



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, MARCH 21, 2006
4:00 P.M.

CITY COUNCIL CHAMBER – 275 EAST OLIVE AVENUE

This agenda contains a summary of each item of business which the Council may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file in the office of the City Clerk and the reference desks at the three libraries and are available for public inspection and review. If you have any question about any matter on the agenda, please call the office of the City Clerk at (818) 238-5851. This facility is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5021 voice or (818) 238-5035 TDD with questions or concerns.

CLOSED SESSION ORAL COMMUNICATIONS IN COUNCIL CHAMBER:

Comments by the public on Closed Session items only. These comments will be limited to **three** minutes.

For this segment, a **PINK** card must be completed and presented to the City Clerk.

CLOSED SESSION IN CITY HALL BASEMENT LUNCH ROOM/CONFERENCE ROOM:

- a. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):
Pursuant to Govt. Code §54956.9(c)
Number of potential case(s): 1

- b. Conference with Legal Counsel – Existing Litigation:
Pursuant to Govt. Code §54956.9(a)
Name of Case: City of Burbank v. Sempra Energy Trading Corporation.
Case No.: CV 05-5448 GPS - Federal District Court.
Brief description and nature of case: Breach of contract regarding sales of electrical energy.

- c. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/Susan Georgino.
Property: 157 West Linden Avenue.
Parties With Whom City is Negotiating: Grigorian Karmen and Rafik Bazikian, 663 North Glendale Avenue, Glendale, California 91206.
Name of Contact Person: Maribel Leyland and Julianne Venturo.
Terms Under Negotiation: Purchase of property for affordable housing.

- d. Conference with Real Property Negotiator:
Pursuant to Govt. Code §54956.8
Agency Negotiator: Community Development Director/Susan Georgino.
Properties: 159 West Linden Avenue/160 Elm Court.
Parties With Whom Agency is Negotiating: Donald and Carol Hopp, Post Office Box 45274, Los Angeles, California 90045.
Name of Contact Person: Maribel Leyland and Julianne Venturo.
Terms Under Negotiation: Purchase of property for affordable housing.

- e. 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:

PRESENTATION: ANNUAL STUDENT DESIGN COMPETITION.

COUNCIL COMMENTS: (Including reporting on Council Committee Assignments)

INTRODUCTION OF ADDITIONAL AGENDA ITEMS:

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

AIRPORT AUTHORITY MEETING REPORT:

1. AIRPORT AUTHORITY COMMISSIONER REPORT:

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

The main focus of this report will be issues which were on the Airport Authority meeting agenda of March 20, 2006. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

6:30 P.M. PUBLIC HEARING:

2. INCLUSIONARY HOUSING AND DENSITY BONUS ORDINANCES:

The purpose of this report is for the Council to consider a Zone Text Amendment which would require affordable units to be constructed within new residential development projects. A second ordinance is also proposed which codifies existing State law which allows a density bonus for affordable housing projects. Because of the similarity between the ordinances, they are being presented together. However, the Council may take separate actions on each ordinance.

The inclusionary ordinance would require developers of residential projects to include affordable units within their projects. The ordinance includes implementing regulations adopted by resolution, which govern the process for meeting the Code requirements. An in lieu fee study has been prepared for developers who request to pay a fee instead of constructing the units within their project. This fee would be used to provide affordable housing throughout the City.

Recommendation:

Introduction of proposed ordinance entitled:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO DENSITY BONUS.

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING IMPLEMENTING REGULATIONS FOR THE DENSITY BONUS ORDINANCE.

Introduction of proposed ordinance entitled:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING
CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO
INCLUSIONARY HOUSING.

Adoption of proposed resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING IMPLEMENTING REGULATIONS FOR THE INCLUSIONARY ORDINANCE.
2. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING ARTICLE III, SECTION I OF RESOLUTION NO. 26,994, THE BURBANK FEE RESOLUTION, RELATING TO INCLUSIONARY HOUSING.
3. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A NEGATIVE DECLARATION FOR PROJECT NO. 2005-157 (Density Bonus) AND ZONE TEXT AMENDMENT NO. 2003-4 (Inclusionary Ordinance).

REPORTING ON CLOSED SESSION:

INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS: (Two minutes on any matter concerning City Business.)

There are four segments of Oral Communications during the Council Meeting. The first precedes the Closed Session items, the second and third segments precede the main part of the City Council's business (but follow announcements and public hearings), and the fourth is at the end of the meeting following all other City business.

Closed Session Oral Communications. During this period of oral communications, the public may comment only on items listed on the Closed Session Agenda(s). A **PINK** card must be completed and presented to the City Clerk. Comments will be limited to **three** minutes.

Initial Open Public Comment Period of Oral Communications. During this period of Oral Communications, the public may comment on any matter concerning City Business. A **BLUE** card must be completed and presented to the City Clerk. NOTE: Any person speaking during this segment may not speak during the third period of Oral Communications. Comments will be limited to **two** minutes.

Agenda Item Oral Communications. This segment of Oral Communications immediately follows the first period, but is limited to comments on action items on the agenda for this meeting. For this segment, a **YELLOW** card must be completed and presented to the City Clerk. Comments will be limited to **four** minutes.

Final Open Public Comment Period of Oral Communications. This segment of oral communications follows the conclusion of agenda items at the end of the meeting. The

public may comment at this time on any matter concerning City Business. NOTE: Any member of the public speaking at the Initial Open Public Comment Period of Oral Communications may not speak during this segment. For this segment, a **GREEN** card must be completed and presented to the City Clerk. Comments will be limited to **two** minutes.

City Business. City business is defined as any matter that is under the jurisdiction of the City Council. Although other topics may be of interest to some people, if those topics are not under City Council jurisdiction, they are not City business and may not be discussed during Oral Communications.

Videotapes/Audiotapes. Videotapes or audiotapes may be presented by any member of the public at any period of Oral Communications or at any public hearing. Such tapes may not exceed the time limit of the applicable Oral Communications period or any public comment period during a public hearing. The playing time for the tape shall be counted as part of the allowed speaking time of that member of the public during that period.

Videotapes must be delivered to the Public Information Office by no later than 10:00 a.m. on the morning of the Council meeting in a format compatible with the City's video equipment. Neither videotapes nor audiotapes will be reviewed for content or edited by the City prior to the meeting, but it is suggested that the tapes not include material that is slanderous, pornographic, demeaning to any person or group of people, an invasion of privacy of any person, or inclusive of material covered by copyright.

Printed on the videocassette cover should be the name of the speaker, the period of oral communication the tape is to be played, and the total running time of the segment. The Public Information Office is not responsible for "cueing up" tapes, rewinding tapes, or fast forwarding tapes. To prevent errors, there should be ten seconds of blank tape at the beginning and end of the segment to be played. Additionally, the speaker should provide the first sentence on the tape as the "in cue" and the last sentence as the "out cue".

As with all Oral Communications, videotapes and audiotapes are limited to the subject matter jurisdiction of the City and may be declared out of order by the Mayor.

Disruptive Conduct. The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

Once an individual is requested to leave the Council Chamber by the Mayor, that individual may not return to the Council Chamber for the remainder of the meeting. BMC §2-216(b).

Individuals standing in the Council Chamber will be required to take a seat. Also, no materials shall be placed in the aisles in order to keep the aisles open and passable. BMC §2-217(b).

Your participation in City Council meetings is welcome and your courtesy will be appreciated.

COUNCIL AND STAFF RESPONSE TO INITIAL OPEN PUBLIC COMMENT PERIOD OF ORAL COMMUNICATIONS:

AGENDA ITEM ORAL COMMUNICATIONS: (Four minutes on Action Agenda items only.)

COUNCIL AND STAFF RESPONSE TO AGENDA ITEM ORAL COMMUNICATIONS:

JOINT MEETINGS WITH THE REDEVELOPMENT AGENCY:

3. CONSIDERATION OF AGREEMENTS BETWEEN THE CITY OF BURBANK, BURBANK REDEVELOPMENT AGENCY AND THE BURBANK HOUSING CORPORATION TO RESTRUCTURE DEBT OF THE BURBANK HOUSING CORPORATION:

The purpose of this report is to provide information to the Council and Redevelopment Agency (Agency) Board to consider agreements that will restructure the City's and Agency's financing to the Burbank Housing Corporation (BHC) for the residential properties owned and/or leased and operated by BHC as affordable rental housing in the City's Focus Neighborhoods.

The BHC currently operates or is in the process of rehabilitating residential properties containing over 200 rental-housing units within the City's Focus Neighborhoods. Each of these properties contains housing units that are affordable to lower and moderate-income households. In addition to the affordable housing properties, BHC operates four Family Resource Centers within the City's Focus Neighborhoods. BHC also owns and manages operations of the BHC Childcare Center.

Historically, the Agency has provided financing to BHC to acquire and rehabilitate the affordable housing properties and develop the Family Resource Centers. Generally, the Agency's financing has been project specific and predicated upon the minimum amount of public assistance warranted to ensure that the revenues generated from each property are sufficient to operate the property and fund reserves. However, this financing structure does not support BHC's growing operational needs as they continue to take on new projects and initiate revitalization efforts in the new Lake-Alameda Focus Neighborhood.

Therefore, staff is recommending that the City and Agency restructure their current financing to BHC for the residential properties. The proposed restructuring actions include the Agency extending financing to BHC to pay off several private mortgage loans and conversion of other Agency loans to residual receipts loans. These actions will assist BHC to overcome a potential funding shortfall by increasing cash flow for their operations. In addition, the proposed restructuring provides for a consistent

financing and repayment structure for all of the City's and Agency's loans to BHC for the residential properties.

Recommendation:

Adoption of proposed Council resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AGREEMENTS AMONG THE CITY, THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK, AND BURBANK HOUSING CORPORATION RELATING TO THE RESTRUCTURING OF BURBANK HOUSING CORPORATION DEBT.

Adoption of proposed Redevelopment Agency resolutions entitled:

1. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 BUDGET TO APPROPRIATE \$1,764,000.00 RELATING TO THE RESTRUCTURING OF BURBANK HOUSING CORPORATION DEBT.
2. A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING AGREEMENTS AMONG THE AGENCY, THE CITY OF BURBANK AND BURBANK HOUSING CORPORATION RELATING TO THE RESTRUCTURING OF BURBANK HOUSING CORPORATION DEBT.

4. AFFORDABLE HOUSING ACQUISITION STRATEGY (FOCUS NEIGHBORHOODS):

The purpose of this item is to present to the Council and Redevelopment Agency (Agency) Board a proposed strategy for future housing acquisition and rehabilitation efforts in the City's Focus Neighborhoods.

In July 2003 and May 2005, the Council and Agency Board held study sessions (the later in conjunction with the Planning Board) on the City's Affordable Housing Program. Staff explained that at the forefront of the City's Affordable Housing Program are the approved goals and implementing programs as identified by the Blue Ribbon Task Force on Affordable Housing (formed in 2002 and charged to develop recommendations for increasing Burbank's inventory of affordable housing).

Since their adoption, steps have been taken to address nearly all of the goals. Creating community in conjunction with housing has been the number one goal during that time. Activity/family resource centers in the focus neighborhoods are aimed at providing programming to build healthier families and stronger neighborhoods. In addition, to assist with this goal, a staff position was created exclusively dedicated toward building community, enhancing community engagement and fostering a more meaningful quality of life for all Burbank residents. In the past three years, these neighborhoods have seen the early steps of community building and neighborhood synergy taking place through more deliberate communication and very specific outreach efforts.

In an effort to encourage balance and variety in housing, in all approved Agency-sponsored residential and mixed-use projects, developers were required to include an affordable housing component (with affordability components ranging between 10 percent and 30 percent). Furthermore, Redevelopment Law requires that residential development in project areas make 15 percent of the units affordable to low and moderate-income households. The Agency has surpassed this goal and has a “bank” of units as more affordable units have been provided than statutorily required. At the same time, Planning and Agency staff have been working with community stakeholders in developing an Inclusionary Housing Ordinance that proposes to require that a certain percentage of units be affordable for all residential development of a specified scale.

There are over 2,400 affordable housing units available in the City. These units have been developed through the following programs:

- Acquisition and Rehabilitation Program in partnership with the Burbank Housing Corporation (BHC) – 165 affordable units;
- Homeownership Program through mixed-income development – 75 units;
- Senior Residential Development including the recent Senior Artists Colony development – 998 units;
- Special Needs Residential Development including the United Cerebral Palsy development – 22 units;
- Rehabilitation Loan Program – 162 units; and,
- Section 8 Voucher Program – 1,014 units.

Based on the current estimate of 43,338 housing units in the community, and the activities described above, 5.6 percent of the City’s housing units are available to very low, low and moderate-income households. However, other affordable housing may exist, but not necessarily due to the City’s or Agency’s efforts or monitoring.

Assuming the affordable units produced to date remain constant except for efforts through the Acquisition and Rehabilitation Program, staff has developed a housing acquisition strategy that proposes to focus future resources in the acquisition and rehabilitation activities in the focus neighborhoods. This concentrated effort has proven to revitalize neighborhoods while providing affordable housing.

Using housing unit capacity projections outlined in the Land Use Element update currently underway, it is projected that there will be close to 50,000 housing units in the City by the year 2025 (current estimate is 43,338). Assuming continued acquisition and rehabilitation efforts by the BHC and possible acquisition for homeownership developments, with no change in the other project and program affordable units, the percentage of affordable housing units in the City is estimated to remain about 6 percent.

Staff proposes the City and Agency continue to concentrate on implementing acquisition efforts in the Focus Neighborhoods (for both acquisition/rehabilitation projects as well as new homeownership developments). In addition, staff will

continue to implement the Rehabilitation Loan Programs and seek opportunities for future homeownership projects in the Redevelopment Project Areas and City-wide. Furthermore, staff proposes to fund the gap for the production of an additional 200 units through the partnership with the BHC over the next five years. These efforts will maintain an average 6 percent affordable housing percentage in the City, and is estimated to cost a minimum of \$10 million annually (based on the current market for the production of 40 units a year). A projected net \$4 million annual revenue stream is expected in the Housing Set-Aside Fund thereby resulting in a \$6 million funding gap beginning Fiscal Year (FY) 2007-08.

To help bridge the gap, staff projects the use of an estimated \$800,000 in HOME funds (as long as the funds remain available). In addition, staff proposes an additional \$2.5 million tax increment contribution to the Housing Set-Aside Fund beginning in FY 2007-08 through FY 2010-11 (for an estimated total of \$7.3 million in annual available funds for those four years). The remaining annual funding gap (approximately \$2.7 million) could be bridged using proposed inclusionary In-Lieu fees (to the extent they are available), leveraging grant funds and other possible, available funding sources.

Recommendation:

Staff proposes that the Council and Agency Board authorize staff to implement the proposed housing acquisition strategy described herein and consider an additional \$2.5 million increased contribution from the Agency's tax increment funds to the Housing Set-Aside Fund beginning in Fiscal Year 2007-08 through Fiscal Year 2010-11.

RECESS for the Burbank Public Financing Authority meeting.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 5 through 8)

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.

5. ESTABLISHMENT OF THE SPECIFICATION FOR THE CLASSIFICATION OF CHIEF FINANCIAL OFFICER:

The purpose of this report is to request Council approval of the specification and salary for the classification of Chief Financial Officer. With the addition of the new Magnolia Power Plant, the financial transactions of Burbank Water and Power (BWP) have grown ever more complex. As a result, it has become necessary to establish

the title of Chief Financial Officer to indicate the renewed emphasis on the financial duties. Many of the functions that will be performed by this new position were previously performed by the Assistant General Manager- Finance and Administration. But the old title had many extemporaneous duties that took its focus away from financial duties. With this establishment, BWP is refocusing the position to the necessary work of finance. This change will also make it easier to find comparable positions for surveys as this is the way most utilities are organized.

This classification will be an Unrepresented Management (Z group) position, exempt from Civil Service, and exempt from the Fair Labor Standards Act. This position will be included in the City's Conflict of Interest Code. The BWP General Manager concurs with this recommendation. The Civil Service Board reviewed this establishment at their regularly-scheduled meeting on March 1, 2006.

The salary range for the Chief Financial Officer will be set at \$10,117 - \$12,292. There will be no fiscal impact to the Department since this new classification is intended to replace the Assistant General Manager – Finance and Administration classification and the salaries are the same.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND SPECIFICATION FOR THE CLASSIFICATION OF CHIEF FINANCIAL OFFICER (CTC No. 0149) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

6. ESTABLISHMENT OF THE SPECIFICATION FOR THE CLASSIFICATION OF ASSISTANT PUBLIC WORKS DIRECTOR – WASTEWATER SYSTEMS:

The purpose of this report is to request Council approval of the specification and salary of the classification of Assistant Public Works Director – Wastewater Systems.

The proposed position will be responsible for developing and implementing the Water Reclamation and Sewer Fund's annual operating budget of approximately \$15 million and a capital improvement budget that has averaged approximately \$7 million over the past five years. The position has traditionally overseen three engineers and 26 contract employees who operate the Burbank Water Reclamation Plant and provide recycled water for Burbank Water and Power's use and sale. However, with upcoming regulatory changes related to sewer system management, the existing five field crew members who were previously assigned to sewer maintenance have been reassigned to report to the water reclamation and sewer engineering group.

In addition to these increased supervisory responsibilities, the position represents the City at regulatory agency and public meetings. Further, this position is responsible for reviewing future regulations and implementing the necessary changes at the Water

Reclamation Plant.

This classification will be an Unrepresented Management (Z group) position, exempt from Civil Service, and exempt from the Fair Labor Standards Act. This position will be included in the City's Conflict of Interest Code. The Interim Public Works Director concurs with this recommendation. The Civil Service Board reviewed this establishment at their regularly scheduled meeting on March 1, 2006.

The salary for the Assistant Public Works Director – Wastewater Systems will be set at \$8,789 - \$10,679. This salary is set equal to that of the Assistant Public Works Director – Traffic Engineer. This position will be funded out of the Water Reclamation and Sewer Fund (Fund 494).

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE TITLE AND SPECIFICATION FOR THE CLASSIFICATION OF ASSISTANT PUBLIC WORKS DIRECTOR – WASTEWATER SYSTEMS (CTC No. 0080) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

7. APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEARS 2005-08 BETWEEN THE CITY AND THE BURBANK MANAGEMENT ASSOCIATION AND AMENDING THE FISCAL YEAR 2005-06 BUDGET:

The purpose of this report is to request Council adoption of a Memorandum of Understanding (MOU) between the City and the Burbank Management Association (BMA) for Fiscal Years (FY) 2005-08 and amending the FY 2005-06 Budget. Staff has adhered to the City's compensation policy which includes the consideration of the condition of the economy as reflected by the Consumer Price Index (CPI); capacity in the City's approved budget; commitment to pay for performance; and, equity in the market place. Staff has been negotiating with the BMA since March 2005. Due to the ongoing budget constraints, these negotiations have been very challenging. However, the City and the BMA have been willing to make concessions in order to reach a reasonable consensus. The end result of the negotiations is that the BMA and the City reached a tentative agreement on a three-year MOU that was ratified by the BMA members on March 6, 2006.

A 12-city survey (Anaheim, Garden Grove, Glendale, Huntington Beach, Inglewood, Long Beach, Pasadena, Riverside, San Bernardino, Santa Ana, Santa Monica and Torrance) was completed for the general government BMA employees. The salary for these employees will be raised to the survey average effective November 1, 2005.

A survey utilizing four utilities (Anaheim, Glendale, Pasadena and Riverside) was completed for BMA employees working at Burbank Water and Power. Salary ranges for these employees will be raised to survey average effective July 1, 2005. The cost to the General Fund for FY 2005-06 is 4.14 percent with the actual cost for a full year

implementation being 6.21 percent. Effective July 1, 2006 there will be an increase in salaries based on the 2006-07 salary survey up to a cap of three percent. Effective July 1, 2007, there will be an increase in salaries based on the 2007-08 salary survey up to a cap of three percent.

As part of the negotiation process, the Council made the difficult decision to change the miscellaneous Public Employee Retirement System (PERS) retirement formula from two percent at 55 to 2.5 percent at 55 effective June 16, 2008. An outside, independent contractor performed an actuarial to ascertain the value of the enhanced retirement benefit which was stated at 4.8 percent. Like the International Brotherhood of Electrical Workers (IBEW) and the Burbank City Employees Association (BCEA), the BMA has agreed to share equally in the cost of this benefit. It is believed that the additional 4.8 percent (2.4 percent employee contribution and 2.4 percent City contribution) that will be paid to PERS over the next three years will help to stabilize and/or reduce the City's PERS employer rate once the enhancement is implemented.

The agreement also provides for an increase in cafeteria/medical premiums in each year and the cost for this benefit is offset by a new provision that gives a reduced cafeteria amount to new employees. Effective July 1, 2006 a vision plan will be provided to employees at no cost and effective July 1, 2007 a dental plan will be provided to employees. The City and the BMA will also form a Joint Labor/Management Committee to review the City's Employee Assistance and Worker's Compensation Programs to ensure that program efficiencies and effectiveness are being met.

The cost for the three-year agreement is 14.33 percent plus 2.40 percent for the cost of the PERS 2.5 percent at age 55 retirement formula. The adoption of the proposed resolution will conclude negotiations with all groups for FY 2005-06.

Recommendation:

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BURBANK AND THE BURBANK MANAGEMENT ASSOCIATION FROM JULY 1, 2005 TO JUNE 30, 2008 AND AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2005-2006.

8. AMENDMENT TO THE COOPERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 134 RAMPS PROJECT:

The State Route (SR)-134 Ramp Project involves the construction of a new on-ramp to the Westbound SR-134 Freeway from Alameda Avenue, east of Hollywood Way. It will circle around the back side of the Burbank Water and Power (BWP) electrical substation, pass under the Hollywood Way and Alameda Avenue freeway bridges,

and run parallel to the existing westbound on-ramp before merging with it, and eventually merge with the freeway mainline west of Pass Avenue. This second on-ramp is expected to greatly relieve traffic congestion at the adjacent intersection and surrounding area.

On October 8, 2002, the California Department of Transportation (Caltrans) and the City executed a Cooperation Agreement stating the responsibilities of each party in completing the project. The City agreed to realign the existing off-ramp, relocate the BWP Hollywood Way substation, and dedicate right-of-way; Caltrans agreed to fund and construct the new on-ramp, and to relinquish property to the City. State funding problems during the prior three years have delayed Caltrans from starting construction of the new on-ramp. Last year, Caltrans was finally able to secure the necessary funding to begin preliminary right-of-way activities and to make final preparations for beginning construction, which is now scheduled for late 2006.

The significant terms included in the proposed Amendment are: a five-year extension of the Agreement; the City agrees to be responsible for performing environmental soil assessments on several parcels that need to be acquired by Caltrans for the project and for designing a section of the electrical substation wall; and, Caltrans agrees to widen the south side of Alameda Avenue to create an additional lane leading to the new on-ramp.

In return for the City incurring a combined cost of approximately \$27,000 for the soils investigations and substation wall design, Caltrans is proposing to fund the cost of widening the south side of Alameda Avenue between Hollywood Way and the new on-ramp. This widening will create an additional eastbound lane that will lead directly onto the ramp, thereby facilitating a near free-flow condition of traffic entering the freeway. The City will save approximately \$60,000 by Caltrans including the street widening into their overall ramp project construction.

Recommendation:

Adoption of proposed resolution entitled:
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AMENDMENT NO. 1 TO THE COOPERATIVE AGREEMENT BETWEEN THE CITY OF BURBANK AND THE STATE OF CALIFORNIA CONCERNING THE RAMP IMPROVEMENT ON SR-134 BETWEEN CALIFORNIA STREET AND PASS AVENUE IN THE CITY OF BURBANK.

END OF CONSENT CALENDAR

ADOPTION OF PROPOSED ORDINANCE:

9. ELIMINATION OF COMPACT PARKING:

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.

This ordinance was introduced at the March 14, 2006 Council meeting.

Recommendation:

Adoption 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.

RECONVENE the Redevelopment Agency and Burbank Public Financing Authority meetings or 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**