



COUNCIL AGENDA - CITY OF BURBANK
TUESDAY, JULY 11, 2006
6:30 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.

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: MOTORCYCLE AND SCOOTER RIDE TO WORK DAY.

RECOGNITION: FIREMAN'S FUND GRANT.

RECOGNITION: BOB HARMAN MEMORIAL FUND DONATION TO THE SPORTS PROGRAM.

PROCLAMATION: SISTER CITY INTERNATIONAL 50TH ANNIVERSARY.

PRESENTATION: WEST NILE VIRUS.

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).

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:

CONSENT CALENDAR: (Items 1 through 6)

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.

1. 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 June 2006.

WATER UPDATE

Water Quality

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

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

	Year - to - Date			
	Actual	Budget	Variance	% Variance
Water put into the system (CCF)	8,627,842	8,971,182	(343,340)	(4%)
Potable water sales (CCF)	8,325,854	8,544,141	(218,287)	(3%)
Recycled water sales (CCF)*	480,194	974,026	(493,832)	(51%)
Potable Revenues	\$14,688	\$15,232	(\$544)	(4%) (A)
Recycled and Power Plant Revenues	525	1,323	(798)	(60%) (B)
Total Operating Revenues	\$15,213	\$16,555	(\$1,341)	(8%)
WCAC	6,532	6,440	(92)	(1%) (C)
Gross Margin	\$8,682	\$10,115	(\$1,433)	(14%)
Operating Expenses	7,328	8,074	746	9%
Operating Income	\$1,354	\$2,041	(\$687)	(34%)
Other Income/(Expenses)	1,334	747	588	79% (D)
NI before Contr. & Transfers	\$2,688	\$2,788	(\$100)	(4%)
Transfers (In Lieu)	721	762	41	(5%)
Contributed Capital (A.I.C)	688	948	(260)	(27%)
Change in Net Assets (Net Income)	\$2,655	\$2,973	(\$318)	(11%)

() = Unfavorable

* Includes Power Plant Sales, Commercial and Industrial Reclaimed Sales

(A) Deferring WCAC revenues reduced potable water revenues by \$453k FYTD.

- (B) The actual YTD recycled water sales are lower due to MPP operations.
- (C) The BOU has experienced reduced operating capacity due to carbon screen failures, water production problems associated with a persistently low water table, and well maintenance. The lower BOU operating capacity increased the need to purchase water from the Metropolitan Water District (MWD) which resulted in higher than planned costs. The BOU has operated at an average operating capacity FYTD of 58 percent, compared to a budget of 75 percent.
- (D) Reconciliation of Deposit Accounts.

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

Water (In thousands)	Balance 5/31/2006	Recommended Reserves
Unrestricted Cash		
General Operating Reserve	\$5,510	\$4,430
Capital Reserve	\$2,807	\$3,580
Sub-Total Unrestricted Cash	\$8,317	\$8,010
Restricted Cash		
Water Replenishment Reserve	\$1,000	\$1,000
WCAC	\$1,459	\$1,459
Distribution Main Reserve	\$1,100	\$1,100
Debt Service Fund	\$1,104	\$1,104
Parity Reserve Fund	\$620	\$620
Sub-Total Restricted Cash	\$5,283	\$5,283
Total Cash	\$13,601	\$13,293

ELECTRIC UPDATE

Electric Reliability

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

Reliability Measure	Fiscal Year 2004-05	Fiscal Year 2005-06 (through May 31, 2006)
Average Outages Per Year	0.3005	0.3443
Average Outage Duration	76.66 minutes	69.71 minutes
Average Service Availability	99.9942%	99.9950%

Financial and Operations Update

FY To-Date 2005-2006 Power Financial Results as of May 31, 2006:

	Year - to - Date			
	Actual	Budget	Variance	% Variance
NEL MWh	1,066,902	1,065,060	1,842	0%
Retail Sales MWh	1,036,009	1,011,808	24,201	2%
Retail Revenues	129,841	129,028	\$813	1%
Other Revenues	3,191	2,059	1,132	55% (A)
Retail Power Supply & Transmission expenses	93,289	81,115	(12,174)	(15%) (B)
Retail Gross Margin	39,743	49,972	(\$10,229)	(20%)
Wholesale Revenues	144,976	44,000	100,976	229%
Wholesale Power Supply	138,914	40,920	(97,994)	(239%)
Wholesale Gross Margin	\$6,063	\$3,080	\$2,983	97%
Gross Margin	45,806	\$53,052	(\$7,246)	(14%)
Operating Expenses	33,475	33,385	(91)	(0%)
Operating Income	12,331	\$19,667	(\$7,336)	(37%)
Other Income/ (Expense)	527	(870)	1,397	161% (C)
NI before Contr. & Transfers	12,858	\$18,797	(\$5,939)	(32%)
Transfers In/(Out) - (In lieu)	7,674	7,953	279	4%
NI before Contributions	5,183	\$10,844	(\$5,660)	(52%)
Contributed Capital (A.I.C)	957	2,182	(1,225)	(56%)
Change in Net Assets (Net Income)	\$6,141	\$13,026	(\$6,885)	(53%)

() = Unfavorable

(A) New transmission revenue related to MPP scheduling services. YTD impact is \$1,000k.

(B) Power Supply variance is primarily due to cost of natural gas, spot energy and replacement power associated with MPP COD delay and planned outages.

(C) Other Income included a BPA settlement of \$591k, and supplemental crude oil refund of \$130k. Actual interest income is higher than budget due to higher interest rates. Budget assumes interest rate of 2.5% APR. Actual interest rates

are between four percent-five percent. Estimated FYTD impact of higher interest income is \$900k.

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

Electric (In thousands)	Balance	Recommended
	5/31/2006	Reserves
Unrestricted Cash		
General Operating Reserve	\$42,116	\$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	\$3,814	\$0
Sub-Total Unrestricted Cash	\$59,730	\$61,770
Debt Service Fund & other	\$10,752	\$10,752
Parity Reserve Fund	\$10,001	\$10,001
Sub-Total Restricted Cash	\$20,753	\$20,753
Total Cash	\$80,483	\$82,523

Recommendation:

Note and file.

2. APPROVAL OF THE MODULAR BUILDING LEASE AGREEMENT EXTENSION:

Staff is requesting Council approval of a resolution extending the multi-year lease agreement between the City and Brandall Modular Corporation for an additional 19 months at a cost of \$169,681.88. The lease extension is necessary to provide office space until the Community Services Building (CSB) project is completed. The anticipated occupancy date is April 2008.

On January 25, 2000, the Council approved a three-year lease agreement between the City and Brandall Modular Corporation as part of the old Municipal Services Building relocation and Community Services Building (CSB) construction projects. Additional office space was needed to house Public Works Administration and Engineering, and several divisions of the Community Development Department.

On August 12, 2003, the Council approved a lease agreement extension with Brandall Modular Corporation. The extension was necessary due to the unplanned retirement of the CSB project manager, an increase in the scope of the project to include the preparation of a civic center master plan and a temporary hold placed on the project due to the State's budget crisis and its potential impacts on the project. The proposed resolution would extend the lease until the CSB project is completed and occupied.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING A THIRD AMENDMENT TO THE LEASE BETWEEN THE CITY OF BURBANK AND BRANDALL MODULAR CORP. FOR A MODULAR BUILDING.

3. APPROVAL OF FINAL MAP NO. 62232 – 650 EAST PALM AVENUE:

Staff is requesting Council approval of Final Map No. 62232, a one-lot subdivision totaling 15,170 square feet located at 650 East Palm Avenue. The property is in the R-4 Multiple-Family Medium Density Zone and is owned by 634 Palm LLC, a California Limited Liability Company.

On April 23, 2004, the property owner requested City approval to demolish the existing six multi-family residential units over two lots to convert to a one-lot, 15-unit multi-family residential condominiums with a subterranean parking garage. Final Map No. 62232 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. 62232:

1. The tentative tract map was approved by the Community Development Director on February 16, 2005 pursuant to Burbank Municipal Code (BMC) Section 27-323 (Director's Decision on Tentative Map);
2. The Final Map contains 15 condominium units at 650 East Palm Avenue, which is located in the R-4 Multiple Family Medium Density Residential Zone;
3. This project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15268(b) (3) pertaining to approval of final subdivision maps; and,
4. Conditions of Approval for Tentative Tract Map No. 62232 have been cleared by the Planning Division for the purpose of Final Map approval. The Condition of Approval relating to Covenants, Conditions and Restrictions (CC&Rs) will be satisfied when the applicant submits two recorded copies of the CC&Rs to the Planning Division (applicant cannot record the CC&Rs until this tract map is approved by the Council and recorded at the Los Angeles County Recorder's

Office).

According to the State Subdivision Map Act, Chapter 3, Article 4, Section 66458, and the provisions of Chapter 27 of the BMC, the Council must approve Final Map No. 62232 if it conforms to all the requirements. If such conformity does not exist, the Council must disapprove the map at the meeting it receives the map, or at its next regular meeting. If the Council has not authorized an extension to allow more time to disapprove the map, and the map conforms to all requirements, the map shall be deemed approved by operation of law.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING FINAL MAP OF TRACT NO. 62232 (650 East Palm Avenue).

4. AUTHORIZATION TO ACCEPT A SAFE ROUTES TO SCHOOL GRANT (CYCLE SIX) FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND AMENDING THE FISCAL YEAR 2006-07 BUDGET:

Staff is requesting Council approval of a resolution accepting a Safe Routes to School Grant – Cycle Six from the California Department of Transportation (Caltrans) and amending the Fiscal Year 2006-07 budget.

The Safe Routes to School Grant program is designed to improve and enhance the safety of pedestrian and bicycle facilities and related infrastructure on identified school travel routes. California Assembly Bill 1475 established the program in 1999 to provide approximately \$15 to \$20 million annually to local governmental agencies based on a statewide competition for the construction funds. The recent Transportation Reauthorization Bill expanded the program to \$57 million this year. The Safe Routes to School Grant Program provides 90 percent financing for projects deemed of significant importance to school safety. Caltrans administers the grants through the Local Programs office.

In June 2005, staff applied for a Safe Routes to School Grant to fund improvements to walking and bicycle routes for three schools in Burbank: William McKinley Elementary School; Thomas Edison Elementary School; and, George Washington Elementary School. On June 7, 2006, Caltrans notified staff that the grant application for this cycle was approved for the total requested funding of \$223,800. The grant was among a total of 115 approved projects in the State, which were selected from over 500 applications. The grant funds must be used before the end of 2007.

The Safe Routes to School Grant Program will reimburse 90 percent of the total construction cost of each project. The required local matching funds in the amount of \$22,380 have been allocated from Transportation Development Act (TDA) funds.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006-2007 BUDGET FOR THE PURPOSE OF RECEIVING AND APPROPRIATING SAFE ROUTES TO SCHOOL CYCLE SIX GRANT FUNDS IN THE AMOUNT OF \$201,420 FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, AND THE CITY'S LOCAL CONTRIBUTION IN THE AMOUNT OF \$22,380.

5. AUTHORIZING THE ACCEPTANCE OF A FIREMAN'S FUND GRANT AND AMENDING THE FISCAL YEAR 2006-07 BUDGET:

The purpose of this report is to request Council authorization for the Fire Department to accept a \$157,218 Fireman's Fund Heritage Grant and amend the Fiscal Year (FY) 2005-06 Budget.

Fireman's Fund Insurance Company has a philanthropic mission to support firefighters for safer communities by providing grants and volunteer support to local fire departments, national firefighter organizations and non-profit fire and burn prevention organizations through the Fireman's Fund Heritage Program. Across the country, agencies that sell Fireman's Fund products can direct grants to local fire departments based on the size and growth of their business with Fireman's Fund. In this particular case, the DeWitt Stern Group of Van Nuys, California identified the Burbank Fire Department as a candidate for this grant program. The Department submitted a proposal to the Fireman's Fund Heritage Program and was selected by a committee to receive a one-time grant in the amount of \$157,218. The funds will be allocated for the purchase of a Flashover Fire Survival Training System, which will provide training to Fire Department personnel in the area of interior structural firefighting.

Flashover Fire Survival Training is state-of-the-art training technology which provides training in the most dangerous activity of interior structural firefighting. Many firefighters are killed each year in extreme fire conditions due to lack of knowledge and skills to recognize and mitigate the conditions leading up to a phenomenon known as "flashover". This is a fire behavior that results in the entire interior space exploding into flames engulfing firefighters in conditions that are not survivable. While the Burbank Fire Department has excellent training systems in place, there has not been an opportunity to propose this type of specialized training before.

Recommendation:

Adoption of proposed resolution entitled:

(4/5 vote required)

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006-2007 BUDGET AND ACCEPTING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$157,218.00 FROM THE FIREMAN'S FUND

6. HERITAGE GRANT FOR THE ACQUISITION OF A SWEDE SURVIVAL SYSTEM. APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF BURBANK AND THE ICMA RETIREMENT CORPORATION TO ESTABLISH A RETIREMENT HEALTH SAVINGS PLAN FOR THE BURBANK CITY EMPLOYEES ASSOCIATION, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS – LOCAL 18 UNIT 50, AND THE BURBANK MANAGEMENT ASSOCIATION:

The purpose of this report is to request Council adoption of a resolution to approve an agreement between the City and the ICMA Retirement Corporation for a Retirement Health Savings (RHS) plan for the Burbank City Employees Association (BCEA), International Brotherhood of Electrical Workers – Local 18 Unit 50 (IBEW), and the Burbank Management Association (BMA).

Health care costs across the nation continue to increase at a rapid rate each year. Last year alone, the Consumer Price Index (CPI) reported a rise in medical care costs of 4.20 percent. While this continued rise in medical care costs affects every employee, it is especially burdensome to retirees on a fixed income. As such, the BCEA, IBEW and BMA formed a coalition in 2003 to establish the Burbank Employees' Retirement Medical Trust (BERMT) to help offset future medical costs for retirees beginning in 2008. All miscellaneous employees, as well as the City, contribute \$26.25 per pay period to this Trust. In addition, the Burbank Police Officers' Association (BPOA) established a Voluntary Employee Beneficiary Association (VEBA) in 1998 where each member contributes 1.50 percent of their salary to offset future medical costs. In January 2006, the Burbank Fire Fighters' (BFF) established a VEBA on behalf of their members; and the Council approved a contribution of \$44 per month per employee be placed in a retiree medical account for IBEW members effective July 1, 2007. Also, in January 2006, the Council approved the adoption of an ICMA RHS plan for the Unrepresented Managers and Executives. At that time, staff discussed the possibility of extending the RHS plan to include the BCEA, IBEW and BMA at no cost to the City. In addition to the above-mentioned retiree health care plans, the City provides the mandatory Public Employees Retirement System (PERS) allocation (currently \$64.60 per month) to all retirees who select PERS health plans upon retirement.

The ICMA Retirement Corporation has developed a plan that will provide the BCEA, IBEW and BMA employees the opportunity to set aside money or leave time on a pre-tax basis to help offset the cost of medical care when the employee retires. Once retired, these monies can then be used to pay for medical costs on a pre-tax basis also. Each of the collectively bargaining groups informed staff that they wished to proceed with the adoption of the ICMA's RHS plan pending Council approval.

There is no financial obligation incurred by the City. This is a voluntary program funded by the individual employees with no contribution being made by the City, except for the \$44 per month to IBEW employees that was approved by the Council in January 2006.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING AN AGREEMENT WITH THE ICMA RETIREMENT CORPORATION TO ESTABLISH A RETIREE HEALTH SAVINGS (RHS) PLAN FOR THE BURBANK CITY EMPLOYEES ASSOCIATION, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS – LOCAL 18 UNIT 50, AND BURBANK MANAGEMENT ASSOCIATION.

END OF CONSENT CALENDAR

REPORTS TO COUNCIL:

7. TELECOMMUNICATIONS UPDATE – FIRST STEP:

During the Introduction of the Additional Agenda Items portion of the June 27, 2006 Council meeting, Council Member Gordon asked staff to place the information discussed during the June 27, 2006 Council Telecommunications Study Session on a future agenda. In accordance with Council policy, this item has been placed on the agenda as the first step in a two-step process.

On June 27, 2006, staff provided the Council with an overview of recent State and Federal telecommunications-related legislation, a request from AT&T for implementation of their Fiber-to-the-Node (FTTN) program entitled Project Lightspeed, a status update on the current cable franchise agreement negotiations and the potential fiscal impacts to the General Fund resulting from existing legislation, litigation and changes in technology.

As part of the Study Session, a majority of the Council concurred with staff's recommendation to begin negotiations with AT&T for the purpose of developing an agreement for the expeditious implementation of Project Lightspeed. Staff met with AT&T on Monday, July 3, 2006 and has begun to solidify deal points for a potential agreement. It is staff's expectation to have a negotiated draft agreement with AT&T ready for Council review, input and approval within the next 30 days.

Recommendation:

Pursuant to Council direction with regard to Council requested agenda items, staff has agendized this item for additional Council discussion and direction. It is staff's recommendation that the Council discuss the various developments in the telecommunications industry and direct staff as appropriate.

8. UPDATE ON INFORMATION PRESENTED BY THE CITY OF LOS ANGELES ON THE GLENDALE-BURBANK INTERCEPTOR SEWER:

The purpose of this report is to present the Council with an update on information presented by the City of Los Angeles on the Glendale-Burbank Interceptor Sewer (GBIS). On July 7, 2006, the City of Los Angeles is sponsoring an Integrated Resources Plan (IRP) Steering Group Meeting – Workshop 13. Los Angeles has indicated that this meeting will include the following: review the IRP alternatives and changes thereof; IRP Environmental Impact Report (EIR) proceedings and outcomes; the EIR comments received; the main issues raised as well as the nature and the number of the EIR comments received; and, the recommendations to the Los Angeles City Council.

Recommendation:

Note and file.

9. GENERAL PLAN AND TRIP-BASED INTENSITY MEASUREMENT STANDARD STATUS UPDATE:

At the Council meeting of June 27, 2006, staff provided a report on the status of the Trip-Based Intensity Measurement Standard (TIMS), the method proposed in the update of the General Plan Land Use and Mobility Elements for limiting commercial development intensity based upon the number of vehicle trips it would generate. At that meeting, the Council provided direction to staff for additional stakeholder input and professional review for TIMS and for an amendment to the Development Review application process. This report provides a status update regarding that direction, and seeks additional direction regarding the Draft Environmental Impact Report (DEIR) public comment period.

On June 27, 2006, the Council directed staff to seek professionals with expertise in economics, planning and transportation to conduct an independent review of TIMS and its possible impacts. Staff is currently contacting consultants and will provide a full report to the Council on July 25, 2006, including recommendations for consultants and funding needs.

The Council further directed staff to return as quickly as possible with an ordinance to modify the process for considering Development Review applications. Staff has already been working on an ordinance that would amend the appeal process for planning project applications and the Development Review application process. The Council is scheduled to consider the ordinance at a public hearing on July 25, 2006. Staff believes that it would be appropriate to incorporate the additional requested changes into the ordinance, and will present a modified ordinance on July 25, 2006 that includes the additional amendments.

The public comment period for the DEIR that analyzes the environmental impacts of TIMS and the General Plan update will end on July 24, 2006. The direction from the Council to seek outside professional review and additional stakeholder input could result in changes to TIMS and the proposed General Plan. This may in turn require changes to the DEIR. The California Environmental Quality Act (CEQA) requires that if substantial changes are made to a DEIR following the public comment period, the document must be re-circulated for an additional 45-day comment period. Staff believes that a new or revised DEIR will be required, which would be re-circulated several months from now following the TIMS review and public input process.

Staff therefore recommends that the DEIR public comment period end on July 24, 2006 as has been previously noticed, and not be further extended. While anyone is still welcome to submit comments, staff believes that it would be more appropriate and productive to encourage concerned parties to submit comments on the new or revised DEIR that will be completed in the coming months.

Recommendation:

Staff recommends that the Council note and file this report. If the Council wishes to extend the comment period for the current DEIR beyond the noticed deadline of July 24, 2006, staff seeks direction from the Council.

10. COUNCIL MEMBER GOALS, PROPOSED FISCAL YEAR 2006-07 ANNUAL WORK PROGRAM AND PERFORMANCE INDICATORS:

The purpose of this report is to provide the Council with an opportunity to discuss each Council Member's individual Fiscal Year (FY) 2006-07 goals and, if desired by the Council, to work together to combine these individual goals into a consensus list of Council goals, as requested during the Council's Goal Setting Workshop held on May 6, 2006.

Staff is also presenting the proposed FY 2006-07 Annual Work Program and Performance Indicators for Council discussion and direction. The Annual Work Program is used as a management tool to identify, prioritize and monitor the City's projects and activities. The proposed FY 2006-07 Annual Work Program contains over 275 work items that have been identified by each department and suggested by the Council during the past year, the Council's Goal Setting Workshop and the annual budget study sessions.

The FY 2006-07 Performance Indicators are used by the City to assess how efficiently and effectively programs and activities are provided and determine whether organizational goals are being met.

Each Department Head will present his or her proposed FY 2006-07 Annual Work Program and Performance Indicators for the Council's review per the following schedule:

Information Technology Fire Department Burbank Water and Power	July 11, 2006
Library Services Financial Services Community Development Department	July 18, 2006
City Manager's Office Management Services Park, Recreation and Community Services	July 25, 2006
Police Department Public Works	August 8, 2006

Recommendation:

Staff recommends that the Council discuss the individual Council Members' goals for the upcoming fiscal year and provide any additional direction to staff as may be desired. Staff further recommends that the City Council review the proposed FY 2006-07 Annual Work Program and Performance Indicators per the proposed presentation schedule and provide input and direction as necessary.

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**