVICES AND SUPPLIES:

The purpose of this report is to request the Council appropriate Starlight Bowl Sponsorship Program funds to the Starlight Bowl Cost Center for expenditures associated with entertainment, marketing and operating materials and supplies, and to amend the Fiscal Year 2005-06 Budget.

The Starlight Bowl Corporate Sponsorship Program presents local businesses with the opportunity to provide financial support for the Starlight Bowl Summer Concert Season. Funds from this program give the City an additional funding mechanism for expenditures associated with Starlight Bowl entertainment, as well as the purchase of marketing materials, operating materials and supplies. This year, the Starlight Bowl Sponsorship Program generated \$40,000 and the Street Banner Program generated \$6,625 for a total of \$47,567 for the 2005 Summer Season. It is requested that this amount be allocated to cover future operating expenses associated with the 2005 and 2006 summer concert seasons.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005 - 2006 BUDGET AND APPROPRIATING FUNDS IN THE AMOUNT OF \$47,567 TO THE STARLIGHT BOWL FOR EXPENDITURES FOR MATERIALS, SERVICES, AND SUPPLIES.

4. APPROVAL OF FISCAL YEAR 2005-06 MEMORANDUM OF UNDERSTANDING WITH THE BURBANK FIRE FIGHTERS – CHIEF OFFICERS UNIT:

The purpose of this report is to request Council approval of the proposed resolution which would adopt a one-year Memorandum of Understanding (MOU) between the City and the Burbank Fire Fighters – Chief Officers Unit (BFF-COU). Staff has adhered to the City's compensation policy which includes the consideration of the condition of the economy as reflected by the Consumer Price Index (CPI); capacity in the City's approved budget; commitment to pay for performance; and, equity in the market place.

Staff has been negotiating with the BFF over the past several months. In August 2005, the City and the BFF-COU reached a tentative agreement on a one-year package. The BFF-COU ratified this agreement, and staff is now requesting Council approval. The negotiated package will provide all BFF-COU members with a 4.5 percent salary increase effective July 1, 2005. This proposal is consistent with the BFF agreement and will provide some relief to the salary compaction problem by increasing the base salary for Battalion Chief by one-half percent more than that provided the Fire Captain. This would increase the spread between a Fire Captain with differentials and a Battalion Chief from 2.04 percent to 6.47 percent.

Salary increases were anticipated in the Fiscal Year 2005-06 budget preparation. However, the funds were not appropriated at the time of budget adoption. As such budget amendments are required to appropriate the necessary funds from the Un-appropriated Fund Balance.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK FIRE FIGHTERS – CHIEF OFFICERS UNIT (BFF -- COU) FOR FISCAL YEAR 2005-2006 AND AMENDING THE FISCAL YEAR 2005-2006 BUDGET.

END OF CONSENT CALENDAR

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**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](http://www.ci.burbank.ca.us)**