



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, MAY 2, 2006  
3:30 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 Real Property Negotiator:  
Pursuant to Govt. Code §54956.8  
**Agency Negotiator:** Community Development Director/Susan Georgino  
**Property:** 607 South San Fernando Boulevard.  
**Parties with Whom City is Negotiating:** Burbank Unified School District  
**Name of Contact Person:** Susan M. Georgino, Community Development Director.  
**Terms Under Negotiation:** Instruction to negotiator will concern price and terms of payment concerning the lease of real property.
- b. Conference With Real Property Negotiator:  
Pursuant to Govt. Code §54956.8  
**Agency Negotiator:** Community Development Department/Susan M. Georgino.  
**Property:** 2721 West Burbank Boulevard, Burbank, California.  
**Party With Whom City is Negotiating:** Billy Burnett D Trust, 433 Amherst Drive, Burbank, California.  
**Name of Contact Person:** Susan M. Georgino, Community Development Director.  
**Terms Under Negotiation:** Possible acquisition.
- c. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 1

- d. Public Employee Performance Evaluation:  
Pursuant to Govt. Code §54957 and 54957.6  
**Title of Employee's Position:** City Attorney and City Manager.

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.

**5:00 P.M.**

**STUDY SESSION: INITIAL OVERVIEW OF THE FISCAL YEAR 2006-07 BUDGET AND FIVE-YEAR FORECAST:**

The purpose of this study session is to provide the Council with a preview of the City's Fiscal Year (FY) 2006-07 Proposed Budget, primarily concentrating on the City's General Fund. A comprehensive, proposed budget document will be provided to the Council prior to their annual Goal Setting workshop. However, due to the fact that the City is still dealing with budget challenges, staff felt that it was essential to meet to review and highlight some of the significant changes that will be recommended for next year's budget.

This study session will begin the first of several public budget study sessions scheduled in May that will lead up to the public hearing and adoption of the FY 2006-07 budget in June.

**Recommendation:**

Staff recommends that the Council review the proposed budget recommendations for the Fiscal Year 2006-07 Budget. Staff further recommends that the Council incorporate this year's Department Budget Study Sessions into existing Tuesday night Council meetings, similar to last year. The study sessions for this year have been scheduled for the following Tuesdays: May 9, May 16 and May 23, 2006.

**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:            OLDER AMERICANS MONTH.  
PROCLAMATION:            PUBLIC SERVICE RECOGNITION WEEK.

RECOGNITION:            MILITARY SERVICE.

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 May 1, 2006. Other Airport-related issues may also be discussed during this presentation.

Recommendation:

Receive report.

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 OPEN PUBLIC COMMENT AND AGENDA ITEM 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:

2. AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS, ACCEPTING GRANT FUNDS AND AMENDING THE FISCAL YEAR 2005-06 BUDGET FOR THE PURCHASE OF COMPRESSED NATURAL GAS BUSES:

Staff requests Council approval of resolutions authorizing the City Manager to execute a grant agreement with the South Coast Air Quality Management District (AQMD); accept grant funds from AQMD in the amount of \$252,000 and the Metropolitan Transportation Authority (MTA) in the amount of \$376,200; and, appropriate \$100,000 from the AQMD Assembly Bill 2766 "Rideshare" Fund and \$556,200 from the Vehicle Equipment Replacement Fund for the purchase of Compressed Natural Gas (CNG) buses. This report also requests Redevelopment Agency (Agency) Board approval to appropriate \$394,043 for the purchase of CNG buses and to amend the Fiscal Year (FY) 2005-06 Budget.

In June 2004, the Council directed staff to create a Transit Services Task Force to assess and make recommendations on the existing transit services, to better serve residents and reduce congestion in Burbank. On January 25, 2005, a plan for

expansion of the BurbankBus commuter service was developed and presented to the Council. In June 2005, Phase II of the transit expansion plan was implemented. This phase converted the two demand-responsive service areas to two separate fixed routes, the Downtown and Airport/Empire lines. On October 31, 2005, Phase III was initiated and new service line from the North Hollywood Redline Station into the Empire/Airport area was implemented.

These services support the City's goals of: 1) reducing the number of vehicles on City streets by promoting alternate means of transportation; and, 2) maintaining and enhancing the City's economic well-being by providing infrastructure conducive to business retention and attraction within the City. One of the proposed funding sources is the Agency. The BurbankBus system serves the City's primary employment centers, which are all located in and adjacent to the Golden State, West Olive and City Centre Redevelopment Project Areas.

A minimum of 13 fleet vehicles are needed to operate the five BurbankBus fixed-route services. Currently, the City owns seven of the 13 buses, with a contractor supplying the additional six buses. It is the City's intent to own all of the buses used in the transportation programs, and the City is committed to purchasing alternative fuel vehicles.

Staff has located a viable option to purchase five 35-foot CNG buses from Sunset Empire Transit District in Oregon, via a Federal Transit Administration-approved competitive bid. Staff believes that the best option to replace the existing CNG buses is to piggy-back on this competitive bid thereby reducing the receiving time. Staff anticipates a delivery time of eight months or 240 days. The purchase price is also favorable, as it is based on a 2003 competitive bid from a public agency, with the award made to the low bidder. Subsequent price increases due to escalation are minimal versus increases in the commodity markets for the same period. Staff has received a letter of assignment for five CNG buses from this competitive bid.

The cost per CNG bus is \$333,202.91, including Sales Tax. The cost of five buses is \$1,666,014.55. In addition, staff seeks to purchase a maintenance diagnostic package at a total cost of \$9,228.31. The total amount needed to purchase the buses would be \$1,675,243.

The City has been successful in obtaining grant funding from AQMD for seven alternative-fueled buses in the amount of \$252,000. Of those funds, staff can apply \$180,000 towards this purchase. The City has also received \$376,200 in SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) funding under the Transportation Appropriations Bill; however, these funds are distributed over four years. Staff proposes that the Vehicle Equipment Replacement Fund front the grant dollars for this purchase and the Fund will be reimbursed upon receipt of the grant dollars.

The Council has also provided an additional \$225,000 from the Traffic and Transportation Reserve Funds, in addition to \$400,000 from the General Fund

Unappropriated Fund Balance. Total funding available to-date is \$1,181,200 with a funding gap of \$494,043. Staff has identified the following two additional funding sources to bridge the gap: AQMD funding from the Assembly Bill 2766 "Rideshare" Fund in the amount of \$100,000, and \$394,043 from the Agency.

The Agency could provide \$394,043 by reimbursing a portion of its City Centre Project Area loan with the City. If authorized, \$394,043 will be transferred from the Agency Merged Project Area Fund to the City's General Fund. The funds will then be transferred into the Vehicle Equipment Replacement Fund to purchase the buses via a proposed Cooperation Agreement between the City and Agency.

Recommendation:

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2005-2006 ANNUAL BUDGET IN THE AMOUNT OF \$394,043 AND APPROVING THE EXECUTION OF A COOPERATION AGREEMENT WITH THE CITY OF BURBANK (CNG BUSES).

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 ANNUAL BUDGET FOR THE PURPOSE OF PURCHASING COMPRESSED NATURAL GAS BUSES; APPROVING GRANT AGREEMENTS; AND, APPROVING A COOPERATION AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK.

3. BURBANK BOULEVARD STREETScape PROJECT:

One of Council's stated goals is to improve streetscapes along the major arterials throughout the City. In 2002, a feasibility study by the landscape architectural firm of David Evans and Associates, Inc. resulted in a recommendation to focus on the Burbank Boulevard corridor, citing the appearance of Burbank Boulevard and the lack of overhead power lines as the determining factors. The Burbank Boulevard Streetscape Project then became part of the Work Program for Fiscal Year 2004-05.

Three community meetings were held in February and May 2005 to develop a Schematic Design for the project. The Schematic Design Phase provided numerous opportunities to improve "The Boulevard" and remedy the "heat corridor" condition that exists due to the predominance of concrete and asphalt as well as lack of street trees. On July 19, 2005, the Council and Redevelopment Agency (Agency) Board approved the conceptual design and directed staff to continue with the Design Development Phase.

Staff hosted a second series of community meetings with area residents, business and property owners. Five outreach and education meetings occurred in March 2006

and notices for these meetings were sent to residents, business and property owners within a 1,000-foot radius of the Burbank Boulevard corridor.

As a result of these meetings and additional staff analysis, changes and additions were made to the design, including the addition of more landscaped medians and upgrades to the signalized crosswalks. The Design Development Plan provides for five levels of improvements at specific locations along the corridor. These five levels include: standard treatment such as street trees, painting light standards, installing banners and new street name signs, etc.; enhanced treatments at major intersections; accent areas; gateway treatment; and, traffic interconnect and signal improvements along the corridor.

The total estimated budget for the project is \$9,271,951, including \$2,378,000 in related traffic improvements. The proposed funding is Golden State bond proceeds. Upon Council and Agency Board approval of the Design Development Plan, staff will proceed with the Construction Documentation Phase and return in November 2006 for consideration of the construction contract and related documents, including appropriation of the necessary funds.

Recommendation:

Staff recommends the Council and Redevelopment Agency Board approve the Design Development Plan for the Burbank Boulevard Streetscape Project and direct staff to proceed with the Construction Document Phase.

RECESS for the Redevelopment Agency meeting.

RECONVENE for the City Council meeting.

CONSENT CALENDAR: (Items 4 through 9)

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

4. MINUTES:

Approval of minutes for the regular meetings of March 7 and March 14, 2006.

Recommendation:

Approve as submitted.



5. BURBANK WATER AND POWER MONTHLY OPERATING REPORT:

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

WATER UPDATE

Water Quality

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

Fiscal Year (FY) 2005-06 Year-To-Date Water Fund Financial Results as of March 31, 2006:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
Water put into the system (CCF)	7,223,250	7,426,544	(203,295)	(3%)
Potable water sales (CCF)	7,113,725	7,072,964	40,761	1%
Recycled water sales (CCF)*	294,849	804,882	(510,033)	(63%) (B)
Potable Revenues	\$12,369	\$12,609	(\$240)	(2%) (A)
Recycled and Power Plant Revenues	496	1,093	(597)	(55%) (B)
<b>Total Operating Revenues</b>	<b>\$12,865</b>	<b>\$13,702</b>	<b>(\$837)</b>	<b>(6%)</b>
WCAC	5,615	5,348	(267)	(5%) (C)
<b>Gross Margin</b>	<b>\$7,250</b>	<b>\$8,354</b>	<b>(\$1,104)</b>	<b>(13%)</b>
Operating Expenses	5,746	6,607	861	13%
<b>Operating Income</b>	<b>\$1,504</b>	<b>\$1,747</b>	<b>(\$243)</b>	<b>(14%)</b>
Other Income/(Expenses)	1,193	603	590	98% (D)
<b>NI before Contr. &amp; Transfers</b>	<b>\$2,696</b>	<b>\$2,350</b>	<b>\$346</b>	<b>15%</b>
Transfers (In Lieu)	(608)	(639)	31	5%
Contributed Capital (A.I.C)	489	776	(286)	(37%)
<b>Change in Net Assets (Net Income)</b>	<b>\$2,578</b>	<b>\$2,487</b>	<b>\$91</b>	<b>4%</b>

( ) = Unfavorable

\* Includes Power Plant Sales, Commercial and Industrial Reclaimed Sales

- (A) WCAC over collection decreased potable water revenue by \$48k in March '06 and \$341k for year-to-date.
- (B) The actual YTD recycled water consumption for MPP was 362,125CCF lower or \$ 512k lower in revenues.
- (C) The BOU has experienced reduced operating capacity due to carbon screen failures, water production problems associated with the persistent low water table and well maintenance. Thus, there was an increased need for purchased water from the Metropolitan Water District (MWD). The BOU had an average of 56% of operating capacity compared to a 75% budgeted capacity.
- (D) Customer deposit of \$600k for fire hydrant meter dated from 2002.

Fiscal Year 2005-06 Water Fund Financial Reserve balances as of March 31, 2006 are summarized in the following table:

Water (In thousands)	Balance	Recommended Reserves
	3/31/2006	
<b>Unrestricted Cash</b>		
General Operating Reserve	\$5,477	\$4,430
Capital Reserve	\$2,807	\$3,580
<b>Sub-Total Unrestricted Cash</b>	<b>\$8,284</b>	<b>\$8,010</b>
<b>Restricted Cash</b>		
Water Replenishment Reserve	\$1,000	\$1,000
WCAC	\$1,345	\$1,345
Distribution Main Reserve	\$1,100	\$1,100
Debt Service Fund	\$853	\$853
Parity Reserve Fund	\$620	\$620
<b>Sub-Total Restricted Cash</b>	<b>\$4,917</b>	<b>\$4,917</b>
<b>Total Cash</b>	<b>\$13,201</b>	<b>\$12,927</b>

## ELECTRIC UPDATE

### Electric Reliability

The following table shows the system-wide reliability statistics for FY 2005-06 through March 31, 2006, as compared to the same time period for FY 2004-05:

Reliability Measure	Fiscal Year 2004-05	Fiscal Year 2005-06 (through March 31, 2006)
Average Outages Per Year	0.3005	0.3186
Average Outage Duration	76.66 minutes	62.98 minutes
Average Service Availability	99.9942%	99.9949%

## Financial and Operations Update

FY 2005-06 year-to-date Power Financial Results as of March 31, 2006:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
NEL MWh	881,229	880,238	991	0%
Retail Sales MWh	865,477	836,246	29,231	3%
Retail Revenues	107,526	106,640	\$886	1%
Other Revenues	2,572	1,685	887	53% (A)
Retail Power Supply & Transmission expenses	(75,770)	(66,847)	(8,924)	(13%) (B)
<b>Retail Gross Margin</b>	<b>34,328</b>	<b>\$41,478</b>	<b>(\$7,150)</b>	<b>(17%)</b>
Wholesale Revenues	130,666	34,500	96,166	279%
Wholesale Power Supply	(125,174)	(32,085)	(93,089)	(290%)
<b>Wholesale Gross Margin</b>	<b>\$5,492</b>	<b>\$2,415</b>	<b>\$3,077</b>	<b>127%</b>
<b>Gross Margin</b>	<b>39,820</b>	<b>\$43,893</b>	<b>(\$4,073)</b>	<b>(9%)</b>
Operating Expenses	(26,937)	(27,315)	378	1%
Operating Income	\$12,883	\$16,578	(\$3,696)	(22%)
Other Income/ (Expense)	817	(712)	1,529	215% (C)
<b>NI before Contr. &amp; Transfers</b>	<b>\$13,700</b>	<b>\$15,866</b>	<b>(\$2,167)</b>	<b>(14%)</b>
Transfers In/(Out) - (In lieu)	(6,334)	(6,573)	239	4%
<b>NI before Contributions</b>	<b>\$7,366</b>	<b>\$9,293</b>	<b>(\$1,927)</b>	<b>(21%)</b>
Contributed Capital (A.I.C)	739	1,785	(1,046)	(59%)
<b>Change in Net Assets (Net Income)</b>	<b>\$8,105</b>	<b>\$11,078</b>	<b>(\$2,973)</b>	<b>(27%)</b>

( ) = Unfavorable

(A) Transmission revenue related to MPP scheduling system was not budgeted. YTD impact is \$750k.

(B) Primarily due to the MPP COD delay and forced outages in October 2005 – March 2006.

- (C) BPA settlement of \$591k in July and supplemental crude oil refund of \$130k in February was not budgeted. Actual interest income is higher than budget due to higher interest rate. Budget assumes interest rate of 2.5% APR. Actual interest rates ranges between 4%-5.5%. YTD impact of higher interest income is \$730k.

FY 2005-06 Power Fund Financial Reserve balances as of March 31, 2006 are summarized in the following table:

<b>Electric (In thousands)</b>	<b>Balance 3/31/2006</b>	<b>Recommended Reserves</b>
<b>Unrestricted Cash</b>		
General Operating Reserve	\$38,933	\$41,000
Capital and Debt Reduction Fund	\$10,000	\$15,100
Fleet Replacement Reserve	\$3,000	\$4,500
General Plant Reserve	\$800	\$1,170
Bond Cash	\$3,776	\$0
<b>Sub-Total Unrestricted Cash</b>	<b>\$56,509</b>	<b>\$61,770</b>
Debt Service Fund & other	\$8,200	\$8,200
Parity Reserve Fund	\$9,999	\$9,999
<b>Sub-Total Restricted Cash</b>	<b>\$18,199</b>	<b>\$18,199</b>
<b>Total Cash</b>	<b>\$74,708</b>	<b>\$79,969</b>

Recommendation:

Note and file.

6. SOUTH SAN FERNANDO BOULEVARD STREET IMPROVEMENT PROJECT BID AWARD, BID SCHEDULE 1207:

The South San Fernando Boulevard Street Improvement Project includes roughly a half-mile portion of the boulevard between Verdugo Avenue and Spazier Avenue. The Project is located in the South San Fernando Redevelopment Project Area and is an important component of the redevelopment of the area. The street improvement project is intended to help encourage property upgrades and future quality development throughout the corridor.

On July 30, 2002, the Council and Redevelopment Agency (Agency) Board approved the schematic design and staff was directed to proceed with the Design Development Phase. Staff held seven community and several "one-on-one" meetings to gather input from residents, property and business owners in the area. On January 13, 2004, the Council and Agency Board approved the Design Development Plans for the street improvement project and directed staff to prepare construction documents.

Staff solicited construction bids with the initial bid opening occurring on September 13, 2005. Only two bids were received in the amount of \$4,438,975 and \$4,490,303, both exceeding the engineer's estimate by approximately \$1.2 million. This was due to the high cost of asphalt concrete and other building materials driven by recent hurricane destruction in the southeastern part of the nation, as well as the increase in oil prices. All bids were rejected and staff decided to delay the second bidding until oil prices and other construction materials stabilized.

The second bid opening was held on March 14, 2006, and five contractors submitted bids as follows:

<u>CONTRACTORS</u>	<u>BID AMOUNT</u>
1. Sequel Contractor's Inc.	\$ 3,924,164.00
2. Sully Miller Contracting Co.	\$ 4,387,818.50
3. Los Angeles Engineering Inc.	\$ 4,409,737.00
4. All American Asphalt	\$ 4,436,002.75
5. Palp Inc. DBA Excel Paving Company	\$ 4,543,800.00

Sequel Contractor's Inc. was the lowest responsible bidder. Staff has contacted the State of California Contractor's State License Board and has found that their license is current, active and in good standing. Additionally, staff contacted several references, which provided confirmation that Sequel Contractors Inc. had satisfactorily completed their projects.

Subsequent to the initial bids, staff identified additional sewer upgrades that were needed for the area. It was determined that the streetscape improvements would provide an opportunity to construct the sewer upgrades with as little impact as possible. Therefore, Sequel Contractors, Inc.'s bid amount includes \$374,500 in sewer improvements that will be funded by the Water Reclamation and Sewer Fund. The necessary funds are appropriated in the Public Works Department's Capital Improvement Program budget.

Staff recommends approving a Professional Services Agreement (PSA) with LAN Engineering to provide construction management and inspection services. The cost of the PSA is not to exceed \$263,000. In addition, staff requests an appropriation of \$50,000 for additional landscape and architectural services from David Evans and Associates, Inc., the project's landscape architect, and \$150,000 for water main upgrades not included in the streetscape improvements. The total appropriation request is \$4,545,114, including a 15 percent contingency in the amount of \$532,450

for the construction contract. The source of funds is proposed to be the 2003 Tax Allocation Bond proceeds for the South San Fernando Redevelopment Project Area. Construction is expected to begin in June 2006 and be completed by December 2006.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION 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 SOUTH SAN FERNANDO STREET IMPROVEMENT PROJECT, TO SEQUEL CONTRACTORS, INC., AND AMENDING THE FISCAL YEAR 2005-2006 ANNUAL BUDGET (BID SCHEDULE NO. 1207).

7. APPROVAL OF FINAL MAP NO. 60875 – 700-750 SOUTH SAN FERNANDO BOULEVARD:

Staff is requesting Council approval of Final Map No. 60875, a combined 13-lot subdivision totaling 52,429 square feet located at 700-750 South San Fernando Boulevard. The property is located in the BCC-3 Zone and complies with R-4 development standards. The owner is Olson 737- Burbank 2, LLC, a California Limited Liability Company.

On December 30, 2003, the property owner requested City approval to demolish the existing commercial building consisting of 13 lots to construct a 33 residential condominium building with parking garage at grade. Final Map No. 60875 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 Map No. 60875:

1. The Council adopted Resolution No. 26,742 approving the tentative tract map on June 29, 2004;
2. The Final Map contains 33 condominium units at 700-750 South San Fernando Boulevard, which is located in the BCC-3 Zone and complies with R-4 development standards;
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;
4. Conditions of Approval for Tentative Tract Map No. 60875 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); and,
5. The owners of the newly-created Final Map No. 60875 will enter into a subdivision improvement agreement with the City, and will deliver a deposit or a security as determined by the Public Works Director to guarantee the completion of all the off-site improvements placed on this development.

According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the Burbank Municipal Code, the Council must approve Final Map No. 60875 if it substantially 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 THE FINAL MAP OF TRACT NO. 60875 AND APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT (700-750 South San Fernando Boulevard).

8. APPROVAL OF FUNDS AND PAYMENT TO LEE CONSTRUCTION FOR THE REMOVAL OF DEBRIS FROM FOUR DEBRIS BASINS:

Staff is requesting Council approval of the appropriation of funds in the amount of \$230,704.62 and payment to Lee Construction for completing the removal of debris and sediment from four City debris basins that were near capacity as a result of the January 2006 storms.

The fires in September and October 2005 were followed by an unusually-heavy rainstorm which caused debris flows in the recent burned areas, and filled four City-owned debris basins in the hillside area. Emergency work was performed in late October and early November to clean out these debris basins to prevent additional downstream flooding. Lee Construction completed the debris removal at a cost of \$497,711. This amount was included in the mid-year appropriation report to Council.

In early January 2006, the City experienced more storms resulting in debris and sediment accumulating in these same debris basins to 55 to 90 percent full. The debris needed to be removed as soon as possible to bring the four debris basins back to their full design and operations capacity in anticipation for any additional storms. During two weeks in February, Lee Construction removed an additional 21,200 yards of sediment and debris from the four basins at a cost of \$230,704.62.

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 AND APPROPRIATING FUNDS IN THE AMOUNT OF \$230,704.62 FOR THE REMOVAL OF DEBRIS FROM FOUR CITY DEBRIS BASINS.

9. UPHOLDING THE APPEAL OF PROJECT NUMBER 2005-84 DEVELOPMENT REVIEW – 1014 AND 1018 OMER LANE:

On April 18, 2006, the Council held a public hearing to consider an appeal of the Planning Board’s decision to approve Project No. 2005-84. The Council voted 4-1 to uphold the appeal and deny the 15-unit multiple-family project at 1014 and 1018 Omer Lane in the R-4 multiple family medium density zone.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE APPEAL AND DENYING, WITHOUT PREJUDICE, THE PLANNING BOARD’S DECISION TO APPROVE PROJECT NO. 2005-84 DEVELOPMENT REVIEW (1014 & 1018 Omer Lane – Mr. Varoozh Saroian and Mr. Bob Kunert, Applicants).

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

REPORTS TO COUNCIL:

10. SUPPORTING THE PASSAGE AND FUNDING OF PROPOSITION 81, THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006:

The purpose of this report is to request the Council to support the passage and funding of Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act, on the California June 6, 2006 ballot.

Proposition 81, if passed by California voters, would authorize the State of California to sell \$600 million in bonds to assist local governments in the construction of public libraries. Up to half of the monies, or \$300 million, will be used to fund some of the 57



third round projects already submitted and accepted. This includes the Burbank Public Library's application and it will not be necessary to reapply. If Proposition 81 is passed by the voters on June 6, 2006, the City will have another opportunity to receive State funding to complete a new Central Library. The previously-passed Measure L is still applicable to this grant to meet the matching funds requirement. Additionally, Measure L provides funding for a new Northwest Branch Library. There is no direct fiscal impact for passing the resolution.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK SUPPORTING THE PASSAGE AND FUNDING OF PROPOSITION 81, THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006, AND URGING ALL CITIZENS, COMMUNITY LEADERS AND ORGANIZATIONS IN BURBANK TO LEND THEIR SUPPORT TO THE CREATION OF THIS PUBLIC LIBRARY BOND FUND.

11. AUTHORIZATION TO PROCEED WITH DESIGN EFFORTS FOR A REVISED MULTI-PURPOSE NEIGHBORHOOD RECREATION CENTER PROGRAM AS PART OF THE ORIGINAL ROBERT R. OVROM PARK PROJECT, PHASE 1:

Staff is seeking Council authorization to redesign the building portion of the Robert R. Ovrom Park Project, based on: 1) the substantial cost escalation to complete the Project (\$16 million vs. the original \$9.2 million accepted budget); and, 2) the Burbank Unified School District's recent decision to relocate its Community Day School operations to another District-owned school site.

Staff developed four conceptual program options that focus revisions to the multi-purpose neighborhood recreational center and on-site and off-site parking only. To the maximum extent possible, the approved Park design and the yet to be completed Art-In-Public Places Program will be retained. Staff will report back to the Council with a fully developed program for its subsequent consideration and approval.

- Option A – Park with On-Site Parking - \$4.7 million
- Option B – Park, Modular Type Recreation Center, and On-Site Parking - \$5.9 to 6.1 million
- Option C – Park, Permanent Type Recreation Center, and On-Site Parking - \$7.6 to 8 million
- Option D – Park with Gymnasium - \$10.1 million

Program Option C is deemed the superior long-term program option and would most benefit the community through staff's evaluation of building quality, aesthetics, overall cost, parking, schedule completion and other relevant considerations. Program Option C will comprise a single-story multi-purpose neighborhood recreation center of

about 5,800 to 6,800 s.f., 20 to 24 on-site parking spaces, an estimated cost range of \$7.6 to \$8 million and a February 2009 occupancy date.

Based on the recommendation to proceed with Program Option C, no fiscal impact is expected. The total appropriated and potential funding sources currently available represent about \$8.2 million and are sufficient to cover the projected range in cost of \$7.6 million to \$8 million. The total projected Project cost for Program Option C includes about \$1.1 million in construction contingency, escalation and project contingency, as well as total expenditures of approximately \$950,000 through the period ending March 31, 2006.

Recommendation:

Staff recommends Council approval to proceed with Program Option C.

12. CONSIDERATION OF THE COMPENSATION OF THE CITY MANAGER AND CITY ATTORNEY:

The purpose of this report is to request Council consideration of the compensation of the City Manager and City Attorney. As the City Attorney and City Manager are officials appointed by the Council, they are to receive their annual performance evaluations and salary compensation determinations from the Council. Over the past few months, the Council has been preparing a performance evaluation for both the City Manager and City Attorney. The evaluations have been completed and pursuant to Government Code Section 54957 the compensation of the City Manager and City Attorney must be determined at a public meeting.

At the February 28, 2006 meeting, the Council took action to approve the compensation packages for the Executives, including the Appointed Officials, for Fiscal Years (FY) 2005-08. As a result of that Council action, effective March 1, 2006, the salary ranges for the City Manager and City Attorney were increased pursuant to the average of the 12 city survey as follows: the City Manager position's monthly salary range is \$14,235 to \$17,295, and the City Attorney position's salary range is \$12,961 to \$15,748 per month. The City Manager's last salary adjustment was on March 1, 2004 which provided for her current salary of \$13,409. The City Manager's salary is now below the current salary range by 6.16 percent. The City Attorney's last salary adjustment was on July 1, 2004, which provided for his current salary of \$13,865.

If the Council were to consider increasing the current salaries of the City Manager and the City Attorney, there would be no impact to the budget as the current salary ranges for both positions are already accounted for in the FY 2005-06 budget.

Recommendation:

Adoption of proposed resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK SETTING THE  
COMPENSATION FOR CITY MANAGER AND CITY ATTORNEY.

RECONVENE the Redevelopment Agency meeting 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. To Saturday, May 6, 2006, 9:00 a.m., at the Fire Training Center, 1845 North Ontario Street, for the Council Goal Setting Workshop.

**For a copy of the agenda and related staff reports,  
please visit the  
City of Burbank's Web Site:  
[www.ci.burbank.ca.us](http://www.ci.burbank.ca.us)**