



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, JANUARY 31, 2006
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)
Name of Case: City of Burbank vs. Sempra Energy Trading Corp.
Case No.: CV 05-5448 GPS
Brief description and nature of case: Breach of Contract Regarding Sales of Electrical Energy.
- b. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):
Pursuant to Govt. Code §54956.9(b)(1)
Number of potential case(s): 5
- c. 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: Unrepresented and Appointed Officials.
Summary of Labor Issues to be Negotiated: Contracts and Retirement Issues.
- d. Public Employee Performance Evaluation:
Pursuant to Govt. Code §54957 and 54957.6
Title of Employee's Position: City Manager and City Attorney.

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.

6:30 P.M.

INVOCATION:

The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

RECOGNITION: APPOINTMENT OF NEW FIRE CHIEF PANSINI.

PRESENTATION: MUNICIPAL INFORMATION SYSTEMS ASSOCIATION OF CALIFORNIA AWARD OF EXCELLENCE.

PRESENTATION: LOS ANGELES COUNCIL MEMBER TOM LABONGE.

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).

6:30 P.M. JOINT PUBLIC HEARING WITH THE REDEVELOPMENT AGENCY:

- 1. CONSIDERATION OF A PROPOSAL TO LEASE RESIDENTIAL PROPERTIES OWNED BY THE BURBANK REDEVELOPMENT AGENCY LOCATED AT 313 AND 427 WEST VALENCIA AVENUE TO THE BURBANK HOUSING CORPORATION FOR THE PURPOSE OF PROVIDING AFFORDABLE RENTAL HOUSING OPPORTUNITIES:

The purpose of this report is to provide information to the Redevelopment Agency (Agency) Board on a proposal to lease residential properties owned by the Agency located at 313 and 427 West Valencia Avenue (Valencia Properties) to the Burbank Housing Corporation (BHC) for the purpose of providing affordable rental housing opportunities. BHC proposes to rehabilitate the Valencia Properties with Agency financial assistance and use the properties to provide affordable rental housing

opportunities for very low and low-income households.

In May 1999, the Agency purchased a single-family home located at 427 West Valencia Avenue using \$221,899 of Housing Set-Aside Funds. In June 1999, the Agency purchased a four-unit apartment building located at 313 West Valencia Avenue using \$344,155 of Housing Set-Aside Funds. Since acquiring the Valencia Properties in 1999, the Agency has maintained their use as affordable housing.

Staff is proposing to enter into Disposition and Development Agreements (DDAs) and long-term lease agreements with BHC to rehabilitate the properties for use as affordable rental housing for very low and low-income households for a period of 55 years.

BHC hired a professional licensed contractor and certified building inspector to assess the properties' condition and to determine a scope of rehabilitation appropriate for the long-term use of the residential units. In addition, BHC reviewed environmental site assessments of the properties previously attained by the Agency. Based upon these inspections and reports, the proposed rehabilitation work for both properties is estimated to cost approximately \$220,000. BHC is proposing to perform the rehabilitation with financial assistance from the Agency.

To perform the rehabilitation, it will be necessary to relocate the current residents of the Valencia Properties. Agency staff has contracted with Overland, Pacific & Cutler, Inc. (OPC), an experienced acquisition and relocation firm, to prepare the Valencia Properties Relocation Plan (Relocation Plan) and provide professional relocation assistance to households that are displaced from the Valencia Properties. The total actual amount of relocation assistance that may be necessary to relocate the four households has not yet been determined, but is estimated to be \$120,000.

The properties will be reserved for very low-income and low-income households and rented to tenants at the statutorily-established affordable rents. However, at this time, it is difficult to identify the ultimate mix of very low and low-income households that will reside in the properties. To ensure that no tenant will be required to pay more than the defined affordable rent for their unit, staff proposes to establish a rent subsidy reserve that BHC may use to stabilize rental income to ensure that operating expenses are attained. The rent subsidy reserve will be established as part of the DDAs for each property in the form of a grant available to BHC. The maximum amount of rent subsidy that may be necessary during the first five years of operation is approximately \$75,000 or \$15,000 annually. Therefore, staff is proposing that the Agency establish a rent subsidy reserve account of \$75,000 for the first five years of operation of the Valencia Properties. If sufficient revenues are generated during the initial five years of operation, BHC will use excess revenues to build up a long-term reserve account that will replace the Agency rent subsidy reserve after the fifth year of operation.

The proposed DDAs between the Agency and BHC will allow for lease of the Agency-owned properties to BHC for a period of 55 years at a lease rate of one dollar per year per property until such time as the Agency loan is fully repaid and 100 percent of the residual receipts generated by the properties thereafter. Lease of the properties in lieu

of sale will enable the Agency to retain ownership of the properties for possible future reuse. If necessary, the Agency will be responsible for relocating the existing tenants at the properties at an estimated cost of \$120,000. The Agency will provide a loan to BHC in the amount of \$220,000 to rehabilitate the properties. The terms of this loan are proposed to be three percent simple annual interest and BHC agrees to repay the loan over the 55-year term from residual receipts generated by the properties. Repayment of the Agency loan is contingent upon the project generating sufficient cash flow to fulfill the obligation within the 55-year term. The Agency will also establish a rent subsidy reserve in the amount of \$75,000 for the first five years of the properties' operation that BHC may use to subsidize tenant rents.

There are currently sufficient funds in the Low & Moderate Income Housing Unappropriated Fund Balance for this project. Staff recommends approving the Valencia Properties Relocation Plan, the DDAs for 313 West Valencia Avenue and 427 West Valencia Avenue and adopting the related resolutions.

Recommendation:

Adoption of proposed City Council resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK TO SELL OR LEASE SMALL HOUSING PROJECTS.

Adoption of proposed Redevelopment Agency resolutions entitled:

1. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE AGENCY AND BURBANK HOUSING CORPORATION FOR 313 WEST VALENCIA AVENUE.
2. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE AGENCY AND BURBANK HOUSING CORPORATION FOR 427 WEST VALENCIA AVENUE.

Adoption of proposed City Council resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A RELOCATION PLAN FOR THE RELOCATION OF RESIDENTS DISPLACED AS A RESULT OF THE REHABILITATION AND LEASING OF 313 AND 427 WEST VALENCIA AVENUE.

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET BY APPROPRIATING \$415,000 FOR THE PURPOSE OF FUNDING THE VALENCIA PROPERTIES LEASE PROJECT.

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:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY AND PARKING AUTHORITY:

2. THE COLLECTION PROJECT – APPROVAL OF FINAL MAP AND RELATED AGREEMENTS:

The purpose of this report is to request the Council, Redevelopment Agency Board (Board) and Parking Authority consider Final Map No. 62742 and various documents related to the Collection Project.

On November 23, 2004, the Council and Board approved an Amended and Restated Owner Participation Agreement (OPA) with Champion Development, Inc.; a Second Implementation Agreement to the OPA with Burbank Entertainment Village, LLC-AMC; and, other documents relating to the proposed development of the Phase II site of the Burbank Entertainment Village Project by Burbank Collection, LTD., a California limited partnership formed by Champion Development, Inc.

Under the Champion OPA, the Developer is required to purchase the Phase II site from Burbank Entertainment Village, LLC (AMC) contingent upon the simultaneous closing of approved bonds to help finance the Phase II parking structure. The Developer is then required to construct a mixed-use project which includes 118 residential units, approximately 40,000 square feet of commercial uses and a six-level parking structure on the Phase II site. The parking structure will consist of parking spaces required for the residential condominium and commercial components of the project and 278 public parking spaces.

In preparation for the close of escrow and start of construction, various legal and construction-related documents are required for the implementation of the project and subsequent sale of the public parking component to the City. These agreements are summarized as follows:

Reciprocal Easement and Shared Maintenance Agreement. This is an agreement between the City and Burbank Collection, Ltd. which describes the responsibilities of both parties regarding the joint use, operation, management and maintenance of the Phase II parking structure upon its completion.

Subdivision Improvement Agreement. Final Map No. 62742 authorizes the subdivision of the Collection at Downtown Burbank Project, previously approved as Planned Development No. 2003-2, into condominium units. The map subdivides the project into five modules, including; a residential component; commercial component; public and private parking components; and, common area. The map shall have a maximum of 118 residential condominium units. Pursuant to the Burbank Municipal Code (BMC) Section 27-323, (approval of Tentative Map for Condominiums by the Director of Community Development) the Vesting Tentative Tract Map was approved on April 21, 2005. In order for Final Tract Map No. 62742 to be approved (prior to start of construction for the Phase II project), the Council must find that all conditions of the tentative map have been substantially met. Since all of the conditions, except for public improvements, have been

substantially met, a Subdivision Improvement Agreement is required. Burbank Collection, Ltd. (as the new property owner) must enter into a Subdivision Improvement Agreement with the City and deliver a bond in an amount as determined by the Public Works Director to guarantee the completion of all off-site improvements placed on this development (BMC 27-604). The bond amount is estimated at \$517,634.

Right of Entry Agreement (Six Spaces in the Orange Grove Structure). In order to help facilitate the timely construction of the Phase II parking structure, Burbank Collection, Ltd. is proposing to utilize six parking spaces in the lower level of the Orange Grove parking structure until the Phase II parking structure is completed. These spaces would be fenced off, secured and used for the storage of tools and other smaller items that would otherwise need to be carried to the site from off-site parking areas. This agreement between the Parking Authority and Burbank Collection, Ltd. will terminate upon the completion of the Phase II parking structure.

Encroachment Agreement (First Street Construction Staging). During the construction of Phase II improvements, the developer proposes to utilize three travel lanes on First Street as a construction staging area (approximately 70-72 feet wide) including the location of the construction trailer. The developer will also utilize the sidewalk area (along First Street) located adjacent to the site. This has been identified as the only available area for staging adjacent to the construction site since there are existing improvements surrounding the remaining portions of the project. Since this work will involve the temporary closure of portions of First Street and adjacent sidewalk area, the developer is required to enter into an Encroachment Agreement with the City for this purpose.

Leases for 57 East Palm and Lot O (Construction Storage and Staging). This involves two separate lease agreements between Burbank Collection, Ltd., the Parking Authority and Redevelopment Agency which allows the developer to utilize Agency-owned property located at 57 East Palm Avenue and Lot O, a City-owned parking lot located at 30 East Palm Avenue (along Interstate 5 at the end of Palm Avenue) for construction-related office, design and staging uses as well as limited parking for construction trade workers. The Agency-owned property located at 57 East Palm Avenue is 7,750 square feet and is currently improved with a 3,000 square foot storage building. It would be leased to the developer for \$2,325 per month. The City-owned property (parking Lot O) is currently striped for 13 parking spaces and would be used by the developer for limited construction parking only. This property would be leased to the developer for \$1,530 per month. Both lease rates are based on the cost of an encroachment permit at one cent per square foot of land area per day since these areas are being used by the developer based on the limited availability of construction staging and storage area located adjacent to the project site. These lease rates are within fair market value and the lease agreements would terminate upon the completion of construction.

Tie Back Agreement (Construction Shoring). The developer is requesting the right to construct tie-backs to shore the Phase II property during construction. Although shoring (i.e. excavation, soldier piles, lagging, walls, waterproofing, foundation drains, sumps and backfill) is planned to lie completely within the Phase II property, shoring ties to stabilize

the work will be required to be drilled beneath adjacent properties. This work requires a joint agreement between Burbank Collection Limited, Ltd., the City and Parking Authority.

Preservation of Rights Agreement (AMC). Once Burbank Entertainment Village, LLC (AMC) sells the Phase II site to Burbank Collection, Ltd., the existing parking and signage rights AMC currently has in the Orange Grove parking structure under the 1991 Parking Easement Agreement automatically transfer to Burbank Collection, Ltd., who will also become responsible for the payment of the proportional share of maintenance costs formerly paid by AMC. Therefore, an agreement between Burbank Entertainment Village, LLC (AMC) and the Parking Authority is proposed which allows AMC to continue to retain existing parking and signage rights in the Orange Grove parking structure and to pay towards the annual maintenance costs within this structure.

Parking Maintenance Agreement (Champion). This is an agreement between Burbank Collection Ltd. and the Parking Authority regarding the developer's responsibilities for parking maintenance costs for its proportional share of parking spaces under the 1991 Parking Easement Agreement for the Orange Grove parking structure during the construction of the Phase II project.

Orange Grove Parking Structure Easement. The developer proposes at-grade vehicular and pedestrian access to the Phase II parking structure through the existing Orange Grove parking structure and in the area located directly between the two parking structures which will also be improved. This requires an agreement between the Parking Authority and Burbank Collection, Ltd. which provides easements for pedestrian and vehicular access for this purpose.

Implementation of the Collection Project also involves items related to title, the assignment of the Phase II parking structure to the Parking Authority and early use of the Phase II parking structure by the public once the Phase II parking structure is completed.

These agreements are required to implement the provisions approved under the Champion OPA and do not represent a cost to the City or Agency. However, it is anticipated that the City and Agency will receive approximately \$1,530 (Parking Lot O) and \$2,325 (57 East Palm Avenue) in monthly rent revenues, respectively, from the lease of nearby properties to be used by the developer for construction storage and staging for approximately 27 months.

Recommendation:

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING THE LEASE AGREEMENT BETWEEN THE AGENCY AND BURBANK COLLECTION LTD (57 EAST PALM AVENUE).

Adoption of proposed Parking Authority resolution entitled:

A RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BURBANK APPROVING CERTAIN CONSTRUCTION RELATED AGREEMENTS WITH BURBANK

COLLECTION, LTD., AND CERTAIN PARKING AGREEMENTS RELATED TO THE ORANGE GROVE PARKING STRUCTURE (133 E EAST ORANGE GROVE AVENUE).

Adoption of proposed City of Burbank resolutions entitled:
(4/5 vote required)

- 1) A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF BURBANK AND BURBANK COLLECTION LTD (30 EAST PALM AVENUE).
- 2) A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING CERTAIN CONSTRUCTION RELATED AGREEMENTS WITH BURBANK COLLECTION, LTD., AND CERTAIN PARKING AGREEMENTS RELATED TO THE NEW PUBLIC PARKING STRUCTURE (COLLECTION PROJECT).
- 3) A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 62742 AND THE SUBDIVISION IMPROVEMENT RELATED THERETO BETWEEN BURBANK COLLECTION LTD. AND THE CITY OF BURBANK.

CONSENT CALENDAR: (Item 3)

The following item may be enacted by one motion. There will be no separate discussion on this item 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.

3. APPROVAL OF A COUNCIL EXPENSE REIMBURSEMENT POLICY:

Newly-enacted legislation, Assembly Bill 1234, requires that in order for Council Members to be reimbursed for actual and necessary expenses associated with attending conferences, meetings and other activities related to City business, the Council must formally adopt an expense reimbursement policy. The proposed City Council Expense Reimbursement Policy incorporates many of the provisions of the City's existing expense reimbursement policies and procedures, and the new statutory provisions, including: formal adoption of the expense reimbursement policy; certification on the expense report that the expenses comply with the reimbursement policy; publicly reporting out on meetings and conferences attended at public expense; utilizing government or group rates when available; and, elimination of auto allowance.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING THE CITY COUNCIL EXPENSE REIMBURSEMENT POLICY.

END OF CONSENT CALENDAR

REPORTS TO COUNCIL:

4. REQUEST TO RECONSIDER INSTALLATION OF SPEED HUMPS ON FREDERIC STREET:

The Public Works Department received a petition for the installation of speed humps from residents on Frederic Street between Magnolia Boulevard and Chandler Boulevard (the 800 and 900 blocks of Frederic Street). The street contains 39 single-family residences, and a two-thirds majority responded favorably to speed humps as required by the City's current speed hump policy.

Staff investigated the engineering requirements for speed humps on Frederic Street and compared the conditions to criteria in the speed hump policy. Based upon the findings of the investigation, staff declined to install speed humps on Frederic Street because the minimum volume criteria as defined in the speed hump policy was not attained. The Traffic and Transportation Committee agreed with staff's decision. Mrs. Maureen Spagnolo, a Frederic Street resident, requested that the item be reconsidered by the Council. On December 13, 2005, the Council directed staff to agendize this item for consideration.

Recommendation:

Staff recommends that the Council give direction as desired.

5. REQUEST TO CONSIDER ADDITIONAL SPEED CONTROL DEVICES ON EAST TUJUNGA AVENUE:

The Public Works Department received a petition for the study of the installation of speed humps, stop signs, cameras, flashing lights, medians or security gates from the residents on Tujunga Avenue between Sunset Canyon Drive and Gibson Court. Staff met with interested residents during two evening meetings on September 21, 2004 and October 25, 2004 to discuss the residents' issues and to formulate a list of potential improvements for staff to investigate.

Improvement options were thoroughly discussed during six Traffic and Transportation Committee meetings on November 18, 2004, March 10, 2005, May 12, 2005, July 14, 2005, September 8, 2005 and November 10, 2005. Over the year-long period of discussion and evaluation, a number of improvements were installed on Tujunga Avenue including pavement markings, signs, traffic controls and visibility improvements. It was

determined by the Traffic and Transportation Committee that these traffic control improvements were adequate and sufficient to resolve the speeding and safety issues raised by residents. Sharon Springer, a Tujunga Avenue resident, has requested that the item be considered by the Council.

Recommendation:

Staff requests direction from the Council whether to formally agendaize this item.

6. STATUS OF THE DOWNTOWN PARKING MANAGEMENT IMPLEMENTATION PLAN:

In September 2004, the Council authorized staff to proceed with the development of a parking management plan for the downtown area. Kimley-Horne and Associates was hired to develop a complete parking management plan, provide preliminary cost estimates to implement the plan and to develop an implementation schedule. Staff worked closely with the Downtown Parking Management Committee (DPMC) throughout the development of the plan to insure that the input of local merchants and business owners was included.

The Downtown Parking Management Implementation Plan incorporates the overall parking management goals and considers the best practices of other cities, applying them to improve Burbank's current management operations. It identifies the staffing level required to develop and operate an effective parking management program and discusses parking enforcement enhancements. Parking control equipment and technology options, current and projected financial information, and the potential costs and revenues of the program are identified.

The parking management goals for the downtown area are as follows:

- Effectively manage downtown parking resources to meet current and future needs;
- Support downtown economic growth and development by providing for an adequate and balanced parking supply for visitors and employees;
- Provide convenient parking and reduce traffic congestion in the downtown area by effectively and efficiently guiding visitors to available spaces with the use of technology;
- Convert City structures, lots and some on-street spaces from free to fee parking to provide for a self-sustaining parking management program;
- Manage the demand for employee parking in "prime spaces" through various programs, permits, reduced rates and designated parking areas;
- Plan for future supply through identification of potential sites for new parking facilities and joint development or redevelopment opportunities;
- Develop shared parking agreements with private property owners where feasible to maximize use of downtown parking facilities; and,
- Except as otherwise stated and within budget constraints, carry out actions described in this plan within three years of its adoption by the Council.

The goal setting effort coupled with proven practices of other similar communities with parking management programs enabled the development of a recommended parking management program for Burbank. The following summarizes the proposed parking system in Downtown Burbank:

- Provide the infrastructure and a management program for all parking needs in Burbank, including downtown, employee and resident;
- Establish a parking management program that provides for the highest and best use of all parking supply in the downtown area;
- Develop a program that is financially self sustaining and one which can grow as the parking needs in the downtown area grow;
- Provide parking enforcement that is commensurate with the parking utilization in the downtown area and is dedicated to the downtown area;
- Provide a parking guidance system for visitors that will minimize driver confusion in accessing parking closest to their destination; and,
- Establish a dedicated staff to manage and operate the parking infrastructure in Downtown Burbank.

Implementation of the Downtown Parking Management Plan is organized into four phases: Planning; Development; Implementation; and, Operations. The initial Planning phase is complete with the approval of the concept and schedule. Implementation is scheduled for completion during the fourth quarter of 2007.

Recommendation:

Staff is requesting Council input on the Downtown Parking Management Implementation Plan.

ADOPTION OF PROPOSED ORDINANCE:

7. PROJECT NO. 2005-141 ZONE TEXT AMENDMENT – SINGLE-FAMILY DEVELOPMENT STANDARDS CLEAN-UP ORDINANCE:

On May 31, 2005, the Council approved new development standards for the R-1 and R-1-H single-family residential zones. The Council requested that staff return several months after the new standards took effect with a status report on any issues or problems that had arisen from the new standards. Specifically, the Council was interested in the floor area ratio (FAR) incentive program, which allows property owners to build over the maximum 0.4 FAR limit up to a maximum of 0.45 when certain design features are incorporated into a house project.

In administering the new R-1 standards, staff identified typographical errors, omissions and items in need of clarification. In addition to these “cleanup” items, staff also recommended that the Council consider two minor but substantive changes to the new

standards dealing with side yard setbacks and with the FAR incentive program.

One unintended side effect of the FAR incentive program is that only two-story homes are able to provide the needed incentives. The Code requires five incentives from a list of eight to be incorporated into a house project in order to qualify for the increased FAR. However, it is only possible to include four of the eight incentives in a single-story house; the remaining four incentives can be applied only to a second story. To address this issue, staff recommends that the number of incentives required for a single-story home be reduced to three. Since four of the existing incentives could apply to a single-story home, a homeowner would be required to provide only three of those four to qualify for an increased FAR of up to 0.45. Staff believes that this approach would be a good way to retain the FAR incentive program in its current form, while expanding it to incorporate single-story homes.

Staff also found that the new side yard setbacks based on a percentage of lot width can be difficult to provide. Homeowners and builders accustomed to dealing with whole-number setbacks have had difficulty in providing a setback that is measured in inches and fractions of inches rather than feet. Such dimensions cannot be shown to a precise degree on plans and cannot be accurately verified in the field. Staff proposes to change the requirement such that the percent requirements would be retained, but the minimum required setback would be rounded down to the nearest whole number, or whole foot. Staff believes that this approach would be consistent with the intent of the Council's desire to require houses on wider lots to provide wider side yard setbacks, but would make it easier for applicants to comply with the requirement.

The Planning Board considered the proposed ZTA at a public hearing on November 14, 2005. The Board voted 5-0 to recommend that the Council adopt the ZTA as proposed by staff.

This ordinance was introduced at the January 17, 2006 Council meeting.

Recommendation:

Adoption of proposed ordinance entitled:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING
CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO R-1 and R-1-H
SINGLE FAMILY RESIDENTIAL ZONES (PROJECT NO. 2005-141).

RECONVENE the Redevelopment Agency and Parking Authority meetings for public comment.

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**