



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, FEBRUARY 7, 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 Labor Negotiator:
Pursuant to Govt. Code §54957.6
Name of the Agency Negotiator: Management Services Director/Judie Sarquiz.
Name of Organization Representing Employee: Burbank Management Association, Unrepresented and Appointed Officials.
Summary of Labor Issues to be Negotiated: Contracts and Retirement Issues.
- b. 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:

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

FLAG SALUTE:

ROLL CALL:

RECOGNITION: FALL CREST PROGRAM.

RECOGNITION: POLICE MEDAL OF VALOR.

PROCLAMATION: NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

At this time additional items to be considered at this meeting may be introduced. As a general rule, the Council may not take action on any item which does not appear on this agenda. However, the Council may act if an emergency situation exists or if the Council finds that a need to take action arose subsequent to the posting of the agenda. Govt. Code §54954.2(b).

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

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

The main focus of this report will be issues which were on the Airport Authority meeting agenda of February 6, 2006. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

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

2. FIRST AMENDMENT TO PLANNED DEVELOPMENT NO. 99-4 AND THE DEVELOPMENT AGREEMENT WITH MARRIOTT RESIDENCE INN, NORTHWEST CORNER OF FIRST STREET AND VERDUGO AVENUE:

The applicant is requesting an amendment to Planned Development No. 99-4 that was approved on January 25, 2000 for a 12-story full service Marriott Residence Inn hotel with 253 rooms and a five-story parking structure with 413 parking spaces. The amendment

is to accommodate a reduction of: hotel rooms from 253 rooms to 166 rooms; hotel building height from 12-stories to four-stories; food preparation and eating area; meeting/conference rooms; parking to reflect the modifications to the project; and, the height of the parking structure from five-stories to a semi-subterranean garage located under the proposed four-story hotel. The applicant is also requesting that the Redevelopment Agency Board approve modification of the use restriction in the Modified Grant Deed recorded on August 28, 1998 to reflect the proposed project.

Recommendation:

Adoption of proposed City Council resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE FIRST AMENDMENT TO PLANNED DEVELOPMENT NO. 99-4 AND DEVELOPMENT AGREEMENT (MARRIOTT RESIDENCE INN — APPLICANT: OLSON REAL ESTATE GROUP, INC. DBA R. D. OLSON DEVELOPMENT COMPANY).

Introduction of proposed City Council ordinance entitled:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING PLANNED DEVELOPMENT NO. 99-4 AND APPROVING THE DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT NO. 99-4 (MARRIOTT RESIDENCE INN -- APPLICANT: OLSON REAL ESTATE GROUP, INC., DBA R. D. OLSON DEVELOPMENT COMPANY).

Adoption of proposed Redevelopment Agency resolutions entitled:

1. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING THE MODIFICATION OF USE RESTRICTIONS FOR 321 SOUTH FIRST STREET.
2. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING THE DESIGN OF THE PROPOSED PROJECT LOCATED AT 321 SOUTH FIRST STREET.
3. SALE OF AGENCY PROPERTY TO PFP, LLC (PLATT) – 3401 WEST OLIVE AVENUE AND 111 NORTH LIMA STREET:

The purpose of this report is for the Council and Redevelopment Agency (Agency) Board to consider approving a purchase and sale agreement with PFP, LLC to sell Agency-owned property in relation to Planned Development No. 2003-1.

The Agency purchased the subject property in 1988 in anticipation of future development of the site. The property was originally operated as a motel, before being converted into a parking lot. The property consists of two parcels totaling 12,072 square feet as well as one-half of an alley running parallel to Alameda Avenue when considering the proposed alley vacation for a total of 13,442 square feet.

In 1991, the Media District Specific Plan was created, which identified this property as part of Media Center North intended for commercial mixed-use development. Since that time, the property has remained as a parking lot. In 2000, the proposed buyer of the property proposed a mixed-use development project for a site bounded by Alameda Avenue, Lima Street, Olive Avenue and property adjacent to the 134 Freeway off-ramp. The project went through many iterations after community meetings and Planning Board meetings, and was ultimately denied by the Council in April 2003.

The buyer re-applied as Planned Development No. 2003-1 with Development Review No. 2003-36. This project again went through many iterations after community meetings, Planning Board meetings and Council meetings. Ultimately, the Council approved the Planned Development for a mixed-use condominium, retail, church and childcare facility in January 2005.

The proposed buyer approached the Agency regarding the purchase of its property. The Agency's position on the sale of its property was that it must receive the fair market price for the property, and no assistance would be provided for development of the project. Based on the Agency's valuation of the property, the parties agreed to a sale price of \$1,651,000, or \$123 per square feet. Per the terms of the Agreement to the Agency, the buyer is to pay \$1,651,000 less certain closing costs estimated at \$17,000. The Agency purchased the property for \$255,000, thus the net revenue to the Agency is estimated at \$1,379,000.

Recommendation:

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING A PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BETWEEN THE AGENCY AND PFP, LLC (3401 West Olive Avenue and 111 North Lima Street).

Adoption of proposed City Council resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BETWEEN THE CITY OF BURBANK AND PFP, LLC (3401 West Olive Avenue and 111 North Lima Street).

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 MEETINGS WITH THE REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PARKING AUTHORITY AND YOUTH ENDOWMENT SERVICES FUND BOARD:

4. 2006 INVESTMENT POLICY:

Staff is requesting the City Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2006 Investment Policy. The 2006 Investment Policy for the Investment Pool comprised of the City, Redevelopment Agency, Parking Authority, Youth Endowment Services, and separately for the Housing Authority, is being presented for approval.

The recommended changes are:

1) Decreasing the liquidity requirement needed monthly from \$62 million to \$61 million which is two and a half (roughly 60 days) of the annual appropriations (less purchased power), (Page 3, III Objectives, Sec B, Liquidity, of the Statement of Investment Policy). This will be monitored and reviewed by the Treasurer's investment advisory committees at least semi-annually or as warranted.

2) Changing the reporting requirements for the Investment Advisory Committees (Treasurer's Oversight Review Committee and Fiscal and Treasurer's Review Group) to meet at least semi-annually or as warranted to review the status of the investment pool and to discuss the investment portfolio management strategy before being presented to the Council (Page 4, IV Reporting, Sec A, Investment Advisory Committees, of the Statement of Investment Policy). Also, the investment reports will still be sent out to these committees and to the Council on a monthly basis but will be presented for Council approval on a semi-annual basis (mid-year end December and fiscal-year end June) after meeting with these committees (Page 5, IV Reporting, Sec B, Monthly and Semi-Annual Reporting).

Recommendation:

Staff recommends that the City Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2006 Investment Policy.

5. TREASURER'S REPORT:

The City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending December 31, 2005.

Recommendation:

Note and file.

CONSENT CALENDAR: (Items 6 through 9)

The following items may be enacted by one motion. There will be no separate discussion on these items unless a Council Member so requests, in which event the item will be removed from the consent calendar and considered in its normal sequence on the agenda. A **roll call** vote is required for the consent calendar.

6. BURBANK WATER AND POWER OPERATIONS REPORT:

Staff has prepared the Burbank Water and Power (BWP) Water and Electric Monthly Report regarding water quality and power issues for January 2006.

WATER UPDATE

Water Quality

Water quality during December met or exceeded State and Federal drinking water standards.

Fiscal Year (FY) 2005-06 Year-To-Date Water Fund Financial Results as of December 31, 2005:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
Water put into the system (CCF)	5,273,374	5,446,307	(172,933)	(3%) (A)
Potable water sales (CCF)	5,193,673	5,186,840	6,833	0%
Reclaimed water sales (CCF)*	188,598	580,900	(392,302)	(68%) (B)
Potable Revenues	\$8,802	\$9,532	(\$730)	(8%) (A)
Reclaimed and Power Plant Revenues	309	789	(481)	(61%) (B)
Total Operating Revenues	\$9,110	\$10,321	(\$1,211)	(12%)
WCAC	4,208	4,072	(137)	(3%) (C)
Gross Margin	\$4,902	\$6,250	(\$1,348)	(22%)
Operating Expenses	3,707	4,410	702	16%
Operating Income	\$1,195	\$1,840	(\$645)	(35%)
Other Income/(Expenses)	1,053	433	620	143% (D)
NI before Contr. & Transfers	\$2,247	\$2,272	(\$25)	(1%)
Transfers (In Lieu)	(415)	(476)	61	13% (E)
Contributed Capital (A.I.C)	245	517	(272)	(53%)
Change in Net Assets (Net Income)	\$2,077	\$2,313	(\$236)	(10%)

() = Unfavorable

* Includes Power Plant Sales, Commercial and Industrial Reclaimed Sales

(A) WCAC over collection decreased potable water revenue by \$193k in December 2005 and \$125k year-to-date.

- (B) The Water Division did not accrue reclaimed water used for MPP during October-December 2005 of \$177k or 125,069 CCF. In addition, revenue is lower than budget due to the MPP delay. The year-to-date impact is \$315k.
- (C) During the first quarter, the BOU has experienced reduced operating capacity due to carbon screen failures, water production problems associated with the persistent low water table and well maintenance. Thus, there was an increased need for purchased water from the Metropolitan Water District (MWD). The BOU had an average of 55 percent operating capacity compared to a 75 percent budgeted capacity.
- (D) Customer deposit of \$600k for fire hydrant meter dated from 2002.
- (E) In-lieu accrual of \$39k was recorded in June 2005 as part of year end closing. This entry was reversed in July 2005. BWP does not accrue in-lieu monthly. In addition, year-to-date sales is lower than budget.

FY 2005-06 Water Fund Financial Reserve balances as of December 31, 2005 are summarized in the following table:

Water (In thousands)	Balance 12/31/2005	Recommended Reserves
Unrestricted Cash		
General Operating Reserve	\$5,526	\$4,430
Capital Reserve	\$2,807	\$3,580
Sub-Total Unrestricted Cash	\$8,333	\$8,010
Restricted Cash		
Water Replenishment Reserve	\$1,000	\$1,000
WCAC	\$1,011	\$1,011
Distribution Main Reserve	\$1,100	\$1,100
Debt Service Fund	\$664	\$664
Parity Reserve Fund	\$634	\$634
Sub-Total Restricted Cash	\$4,409	\$4,409
Total Cash	\$12,742	\$12,419

ELECTRIC UPDATE

Electric Reliability

The following table shows the system-wide reliability statistics for FY 2005-06 through December 31, 2005, as compared to the same time period for FY 2004-05:

Reliability Measure	Fiscal Year 2004-05	Fiscal Year 2005-06 (through December 31)
Average Outages Per Year	0.1189	0.2300
Average Outage Duration	77.13 minutes	64.81 minutes
Average Service Availability	99.9965%	99.9944%

Financial and Operations Update

Fiscal Year 2005-06 year-to-date Power Financial Results as of December 31, 2005:

	<u>Year - to - Date</u>			
	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% Variance</u>
NEL MWh	612,477	613,804	(1,327)	(0%)
Retail Sales MWh	606,963	583,093	23,870	4%
Retail Revenues	75,512	74,983	\$528	1%
Other Revenues	445	497	(52)	(11%)
Retail Power Supply & Transmission expenses	(53,715)	(45,387)	(8,328)	(18%) (A)
<u>Retail Gross Margin</u>	<u>22,241</u>	<u>\$30,093</u>	<u>(\$7,852)</u>	<u>(26%)</u>
Wholesale Revenues	108,618	27,500	81,118	295%
Wholesale Power Supply	(103,827)	(25,575)	(78,252)	(306%)
<u>Wholesale Gross Margin</u>	<u>\$4,790</u>	<u>\$1,925</u>	<u>\$2,865</u>	<u>149%</u>
<u>Gross Margin</u>	<u>27,032</u>	<u>\$32,018</u>	<u>(\$4,986)</u>	<u>(16%)</u>
Operating Expenses	(18,021)	(18,210)	189	1%
<u>Operating Income</u>	<u>\$9,011</u>	<u>\$13,808</u>	<u>(\$4,797)</u>	<u>(35%)</u>
Other Income/ (Expense)	583	(475)	1,058	223% (B)
<u>NI before Contr. & Transfers</u>	<u>\$9,594</u>	<u>\$13,334</u>	<u>(\$3,740)</u>	<u>(28%)</u>
Transfers In/(Out) - (In lieu)	(4,293)	(4,583)	290	6% (C)
<u>NI before Contributions</u>	<u>\$5,301</u>	<u>\$8,750</u>	<u>(\$3,449)</u>	<u>(39%)</u>
Contributed Capital (A.I.C)	452	1,190	(738)	(62%)
<u>Change in Net Assets (Net Income)</u>	<u>\$5,752</u>	<u>\$9,940</u>	<u>(\$4,188)</u>	<u>(42%)</u>

() = Unfavorable

(A) Primarily due to the higher cost of replacement power associated with the MPP delay and outages in October-December 2005.

(B) BPA settlement of \$591k in July was not budgeted. Actual interest income is higher than budget due to a higher interest rate. Budget assumes interest rate of 2.5 percent APR. Actual interest rates ranges between 4 percent-5.5 percent.

(C) In-lieu accrual of \$364k was recorded in June 2005 as part of the year end closing. This entry was reversed in July 2005 and no monthly accrual was made in FY 2005-06.

FY 2005-06 Power Fund Financial Reserve balances as of December 31, 2005 are summarized in the following table:

Electric (In thousands)	Balance	Recommended
	12/31/2005	Reserves
Unrestricted Cash		
General Operating Reserve (1)	\$37,086	\$41,000
Capital and Debt Reduction Fund	\$10,000	\$15,100
Fleet Replacement Reserve	\$3,000	\$4,500
General Plant Reserve	\$800	\$1,170
Bond Cash	\$4,067	\$0
Sub-Total Unrestricted Cash	\$54,953	\$61,770
Debt Service Fund	\$5,548	\$5,548
Parity Reserve Fund	\$10,227	\$10,227
Sub-Total Restricted Cash	\$15,774	\$15,774
Total Cash	\$70,727	\$77,544

Note: (1). Paid \$7,269k to SCPPA for fuel reserve.

Recommendation:

Note and file.

7. DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON JANUARY 24, 2006:

Pursuant to the provisions of Section 28 of the City Charter, the purpose of this report is

to present the results of the Special Election held on Tuesday, January 24, 2006 to the Council for approval.

Following the resignation of Council Member Murphy on August 30, 2005, the Council adopted Resolution No. 27,062 on September 13, 2005, declaring Ms. Murphy's seat vacant and Ordinance No. 3682 on September 27, 2005, ordering that a Special Municipal Election be held on January 24, 2006 for the purpose of filling the vacancy with a term expiring on April 30, 2009. Subsequent to the close of the Nomination Period on October 28, 2005, the following candidates, in ballot order, qualified for the ballot: Vahe Hovanessian; Bill Wiggins; Amy Lawrence; David Gordon; and, Michael Dontanville.

Notice of the Election was given, precincts established, election officers appointed and the supplies furnished. Of the 46,847 eligible Burbank registered voters, a total of 11,399 votes were cast, received and canvassed as required by law. The votes cast represent a 24.3 percent voter turnout rate.

The canvass of the Election was completed on Friday, January 27, 2006 with the official results posted on the same day. The five-day protest period expires on Wednesday, February 1, 2006 at 5:00 p.m. No protests were received as of the printing of the agenda.

David Gordon received the majority of the votes cast for the vacancy of Member of the City Council and as such is duly elected to office for the unexpired term ending April 30, 2009.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON JANUARY 24, 2006.

8. APPROVING CONTRACT DOCUMENTS, AWARDED A CONSTRUCTION CONTRACT AND APPROPRIATION OF FUNDS FOR BID SCHEDULE NO. 1197 – PUBLIC WORKS UNDERGROUND TANK RETROFIT PROJECT:

Staff is requesting Council approval of contract documents, award of a construction contract and appropriation of additional funds in the amount of \$446,174 for the Public Works Underground Tank Retrofit Project, Bid Schedule (BS) No. 1197. In 2004, staff retained the services of Triangle Environmental to complete required underground tank and monitoring systems testing as required by Senate Bill 989. The testing revealed numerous significant defects requiring the refurbishment of seven fueling facilities located within the City in order to comply with the State Water Resources Control Board regulations.

The project was originally advertised for bids in the latter part of 2004. During the

bidding process, it was determined that one of the potential bidders was not eligible to bid, as he had provided the City some limited technical assistance in the development of the project specifications. As a result, the bid process was cancelled and a new consultant was hired to redesign the work.

During the redesign process, new and additional underground tank regulations were implemented and incorporated in the new plans and specifications. There are numerous work items anticipated, which cannot be known until the tank tops are exposed. Therefore, staff recommends additional project funding in the amount of \$169,532 to allow for any incidental work and unknown field conditions encountered during construction.

BS No. 1197 was advertised for bids on October 24 and October 28, 2005. A bid opening was conducted on November 15, 2005, at which four bids were received with amounts ranging from \$739,446 to \$1,057,204. West Star Environmental Inc. of Fresno, California submitted the lowest bid of \$739,446, which is 13 percent below the estimate of \$850,000.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AND ADOPTING CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS, AND DETERMINING THE LOWEST RESPONSIBLE BIDDER, ACCEPTING THE BID, AND AUTHORIZING EXECUTION OF A CONTRACT FOR THE PUBLIC WORKS UNDERGROUND TANK RETROFIT PROJECT (BID SCHEDULE 1197) TO WEST STAR ENVIRONMENTAL INC. AND AMENDING THE 2005-2006 FISCAL YEAR BUDGET TO PROVIDE AN ADDITIONAL \$446,174 FOR THE PROJECT.

9. DESIGN APPROVAL FOR MODIFICATIONS TO TRAFFIC CONTROLS AT BUENA VISTA STREET AND SAN FERNANDO BOULEVARD AND BUENA VISTA STREET AND VANOWEN STREET:

Staff is requesting Council approval to install two light emitting diode (LED) blank-out turn prohibition signs at the intersection of Buena Vista Street and San Fernando Boulevard and one LED blank-out turn prohibition sign at the intersection of Buena Vista Street and Vanowen Street as part of an on-going effort to modernize and upgrade these intersections.

In 2002, both intersections were outfitted with the most modern and safe equipment and facilities allowed by the California Department of Transportation approved standards as part of the Empire Center – Five Intersection Improvement Project. Since the completion of the signal improvement project, California adopted the Federal Manual of Uniform Traffic Control Devices in 2004 to modify and update their previous standards to conform to Federal requirements.

Staff has reviewed and evaluated a number of technological advances to railroad grade crossing systems over the last several years. The LED blank-out sign systems give additional direction to motorists who turn to cross the railroad tracks adjacent to each of the Buena Vista intersections. The signs will be dark during normal traffic signal operation, but they will be illuminated “No Right Turn” or “No Left Turn” in the appropriate direction when the crossing protection gates are deployed with an approaching train.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING
MODIFICATIONS TO TRAFFIC CONTROLS AT BUENA VISTA AND SAN FERNANDO
BOULEVARD AND BUENA VISTA AND VANOWEN STREET.

END OF CONSENT CALENDAR *** *** ***

REPORT TO COUNCIL:

10. DRAFT COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT REGARDING SEWER SYSTEM IMPROVEMENTS BY THE CITY OF LOS ANGELES:

The purpose of this report is to present the Council with draft comments on the Draft Environmental Impact Report (EIR) regarding sewer system improvements proposed by the City of Los Angeles. On November 15, 2005, staff presented information regarding a sewer tunnel proposed by the City of Los Angeles that may be located in the Rancho District. This sewer tunnel, known as the Glendale-Burbank Interceptor Sewer (GBIS), is a part of a Draft EIR, which was released on November 30, 2005.

On December 13, 2005, staff updated the Council on the release of the Draft Environmental Impact Report and the outreach efforts being made to inform the public on how input may be provided to the City of Los Angeles.

On January 17, 2006, staff presented a draft comment letter to the Council on the GBIS project concerns discovered by staff. The Council requested that consultants be hired to review the Draft Environmental Impact Report to determine if additional comments are warranted.

Recommendation:

Staff recommends Council direction to incorporate the consultant’s comments in the Draft EIR comment letter to the City of Los Angeles.

RECONVENE the Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board 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**