

**ANNOTATED
COUNCIL AGENDA – CITY OF BURBANK
TUESDAY, MARCH 27, 2007**

ACTION

PUBLIC HEARINGS:

<p>1. 902</p>	<p><u>SECONDHAND SMOKE CONTROL ORDINANCE:</u></p> <p><u>Recommendation:</u></p> <p>Introduction of proposed ordinance entitled: AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING ARTICLE 7 OF CHAPTER 17 OF THE BURBANK MUNICIPAL CODE TO CONTROL EXPOSURE TO SECONDHAND SMOKE BY PROHIBITING SMOKING AT CERTAIN LOCATIONS.</p>	<p>Introduced as modified 3-2 Golonski and Gordon no</p> <p>See last page for changes</p>
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<p>2. 1702</p> <p>27,440</p>	<p><u>PROJECT NO. 2005-87, PLANNED DEVELOPMENT AND DEVELOPMENT REVIEW, 3901 RIVERSIDE DRIVE, MIXED-USE PROJECT:</u></p> <p><u>Recommendation:</u></p> <p>1. Adoption of proposed resolution entitled: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ADOPTING A MITIGATED NEGATIVE DECLARATION FOR PLANNED DEVELOPMENT NO. 2005-87, A DEVELOPMENT AGREEMENT, AND DEVELOPMENT REVIEW (3901 Riverside Drive – Damudar Family Trust, Applicant).</p> <p>2. Introduction of proposed ordinance entitled: AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PLANNED DEVELOPMENT ZONE NO. 2005-87 AND APPROVING THE DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT NO. 2005-87 (3901 Riverside Drive – Damudar Family Trust, Applicant).</p>	<p>Adopted 3-1 Gordon no Mrs. Ramos Recused</p> <p>Introduced 3-1 Gordon no Mrs. Ramos Recused</p>
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CONSENT CALENDAR: (Items 3 through 6)		
<p>3. 904-2 804-3</p> <p>27,441</p>	<p><u>AUTHORIZING THE ACCEPTANCE OF A HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT AND AMENDING THE FISCAL YEAR 2006-07 BUDGET BY APPROPRIATING FUNDS:</u></p> <p><u>Recommendation:</u></p> <p>Adoption of proposed resolution entitled: (4/5 vote) A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006-2007 BUDGET FOR THE PURPOSE OF ACCEPTING AND APPROPRIATING THE HAZARDOUS MATERIALS EMERGENCY PLANNING (HMEP) GRANT PROGRAM FUNDS IN THE AMOUNT OF \$9,600.00.</p>	<p>Adopted 4-0 Mrs. Ramos absent.</p>

A N N O T A T E D
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4. 1007-1	<u>REVISION OF THE SPECIFICATION AND TITLE FOR THE CLASSIFICATION OF ENVIRONMENTAL COORDINATOR TO ENVIRONMENTAL AND SAFETY MANAGER:</u> <u>Recommendation:</u> Adoption of proposed resolution entitled: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF ENVIRONMENTAL COORDINATOR (CTC No. 0327) TO ENVIRONMENTAL AND SAFETY MANAGER (CTC No. 0327).	Adopted 4-0 Mrs. Ramos absent.
5. 1007-1	<u>REVISION OF THE SPECIFICATION AND TITLE FOR THE CLASSIFICATION OF MANAGER TELECOMMUNICATIONS TO MANAGER TELECOMMUNICATIONS AND FACILITIES:</u> <u>Recommendation:</u> Adoption of proposed resolution entitled: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SPECIFICATION FOR THE CLASSIFICATION OF MANAGER TELECOMMUNICATIONS (CTC No. 0532) TO MANAGER TELECOMMUNICATIONS AND FACILITIES (CTC No. 0532).	Adopted 4-0 Mrs. Ramos absent.
6. 804-5	<u>AGREEMENT WITH THE STATE FRANCHISE TAX BOARD:</u> <u>Recommendation:</u> Adoption of proposed resolution entitled: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE STANDARD AGREEMENT BETWEEN THE STATE FRANCHISE TAX BOARD AND THE CITY AND AUTHORIZING THE CITY'S PARTICIPATION IN THE LOCAL GOVERNMENT SHARING PROGRAM.	Adopted 4-0 Mrs. Ramos absent.
REPORTS TO COUNCIL:		
7. 1702	<u>CONTINUATION OF PROJECT NO. 2006-26 – ZONE TEXT AMENDMENT: REORGANIZATION OF BURBANK MUNICIPAL CODE PLANNING APPLICATION PROCEDURES:</u> <u>Recommendation:</u> Introduction of proposed ordinance entitled: AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTIONS OF THE BURBANK MUNICIPAL CODE RELATING TO PLANNING APPLICATION PROCEDURES (CHAPTERS 27 AND 31).	Item postponed to April 3, 2007
8. 902	<u>COUNCIL DIRECTION REGARDING THE AIR QUALITY STUDY SESSION:</u> The purpose of this agenda item is to allow for subsequent public comment and Council action and direction as a result of the Air Quality Study Session.	

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ADOPTION OF PROPOSED ORDINANCE:

9. 403	<u>ABANDONED SHOPPING CART ORDINANCE:</u>	
	<u>Recommendation:</u>	
3716	1. Adoption of proposed ordinance entitled: AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK ADDING SECTION 31-1121 TO CHAPTER 31 OF THE BURBANK MUNICIPAL CODE RELATING TO SHOPPING CARTS.	Adopted 4-0 Mrs. Ramos absent.
27,445	2. Adoption of proposed resolution entitled: A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING THE CART LOSS THRESHOLD FOR THE SHOPPING CART CONTAINMENT ORDINANCE.	Adopted 4-0 Mrs. Ramos absent.

ITEM 1 - SECONDHAND SMOKE CONTROL ORDINANCE:

The modifications approved by the City Council are as follows (grouped by area):

City Parks and Facilities

- No changes to draft ordinance

Downtown Burbank

- Allow designated smoking areas to be created in Downtown Burbank
- Reduce smoking prohibition buffer area from sidewalks and pedestrian areas in Downtown Burbank from 20 feet to 5 feet

Chandler Bikeway

- No changes to draft ordinance

Outdoor Dining Areas

- Clarify that prohibition applies only to outdoor dining areas open to the public and not private areas not open to the public
- Allow designated smoking areas to be created in outdoor dining areas
- Reduce smoking prohibition buffer area from outdoor dining areas from 20 feet to 5 feet

Outdoor Service Areas

- No changes to draft ordinance

Public Transit Vehicles, Stations, and Stops

- No changes to draft ordinance

Outdoor Gathering and Event Areas

- No changes to draft ordinance

Outdoor Shopping Areas and Centers

- Allow designated smoking areas to be created in outdoor shopping areas and centers

Elevators

- No changes to draft ordinance

Proximity to Buildings

For the purpose of determining from where to measure the area in which smoking is prohibited:

- Change “door” to “entrance or exit”
- Change “operable window” to “open window”
- Change “accessible to the general public” to “open to, and while open to the general public” to clarify that it only applies while building or business is actually open

Designated Non-Smoking Areas

- No changes to draft ordinance

Common Residential Areas

- No changes to draft ordinance

Designated Smoking Areas

- Reduce buffer distance from pedestrian paths, walkways, seating areas, and other areas where people congregate from 20 feet to 5 feet
- Change “any pedestrian path” to “the primary pedestrian path” for smoking prohibition buffer area purposes

Smoking Within Private Vehicles

- Allow smoking in private vehicles at all times without limitation (under the draft ordinance, smoking in private vehicles would have been prohibited under certain circumstances)