

TUESDAY, SEPTEMBER 20, 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 5:14 p.m. by Mr. Vander Borght, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Ramos and Vander Borght.  
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.

5:14 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. 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.

5:45 P.M. Traffic and Transportation Study Session Trip-Based Intensity Measurement Standard Mr. Herrmann, Assistant Community Development Director, Transportation and Planning, gave a brief introduction and stated that staff is in the process of updating the Land Use and Mobility Elements. He added that community meetings and study sessions have been held with the Planning Board and Council to receive input. He noted that the purpose of the study session was to request Council input on the Trip-Based Intensity Measurement Standard (TIMS) and the neighborhood centers concept.

Mr. Kriske, Transportation Analyst, Community Development Department, reported that a major goal of the Land Use and Mobility Elements update has been to integrate land use and

transportation policy to ensure that over the next 20 years, the City can accommodate the traffic generated by current and future development. He noted that pursuant to Council direction, staff has developed a reduced growth preferred land use forecast that balances the ability to accommodate future growth with the need to maintain mobility and good levels of service on the transportation network, while ensuring that the transportation network remains compatible with the community. He added that to help achieve this goal, staff is proposing the TIMS, which attempts to describe new development in terms of its p.m. peak-hour trip generation and creates a density measure based on peak-hour trips and not on building square footage. He explained that this new ratio of trips per 1000 square feet of land area is calculated for each land use designation proposed under the Land Use Element. He noted that when multiplied by a given parcel size within each land use designation, the TIMS rates create a trip budget or threshold for the site in question. He added that any development with a trip generation at or below this trip budget will thus conform to the 20-year land use growth forecast and will be accommodated by the planned long-term improvements to the transportation network. He noted that a property owner wishing to redevelop a parcel can formulate various development scenarios that will have equivalent trip generations. He added that the TIMS rates would be implemented as a zoning development standard and tools would be provided to the development community to allow easy calculation of a trip budget for various uses.

Mr. Kriske then noted the need for exceptions to the base TIMS rate for certain land uses with highly-concentrated trip generations such as banks, convenience stores and high turnover restaurants which may require a discretionary process under the TIMS methodology. He also reported that staff proposed a modification to the environmental review process to accommodate the new TIMS methodology by adding a new threshold to determine whether a traffic study is required of a project. He noted that projects that exceed TIMS would be discretionary and would require a traffic study to determine the project's actual impacts. He also stated that changes to traffic mitigation funding were also being proposed in cases where mitigation for new projects are above and beyond those identified as part of the infrastructure blueprint. He noted that in order to allow a discretionary project that would exceed TIMS, staff is proposing to include an alternative development scenario in the Mobility Element analysis that would allow additional development beyond the reduced growth forecast in the form of a trip reserve similar to the Media District development opportunity reserve.

Mr. Kriske noted that the most significant fiscal impact of implementing the TIMS methodology is to discourage some land uses with high peak-hour trip generation by requiring the uses to perform a traffic study while encouraging uses with low trip generation. He added that other potential economic impacts include delay in redevelopment of parcels with existing density higher than that allowed under TIMS, and a possible increase in the value of the existing denser developments; however, overall, TIMS would not affect the economic viability of any one area of the City.

Mr. Golonski requested clarification with regard to the application of pass-by trip reductions for by-right and discretionary development scenarios with the TIMS methodology.

Mr. Forbes, Senior Planner, Community Development Department, reported that one of the concepts that serve as the foundation of the proposed Land Use Element is the centers and corridors idea. He added that for the updated Land Use Plan, staff has identified different types of centers around the City, including downtown, regional and neighborhood centers. He stated that the centers are connected by corridors, most of which are currently developed with commercial businesses. He explained that the most significant feature of the centers and corridors concept is the promotion of mixed-use development with residential units over commercial businesses, and the promotion of residential development along the corridors between the centers as alternatives to aging commercial development. He added that staff has previously discussed this issue with the Council and the community and has proceeded with creating a Land Use Element based upon this concept.

Mr. Forbes informed the Council that the centers and corridors concept is intended to promote the vision of a balanced community as expressed by residents during the outreach efforts for the Land Use Element update. He added that neighborhood centers are based on new urbanism concepts and are envisioned as pedestrian-friendly destinations with neighborhood serving uses. He noted staff's belief that the neighborhood centers would promote the small-town atmosphere that Burbank residents value, and would further the Council's goal of providing alternatives to private automobiles by encouraging walking and public transit use.

Mr. Forbes stated that residential development along the

corridors would help to support the neighborhood centers by bringing additional residents to the corridors, and residences along the corridors would also promote the use of public transit by providing more riders along transit routes as well as provide additional housing opportunities. He noted that creating additional housing capacity is especially important given the recent decrease in multi-family residential densities across the City. Also, he added that multi-family residential development along the corridors would have the added benefit of being more compatible to the nearby single-family neighborhoods than the existing commercial development, with reduced noise, traffic, parking and other such impacts.

Mr. Forbes informed the Council that on August 8, 2005, the Planning Board held a study session to discuss the centers and corridors concept and several questions and concerns were raised about how effective they would be in helping to achieve their intended goals. He also noted that on August 9, 2005, the Council denied a proposed mixed-use project on Glenoaks Boulevard, and concerns were raised with regard to density, height and setbacks. He noted that the proposed Land Use Plan map, which incorporates the centers and corridors concept, has been finalized and policies for the Land Use Element and the Environmental Impact Report (EIR) are in progress. He stated that any significant changes in policy direction once the draft Land Use Element and EIR are complete could result in substantial delays as the goals and policies of the plan are changed and the EIR is revised accordingly. He stated that staff was therefore seeking additional direction on the concept.

Mr. Vander Borght expressed support for the neighborhood centers concept but stated that he was unable to support the Glenoaks Boulevard project due to its excessive density. He was also not amenable to two-story residential development over the commercial in mixed-use developments, noting the height of the project would be an issue especially in commercial areas that abut R-1 development.

Mr. Campbell concurred with Mr. Vander Borght, noting that the proposed project on Glenoaks Boulevard was too dense. He also noted his preference for more balanced mixed-use projects that provide additional housing while providing an opportunity to renew the commercial aspect and eliminate blight.

Mrs. Ramos stated that her primary reason for voting against the Glenoaks Boulevard project was inadequate circulation, combined with the excessive density. She also expressed concern with three-story-height development along corridors

such as Magnolia Boulevard. She was generally supportive of the neighborhood centers and mixed-use projects.

Mr. Golonski also stated that the Glenoaks Boulevard project was too dense. He expressed support for the neighborhood centers concept but noted that the density has to be compatible with the adjacent neighborhoods. He specifically noted the challenge of residents agreeing to three-story development along the corridors.

Mr. Vander Borght commented on the cost of implementing the new zoning standards and expressed support for staff to proceed.

Mrs. Ramos commented on and expressed support for the form based codes concept proposed by staff.

Mr. Vander Borght expressed concern with the concept of commercial projects not having substantial setbacks in an effort to make them more pedestrian-oriented.

Mr. Campbell commented on the need for setbacks, landscaping and street parking to increase pedestrian friendliness, and emphasized the need to prevent spillover effects of these mixed-use projects from the adjacent residential neighborhoods.

Mr. Golonski stated that while he was supportive of the corridors and centers idea, he was not agreeable to increasing densities to support the concept. He agreed that zero setbacks make sense when creating pedestrian-oriented environments provided there is an adequate right-of-way width.

Mrs. Ramos supported incorporating housing into mixed-use projects but noted the challenges associated with three-story development in areas that are adjacent to single-family residences.

Staff was directed to proceed with the TIMS methodology and the corridors and centers concept, with emphasis on maintaining densities at the absolute minimum.

6:42 P.M.  
Recess

The Council recessed at this time.

Regular Meeting  
Reconvened in  
Council

The regular meeting of the Council of the City of Burbank was reconvened at 6:51 p.m. by Mr. Vander Borght, Mayor.

9/20/05

Chambers

Invocation The invocation was given by Reverend Ross Purdy, First Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Jeanette Meyer, Marketing Manager, Burbank Water and Power.

ROLL CALL

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

Absent - - - - Council Members None.

Also Present - Ms. Alvord, City Manager; Mr. Barlow, City Attorney; and, Mrs. Campos, City Clerk.

301-1 Mayor Vander Borght commented on the success of the 2005 Starlight Bowl Summer Season, and presented Certificates of Recognition to the following sponsors: Bob Hope Airport, Burbank City Federal Credit Union, Burbank Water and Power, Charter Communications, Disney Hand World Outreach for the Walt Disney Company, Dilbeck Realty, First Security Lending, Community Chevrolet, Burbank Leader and Calamigos Ranch.

301-1 Mayor Vander Borght presented a proclamation in honor of Prostate Cancer Awareness Week to Neil Peterson, representing the American Cancer Society.

301-1 Mayor Vander Borght presented a proclamation in honor of Disaster Preparedness Awareness Month to Tracy Pansini, Interim Fire Chief and Rich Baenen, Disaster Preparedness Coordinator.

Reporting on Council Liaison Committees Mr. Campbell reported on the Transit Task Force meeting and commended staff for their efforts.

Mrs. Ramos commented on the completion of Phase I of the Village Walk Project and stated that Phase II was underway. She also commented on the Park, Recreation and Community Services Department's 80<sup>th</sup> Anniversary event she attended.

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	Mr. Vander Borghht called for speakers for the initial open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment were: Phil Berlin, requesting the Council negate the Planning Board's approval of the California Chicken Café; Eden Rosen, on caregivers' awards; James Schad, on disaster preparedness and on losing confidence in the Planning Board; Mark Barton, on previous oral communications comments; Esther Espinoza and David Piroli, on disaster preparedness; and, Mike Nolan, on the accomplishments of Earle Blais with regard to water availability during disasters.
Staff Response	Members of the Council and staff responded to questions raised.
Agenda Item Oral Communications	Mr. Vander Borghht called for speakers for the agenda item oral communications at this time.
Citizen Comment	Appearing to comment were: Esther Espinoza and Howard Rothenbach, on the traffic and transportation study session; Mark Barton, on his sense of humor; Mike Nolan, on disaster preparedness, the case of Burbank v. Sempra Energy and the closed item regarding labor negotiations.
Staff Response	Members of the Council and staff responded to questions raised.
Motion	It was moved by Mr. Campbell and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."
Minutes Approved	The minutes for the regular meetings of July 5, July 12, July 19 and July 26, 2005 were approved as submitted.
702-3 Starlight Bowl Sponsorship Funds	<u>RESOLUTION NO. 27,064:</u> 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,

9/20/05

SERVICES, AND SUPPLIES.

1011-6  
Approve MOU  
with the BFF-  
COU

RESOLUTION NO. 27,065:  
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.

Adopted

The consent calendar was adopted by the following vote:

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

Final Open  
Public Comment  
Period of Oral  
Communications

There was no response to the Mayor's invitation for speakers  
for the final open public comment period of oral  
communications at this time.

Adjournment

There being no further business to come before the Council,  
the meeting was adjourned at 8:00 p.m.

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Margarita Campos, CMC  
City Clerk

APPROVED OCTOBER 13, 2005

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Mayor of the Council  
of the City of Burbank