

TUESDAY, NOVEMBER 8, 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 5:07 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.

5:08 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 possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 1

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:52 p.m. by Mr. Vander Borght, Mayor.

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

Flag Salute The pledge of allegiance to the flag was led by Jim Wilsey.

ROLL CALL

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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  
World War II  
Veterans Mayor Vander Borght recognized the following World War II Veterans: Henry Morris Amira; Henry Calderon; Bernard Jacobsen; Ken Johnson; and, George Kaufman. He commended them for their service and bravery in defending the country during World War II, and expressed richly-deserved gratitude to them.

301-1  
World Town  
Planning Day Mayor Vander Borght presented a proclamation in honor of World Town Planning Day to Greg Herrmann, Assistant Community Development Director/Transportation and Planning.

301-1  
Burbank  
Temporary Aid  
Center Week Mayor Vander Borght presented a proclamation in honor of Burbank Temporary Aid Center Week to Barbara Howell, Executive Director of the Burbank Temporary Aid Center.

Reporting on  
Council Liaison  
Committees Mr. Vander Borght reported on the Community Services Building Committee meeting he attended with Mr. Campbell regarding an Art in Public Places piece for the project.

Mr. Vander Borght requested an update on the Police Department's recruitment efforts, Chief Hoefel responded.

406  
Airport  
Authority  
Meeting Report Commissioner Wiggins reported on the Airport Authority meeting of November 7, 2005. He stated that the Authority: approved a change of ownership to the Hertz Corporation Non-Exclusive Automobile Rental Lease and Concession Agreement month-to-month lease; awarded a contract in the amount of \$1,190,000 for Bid Schedule 2005-22, Residential Acoustical Treatment Program Module 8.3, including 21 homes in Burbank and eight homes in Sun Valley; and, approved the acquisition of an interactive safety training system at cost of \$155,900. He also provided an update on the voluntary curfew adherence.

7:27 P.M.  
Hearing The Council received the report.  
Mayor Vander Borght stated that "this is the time and place for the hearing on Project No. 2005-51, a Zone Map Amendment,

1702 ZMA 2005-51 – 1112-1118 W. Burbank Blvd.	a General Plan Amendment and related Negative Declaration, to consider a request to allow a zone change for a section of the property at 1112-1118 West Burbank Boulevard from Limited Industrial (M-1) to Burbank Center Commercial Manufacturing (BCCM) and a General Plan designation change from Restricted Industry to Mixed Commercial/Office/Industrial.”
Meeting Disclosures	There were no meeting disclosures.
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	<p>Ms. Shavit, Assistant Planner, Community Development Department, presented a request by David Augustine, for a Zone Map Amendment (ZMA) and General Plan Amendment (GPA) to allow a zone change for a section of the property at 1112-1118 West Burbank Boulevard. She reported that the proposed zone change is necessary to permit the proposed retail use. She stated that on October 10, 2005, the Planning Board voted 4-0 to approve the applicant’s request for a Development Review to construct a 5,884-square foot retail building with a 21-space parking lot. She added that the subject site consists of two lots zoned Burbank Center Commercial Manufacturing (BCCM) and a rear lot zoned Limited Industrial (M-1). She noted that retail use is permitted in the BCCM Zone but prohibited in the M-1 Zone. She clarified that in order to allow for a retail use on the entire property, a zone change from BCCM to M-1 is necessary.</p> <p>With regard to the General Plan Amendment, Ms. Shavit reported that a General Plan designation change from Restricted Industry to Mixed Commercial/Office/Industrial is requested. She noted that the amendment is required to maintain consistency with the zoning designation. She also informed the Council that the on-going Land Use Element update proposes to allow retail uses within the industrial zone between Burbank Boulevard and Chandler Boulevard. She stated that staff recommended approval of the request.</p>
Applicant	David Augustine, applicant, requested the Council approve the proposed Zone Map and General Plan amendments.
Citizen	There was no response to the Mayor’s invitation for citizen

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Comment comment.

Council Deliberations Mr. Campbell inquired as to the uses surrounding the subject site and expressed concerns with potential environmental impacts. Mr. Augustine responded that the site is currently vacant and the adjacent uses are parking lots.

Mr. Golonski noted the need for adequate width at the front of the property for sidewalk purposes, and Mrs. Forbes, Deputy City Planner, responded that Transportation Division staff determined that there is adequate right-of-way on Burbank Boulevard and additional dedication was not necessary.

7:39 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 Mrs. Ramos and seconded by Mr. Campbell that "the following ordinance be introduced and read for the first time and the resolutions be passed and adopted:"

1702 Approve ZMA 2005-51 (1112-1118 W. Burbank Blvd.) AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING ZONE MAP AMENDMENT FOR PROJECT NO. 2005-51 (1112-1118 West Burbank Boulevard; Applicant: David Augustine).

1702 Adopt a Neg. Dec. for ZMA 2005-51 RESOLUTION NO. 27,110:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A NEGATIVE DECLARATION FOR PROJECT NO. 2005-51 GENERAL PLAN AMENDMENT AND ZONE MAP AMENDMENT.

1702 Approve GPA No. 2005-51 RESOLUTION NO. 27,111:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING GENERAL PLAN AMENDMENT RELATING TO PROJECT NO. 2005-51.

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

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

Noes: Council Members None.

Absent: Council Members None.

Reporting on Closed Session	Mr. Barlow reported on the items considered by the City Council during the Closed Session meeting. He noted that the Council may adjourn to a Closed Session meeting, but he did not anticipate that any further reporting out would be necessary after such continuation.
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: Maureen Spagnolo, on behalf of North Frederic Street residents, regarding a request for speed bumps; Dr. David Gordon, in support of enhanced retirement plans for City employees; Esther Espinoza, on safety improvements; Mike Nolan, in support of the enhanced retirement plans for City employees; Eden Rosen, reporting on a recent caregivers conference; and, R. C. Chappy Czapiewski, on the Airport Authority Commissioners' representation.
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: Marianna Walton, on the Hazard Elimination Safety grant and on the quiet zone rule; Esther Espinoza, on safety improvements at railroad crossings; R. C. Chappy Czapiewski, on the P-38 Association and display at Bob Hope Airport; Mark Barton, on the Bob Hope Airport logo; Mike Nolan, on ownership of the land of the former Police Headquarters and in support of enhanced retirement plans for City employees; and, David Piroli, on the proposed safety improvements at two railroad crossings.
Staff Response	Members of the Council and staff responded to questions raised.

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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 October 11 and October 18, 2005 were approved as submitted.

1211 Five-Year Weed Abatement Svcs. Agmt. RESOLUTION NO. 27,112:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE RENEWAL OF A FIVE-YEAR WEED ABATEMENT SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND THE COUNTY OF LOS ANGELES DEPARTMENT OF AGRICULTURAL COMMISSIONER/WEIGHTS AND MEASURES.

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.

202-4 Board of Library Trustees Appointment Mrs. Campos, City Clerk, requested the Council make an appointment from the qualified applicants to fill one unexpired term on the Board of Library Trustees. She stated that the term of the vacancy, created by the resignation of Susan Bowers, ends on June 1, 2007. She reported that the City Clerk's Office began advertising and accepting applications to fill the vacancy on September 20, 2005, and as of the October 31, 2005 deadline, two applications were received from John Kossakian and Nancy Anne Lacher.

Motion It was moved by Mrs. Ramos, seconded by Mr. Campbell and carried that "Nancy Anne Lacher be appointed to fill the unexpired term ending on June 1, 2007."

804-3 Hazard Elimination Safety Program Grant Mr. Johnson, Assistant Public Works Director/Traffic Engineer, requested Council approval to accept a Hazard Elimination Safety (HES) Grant to improve two railroad grade crossings on Buena Vista Street and amend the Fiscal Year 2005-06 budget to include this project. He reported that the HES Grant program provides funds for safety improvements on any public transportation facility, including roadway, bicycle, pedestrian and railroad grade crossing systems. He noted that the Federal grant program is administered by the California Department of

Transportation and eligible projects are funded up to 90 percent of the design and construction costs, with a maximum grant amount of \$360,000.

Mr. Johnson reported that potential improvements for the Buena Vista Street crossing at Vanowen Street include the following: blank-out turn prohibition signs at the traffic signal to advise drivers not to cross the tracks when a train approaches; a raised center median on Buena Vista Street north of the tracks to improve traffic channelization in the southbound direction; an additional traffic signal in the center median to improve visibility of the traffic control for southbound drivers; additional railroad crossing protection gates for the southbound departure lanes at the tracks and the left-turn movements from Vanowen Street; an additional southbound right-turn traffic lane to Vanowen Street; and, dual left-turn lanes on Vanowen Street to northbound Buena Vista Street.

Mr. Johnson informed the Council that the following design elements are proposed for the Buena Vista Street crossing at San Fernando Boulevard: blank-out turn prohibition signs at the traffic signal to advise drivers not to cross the tracks when a train approaches; pre-signals for the southbound direction to stop vehicles prior to the tracks to prevent queuing on the tracks; sidewalk improvements, removal of guardrail and installation of pedestrian barriers to increase safety of pedestrians north of and crossing the railroad tracks; and, extension of the center median on the north side of the tracks to improve southbound traffic channelization.

With regard to the quiet zone, Mr. Johnson reported that the Federal Railroad Administration recently instituted a final rule for the establishment of quiet zones. He noted that these zones can be established at railroad grade crossings if adequate safety devices are installed to prevent motorists from circumventing closed gates. He noted that generally, the safety devices include quad-gates, medians, cul-de-sacs and street closures. He noted that a minimum of two miles are necessary to establish a quiet zone. He added that the current safety improvements at Vanowen Street and Clybourn Street do not meet all requirements for a quiet zone and additional features will be necessary.

Mr. Johnson noted that since the proposed improvements require approval by the California Public Utilities Commission, Union Pacific Railroad and Southern California Regional Rail Authority, staff would utilize that opportunity to discuss with those entities what additional elements can be incorporated into the design to qualify for a quiet zone. He also reported

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that one of the possible elements of a quiet zone is a wayside horn. He explained that the horn is installed at a grade crossing for use as an alternative to a train horn. He noted that the horn targets the motorists crossing the tracks and is quieter for the neighborhood; however, in addition to its estimated cost of approximately \$50,000, there are communication devices necessary such that a train can be detected as far as 30 seconds away from the crossing as opposed to 20 seconds for the current system. He noted that extending the detection system approximately 1,200 feet will cost approximately \$100,000. He stated that the overall cost of installing a wayside horn is estimated between \$175,000 and \$200,000, and cannot be funded by safety improvement grants since it is categorized as an environmental improvement. He noted that staff will determine the actual cost and requirements for establishing a quiet zone and installing a wayside horn, and grant opportunities will be pursued to fund the improvements.

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

804-3  
Hazard  
Elimination  
Safety Program  
Grant

RESOLUTION NO. 27,113:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET TO APPROPRIATE \$440,000 AND TO ACCEPT GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE BUENA VISTA STREET RAILROAD GRADE CROSSINGS IMPROVEMENT PROJECT.

Adopted The resolution 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 Mr. Vander Borght called for speakers for the final open public comment period of oral communications at this time.



Citizen Comment            Appearing to comment was Mark Barton, on the Bob Hope Airport logo.

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 9:21 p.m. to a Closed Session on the following. The Closed Session adjourned at 11:10 p.m.

- 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 possible plaintiff):  
      Pursuant to Govt. Code §54956.9(c)  
      **Number of potential case(s):** 1

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Margarita Campos, CMC  
City Clerk

APPROVED DECEMBER 6, 2005

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Mayor of the Council  
of the City of Burbank