

TUESDAY, MARCH 14, 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 5:02 p.m. by Mr. Vander Borght, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Gordon and Vander Borght.
Absent - - - - Council Member Campbell and 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.

5:02 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:

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 6:38 p.m. by Mr. Vander Borght, Mayor.

Invocation The invocation was given by Pastor Paul Clairville, Westminster Presbyterian Church.

Flag Salute The pledge of allegiance to the flag was led by Marian Fagan.

ROLL CALL

Present- - - - Council Members Campbell, Golonski, Gordon, 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 Adult Education Week Mayor Vander Borght presented a proclamation in honor of Adult Education Week to Dr. Cherise Moore, representing the Burbank Adult School.

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6:52 P.M.
Hearing
1702
Elimination of
Compact Parking

Mayor Vander Borcht stated that "this is the time and place for the hearing on amending portions of the Zoning Code to eliminate compact parking from commercial and industrial land uses."

Meeting
Disclosures

There were no meeting disclosures.

Notice
Given

The City Clerk was asked if notices had been given as required by law. She replied in the affirmative and advised that one piece of written communication in support of the ordinance had been received.

Staff
Report

Ms. Steinkruger, Assistant Planner, Community Development Department, requested the Council consider a Zone Text Amendment (ZTA) that would eliminate compact parking provisions for commercial and industrial uses. She reported that on April 26, 2004, the Council adopted an amendment to the Burbank Municipal Code (BMC) which eliminated compact parking provisions for multi-family residential zones. She added that in June 2005, staff presented a report detailing the potential effects of prohibiting compact parking spaces for the remaining uses and staff was directed to proceed with such Zone Text Amendment.

Ms. Steinkruger informed the Council that the BMC currently allows up to 45 percent of required parking spaces to be compact in general office and industrial uses. She stated that the compact stall size must be at a minimum seven feet-six inches wide by 15 feet long. She noted that generally, compact parking does not work well for uses with high turnover such as banks, restaurants, medical offices or retail stores. She mentioned additional problems associated with the use of compact parking, including: 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. She discussed that a survey of 238 California jurisdictions conducted in May 2000 revealed that 23 percent prohibited compact parking and 65 percent allowed varying proportions of compact parking; however, most cities allowed proportions lower than Burbank's.

Ms. Steinkruger stated that the Planning Board considered the proposed ZTA at a public hearing on January 23, 2006 and voted 4-0 to recommend that the Council adopt the ZTA. She

stated that if the Council desired to retain compact parking, staff suggested that the permitted ratio be substantially reduced to no more than 20 percent of required spaces and that the required stall size be increased consistent with the larger sizes utilized by adjacent communities. She added that the City may further require that compact parking for general office and industrial uses be utilized by business employees only. She also suggested that the ordinance not be applicable to Development Review applications that have been deemed complete as of its effective date.

Citizen Comment	Appearing to comment were: Eden Rosen; Carolyn Berlin; David Piroli; and, Rose Prouser, in support of the ordinance.
Hearing Closed	There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.
Council Deliberations	Council deliberation centered on parking stall dimensions and staff was directed to conduct a study on a uniform parking stall dimension of nine-feet wide by eighteen-feet long and return with a report at a later date.
Motion	It was moved by Mrs. Ramos and seconded by Mr. Campbell that "the following resolution be passed and adopted and the ordinance be introduced and read for the first time by title only:"
1702 Adopt Neg. Dec. For ZTA 2005- 128 (Eliminating Compact Parking)	<u>RESOLUTION NO. 27,190:</u> 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).
Amend Ch. 31 Eliminating Compact Parking	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.

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- Adopted The resolution was adopted and ordinance introduced by the following vote:
- Ayes: Council Members Campbell, Golonski, Gordon, Ramos and Vander Borght.
- Noes: Council Members None.
- Absent: Council Members None.
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- 7:23 P.M.
Recess The Council recessed at this time to allow the Housing Authority to hold a public hearing. The meeting reconvened at 7:32 p.m. with all members present.
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- 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: Brian Malone, requesting a Council liaison to the Traffic and Transportation Commission; Greg Mowry, on issues created by clientele of a neighborhood sports bar; Holly Schroeder, representing the Building Industry Association, on inclusionary housing; Anna May Nelson, announcing a film to be shown at McCambridge Recreation Center; Esther Espinoza, on oral communications and the length of Council meetings; Mark Barton, on oral communications; David Piroli, on the upcoming Charter Review Committee meeting; Rose Prouser, on the length of Council meetings; Bill Nelson, announcing a protest march on the anniversary of the war in Iraq; Howard Rothenbach, announcing a conference on redevelopment abuse; Dink O'Neal, on a response to comments he made at a previous Council meeting; and, Eden Rosen, on comments made at a previous Council meeting;
- Appearing to comment on the Glendale-Burbank Interceptor Sewer Project were: Amy Grey; Shelley Zbornak; Alec Zbornak; Jim Lane; John Phillips; Karen Gainer; Virginia Sardi; Sharon Swab; Mary Schindler; Allen Stone; Liz Montgomery; Kelly Simon; Laurie Miller; Molly Hyman; Mike Nowak; Sarkis Sarkissian; Dean Kay; Linda Ray; and, Stan Hyman.

Staff Response	Members of the Council and staff responded to questions raised.
Agenda Item Oral Communications	Mr. Vander Borcht called for speakers for the agenda item oral communications at this time.
Citizen Comment	<p>Appearing to comment on the Glendale-Burbank Interceptor Sewer (GBIS) Project were: Rance Howard; Ryan Miziker; Virginia Sardi; Dean Kay; David Stitz; Floran Frank; Liz Montgomery; Laurie Miller; Phil Berlin; Frank Zugelster; and, Molly Hyman.</p> <p>Also appearing to comment were: Esther Espinoza, on the Department of Justice grant; Mark Barton, encouraging speakers to address the Los Angeles City Council regarding the GBIS Project and on the art installation at Victory and Burbank Boulevards; Eden Rosen, on the art installation at Victory and Burbank Boulevards and the GBIS Project; Garen Yegparian, in support of the bikeway grant and on the GBIS Project; Chris Welker, in support of the banner program honoring Burbank's military personnel; David Piroli, on Final Tract Map No. 62059, the art installation at Burbank and Victory Boulevards and the bikeway grant; Rose Prouser, on the art installation at Burbank and Victory Boulevards, Department of Justice grant, bikeway grant and proposed improvements at the Tuttle Center; and, Howard Rothenbach, on the art installation at Burbank and Victory Boulevards and on eminent domain.</p>
Staff Response	Members of the Council and staff responded to questions raised.
9:34 P.M. Mr. Campbell Left the Meeting	Mr. Campbell left the meeting at this time due to a potential conflict.
911 Draft Comments on the DEIR Regarding Sewer System Impr. - Hybrid Alignment	Mr. Andersen, Principal Civil Engineer, Public Works Department, reported that the City recently received notice of a hybrid alignment to the Glendale-Burbank Interceptor Sewer (GBIS) Project and extension of the comment period on the Draft Environmental Impact Review (EIR) of the GBIS until March 31, 2006. He added that at the Council's request, staff has drafted a response letter to the hybrid alignment. He noted that the City has already sent two official letters on the Draft EIR, with the first letter presenting strong technical arguments

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against the northern alignment and the second letter requesting more data and extension of the comment period.

Mr. Andersen informed the Council that staff has drafted the comment letter with the help of a consultant and the letter has been reviewed by the City Attorney's Office. He explained that the hybrid alignment proposes to combine portions of the northern and southern alignments, cutting through either Clybourn Avenue, Rose Street or Pass Avenue. He added that this alignment was not discussed in the Draft EIR and staff was unable to make quantitative analysis since data is lacking. He then discussed the elements covered in the letter, such as: lack of adequate data; concerns related to air quality, geology and soils; noise and vibration; and, environmental justice. He noted that the strongest of the arguments is the noise and vibration along the alignment and shaft sites, and stated that more residents will be impacted by the hybrid alignment than the southern alignment.

Mr. Andersen then responded to public comment regarding: the four Integrated Resource Plan alternatives; clarified that current data indicates that the southern alignment would cross via Burbank under Lakeside Golf Course; the northern alignment would go under already-owned easements by the City of Los Angeles; the strength of language in the letter; and, air treatment facilities. He also encouraged residents to continue sending comment letters to the City of Los Angeles.

Following deliberation, the Council directed that: specific revisions be made to the comment letter to make it more strongly-worded; staff compile a videotape and letters/emails on residents' concerns and public testimony to be sent to Los Angeles; and, a meeting be scheduled with Council Member LaBonge as soon as possible with regard to the hybrid alignment.

10:12 P.M.
Mr. Campbell
Returned to the
Meeting

Mr. Campbell returned to the Council Chamber at this time.

Jt. Mtg. with
Redev. Agency
1705-2
Art Installation
at the
Intersection
Formerly Known
as Five Points

Mr. Hansen, Park, Recreation and Community Services Director, reported that at the October 18, 2005 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. He added that on November 22, 2005, staff was directed to bring back a proposal for consideration. He mentioned that the Art in Public

Places Ordinance requires that a development project with a construction budget of over \$500,000 contribute one percent of the total project cost towards an art installation and private developers who desire not to install on-site art must contribute their one percent obligation to the Public Art Fund.

Mr. Hansen reported that the subject area, which is approximately one acre, is not easily accessible to pedestrian traffic but is very visible to motorists. He added that given the appropriate size of the potential art installation and the stated desire for a gateway project, staff recommends the Council consider an appropriation of \$150,000 from the Public Art Fund and the Redevelopment Agency (Agency) Board also consider an additional \$150,000 to be allocated from the Golden State bond proceeds for a total appropriation of \$300,000.

Mr. Hansen informed the Council that a Site Specific Art Committee would need to be appointed and since the project will have a close relationship to the Burbank Boulevard Beautification Streetscape Project, staff recommended 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, he stated that staff recommended the inclusion of a representative from the Heritage Commission, the Art in Public Places Committee and two appointees from the Burbank Boulevard business district. He also requested the Council provide general concepts to be taken into consideration when selecting a proposal.

Mr. Hansen noted that since the site is not in a redevelopment project area, certain findings must be made in accordance with California Community Redevelopment Law, 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. He stated that all findings could be made.

Mr. Golonski requested clarification as to the use of Redevelopment Agency funding.

Dr. Gordon suggested citizen participation on the Site Specific Art Committee and inquired as to how the cost was derived without a specific project in consideration. He also expressed concern with the Redevelopment Agency findings.

Mr. Campbell requested staff's perspective on assertions that

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the art piece will be a distraction to motorists and inquired as to whether there will be future plans for reconfiguring the adjacent intersection.

Mr. Golonski requested a change in the Art in Public Places Policy to provide for a process that identifies three or four finalists and the Council and public comment on the pieces prior to final selection. Mr. Vander Borgh and Dr. Gordon concurred.

Mr. Vander Borgh expressed support for a gateway focal point for the community and the inclusion of citizens on the Site Specific Art Committee.

Mrs. Ramos also concurred with the inclusion of citizens on the Site Specific Art Committee.

Dr. Gordon expressed support for a botanical component in the project. Mrs. Ramos and Mr. Vander Borgh concurred.

Mr. Golonski stated his desire for the project to incorporate the City's aviation history. Mr. Vander Borgh concurred.

Mr. Campbell was supportive of the project and noted that it will rejuvenate Burbank Boulevard.

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

Redev. Agency Reso. Adopted Redevelopment Resolution No. R-2149 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".

1705-2 Art Installation At Intersection Formerly Known As Five Points RESOLUTION NO. 27,191:
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".

Adopted The resolution was adopted by the following vote:

Ayes: Council Members Campbell, Golonski, Gordon, Ramos and Vander Borcht.
 Noes: Council Members None.
 Absent: Council Members None.

Item Removed From Consent Calendar The item regarding 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, was removed from the consent calendar for purposes of discussion.

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

1702 PD 2000-2 United Cerebral Palsy Revised Landscape Plan A report was received from the Community Development Department presenting a request by United Cerebral Palsy (UCP) for approval of a change to their previously-approved landscape plan. It was stated that 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. It was noted that when approving the ordinance, the Council added a Condition of Approval that the applicant must receive Council approval of the final landscape plan before a building permit would be issued. On October 2, 2001, the Council approved the landscape plan; however, UCP has encountered some shortfalls in project funding and has requested a change to replace 13 Date Palms with King Palms to achieve a savings of over \$13,000. It was indicated that the trees do not grow as large as Date Palms, but are still of a large stature.

The Council approved the change to the landscape plan.

804-3 907 DOJ Grant RESOLUTION NO. 27,192:
 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.

804-3 RESOLUTION NO. 27,193:

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- 907
Bulletproof Vest
Grant Program
- 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.
- 407
Agmt. with
MWD for Water
Conservation
- RESOLUTION NO. 27,194:
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).
- 1204-1
Final Tract Map
No. 62059 –
320 W. Valencia
- RESOLUTION NO. 27,195:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 62059 (320 West Valencia Avenue).
- 102-1
PSA with
Edgesoft, Inc.
- RESOLUTION NO. 27,196:
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).
- 1301-3
Tuttle Adult
Center Project
(B.S. No. 1187)
- RESOLUTION NO. 27,197:
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.
- 1007-1
Revise Spec. for
Legal Secretarial
Clerk
- RESOLUTION NO. 27,198:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF LEGAL SECRETARIAL CLERK (CTC No. 0481).
- 1007-1
- RESOLUTION NO. 27,199:

Revise Spec. for
Legal Secretary

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF
LEGAL SECRETARY (CTC No. 0480).

Adopted

The consent calendar was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

804-3
403
Bicycle Transp.
Grant for
Hollywood Way
Class II Bikeway
and Grade
Separation

A report was received from the Community Development
Department requesting authorization to accept 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.

It was stated that 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. The proposed project called 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 would
further enhance the overall bike route connectivity of the City
by implementing a portion of the City's Top-Priority route
network.

Staff estimated that the proposed project would cost
\$305,000, of which, \$274,500 would be funded by the BTA
grant and the remaining \$30,500 local match would be funded
through the City's 2005 Transportation Development Act
Article 3 funds. It was noted that these funds, distributed each
year by the Metropolitan Transportation Authority based on
population, are intended for bicycle and pedestrian
improvements.

Dr. Gordon expressed concern with installing bike lanes on

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Hollywood Way due to heavy traffic and requested clarification on the potential of creating parking impacts.

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

804-3
403
Bicycle Transp.
Grant for
Hollywood Way
Class II Bikeway
and Grade
Separation

RESOLUTION NO. 27,200:
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.

Adopted The resolution was adopted by the following vote:

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

Noes: Council Members None.

Absent: Council Members None.

301
Banner Program
Honoring
Individuals
Serving in the
Armed Forces

Mr. Hansen, Park, Recreation and Community Services Director, reported that on January 17, 2006, Mayor Vander Borcht requested a discussion on the potential of developing a banner program honoring individuals serving in the armed forces. He added that staff conducted an initial survey concerning military recognition programs sponsored by municipalities, which revealed that in some instances, street banners were installed or a poster was placed in the window of the family with a member who is in the service. He also noted that participation varied between city programs with as little as seven participants or in excess of 200. He stated that the banners and/or posters remain displayed during the individual's military service. He also stated that the programs received funding from various resources including the municipalities, community groups or individuals. He requested the Council discuss the matter and give direction as desired.

Staff was directed to develop a military banner program and return with a report.

11:14 P.M. The Redevelopment Agency and Housing Authority meetings

Reconvene Redev. Agency and Housing Authority Meetings	were reconvened at this time.
Final Open Public Comment Period of Oral Communications	Mr. Vander Borght called for speakers for the final open public comment period of oral communications at this time.
Citizen Comment	Appearing to comment was Phil Berlin, on the Hollywood Way Class II Bikeway.
Staff Response	Members of the Council and staff responded to questions raised.
Adjournment	There being no further business to come before the Council, the meeting was adjourned at 11:19 p.m.

Margarita Campos, CMC
City Clerk

APPROVED MAY 2, 2006

Mayor of the Council
of the City of Burbank