



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, MARCH 14, 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:

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:

PROCLAMATION: ADULT EDUCATION 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).

6:30 P.M. PUBLIC HEARING:

1. ELIMINATION OF COMPACT PARKING :

On April 26, 2004, the Council adopted an amendment to the Burbank Municipal Code (BMC), eliminating provisions for compact parking in multi-family residential zones. At the Council's request, staff returned on June 14, 2005 with a report detailing the potential effects of prohibiting compact parking spaces for the remaining commercial and industrial uses. This report responds to the direction provided by the Council at that time.

The BMC currently allows up to 45 percent of required parking spaces to be compact for general office and industrial uses. The compact stall size is seven feet, six inches wide by 15 feet long. Standard parking spaces must be 18 feet long. The minimum width required depends upon the use for which the parking is intended. Spaces for retail, commercial, and other high-turnover uses must be, at minimum, nine feet wide. Spaces for residential, general office, industrial, and other low turnover uses must be, at minimum, eight feet, six inches wide. Compact stalls are not permitted for any use other than general office and industrial.

Compact parking is generally not compatible with uses having high parking turnover. Burbank does not allow compact parking for high turnover uses such as retail stores, medical offices, banks or restaurants. However, there are additional problems associated with the use of compact parking. These include the demographic of vehicles on the road, the changing definition of the compact car, abuse of compact spaces by motorists with large vehicles and the inability to enforce the safe use of compact spaces by compact vehicles. Many California communities have eliminated or decreased their allowance for compact parking. Further, most cities that still allow compact parking allow for space ratios much lower than Burbank and have larger compact stall sizes comparable to Burbank's full-size stalls.

The Planning Board considered the proposed Zone Text Amendment (ZTA) at a public hearing on January 23, 2006. There was one public speaker in support of the amendment. All Board members expressed their support for the action as recommended by staff and voted 4-0 to recommend that the Council adopt the ZTA.

Although compact parking is less expensive and consolidates more parking on a smaller site, staff believes that the problems associated with compact parking outweigh the benefits.

Recommendation:

1. Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A NEGATIVE DECLARATION FOR PROJECT NO. 2005-128 (ZONE TEXT AMENDMENT ELIMINATING COMPACT PARKING).
2. Introduction of proposed ordinance entitled:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING VARIOUS SECTIONS OF CHAPTER 31 OF THE BURBANK MUNICIPAL CODE ELIMINATING COMPACT PARKING FOR COMMERCIAL AND INDUSTRIAL USES.

RECESS for the Housing Authority public hearing.

RECONVENE for the City Council meeting.

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:

2. ART INSTALLATION AT THE INTERSECTION FORMERLY KNOWN AS FIVE POINTS:

At the October 18, 2005, Council meeting, Mayor Vander Borgh requested that staff bring back a discussion on the potential of developing a gateway public art installation at the intersection of Burbank and Victory Boulevards and Victory Place, formerly known as "Five Points." This item was placed on the agenda on November 22, 2005 and the Council directed staff to bring back a proposal for their consideration, as well as, with the assistance of an appointed Site Specific Art Committee, to initiate an artist search without the services of an art consultant.

The City has developed numerous public art installations in conjunction with new capital projects. These include, but are not limited to, the Police/Fire Headquarters facility, Stough Canyon Nature Center, Buena Vista Library/Lincoln Park and McCambridge Park renovation.

The area of land available for an art installation is approximately one acre. It is not easily accessible to pedestrian traffic, however, it is very visible to motorists. Given the appropriate size of the potential art installation and the stated desire that it should be a "gateway" project, staff recommends that the Council consider \$150,000 be appropriated from the Public Art Fund. Staff also recommends that the Redevelopment Agency Board also consider that an additional \$150,000 be allocated from the Golden State bond proceeds. The total appropriation for this major installation, once fully funded, would be \$300,000.

To move forward, a Site Specific Art Committee would need to be appointed. Since this project will have a close relationship to the Burbank Boulevard Beautification Streetscape Project, staff would recommend that the Council consider members of the existing Oversight Committee, representatives from the City Manager's Office,

Community Development Department, Public Works Department, Park, Recreation and Community Services Department, and a landscape architect. In addition, staff recommends the inclusion of a representative from the Heritage Commission, the Art in Public Places Committee, and two appointees from the Burbank Boulevard business district. This is a large committee, but will afford continuity between the art installation and the beautification of the streetscape.

It is also staff's desire to obtain the Council's general concepts which should be taken into consideration when selecting a proposal that would be brought back to the Council for approval.

Redevelopment Agency Assistance

It is proposed that the \$300,000 cost for installation of the art piece be split between the Public Art Fund and Golden State Bond Proceeds. While the open area where the art piece is proposed to be installed is immediately adjacent to the Golden State and South San Fernando Redevelopment Project Areas, it is not actually in a Redevelopment Project Area. In order for the Redevelopment Agency (Agency) to fund its share of the art piece, certain findings must be made in accordance with California Community Redevelopment Law, Section 33445. Health and Safety Code Section 33445 requires that the Council find that: 1) the use of Agency Funds outside a redevelopment project area is of benefit to the project area funding the improvement; 2) there is no other reasonable means of financing the improvements; 3) the redevelopment purpose served is identified; and, 4) funding the public improvements will assist in the elimination of one or more blighting conditions inside the project area or assist in providing affordable housing.

Section 33445 Findings

1. The use of Agency funds for this purpose will create a major gateway element immediately adjacent to both project areas which will be a benefit to both project areas.
2. The City's Public Art Fund has been identified to fund one-half (\$150,000) of the cost of the art piece. However, there is no other reasonable means of financing the remaining balance of \$150,000.
3. The redevelopment purpose, as identified in the Merged Redevelopment Agency Plan, is to create a gateway element immediately adjacent to two project areas that will help achieve an environment reflecting concern for cultural, historical and recreational qualities and architectural and urban design principles.
4. The Agency's payment of funds toward a portion of the Burbank Boulevard art piece will assist in the elimination of blight (vacant, unutilized parcel) by creating a cultural and/or historical element on a property that serves as the gateway to two project areas.

The Public Art fund has a balance of \$583,125. If approved, \$150,000 would be appropriated from the Public Art Fund. In addition, \$150,000 would be appropriated from the Redevelopment Agency Merged Project Area Unappropriated Fund Balance Account.

Recommendation:

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING FISCAL YEAR 2005-2006 BUDGET FOR THE PURPOSE OF APPROPRIATING FUNDS IN THE AMOUNT OF \$150,000 FOR THE ART INSTALLATION AT THE INTERSECTION FORMERLY KNOWN AS "FIVE POINTS."

Adoption of proposed Council resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET AND APPROPRIATING FUNDS IN THE AMOUNT OF \$150,000 TO THE ART IN PUBLIC PLACES PUBLIC ART FUND FOR THE ART INSTALLATION AT THE INTERSECTION FORMERLY KNOWN AS "FIVE POINTS."

CONSENT CALENDAR: (Items 3 through 11)

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.

3. PLANNED DEVELOPMENT NO. 2000-2 UNITED CEREBRAL PALSY REVISED LANDSCAPE PLAN (600 SOUTH SAN FERNANDO BOULEVARD):

The purpose of this report is to present a request by United Cerebral Palsy (UCP) for Council approval of a change to their previously-approved landscape plan. On June 6, 2000, the Council approved Planned Development No. 2000-2 which authorized the construction of an 18-unit independent living complex for very-low income disabled adults. When approving this ordinance, the Council added a Condition of Approval that states that "the applicant must receive approval from the City Council of final landscaping plans before a building permit for construction will be issued." On October 2, 2001, the Council approved the landscape plan. UCP encountered some shortfalls in project funding, and has requested a change to replace 13 Date Palms with King Palms. UCP has stated that this replacement will save them over \$13,000. These trees do not grow as large as Date Palms, but are still of a large stature.

Recommendation:

Staff recommends that the Council approve the change to the landscape plan.

4. AUTHORIZING THE ACCEPTANCE OF A UNITED STATES DEPARTMENT OF JUSTICE GRANT AND AMENDING THE FISCAL YEAR 2005-06 BUDGET BY APPROPRIATING FUNDS:

Staff is requesting Council approval of the proposed resolution that authorizes the City Manager to accept \$19,558 in United States (U.S.) Department of Justice grant funds for the Police Department, and amends the Fiscal Year 2005-06 budget by appropriating funds.

The Office of Justice Programs, U.S. Department of Justice, was created in 1984 to provide Federal leadership in developing the nation's capacity to prevent and control crime, administer justice and assist crime victims. Staff received notice on January 30, 2006, that funds were available to states and local units of government. This grant will aid in the following areas: providing crime prevention/education funding for programs such as Street Beat cable programming, Neighborhood Watch and the Community and Youth Academies; and, updating various law enforcement equipment. The funding recommendations for this grant are consistent with Police Department goals.

This is a reimbursement grant with no match or recurring costs. Accepting the grant will have no fiscal impact on the City. The grant provides for one-time funding for law enforcement efforts specifically designated by the Council.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE ACCEPTANCE OF \$19,558 U.S. DEPARTMENT OF JUSTICE GRANT AND AMENDING THE FISCAL YEAR 2005-2006 BUDGET BY APPROPRIATING FUNDS.

5. AMENDING THE FISCAL YEAR 2005-06 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING BULLETPROOF VEST GRANT PROGRAM FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE:

Staff is requesting Council approval of the proposed resolution authorizing the City Manager to accept a \$3,003.64 grant from the United States Department of Justice, Bureau of Justice Assistance, for the Police Department Bulletproof Vest Program (BVP).

The City has participated in this program since 1999 and has received approximately \$44,000 to help offset the cost of safety vests. On September 20, 2005, staff prepared an application in response to a BVP Special Solicitation to assist local government with the immediate replacement of safety vests that contain Zylon fiber.

On January 20, 2006, the Burbank Police Department was notified that the application had been approved.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING BULLETPROOF VEST GRANT PROGRAM FUNDS IN THE AMOUNT OF \$3,003.64 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE.

6. AUTHORIZATION TO ACCEPT A CALIFORNIA DEPARTMENT OF TRANSPORTATION BICYCLE TRANSPORTATION ACCOUNT GRANT FOR THE HOLLYWOOD WAY CLASS II BIKEWAY AND GRADE SEPARATION MODIFICATION AND AMEND THE FISCAL YEAR 2005-06 BUDGET:

Staff is requesting the Council adopt the proposed resolution authorizing the acceptance of a California Department of Transportation (Caltrans) Bicycle Transportation Account Grant in the amount of \$274,500, with a local match requirement of \$30,500, for the construction of the Hollywood Way Class II Bikeway and Grade Separation Modification Project.

In February 2005, staff submitted Project No. 14 from the City of Burbank Bicycle Master Plan for grant funding under the Caltrans Bicycle Transportation Account (BTA) program. This proposed project calls for implementation of Class II bicycle lanes along Hollywood Way between Pacific Avenue and San Fernando Boulevard including modification of the Hollywood Way railroad underpass at Empire Avenue to accommodate bicycle lanes. The project would provide a more bicycle-friendly link between the Golden State area and the Magnolia Park and Media District neighborhoods to the south by bridging the railroad tracks that currently act as a barrier to bicycle travel. The project would also provide better bicycle access to the expanding media office employment center north of Empire Avenue, the Bob Hope Airport, and the proposed Empire Area Transit Center (EATC) proposed for the Bob Hope Airport Metrolink/Amtrak station. Finally, this project further enhances the overall bike route connectivity of the City by implementing a portion of the City's Top-Priority route network.

Estimated costs for the proposed project are \$305,000, of which, \$274,500 would be funded by the BTA grant. The remaining \$30,500 of local match would be funded through a drawdown of the City's 2005 Transportation Development Act (TDA) Article 3 funds. These funds, distributed each year by the Metropolitan Transportation Authority (MTA) based on population, are intended for bicycle and pedestrian improvements.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET IN THE AMOUNT OF \$274,500 FOR THE PURPOSE OF RECEIVING AND APPROPRIATING CALTRANS BICYCLE TRANSPORTATION ACCOUNT GRANT FUNDS AND AUTHORIZING THE EXECUTION OF A BICYCLE TRANSPORTATION ACCOUNT PROJECT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.

7. AGREEMENT WITH THE METROPOLITAN WATER DISTRICT FOR FUNDING OF WATER CONSERVATION ITEMS FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL CUSTOMERS:

The Metropolitan Water District (MWD) provides funding for water conservation items to its member agencies. MWD has also hired a company called Honeywell DMC to act as the liaison between business customers and member agencies. This recognizes the fact that most member agencies have very small conservation staff and may be unable to provide water conservation rebates and services directly to their customers. Through information provided by both Honeywell DMC and the member agencies, business customers contact Honeywell DMC directly to receive program information and rebates. MWD pays Honeywell DMC a processing fee for their services, as well as the customer rebate.

In the past, MWD signed annual funding agreements with its agencies. This has proved to be a time-consuming exercise and MWD has elected to streamline the process with ten-year agreements entered into with its member agencies. This agreement would be in effect until December 31, 2015. As needed, MWD would issue addendums to identify any changes to incentive amounts or items included in the agreement.

This agreement is certainly advantageous to Burbank Water Power. In addition to providing funding for incentives to Burbank businesses that install water-saving equipment, the program is completely turn-key for the utility. Staffing is essentially provided by MWD through its arrangement with Honeywell DMC.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A COMMERCIAL/INDUSTRIAL/INSTITUTIONAL WATER CONSERVATION ITEM FUNDING AGREEMENT BETWEEN THE CITY OF BURBANK AND THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD Agreement No. 66639).

8. APPROVAL OF FINAL TRACT MAP NO. 62059 – 320 WEST VALENCIA AVENUE:

Staff is requesting Council approval of Final Tract Map No. 62059, a one-lot subdivision totaling 9,095 square feet located at 320 West Valencia Avenue. The property is in the R-3 Multiple-Family Low Density Residential Zone and is owned by Mohammad Amon.

In January 2005, through Tentative Tract Map 2004-179, the property owner requested City approval to convert their existing five-unit apartment structure over one lot, to a one-lot, five-unit residential condominium structure. Final Map No. 62059 finalizes the condominium subdivision.

All requirements of the State Subdivision Map Act have been met. The following is a summary of information pertinent to the approval of Final Tract Map No. 62059:

1. The tentative tract map was approved by the Community Development Director on March 1, 2005 pursuant to Burbank Municipal Code (BMC) Section 27-323 (Director's Decision on Tentative Map);
2. The Final Map contains five condominium units at 320 West Valencia Avenue, which is located in the R-3 Multiple-Family Low Density Residential Zone;
3. This project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15268(b)(3) pertaining to approval of final subdivision maps; and,
4. Conditions of Approval for Tentative Tract Map No. 62059 have been cleared by the Planning Division for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to the Planning Division (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's Office).

According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the BMC, the Council must approve Final Map No. 62059 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING
FINAL MAP OF TRACT NO. 62059 (320 West Valencia Avenue).

9. AMENDING THE FISCAL YEAR 2005-06 BUDGET AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH EDGESOFT, INC.:

Staff is requesting Council approval of the resolution amending the Fiscal Year 2005-06 Budget, appropriating development impact fees in the amount of \$115,000 towards the Enterprise Permitting and Licensing System (ePALS) project, and the approval to enter into a professional services agreement with Edgesoft, Inc. to complete the project.

In 2005, a pilot permitting project for Code Enforcement was approved, commenced and successfully completed. After evaluating the success of the pilot, a decision was made to continue with the implementation of the ePALS system and requirements documentation was gathered that provided an accurate scope and project cost.

The total cost to complete the ePALS project (which includes four major system implementations; Planning, Building Permits, Business Tax and Regulatory Business License Modules) is \$575,000 of which \$246,348 has been previously appropriated. Staff's request to appropriate \$115,000 of revenue to fund the project and a budgetary request for \$213,652 in the Fiscal Year 2006-07 budget process will fund the completion of the ePALS project.

Recommendation:

Adoption of proposed resolution entitled:
(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND EDGESOFT, INC. AND AMENDING THE FISCAL YEAR 2005-2006 BUDGET TO APPROPRIATE \$115,000 TO FUND THE ENTERPRISE PERMITTING AND LICENSING SYSTEM (ePALS).

10. APPROVING CONTRACT DOCUMENTS AND AWARDED A CONSTRUCTION CONTRACT FOR BID SCHEDULE NO. 1187 – COMMUNITY DEVELOPMENT BLOCK GRANT ADDITION FOR TUTTLE ADULT CENTER PROJECT:

Staff is requesting Council approval of contract documents and award of a construction contract for Bid Schedule No. 1187 – Community Development Block Grant Addition for Tuttle Adult Center Project.

The Tuttle Adult Center is a neighborhood facility used for senior recreation programming in activities such as games, exercise, movies, choral groups, blood pressure checks, meetings and educational and special events as well as a daily (Monday-Friday) congregate meal program. Due to increased attendance at all of the programs, additional space is needed to accommodate the growth.

Bid Schedule No. 1187 was advertised in the Burbank Leader on October 8, 2005 and October 12, 2005. Nine copies of the bid were taken out and two bids were received at the bid opening ranging from \$234,800 to \$255,000. Upon review of the bid documents, staff finds Tek-Up Construction Inc. to be the lowest responsible bidder. Tek-Up Construction Inc. submitted the low bid of \$234,800.

The engineer's original estimate for this bid schedule was \$150,000. The lowest bid exceeded the original estimate by \$84,800, or 56 percent. The increase is attributed to the rise in construction costs. Sufficient funds are available in Tuttle Project account. Construction of this project is planned to occur between April and June 2006.

Recommendation:

Adoption of proposed resolution entitled:

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 TUTTLE ADULT CENTER PROJECT, BID SCHEDULE NO. 1187, TO TEK-UP CONSTRUCTION INC.

11. REVISING THE SPECIFICATION FOR THE CLASSIFICATIONS OF LEGAL SECRETARY AND LEGAL SECRETARIAL CLERK:

The nature of the work for these two titles has evolved and changed over the years. The emphasis has shifted from typing and transcribing to organizing and calendaring work for the attorneys. While attorneys do most of their word processing, heavier work loads require assistance in organizing their case loads and calendaring. The City Attorney's Office has recognized these changes and is revising the specifications accordingly. These changes will more closely reflect the work required and currently performed in these positions.

These classifications will remain subject to the Civil Service Rules and the Fair Labor Standards Act (FLSA) and will not be included in the City's Conflict of Interest Code. The Burbank City Employees Association (BCEA) will continue to represent these classifications and has been advised of these revisions. The City Attorney concurs with these recommendations. The Civil Service Board reviewed these revisions at their regularly scheduled meeting on March 1, 2006 and recommended approval of these changes to the Council.

There is no fiscal impact from the revisions of these specifications as the current salary ranges for these positions will be maintained.

Recommendation:

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF LEGAL SECRETARIAL CLERK (CTC No. 0481).
2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF LEGAL SECRETARY (CTC No. 0480).

END OF CONSENT CALENDAR

REPORTS TO COUNCIL:

12. DRAFT COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT REGARDING SEWER SYSTEM IMPROVEMENTS BY THE CITY OF LOS ANGELES – HYBRID ALIGNMENT:

The purpose of this report is to present the Council with draft comments on the Draft Environmental Impact Report regarding sewer system improvements – hybrid alignment proposed by the City of Los Angeles.

On January 17, 2006, staff presented a draft comment letter to the Council on the Glendale-Burbank Interceptor Sewer (GBIS) project concerns discovered by staff. The Council requested modifications to the comment letter and instructed staff to bring back a revised version of the letter.

On February 7, 2006, staff presented a revised comment letter to the Council on GBIS project concerns. With the addition of some language requested by Council Members, this letter was sent to the City of Los Angeles.

The City of Los Angeles has recently released a new GBIS alignment alternative, known as the hybrid alignment. Staff was requested by the Council to bring back a draft comment letter to send to the City of Los Angeles regarding the hybrid alignment alternative.

Recommendation:

Staff requests direction from the Council whether to proceed in sending the Draft Environmental Impact Report comment letter regarding sewer system improvements – hybrid alignment to the City of Los Angeles.

13. DEVELOPMENT OF A BANNER PROGRAM HONORING INDIVIDUALS SERVING IN THE ARMED FORCES:

At the January 17, 2006 Council meeting, Mayor Vander Borgh requested that staff place an item on the agenda to discuss the potential of developing a banner program honoring individuals serving in the armed forces. Prior to expending significant staff effort, this item has been placed on the agenda as the first step in the two-step agenda process, for additional Council discussion and consideration.

Staff conducted an initial survey concerning military recognition programs sponsored by municipalities. At this time, the cities of Pasadena and Glendale do not have a program in place. However, the cities of Glendora, Monrovia, Claremont, West Covina and Redondo Beach have recognition programs. In some cases they involve street banners and in other cases a poster is placed in the window of the family member who is serving. Participation in the existing programs varies. Staff's initial survey had city programs with as little as seven participants or in excess of 200. The banners and/or posters remain displayed during an individual's military service while the United States has major overseas deployments.

The programs receive funding from various resources. Some municipalities fund the entire cost of the banner (and the brackets, if required) and/or poster. In other cases community groups or individuals provide the financial support.

Recommendation:

Staff recommends that the Council initiate discussion on the potential development of a Military Recognition Program and direct staff accordingly.

RECONVENE the Redevelopment Agency and Housing 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**