

TUESDAY, OCTOBER 25, 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 5:09 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; Ms. Scott, Chief Assistant 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:

- a. 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; Unrepresented, and Appointed Officials.  
**Summary of Labor Issues to be Negotiated:** Contracts and Retirement Issues.
- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s):** 1

5:52 P.M. Disaster Preparedness Study Session Mr. Baenen, Disaster Coordinator, Fire Department, presented an assessment of the City's contingency planning and disaster preparedness activities. He stated that the four corners of emergency management are: mitigation; preparedness; response; and, recovery. He added that the Council approved a Disaster Mitigation Plan in February 2005 and the Multi-Hazard Function Plan is in progress. He recalled the most significant and recent local disaster events such as the fires and mudslides, and discussed the readiness enhancements implemented by the City, which include: establishing the Emergency Operations Center; completing a communications upgrade; acquiring a new Hazard Material Unit; and, conducting training in weapons of mass destruction,

10/25/05

Emergency Operation Center procedures, and employee and family training. He added that staff has surveyed the cities of Glendale, Pasadena, Santa Monica, Torrance and Inglewood to assess their preparedness activities and discussed how those activities compare to Burbank in terms of: a disaster multi-functional plan; disaster mitigation plan; food and water supplies; emergency power; Community Emergency Response Team program; disaster preparedness education; and, the zone warden program. He highlighted the City's Disaster Council; community partners; mobile command post; implementation of the new crisis management software; public information efforts through Channel 6, BAM 1620 and the emergency information center; the Community Disaster Volunteer program; disaster public education; and, employee readiness. He also discussed the enhancement opportunities which include: increased disaster public education; acquisition of emergency power generators; acquisition of more supplies and equipment; increased public communication; increased training; and, disaster planning.

Mr. Golonski noted that the City is well prepared but expressed concern with disaster preparedness in the community at large. He suggested that the education efforts be in a simplified format and emphasize some of the most basic steps, and that the City consider purchasing pre-packaged disaster supply kits and providing them to residents at cost.

Mrs. Ramos concurred with providing more education and suggested staff explore the feasibility of a reverse 911 notification program, similar to that established in the City of Long Beach.

Mr. Campbell stated that he considered debris flow plans a priority at the moment, due to the potential for mudslides.

6:31 P.M.  
Recess

The Council recessed at this time.

Regular Meeting  
Reconvened in  
Council  
Chambers

The regular meeting of the Council of the City of Burbank was reconvened at 6:44 p.m. by Mr. Vander Borgh, Mayor.

Invocation

The invocation was given by Reverend Sally Kinarthy, Unity Church of Burbank and North Hollywood.

Flag Salute	The pledge of allegiance to the flag was led by Sister Regina Palamara.
ROLL CALL	
Present- - - -	Council Members Campbell, Golonski, Ramos and Vander Borght.
Absent - - - -	Council Members None.
Also Present -	Ms. Alvord, City Manager; Ms. Scott, Chief Assistant City Attorney; and, Mrs. Campos, City Clerk.
301-1 Recognition of Ira Katz	Mayor Vander Borght presented a Certificate of Recognition to Kim Greenfield, daughter of Ira Katz, and her family, in recognition of Ira Katz's contributions to the Burbank Fire Department.
301-1 BWP Torchiere Program	Mary Forrest, Senior Conservation Advisor, Burbank Water and Power, made a brief presentation on the Burbank Water and Power 2005 Torchiere Lamp Exchange Program. She recognized the John Burroughs High School football team and the Burbank High School Instrumental Music Program for their participation in the program, and presented checks in the amount of \$4,000 to the two programs for their efforts.
301-1 National Immigrants Day	Mayor Vander Borght presented a proclamation in honor of National Immigrants Day to Sister Regina Palamara, Missionary Sister of the Sacred Heart, founded by Saint Cabrini, the patron saint of immigrants.
7:04 P.M. Jt. Hearing with Redev. Agency 804-9 1102 Community Facilities District No. 2005-1	Mayor Vander Borght stated that "this is the time and place for the joint public hearing of the Council of the City of Burbank and the Redevelopment Agency (Agency) of the City of Burbank regarding Community Facilities District No. 2005-1 (The Collection Public Parking Facility). The hearing is to inquire into the formation of the District, the levy of special taxes in the District and the need to incur bonded indebtedness in the District, all of which is to be decided by the City Council. In addition, the Agency is also being asked to consider a resolution related to this item. The hearing provides the public with an opportunity to comment on the City and Agency actions."
Notice Given	The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that no written communications had been received.

Staff  
Report

Mr. Elliot, Interim Financial Services Director, requested that the Council and Redevelopment Agency (Agency) Board approve the actions necessary to form the City of Burbank Community Facilities District (CFD) No. 2005-1, The Collection Public Parking Facility, and the issuance and sale of the 2005 special tax bonds. He reported that the actions include: conducting the public hearing; adopting a Resolution of Formation of the Community Facilities District; adopting a Resolution of Necessity to Incur Indebtedness; adopting a Resolution Calling for the Special Community Facilities District Election; holding the election; introducing an Ordinance Levying the Special Tax; and, adopting Council and Agency resolutions approving the legal and disclosure documents necessary to issue the bonds.

Mr. Elliot recounted that in November 2004, the Council and Agency Board approved an Amended and Restated Owner Participation Agreement (OPA) with Champion Development Group (Champion), as well as the Second Implementation Agreement to the OPA. He described that under the Champion OPA, the developer is required to construct a mixed-use, 118-unit residential and commercial project, which includes a six-level parking structure on the AMC Phase II site. He noted that the parking structure will consist of parking spaces required for the condominium and commercial components of the project, as well as 278 public parking spaces (Parking Facility). He added that the developer is required to pay the costs for all improvements on the Phase II site, including the Parking Facility; however, the Agency is required to provide CFD bond financing that will generate \$5 million in net bond proceeds to finance a portion of the construction costs.

Mr. Elliot explained that CFD bonds, or Mello Roos Bonds, are payable from a special tax on the property owners in the CFD, and noted that property owners are annually taxed, and debt service is made with the taxes collected. He added that under the Champion OPA, upon completion of the Parking Facility, annual debt service on the CFD bonds will be paid from 75 percent of the tax increment generated by the Phase I and Phase II projects in lieu of the CFD special tax. He noted that to the extent that Agency tax increment revenue is insufficient to pay all CFD obligations, annual debt service will be paid from special taxes imposed by the City on certain property in the CFD. He also stated that the Agency's obligation to contribute tax increment will be triggered upon completion of the Parking Facility.

With a visual aid, Mr. Elliot discussed the methods by which

the bond proceeds will be released and the bond debt service structure. He then noted that originally, the bond size was authorized at \$8 million, but the amount has been reduced to \$6,150,000 with a \$250,000 contingency. He added that the \$8 million bond sizing anticipated that the capitalized interest would be included with the bonds; however, capitalized interest will now be funded by Champion.

Mr. Elliot emphasized that the issuance of the CFD bonds imposes no fiscal obligations on the City's General Fund, and gives the added security of imposing special taxes to fund the debt service as a back-up to the pledge of Agency tax increment. He recommended that the Council and Agency Board take the necessary actions to form the CFD, and issue and sell the 2005 special tax bonds.

Citizen  
Comment

Appearing to comment were Mike Nolan, objecting to the lack of accessibility to the Council Chamber as a result of a capacity crowd in the audience, on the AMC having the benefit of the new facility and revenue stream without constructing the required parking structure, and in opposition to incurring bonded indebtedness; and, Michelle Feather, on the lack of the map depicting the proposed Community Facilities District in the agenda material.

7:22 P.M.  
Hearing  
Closed

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

Motion

It was moved by Mr. Golonski and seconded by Mr. Campbell that "the following resolutions be passed and adopted:"

804-9  
1102  
Formation of  
Community  
Facilities Dist.  
No. 2005-1 and  
Levying a  
Special Tax

RESOLUTION NO. 27,098:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK OF FORMATION OF CITY OF BURBANK COMMUNITY FACILITIES DISTRICT NO. 2005-1 (THE COLLECTION PUBLIC PARKING FACILITY), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT AND SUBMITTING LEVY OF THE SPECIAL TAX AND THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT.

804-9  
1102  
Bonded  
Indebtedness

RESOLUTION NO. 27,099:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN CITY OF BURBANK COMMUNITY

10/25/05

Within the  
CFD FACILITIES DISTRICT NO. 2005-1 (THE COLLECTION PUBLIC  
PARKING FACILITY) AND SUBMITTING PROPOSITION TO THE  
QUALIFIED ELECTORS OF THE DISTRICT.

804-9  
1102  
Calling a Special  
Election of the  
CFD RESOLUTION NO. 27,100:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
CALLING SPECIAL ELECTION WITHIN COMMUNITY FACILITIES  
DISTRICT NO. 2005-1 (THE COLLECTION PUBLIC PARKING  
FACILITY).

Adopted The resolutions were adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

Special Election Mayor Vander Borght requested that the City Clerk open the  
ballot of the only landowner in the CFD and announce the  
results of the election.

Election Results Mrs. Campos, City Clerk, reported that the ballot indicated a  
Yes vote on the matter, signed by Craig Ramsey, Executive  
Vice President and Chief Financial Officer. She then completed  
one copy of the Canvass and Statement of Result of Election.

Mayor Vander Borght stated that "the results of the election  
being unanimously in favor of the levy of the special taxes, the  
establishment of the appropriations limit and incurring bonded  
indebtedness, the Council and Agency Board may now proceed  
with the final actions of the CFD."

Motion It was moved by Mr. Golonski and seconded by Mr. Campbell  
that "the following resolutions be passed and adopted, and  
the ordinance be introduced and read for the first time by title  
only and be passed to the second reading:"

804-9  
1102  
Declaring  
Results of RESOLUTION NO. 27,101:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
DECLARING RESULTS OF SPECIAL ELECTION, AND  
DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

## Special Election

804-9 AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK  
 1102 LEVYING SPECIAL TAXES WITHIN CITY OF BURBANK  
 Levying Special COMMUNITY FACILITIES DISTRICT NO. 2005-1 (THE  
 Taxes Within the COLLECTION PUBLIC PARKING FACILITY).  
 CFD

804-9 RESOLUTION NO. 27,102:  
 1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
 Issuance of AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS OF  
 Special Tax THE CITY OF BURBANK FOR CITY OF BURBANK COMMUNITY  
 Bonds FACILITIES DISTRICT NO. 2005-1 (THE COLLECTION PUBLIC  
 PARKING FACILITY), APPROVING AND DIRECTING THE  
 EXECUTION OF A FISCAL AGENT AGREEMENT AND  
 APPROVING OTHER RELATED DOCUMENTS AND ACTIONS.

Redev. Agency Redevelopment Agency Resolution No. R-2140 Approving and  
 Reso Adopted Authorizing the Execution of Documents Pertaining to the City  
 of Burbank Community Facilities District No. 2005-1 (The  
 Collection Public Parking Facility), and Approving Related  
 Actions was adopted.

Adopted The resolutions were adopted and the ordinance introduced by  
 the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

7:27 P.M. Mayor Vander Borght stated that "this is the time and place for  
 Hearing the hearing on the: Second Amendment to Planned  
 1702 Development No. 97-4; Second Amendment to the  
 1704-3 Development Agreement; Amendment of Conditional Use  
 2<sup>nd</sup> Amend. to Permit No. 2001-17; and, Negative Declaration related thereto  
 PD 97-4 and for the Graciela Hotel. Pass Avenue Associates LLC is the  
 CUP 2001-17 owner/ applicant of the Graciela Burbank Hotel located at 322  
 (Graciela Hotel) North Pass Avenue."

Notice The City Clerk was asked if notices had been given as required  
 Given by law. She replied in the affirmative and advised that the  
 City Clerk's Office received three pieces of correspondence on  
 the matter.

Staff  
Report

Mr. Forbes, Senior Planner, Community Development Department, presented a request by Pass Avenue Associates, LLC to amend Planned Development No. 97-4, which controls the development and use of the Graciela extended stay hotel. He noted that the amendment would allow the applicant to add a swimming pool, restaurant and spa/fitness center to the hotel at an undeveloped parcel next to the hotel. With the aid of an aerial photograph, he identified the location of the existing hotel with 99 guest rooms at 322 Pass Avenue, at the corner of Oak Street.

Mr. Forbes informed the Council that the proposed project would include an outdoor swimming pool with poolside cabanas and a two-story structure with a full-service restaurant and spa/fitness center. He added that: the basement of the building would be approximately 1,800 square feet and include mechanical and storage rooms; the first floor would include a 1,900-square foot restaurant with in-door and out-door dining areas and approximately 1,800 square feet of space for restrooms, a reception area and changing rooms for the spa facility; and, the second floor would be approximately 2,000 square feet for the spa and fitness center. With a visual aid, he discussed the project's site plan and noted that access to the swimming pool, restaurant and spa would be through the main hotel entrance only. With regard to operations, he reported that the proposed restaurant and spa would be open to hotel guests and the general public, the swimming pool and cabanas would be available for hotel guests and spa patrons only but would not be open to the general public, and the fitness center would be available for hotel guests only. He added that because the proposed building would include a new fitness center, the existing fitness center on the top floor of the existing hotel building would be converted to a hotel guest room, increasing the total number of hotel rooms to 100. He noted that no other changes are proposed to the existing hotel and no square footage would be added.

Mr. Forbes reported that in addition to amending the Planned Development, the applicant is further requesting to amend Conditional Use Permit (CUP) No. 2001-17, which allows the Graciela to sell alcoholic beverages through room service, from in-room self-service bars, and throughout the hotel including the lobby lounge area. He stated that the applicant is requesting to: expand the scope of the CUP to allow alcohol service in the restaurant, pool and spa; amend the CUP to allow alcohol service beginning at 8:00 a.m. seven days per week; and, remove the sunset provision of the CUP. He explained that under the current conditions, alcohol service



may not begin before 5:00 p.m. on weekdays and 11:30 a.m. on weekends, and the CUP will terminate on January 31, 2008 unless renewed by the Council.

Mr. Forbes noted that the Graciela Hotel has proven itself to be a good neighbor and has had no impacts on the surrounding residential neighborhood. He stated that staff believes that the proposed new building would be in scale with surrounding development and would be compatible with the existing hotel and nearby residential buildings. He also reported that the applicant is not proposing to provide any additional parking spaces as part of the proposed project; however, the applicant is proposing to further limit the number of people that are able to attend meetings or events in the conference rooms of the existing hotel in an amount equivalent to the additional parking that would be required for the restaurant and spa. In this way, the overall parking demand of the hotel facility would remain constant and no additional parking would be required.

Mr. Forbes added that staff is proposing Conditions of Approval that would address parking, traffic, noise and other concerns to ensure that the Graciela would not have any impacts on nearby properties. He acknowledged staff's recommendation that alcohol service be allowed to expand to the restaurant, pool and spa, noting that the Police Department and License and Code Services Division have reported no alcohol-related complaints or calls for service to the hotel. However, he stated that staff did not recommend any changes to the hours of alcohol service nor the sunset provision of the CUP. He noted that the concerns of the Council and the community that led to the hour restrictions and sunset clause have not changed since the CUP was originally adopted, and staff therefore recommended that those restrictions remain.

Mr. Forbes informed the Council that the Planning Board considered the proposed Planned Development and CUP amendments at a public hearing on September 26, 2005, and voted 5-0 to recommend approval of the proposed amendments to the Council, including granting the applicant's request to begin alcohol service at 8:00 a.m. He added that the Planning Board placed an additional Condition of Approval to require more landscaping along Willow Court to soften the appearance of the wall. He also noted receipt of eight letters on the project with six letters in support and two letters expressing concerns with traffic and parking impacts.

Applicant

Robert Zarnegin, Managing Member of the Graciela Burbank,

10/25/05

stated that the Graciela hotel has proven itself to be a good neighbor and has had no impacts on the surrounding residential neighborhood. He requested that the Council remove the hour restriction on the alcohol service and the sunset provision, noting that the provisions present a financing challenge.

Meeting  
Disclosures

Mr. Golonski, Mr. Vander Borght, Mrs. Ramos and Mr. Campbell disclosed their meetings with the applicant and/or their representatives.

Citizen  
Comment

Appearing to comment in support of the project were: Kathy Schmidt; Bob Olson; and, Margaret Nicolson. Commenting in opposition to the project were: Phil Berlin; Carolyn Berlin; and, Mike Nolan. Also, David Piroli, requested clarification on the amenities and parking impacts; Esther Espinoza expressed concern with the project; Mark Barton, commented on the Council's deliberative process; Eden Rosen, expressed concerns with the sale of alcohol beginning at 8:00 a.m.; and, Dr. Theresa Karam, expressed concerns with enforcement of parking provisions.

Rebuttal by  
Applicant

Mr. Zarnegin noted that: parking at the hotel is all valet and free of charge and no parking issues are anticipated; the location of a daycare center in close proximity to the hotel has not been a problem with regard to the sale of alcohol and noted that the daycare center is in support of the project; two community meetings have been held on the project; and, two parking studies have indicated that there is more than adequate parking even if the hotel was at 100 percent occupancy.

Staff  
Rebuttal

Mr. Forbes responded to public comment with regard to: the community meetings held by the applicant; notices given to the public indicating that the project included the restaurant; the restaurant's capacity and availability of adequate parking; use of the spa/fitness center facility; and, the sunset provision of the CUP.

Hearing  
Closed

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

Council  
Deliberations Mr. Golonski commented on the restaurant’s capacity and parking availability, and expressed support for the project, extending the alcohol sale hours and removing the sunset provision of the CUP.

Mr. Campbell and Mr. Vander Borcht expressed support for the project, were agreeable to extending the alcohol sale hours but were in favor of maintaining the sunset provision of the CUP.

Mrs. Ramos expressed support for the project but objected to extending the alcohol sale hours and removing the sunset provision of the CUP.

Following deliberation, the Council approved the amendment to the CUP Conditions of Approval to allow alcohol service beginning at 8:00 a.m. seven days per week but maintained the sunset provision of the CUP. The Council did not make any amendments to the Planned Development Conditions of Approval.

Motion It was moved by Mr. Campbell and seconded by Mr. Golonski that "the following resolutions be passed and adopted and the ordinance be introduced and read for the first time by title only and be passed to the second reading:"

1702  
1704-3  
Adopt Neg. Dec.  
To PD 97-4 and  
CUP 2001-17  
(Graciela Hotel)

RESOLUTION NO. 27,103:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A NEGATIVE DECLARATION FOR THE SECOND AMENDMENT TO THE PLANNED DEVELOPMENT NO. 97-4, SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT AND AN AMENDMENT TO CONDITIONAL USE PERMIT 2001-17 (Graciela Hotel – 312 and 322 Pass Avenue, Pass Avenue Associates, LLC, Applicant).

1702  
1704-3  
Amending PD  
97-4 and  
Approve 2<sup>nd</sup>  
Amend to PD for  
Graciela Hotel

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING PLANNED DEVELOPMENT ZONE NO. 97-4 AND APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT NO. 97-4 (Graciela Hotel – Applicant: Pass Avenue Associates, LLC).

1702  
1704-3  
Amending CUP  
2001-17

RESOLUTION NO. 27,104:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CONDITIONAL USE PERMIT NO. 2001-17 (Graciela Hotel – 322 Pass Avenue, Pass Avenue Associates, LLC,

10/25/05

(Graciela Hotel) Applicant).

Adopted The resolutions were adopted and the ordinance introduced by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

Reporting on Closed Session Ms. Scott, Chief Assistant City Attorney, reported on the items considered by the City Council and the Redevelopment Agency during the Closed Session meetings.

9:06 P.M. Recess The Council recessed at this time. The meeting reconvened at 9:11 p.m. with all members present.

Initial Open Public Comment Period of Oral Communications Mr. Vander Borght called for speakers for the initial open public comment period of oral communications at this time.

Citizen Comment Appearing to comment were: Barry Poole, International Brotherhood of Electrical Workers Local 18 representative, expressing strong support for enhanced retirement options; Anna May Nelson, announcing a vigil commemorating the death of 2,000 service men and women in the war in Iraq; Dr. David Gordon, announcing his campaign website and commenting on amendments to development agreements; Mark Barton, showing a videotape depicting the City's official seal; Ellie Knapp, President of the Burbank Management Association, in support of enhanced retirement options; Bob Kaczmarek, President of the Burbank City Employees Association, in support of enhanced retirement options; Eden Rosen, on Alzheimer's issues; Phil Berlin, announcing Dr. Gordon's campaign website; Theresa Karam, in support of Dr. Gordon's candidacy; Mike Nolan, in support of granting enhanced retirement options for City employees; and, Esther Espinoza, on damage she sustained as a result of an accident.

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

Agenda Item Oral Communications	Mr. Vander Borght called for speakers for the agenda item oral communications at this time.
Citizen Comment	Appearing to comment were Esther Espinoza, on the Child Care Committee appointments; and, Mike Nolan, on the Council Chamber overflow process.
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 September 27 and October 4, 2005 were approved as submitted.
1204-1 Final Tract Map No. 60668	<u>RESOLUTION NO. 27,105:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE FINAL MAP OF TRACT NO. 60668 (461-473 East Magnolia Boulevard).
1007-1 1009-1 Establish Spec. of Transportation Services Mgr.	<u>RESOLUTION NO. 27,106:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND CLASSIFICATION OF TRANSPORTATION SERVICES MANAGER (CTC No. 0960) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.
1007-1 1009-1 Finance Mgr./ BWP to Financial Accounting Mgr./BWP to Facilities Maint. Manager	<u>RESOLUTION NO. 27,107:</u> A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RE-TITLING THE SPECIFICATION FOR THE CLASSIFICATION OF FINANCE MANAGER/BWP TO FINANCIAL ACCOUNTING MANAGER/BWP (CTC No. 0345) TO FACILITIES MAINTENANCE MANAGER (CTC No. 0345)
Adopted	The consent calendar was adopted by the following vote:

10/25/05

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

203-6  
Child Care  
Committee  
Appointments

Mr. Thomas, Recreation Services Manager, Park, Recreation and Community Services Department, requested that the Council approve and appoint the 2005-06 Child Care Committee members for a one-year term. He reported that pursuant to the by-laws of the Burbank Child Care Committee, appointments are recommended by current Committee members and forwarded to the Council for approval. He added that an announcement requesting interested individuals to apply for consideration for appointment was published in the Burbank Leader. He noted that while the by-laws do not limit the number of individuals who may serve, 11 applications were submitted to the City Clerk's Office.

Mr. Thomas reported that the Child Care Committee appoints its own advisory members to broaden the Committee's representation, and stated that the current members include: Gail Dover, Child Care Professional; Carol Davis-Perkins, The Walt Disney Company; Sharon Feldman, Warner Bros.; Gail Reisman, Attorney/Parent; Jose Delgado, Regional Child Care Advocate; and, Roland Armstorff, parent and former Horace Mann Children's Center parent representative.

Mr. Thomas requested the Council appoint the following candidates to the Child Care Committee for a one-year term: Goldie Bemel, Burbank Unified School District; Yvette Coontz, St. Anne's Maternity Home, Chief Financial Officer; Mildred Engel, Retired Educator; Annabelle Godwin, Retired Provider, College Instructor; Barbara Gunderson, The Walt Disney Company, Work and Family Specialist; Harkmore Lee, Burbank YMCA; Carol Miller, Pre-school Director; Deane Phinney, Retired Provider/Administrator; Nancee Rodriguez, Child Care Professional; Shanna Vaughan, Boys and Girls Club Director; and, Helen von Seggern, Retired Educator.

Motion

It was moved by Mrs. Ramos, seconded by Mr. Campbell and carried that "the Council appoint the recommended applicants."

1704  
View Protection  
Ordinance

Mr. Forbes, Senior Planner, Community Development Department, stated that in July 2003, the Council directed staff to proceed with a study of options for adopting a view protection ordinance that would preserve scenic views in the

hillside area. He added that in July 2004, the Council directed staff to proceed with a view protection ordinance in three phases: 1) structure regulations; 2) vegetation regulations; and, 3) specific limitations on view obstruction. He reported that the first phase was completed in conjunction with the revisions to the development standards for the R-1 Single-Family Residential Zone. He added that in May 2005, the Council adopted new hillside development standards in conjunction with the amended standards for the R-1 Zone Citywide, which provide the City with discretion to modify or deny a proposed hillside house project if it would obstruct scenic views from neighboring properties. He noted that however, the standards do not constitute a view protection ordinance, in that they do not clearly define views or provide direction on which views or portions thereof must be protected. He added that the standards also deal strictly with structures and do not address trees or other vegetation.

Mr. Forbes reported that the second phase of the view protection ordinance could include a variety of controls on vegetation including limitations on tree and bush height and species selection. He noted that one approach to vegetation issues is the creation of a mediation or arbitration process for property owners to resolve disputes about vegetation. He explained that as with the first phase, staff would hold an initial community meeting to identify residents' general concerns and introduce all available options, and a follow-up meeting where specific options will be discussed in detail and input received on the options.

Mr. Forbes stated that the most significant aspect of the third phase, creating view protection regulations, would be to define the views to be protected, and to set limitations on the amount of view obstruction that would be considered acceptable. He noted that this is the most complicated and controversial issue in view protection due to the wide variety of property locations, orientations and corresponding views across the hillside.

Mr. Forbes reported that staff recommended proceeding with the second phase of the view protection ordinance and delaying the third phase, pending further evaluation of the results of the first phase and completion of the second phase.

Mrs. Ramos requested clarification with the City's enforcement of the covenant, conditions and restrictions regarding view protection, and expressed interest in assessing citizens' interest in this effort.

Staff was directed to proceed with the second phase of the view protection ordinance and to delay the third phase,

10/25/05

pending further evaluation of the results of the first phase and completion of the second phase.

10:04 P.M.  
Reconvene  
Redev. Agency  
Meeting

The Redevelopment Agency meeting was reconvened at this time.

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.

301-2  
Memorial  
Adjournment

There being no further business to come before the Council, the meeting was adjourned at 10:08 p.m. in memory of Ira Katz.

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Margarita Campos, CMC  
City Clerk

APPROVED NOVEMBER 22, 2005

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Mayor of the Council  
of the City of Burbank