

TUESDAY, FEBRUARY 7, 2006

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 Borcht, Mayor.

CLOSED SESSION

Present- - - - Council Members Campbell, Golonski and Vander Borcht.
Absent - - - - Council Member Ramos.
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.

5:07 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; 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.

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:40 p.m. by Mr. Vander Borcht, Mayor.

Invocation The invocation was given by Chaplain James Stitzinger.

Flag Salute The pledge of allegiance to the flag was led by Sergeant Jay Hawver.

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ROLL CALL

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

Absent - - - - Council Members None.

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

301-1
Fall Crest
Program
Mrs. Barwick, Administrative Analyst, Management Services Department, recognized the graduates of the fall City Resources Employing Students Today (CREST) Youth Employment Program. The following graduates received certificates: Jeffrey Bradshaw; Melissa Castro; Georgiy Danielyan; Matthew Ebrahimian; Jason Ellegood; Vache Gyulnazaryan; Zak Imfeld; Andrea Lozano; Monica Pardo; Liset Ramirez; Natalie Rivas-Martinez; Emily Roeske; Edgar Saakian; Robert Serrano; George Shammass; Jonathan Shammass; Arpine Sogomonyan; and, David Spears.

301-1
National Teen
Dating Violence
Awareness
Mayor Vander Borght presented a proclamation in honor of National Teen Dating Violence Awareness and Prevention Week to Manifa Gharapetian, representing the Teens In Action Police Youth Relations Team; Shady Ellaham, representing the Teens In Action Media Communications Team; and, Steve Ferguson, Youth Board Member.

301-1
Police Medal of
Valor
Chief Hoefel recognized Dennis Freidrich, a private citizen, Sergeant Hawver and Officer Downs of the Police Department, for their heroic actions at the scene of a house fire last November. He briefly described the incident, wherein the individuals rescued the elderly resident of the house. Chief Pansini commended the individuals for risking their personal safety to rescue the fire victim. Chief Hoefel and Chief Pansini presented a Chief's Commendations to Mr. Freidrich and Medals of Valor to Sergeant Hawver and Officer Downs, noting only eight Medals of Valor have been awarded in the entire history of the Burbank Police Department. Mayor Vander Borght commended the recipients for their brave actions.

406
Airport Authority
Meeting Report
Commissioner Brown reported on the Airport Authority meeting of February 6, 2006. He stated that the Authority adopted a three-year agreement governing access to the Airport by ground transportation; approved construction of an additional blast fence at the north end of Runway 15 at San Fernando Road; awarded a contract for Bid Schedule 2005-57 in the amount of \$1,186,000 for the Residential Acoustical Treatment Program, consisting of 31 homes of which 25 are in the City of Burbank,

two in Sun Valley and four in North Hollywood; and, approved a plan to revise parking rates to the 2001 level due to significant additional operating costs. He added that the Authority anticipated increases in the parking tax revenue to the City of approximately \$200,000, bringing the annual total to nearly \$2.6 million.

7:14 P.M. Jt. Hearing with Redev. Agency 1702 First Amend. to PD 99-4 – Marriott Residence Inn	Mayor Vander Borght stated that “this is the time and place for the joint public hearing on the First Amendment to Planned Development No. 99-4; Development Agreement; and the Mitigated Negative Declaration related thereto for the Marriott Residence Inn. Olson Real Estate Group, Inc., dba R.D. Olson Development Company is the owner/applicant of the proposed Marriott Residence Inn located at the northwest corner of First Street and Verdugo Avenue. The components of this project that require Council and Agency consideration are a Council Resolution adopting a negative declaration, a Council Ordinance approving the First Amendment to Planned Development No. 99-4 and Development Agreement, and Agency resolutions approving modifications to use restrictions and approving Design Review for the revised project. The hearing provides the public with an opportunity to comment on the Agency and City actions.”
Meeting Disclosures	Mr. Vander Borght, Mr. Campbell, Mrs. Ramos and Mr. Golonski reported on prior meetings with the applicant.
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. Baker, Deputy City Planner, Community Development Department, presented a request for 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. He gave a detailed project history and described the amendments that have been approved thereafter. He stated that on November 2, 2005, staff received a letter requesting modification to the previously-approved plans to accommodate: 166 hotel rooms; 153 parking spaces; a four-story hotel with food preparation and eating areas; meeting/conference rooms; parking to reflect the modifications to the project; and, a semi-subterranean garage. He also added that the site plans indicate an eight-foot setback on both First Street and Verdugo Avenue. He stated that a supplemental

parking study was provided for the modified project, indicating that the parking proposed is more than sufficient for the project as designed, especially with restrictions on the food service and conference rooms. He reported that the Planning Board held a public hearing on December 12, 2005 and recommended approval of the project.

Mr. Baker informed the Council that the applicant has complied with the Public Works Department's request for a sewer capacity analysis. He added that a Mitigated Negative Declaration has been prepared for the project, the Planned Development findings can be made, and requested Council approval of the project. He also requested the Redevelopment Agency Board approve modification of the use restriction in the Modified Grant Deed recorded on August 28, 1998, to permit the scope of development proposed and conduct a Design Review to determine whether the proposed design changes are consistent with the newly-modified Grant Deed.

Applicant

Mr. Olson, applicant, addressed the constraints of the site, including size, location and slope. He noted the project's benefits, which include \$800,000 in Transient Occupancy Tax and \$220,000 in Property Tax revenues to the City. He stated that the hotel is proposed to be a long-term stay with breakfast and light appetizer food service for guests only.

Mr. Olson discussed the architectural features of the project and commented on the traffic flow, parking plan and parking structure elements. He requested approval for the project and modification of the restriction in the Modified Grant Deed to reflect the proposed project.

Citizen
Comment

Appearing to comment were: Rose Prouser and Phil Berlin in opposition to the project; and, Gary Olson, Executive Director, Burbank Chamber of Commerce, Stan Hyman and Mark Barton, in support of the project.

Rebuttal by
Applicant

Mr. Olson responded to public comment and clarified that the property was purchased and is being developed with no assistance from the Redevelopment Agency.

Clare Look-Jaeger, Principal with Linscott & Greenspan Engineers, the firm which prepared the parking analysis, made clarifications with respect to the parking analysis, which was done with the assumption of full hotel occupancy. She also elaborated on the project's compliance with Code-required parking and on the parking stall size issue.

Jeff Pawlowski, Architect with PK Architects, made clarification with regard to the parking stall size, noting the parking stall sizes meet the City's Code requirements.

Mr. Campbell requested clarification on the distance between the project and the freeway, and inquired as to any measures taken to provide a buffer zone for noise and particulate matter from the freeway.

Rebuttal by
Staff

Mr. Baker responded to public comment with regard to environmental documentation; parking stall sizes; and, availability of the staff report exhibits.

Mrs. Ramos requested clarification on the setback requirements. Mr. Baker responded that the setbacks as currently proposed are eight feet on Verdugo Avenue and eight feet on First Street, with two elements protruding within three feet of the setback but not encroaching into the sidewalk.

Mr. Golonski inquired as to the adequacy of sidewalk widths. Mr. Pawlowski responded that the sidewalk width varies between six feet on Verdugo Avenue to eight feet on First Street.

Mr. Golonski requested clarification from staff on the Institute of Transportation Engineers numbers regarding parking requirements. Mr. Johnson, Assistant Public Works Director/Traffic Engineer, responded.

Mr. Campbell inquired as to whether there would be any impact in parking requirements if the project changed to another operation. He also inquired as to whether there were any provisions that would allow the project to revert to residential uses at a later time. Mr. Baker responded that there were no reversion provisions.

Mrs. Ramos requested clarification on the meeting space requirements.

8:30 P.M.
Public Hearing
Closed

The public hearing was declared closed at this time.

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Council
Deliberations

Mr. Golonski stated that he was glad to see the project moving forward since the site has been vacant for a long time. He expressed concern about parking and the street frontage widths. He was agreeable to the setbacks but suggested a Condition of Approval that the developer dedicate whatever land is necessary to ensure an eight-foot sidewalk along First Street and a six-foot sidewalk along Verdugo Avenue. With regard to required parking, he noted that Code-required parking is 214 spaces and 160 spaces are proposed, which is 54 spaces short of the requirement. He noted that given the location and nature of the use, it was unlikely that guests would drive three blocks to park in downtown parking structures and suggested that the City consider additional conditions that would give the City the ability to ensure that the parking supply is and remains adequate. He noted that such ability could include compelling the operator to cease using the meeting and conference rooms in the event parking is inadequate.

Mr. Baker suggested that a provision could be added to require valet parking, triggered by inadequate parking demand. Mr. Golonski concurred but still suggested the City retain the ability to cease the operation of the conference and meeting rooms as a last resort.

Mrs. Ramos also expressed concern with the setback and parking issues, and concurred with the City retaining the ability to monitor the parking, with perhaps a shared parking agreement with the Holiday Inn. She was also supportive of the valet parking condition and expressed preference for a minimum setback of ten feet.

Mr. Campbell expressed support for the valet parking and shared parking agreement with the Holiday Inn provisions. He noted the site's proximity to public transit, was amenable to increasing the setbacks to eight or ten feet, and requested more trees between the freeway and the site to buffer impacts.

Mr. Vander Borcht stated he would not support the project unless setbacks were increased to at least ten feet on both streets with a minimum seven-foot sidewalk on Verdugo Avenue. He was amenable to a ten-foot setback with an encroachment of two or three feet by the architectural elements as a deviation. He also recognized a need for shared parking in addition to a fail-safe mechanism in the event parking is inadequate.

Mrs. Ramos noted the potential challenge in obtaining a shared parking arrangement with the Holiday Inn, considering the businesses are competitors.

Mr. Golonski suggested that the burden be placed on the

developer to find an additional parking location should the need arise; otherwise, use of the meeting rooms would be prohibited.

Mrs. Georgino, Community Development Director, noted the need for simple conditions which are easier to enforce, rather than interpretive conditions which may create ambiguity. She suggested the Council not craft the condition and move the first reading of the ordinance pending staff's drafting of a condition for the second reading; or, close the public hearing and request that staff bring back the item in two weeks.

With regard to additional trees as a buffer between the project and freeway, Mr. Baker clarified that the property on which this would occur is under ownership of the California Department of Transportation (Caltrans) and it would pose a challenge for staff to impose planning requirements on Caltrans property. Mr. Campbell suggested the City send a letter to Caltrans requesting the developer be allowed to plant additional trees on their property. It was the Council's consensus that the letter be sent. Mr. Golonski did not concur and stated that he would rather see the landscaping and setbacks along the sides that face City streets.

Mr. Golonski was supportive of the ten-foot sidewalk on First Street and seven-foot sidewalk on Verdugo Avenue, and suggested an average setback of eight feet. Mr. Vander Borght, Mrs. Ramos and Mr. Campbell were supportive of an average setback of ten feet with an allowance for architectural element encroachments on the corner.

Motion

It was moved by Mr. Golonski and seconded by Mrs. Ramos that "the following resolutions be passed and adopted and the following ordinance be introduced:" The Council also added requirements for: ten-foot setbacks on First Street and Verdugo Avenue; adequate dedication of land for a ten-foot sidewalk on First Street and a seven-foot sidewalk on Verdugo Avenue; the developer mitigating any parking shortages, otherwise the City reserves the right to require the parking demand be reduced; and, the City send a letter to Caltrans requesting the developer pay for the cost of additional landscaping on Caltrans property upon their approval."

1702

RESOLUTION NO. 27,161:

2/7/06

Adopt Neg. Dec. for 1st Amend. to PD 99-4 – Marriott Residence Inn

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).

1702 Amending PD 99-4 and Dev. Agmt. for Marriott Residence Inn

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).

Redev. Agency Reso. Adopted

Redevelopment Agency Resolution No. R-2146 Approving the Modification of Use Restrictions for 321 South First Street was adopted.

Redev. Agency Reso. Adopted

Redevelopment Agency Resolution No. R-2147 Approving the Design of the Proposed Project Located at 321 South First Street was adopted.

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.

9:10 P.M. Jt. Hearing with Redev. Agency Platt – 3401 W. Olive Ave. and 111 N. Lima St.

Mayor Vander Borght stated that “this is the time and place for the joint public hearing of the Redevelopment Agency and the Council of the City of Burbank to consider the sale of Agency property at 3401 West Olive Avenue and 111 North Lima Street. The components of this project that require Council and Agency consideration are Council and Agency Resolutions approving a Purchase and Sale Agreement and Escrow Instructions. The hearing provides the public with an opportunity to comment on the Agency and City actions.”

Meeting Disclosures

There were no meeting disclosures.

Notice

The City Clerk was asked if notices had been given as required

Given by law. She replied in the affirmative and advised that one piece of written correspondence had been received.

Staff Report Mr. Lynch, Senior Project Manager, Community Development Department, requested the Council and Redevelopment Agency (Agency) Board consider approving a Purchase and Sale Agreement with PW, LLC to sell Agency-owned property in relation to Planned Development No. 2003-1. He reported that the Agency purchased the subject property in 1988 in anticipation of future development of the site, which is currently operating as a parking lot. He added that the property was originally operated as a motel, before being converted into a parking lot and consists of two parcels totaling 12,072 square feet as well as one-half of an alley running parallel to Alameda Avenue. He noted that when considering the proposed alley vacation, the property totals 13,442 square feet.

Mr. Lynch informed the Council that 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. He added that in 2000, the prospective buyer of the property proposed a mixed-use development project for the site bounded by Alameda Avenue, Lima Street, Olive Avenue and the property adjacent to the State Route 134 Freeway off-ramp. He noted that the project went through many iterations after community and Planning Board meetings, and was ultimately denied by the Council in April 2003.

Mr. Lynch added that 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, Planning Board and Council meetings. Ultimately, the Council approved the Planned Development for a mixed-use condominium, retail, church and childcare facility in January 2005.

Mr. Lynch stated that the proposed buyer approached the Agency regarding the purchase of its property. He added that the Agency's position on the sale of its property was that it must receive the fair market price, 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 foot. Per the terms of the Agreement, the buyer is to pay the Agency \$1,651,000, less certain closing costs estimated at \$17,000. He reported that the Agency purchased the property for \$255,000, thus the net revenue to the Agency is estimated at \$1,379,000.

Applicant Dale Goldsmith, representing the applicant, addressed the

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Council regarding the financing and tax issues, and requested the Council approve the agreement.

Citizen
Comment

Appearing to comment were: Phil Berlin, on the fair market value; Rolph Darbo, on the fair market value, change of the applicant's name and size of the alley; Rose Prouser, expressing concern with the sale of land; Dr. Gordon, requesting the Council table consideration of the matter pending a full Council deliberation; and, Terrence Klein, requesting a new Environmental Impact Report (EIR), commenting on the fair market value and expressing concern with access by the Fire Department due to closure of the alley.

Rebuttal by
Applicant

Mr. Goldsmith responded to public comment regarding payment of the fair market value and stated that the per-square foot basis for the other properties is far below what is being paid to the City. He also noted that the other properties are improved while the subject property is not improved; therefore, the proposed price represents the fair, or above-market value.

Rebuttal by
Staff

Mr. Lynch responded to public comment with regard to the alley ownership; consideration of the alley vacation in the EIR; escrow period; modification of entitlements; and, property appraisal report.

Mr. Calvin Hollis, Managing Principal Keyser Marston and Associates, Inc., responded to public comment regarding the methodology for valuation of the property.

9:34 P.M.
Hearing Closed

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

Council
Deliberations

Mr. Golonski made clarification with regard to the escrow process and the provisions associated with the extension of the escrow period.

Mr. Campbell requested clarification on whether the developer is obligated to landscape an adjacent property between the site and the State Route 134 Freeway off-ramp. Mr. Lynch responded that the property is owned by the City but a major utility easement runs across it. He noted staff's intention for the developer to landscape and maintain the area, but staff has to reach certain terms with the utility company to allow such maintenance.

Mr. Campbell also requested clarification with regard to the

purchase provisions and Mr. Lynch clarified the before-sale and after-sale provisions of the agreement, that would offer the Agency the first right of offer to buy back the property at the current sale price.

Mr. Campbell further requested clarification with regard to the potential parking impact since the lot has been used as a parking lot. Mr. Lynch responded that the property has been leased primarily for construction workers for the adjacent Pinnacle Project, which has been completed. He noted that the parking lot is not a requirement for any neighboring businesses.

In response to a request for the Council to table the matter, Mrs. Ramos clarified that the current hearing is not intended for considering parking requirements or entitlements of the project.

Mr. Vander Borcht stated that the item was a result of the Platt Project approval and the Redevelopment Agency is being requested to approve of a sale of land that is part of the project and was intended to be sold. He noted that no changes have been made to the project and therefore no EIRs are triggered. He also stated that the City is receiving a reasonable amount of money from the sale of the property and noted that the transaction has no impact on any other project.

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

Redev. Agency Reso. Adopted Redevelopment Agency Resolution No. R-2148 Approving a Purchase and Sale Agreement and Escrow Instructions Between the Agency and PW, LLC (3401 West Olive Avenue and 111 North Lima Street) was adopted.

1702 RESOLUTION NO. 27,163:
1102 A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
Approve a APPROVING THE PURCHASE AND SALE AGREEMENT AND
Purchase and ESCROW INSTRUCTIONS BETWEEN THE CITY OF BURBANK
Sale Agmt. with AND PW, LLC (3401 West Olive Avenue and 111 North Lima
PW LLC Street.

Adopted The resolutions were adopted by the following vote:

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

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: Mary Schindler, on the proposed Glendale-Burbank Interceptor Sewer (GBIS) Project; Don Elsmore, on responses to oral communications; Gordon Bohn, in support of his application to the Planning Board; Esther Espinoza, on constitutional rights; Denise Sheehy, on the proposed GBIS Project; Rose Prouser, on the lack of minutes for the Noise Working Group and on the Charter Review Committee meetings; Theresa Karam, on a development built in her North Hollywood neighborhood; Mark Barton, on art deco design; Eden Rosen, on parking and traffic issues in the Downtown, and affordable housing requirements; Howard Rothenbach, on responses to oral communications, the use of funds realized by the sale of property to PW, LLC, parking behind City Hall and announcing an upcoming redevelopment conference; and, David Piroli, on the ownership of the alley sold to PW, LLC and on the Charter Review Committee meetings.

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: Mary Schindler, encouraging comments in support of the southern alignment of the Glendale-Burbank Interceptor Sewer (GBIS) Project; Esther Espinoza, on the modifications to traffic controls at Buena Vista Street; Theresa Karam, on the GBIS Project; Mark Barton, on the Airport Authority meeting of February 6, 2006; Rose Prouser,

on Bid Schedule No. 1197, and on the GBIS Project; David Piroli, on the Noise Working Group meetings; and, Denise Sheehy, on the GBIS Project.

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

Jt. Mtg. with Redev. Agency, Housing Authority, Parking Authority, and YES Fund Board 802-1 Ms. Anderson, City Treasurer, requested the Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2006 Investment Policy, which is comprised of the Investment Pool of the City, Redevelopment Agency, Parking Authority, Youth Endowment Services, and separately, the Housing Authority.

2006 Investment Policy Ms. Anderson highlighted the following recommended changes: decreasing the liquidity requirement needed monthly from \$62 million to \$61 million; and, 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.

Motion It was moved by Mrs. Ramos, seconded by Mr. Campbell and carried that "the City Council, Redevelopment Agency Board, Housing Authority, Parking Authority and Youth Endowment Services Fund Board approve the 2006 Investment Policy."

Jt. Mtg. with Redev. Agency, Housing Authority, Parking Authority, and YES Fund Board 802-1 Ms. Anderson, City Treasurer, presented the City Treasurer's report on investment and reinvestment of temporarily idle funds for the quarter ending December 31, 2005. With the aid of a PowerPoint presentation she explained the City's portfolio with regard to investments and returns.

Treasurer's Report The Council noted and filed the report.

Motion It was moved by Mr. Campbell and seconded by Mr. Golonski that "the following items on the consent calendar be approved

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as recommended.”

1503
1504
BWP Water and
Power Report

The monthly Water and Power Operating Report for the Month of January 2006 was received from Burbank Water and Power.

The Council noted and filed the report.

204-4
Declaring the
Results of the
January 24,
2006 Special
Election

RESOLUTION NO. 27,164:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD
ON JANUARY 24, 2006.

1301-3
Underground
Tank Retrofit
Project (B.S. No.
1197)

RESOLUTION NO. 27,165:
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.

1402
Approve
Modifications
To Traffic
Controls at
Buena Vista and
San Fernando
and Vanowen

RESOLUTION NO. 27,166:
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.

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.

11:04 P.M.
Mr. Campbell

Mr. Campbell left the meeting at this time due to a potential
conflict.

Left Meeting

911
DEIR Regarding
Sewer System
Improvements
By the City of
Los Angeles

Mr. Andersen, Principal Civil Engineer, Public Works Department, reported that on January 17, 2006, staff presented a draft comment letter that discussed significant adverse impacts that would be created by the proposed north alignment of the Glendale-Burbank Interceptor Sewer Project. He stated that the draft letter identified concerns from the Draft Environmental Impact Report (EIR) and concluded that the extent of the environmental impacts of the alternatives was not fully addressed.

Mr. Andersen mentioned that staff was directed to hire a consultant to review the Draft EIR and update the City's comment letter accordingly. He noted one concern expressed by the Council on potential health-related impacts that such a project would have on the residents. He stated that staff hired two consultants, an expert in toxicology and a consultant experienced in reviewing EIRs, to review the non health-related impacts. He noted that the consultants' review did not indicate any changes but added additional arguments regarding traffic impacts and health risks related to the release of volatile organic compounds during tunneling and the de-watering process, which have been incorporated into the letter. He also noted receipt of another comment from the City Attorney's Office requesting re-circulation of the Draft EIR after the requested analysis is completed.

Mr. Andersen also commented on Council Member LaBonge's request to the Los Angeles Public Works Engineering and Bureau of Sanitation to consider the possibility of using the current Los Angeles River right-of-way for the alignment.

Mr. Golonski suggested the comment letter request that the Executive Summary of the Draft EIR include the alignment under the areas of controversy. He noted that not identifying the alignment during the scoping process prevented the ability to receive public input on this matter, which is an area of significant controversy.

Mr. Vander Borcht requested that a letter be sent to Mayor Villaraigosa and copied to all Los Angeles Council Members with regard to the City's position on this issue, and requesting their support.

11:16 P.M.
Reconvene

The Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services Fund Board meetings

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Redev. Agency, Housing Authority, Parking Authority, and YES Fund Board Meetings were 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.

Adjournment There being no further business to come before the Council, the meeting was adjourned at 11:17 p.m.

Margarita Campos, CMC
City Clerk

APPROVED APRIL 25, 2006

Mayor of the Council
of the City of Burbank