



COUNCIL AGENDA - CITY OF BURBANK  
TUESDAY, APRIL 17, 2007  
5:00 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.

STUDY SESSION - INFRASTRUCTURE SUBCOMMITTEE REPORT:

As part of the Fiscal Year (FY) 2006-07 budget process, the Council requested that staff update the infrastructure deficit report, which had been presented to Council in February 2005. In response to that request, a Discussion Paper was prepared that identified about \$200 million in public works and park-related infrastructure needs. The Discussion Paper recommended a timeframe ranging from one year to 20 years for addressing specific items.

In response to the Discussion Paper, the Council formed a subcommittee to analyze and prioritize the City's infrastructure deficit. Council Members Vander Borgh and Golonski were appointed to the subcommittee along with the following Executive Team members:

- Mary Alvord, City Manager;
- Mike Flad, Assistant City Manager;
- Sharon Cohen, Library Services Director;
- Ron Davis, Burbank Water and Power General Manager;
- Sue Georgino, Community Development Director;
- Eric Hansen, Park, Recreation and Community Services Director;
- Bonnie Teaford, Public Works Director; and,
- Bob Torrez, Financial Services Director.

The Infrastructure Subcommittee began meeting in August 2006, with subsequent meetings held about every month thereafter. The subcommittee's primary goals were identified as follows:

- Determining the type of facilities to be considered "infrastructure" by the subcommittee;
- Completing a comprehensive needs assessment of all existing (non-Enterprise Fund) City infrastructure;

- Identifying future Capital Projects (buildings or facilities) needed in the City;
- Identifying available and potential funding sources for specific infrastructure;
- Developing realistic short-term and long-term timeframes for completion of infrastructure projects; and,
- Delivering a report to the Council on the status of the City's infrastructure during the FY 2007-08 budget cycle.

The study session will summarize the work efforts completed by the Subcommittee; discuss the potential funding sources for infrastructure; and, provide a recommended short-term five-year infrastructure investment plan.

**6:30 P.M.**

INVOCATION: Rabbi Mervin Tomsy Rabbi Emeritus, Burbank Temple Emanu El.  
The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

FLAG SALUTE:

ROLL CALL:

PROCLAMATION: BURBANK GOES TO THE DOGS DAY.

PROCLAMATION: HOLOCAUST REMEMBRANCE.

RECOGNITION: MILITARY SERVICE RECOGNITION.

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 April 16, 2007. Other Airport-related issues may also be discussed

during this presentation.

Recommendation:

Receive report.

6:30 P.M. JOINT PUBLIC HEARING WITH THE REDEVELOPMENT AGENCY AND THE BURBANK PUBLIC FINANCING AUTHORITY:

2. ISSUANCE OF UP TO \$58 MILLION IN BURBANK PUBLIC FINANCING AUTHORITY REVENUE BONDS 2007 SERIES A – GOLDEN STATE REDEVELOPMENT PROJECT:

Due to current market conditions, the City has an opportunity to take advantage of lower bond interest rates and thereby generate significant savings, totaling up to \$2.2 million, which can be used for City capital projects. Therefore, the purpose of this report is to request authorization for the Burbank Public Financing Authority (Authority) to issue up to \$58 million in Revenue Bonds, 2007 Series A (Golden State Redevelopment Project) (the 2007 Authority Bonds). The proceeds of the 2007 Authority bonds will be used to:

1. Refund (refinance) a portion of the Authority's \$87.3 million Revenue Bonds, 2003 Series A (Golden State Redevelopment Project);
2. Purchase in lieu of redemption \$25 million of the Redevelopment Agency (Agency) Golden State Redevelopment Project Subordinated Tax Allocation Bonds, Issue of 1993; and,
3. Fund approximately \$1.8 to \$2.2 million of City capital improvements.

Although the financing is complex, the underlying premise is the same as refinancing a home mortgage. Interest rates are lower today than the interest rates on the existing debt and staff is therefore recommending this transaction in order to lower interest costs and generate proceeds that can be used to fund needed City projects. The net proceeds, estimated at between \$1.8 million and \$2.2 million, may then be used on any City capital project, thereby benefiting the entire community.

Recommendation:

1. Adoption of proposed Burbank Public Financing Authority resolution entitled: A RESOLUTION OF THE BURBANK PUBLIC FINANCING AUTHORITY AUTHORIZING ISSUANCE OF REVENUE BONDS, APPROVING THE FORMS AND AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN BOND FINANCING DOCUMENTS AND AUTHORIZING AND DIRECTING ACTIONS WITH RESPECT THERETO (GOLDEN STATE PROJECT AREA).

2. Adoption of proposed Redevelopment Agency resolution entitled:  
A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING THE ISSUANCE OF REVENUE BONDS BY THE BURBANK PUBLIC FINANCING AUTHORITY, APPROVING THE FORMS AND AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN BOND FINANCING DOCUMENTS AND AUTHORIZING AND DIRECTING ACTIONS WITH RESPECT THERETO (GOLDEN STATE PROJECT AREA).
3. Adoption of proposed City Council resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK MAKING FINDINGS WITH RESPECT TO, AND APPROVING THE ISSUANCE OF, REVENUE BONDS BY THE BURBANK PUBLIC FINANCING AUTHORITY, AND APPROVING THE SALE THEREOF(GOLDEN STATE PROJECT AREA).

### PUBLIC HEARINGS:

3. PROJECT NO. 2006-46 PLANNED DEVELOPMENT, DEVELOPMENT REVIEW AND DEVELOPMENT AGREEMENT – 3805 WEST OLIVE AVENUE AND 109 NORTH SCREENLAND DRIVE:

The purpose of this hearing is to consider a request by Dasher Lawless, Inc. to construct a four-story building consisting of restaurant space on the first and second floors, office space on the third floor, five apartment units on the fourth floor and a fifth floor mezzanine in two of the apartment units, a subterranean garage, a surface parking lot on a recently-acquired adjacent property, and use of off-site parking spaces. The applicant is requesting a Planned Development and a Development Review to approve the project with unique development standards. The Planning Board heard the matter on January 8, 2007 and recommended approval of the project, subject to the Conditions of Approval, to the Council by a vote of 5-0.

### Recommendation:

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. 2006-046, A DEVELOPMENT AGREEMENT, AND DEVELOPMENT REVIEW (3805 West Olive Avenue and 109 North Screenland Drive – Dasher Lawless, Inc., Applicant).
2. Introduction of proposed ordinance entitled:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK APPROVING PLANNED DEVELOPMENT ZONE NO. 2006-046 AND APPROVING THE DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT NO. 2006-046 (3805 West Olive Avenue and 109 North Screenland Drive – Dasher Lawless, Inc., Applicant).

4. REVISION TO THE DIVERSION OF CONSTRUCTION AND DEMOLITION DEBRIS ORDINANCE:

The purpose of this public hearing is to make mandatory the City's voluntary Diversion of Construction and Demolition Debris Ordinance No. 3652, adopted November 20, 2004. By requiring at least 50 percent of Construction and Demolition debris from residential and non-residential projects in the City to be reused, recycled, or recovered, as recommended by the California Integrated Waste Management Board (CIWMB), the ordinance will reduce the amount of waste sent to landfills and help meet and exceed State mandates and City sustainability goals.

Recommendation:

Introduction of proposed ordinance entitled:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING PROVISIONS OF CHAPTER 7, ARTICLE 20 OF THE BURBANK MUNICIPAL CODE RELATING TO DIVERSION OF CONSTRUCTION AND DEMOLITION DEBRIS.

**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 THE 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 MEETING WITH THE REDEVELOPMENT AGENCY AND THE YOUTH ENDOWMENT SERVICES FUND BOARD:

5. ADOPTION OF A MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE JOINT USE AND IMPROVEMENT OF RECREATION FACILITIES BETWEEN THE CITY AND THE BURBANK UNIFIED SCHOOL DISTRICT AND RELATED FUNDING APPROPRIATIONS:

The purpose of this report is to recommend adoption of a Memorandum of Understanding (MOU) for Cooperative Joint Use and Improvement of Recreation Facilities between the City and the Burbank Unified School District (BUSD) and to appropriate funds related to these improvements.

This first step segregates funds for the estimated costs of the project, authorizes preconstruction activities to begin, such as design work, and identifies the steps necessary in the joint cooperative effort with the BUSD. Step two, which will occur at a later date, will involve the Council and BUSD consideration of a detailed Joint Use and Improvement Agreement (Agreement), which will come back to each body before any construction contract is considered.

**ANALYSIS**

A joint meeting of the Council and Board of Education was held on January 31, 2007, at which time there was discussion and consideration of funding improvements to Jordan Middle School, John Burroughs High School and Burbank High School athletic facilities.

At both high schools, the installation of high quality all-weather synthetic track and field surfaces and various support facilities are recommended. At John Burroughs High School, the replacement of the stadium seating at Memorial Field is also recommended. Proposed improvements at Jordan Middle School include the addition of parking, irrigation, natural turf and support facilities. During the Joint Meeting, staff received direction from the Council and School Board to: (1) obtain community input from residents near Jordan Middle School concerning the proposed improvements; and, (2) return to the Council and the School Board with the identified funding appropriations.

**Jordan Middle School Community Meetings**

Related to the proposed improvements to Jordan Middle School, staff initiated the necessary neighborhood and community outreach efforts. Notices were sent to 1,500

residents living in the area and adjacent to Jordan Middle School advising them of two community meetings. Representatives of local soccer organizations, as well as the Vikings Football Program, were also notified regarding these meetings to accommodate their input. The meetings were held on Monday, March 12, 2007 at 7 p.m. and on Saturday, March 17, 2007 at 10 a.m. in the Jordan Middle School cafeteria facility.

Each meeting began with a staff overview of the proposed improvements to Jordan Middle School along with a discussion of the scope of work proposed for the two high schools. Following the staff presentation, the meeting was open to questions and comments from the public. During public comment the residents in attendance identified the following concerns: (1) traffic impacts; (2) parking impacts; (3) speeding; (4) excessive noise from the various user groups; (5) lack of enforcement related to traffic and parking violations; (6) litter impacts on the neighborhood; (7) lack of campus security; (8) vandalism to private property; and, (9) non-resident use of the school facilities. In addition to identifying these concerns related to existing joint use of the Jordan Middle School campus, those in attendance also voiced strong opposition to the installation of field lighting.

#### Steering Committee Recommendations

Following the Joint Meeting on January 31, 2007, City and BUSD staff also met on two occasions to discuss a variety of issues related to the projects at John Burroughs High School, Burbank High School and Jordan Middle School. Additionally, the Steering Committee met on Monday, April 9, 2007, to receive an update from staff on the status of the projects and to formulate their recommendations for consideration by the Council and the School Board. The Committee's recommendations are summarized by school as follows.

#### Jordan Middle School

The Steering Committee's recommendations include appropriating \$2 million in Youth Endowment Services (YES) funds to proceed with the improvements to Jordan Middle School. These improvements will include: (1) the new parking lot facility; (2) new public restroom facility for after school use; (3) required demolition of existing facilities to facilitate public access and allow for track and field component replacements; (4) campus security measures to limit access during after-hour use; and, (5) installation of new irrigation systems, soil preparation and re-seeding of both athletic fields. The Steering Committee is not recommending the installation of field lights at this time. However, as part of the scope of work, the architect will be asked to look at, as other electrical work is being completed, any necessary infrastructure work that could make lighting a future phase. Specifically, the Steering Committee wants to insure that if lights are approved in a future phase of work, that damage is not done to this first phase of improvement work to install the lighting infrastructure.

It is clear, based on the input from the community, that the joint use of Jordan Middle School has significantly impacted the residents in the adjacent neighborhood. More security and enforcement efforts are needed if joint use is to continue without the disruptions and impacts that were identified. The addition of security personnel, which will be hired by BUSD and paid for by the City under the terms of a new Agreement, will greatly enhance our ability to respond and resolve many of the issues identified by



the residents of this area.

#### Burbank High School

Subsequent to the January 31, 2007 Joint Meeting, the Steering Committee received a proposal from coaches, players and supporters of the Burbank High Baseball Program. Essentially, the proposal asks for consideration of enlarging and improving the baseball field in conjunction with the track and field improvement project. City and BUSD staff, along with the members of the Steering Committee, have carefully discussed and considered this proposal. BUSD staff was specifically asked to have an architect review the scope of work in the proposal and accordingly develop a more realistic cost estimate. These efforts have determined that the improvement work, as outlined in the proposal, would cost approximately \$350,000. While all the members of the Steering Committee recognize the limitations of the existing baseball field at Burbank High School and gave the Baseball Field Upgrade Proposal their full consideration, they have serious concerns and reservations about moving forward with the proposed changes. A discussion of this proposal is slated for the April 19, 2007 meeting of the Board of Education.

The members of the Steering Committee recommend moving forward with the preparation of plans for the improvement work at Burbank High School to include: (1) a new restroom facility for use by the public during non-school hours; (2) new track and field facilities with synthetic surfaces; and, (3) added field lighting.

#### Stadium at Memorial Field and Burroughs Track and Field

In addition to the track and field improvements, the members of the Steering Committee continue to recommend building a new stadium facility at John Burroughs High School. While this will result in decreased seating capacity due to Americans with Disabilities Act (ADA) regulations and compliance, it will provide a state-of-the-art, structurally sound, ADA compliant facility that will better meet the equipment storage needs of the various user groups. Additionally, new concession and restroom facilities are proposed along with aesthetic improvements to the frontage. The Steering Committee has received some input from members of the community requesting that, as this project moves forward, the fencing around the tennis courts and baseball field also be replaced. The Steering Committee recommends that the additional fencing replacement be added to the scope of work and included as a bid alternate. This would greatly enhance the aesthetics of this entire portion of the John Burroughs High School campus.

#### Identifying Funding Appropriations

Related to moving forward with the improvements to John Burroughs High School and Burbank High School, the Council, at the Joint Meeting held on January 31, 2007, unanimously directed staff to bring back a funding appropriation in the amount of \$9,650,000. The Steering Committee is recommending the establishment of four escrow accounts with Wells Fargo Bank to allow for the project funds to be deposited, monitored and controlled. Additionally, at the January 31, 2007 Joint Meeting of the Council and the School Board, it was discussed and decided to target a community fundraising goal of \$1 million

The City and the BUSD have a successful history related to the joint use of facilities

which has been of great benefit to the entire community. The proposed improvements to Jordan Middle School, Burbank High School and John Burroughs High School will be important assets as we continue, in a built-out City, to try and meet the growing needs of youth sports programs.

Recommendation:

Adoption of proposed City Council resolutions entitled:

1. A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE MEMORANDUM OF UNDERSTANDING AGREEMENT FOR COOPERATIVE JOINT USE AND IMPROVEMENT OF RECREATION FACILITIES BETWEEN THE CITY OF BURBANK AND THE BURBANK UNIFIED SCHOOL DISTRICT.
  
2. (4/5 vote)  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE FISCAL YEAR 2006-2007 ANNUAL BUDGET BY APPROPRIATING \$11,326,472 FOR THE BURBANK UNIFIED SCHOOL DISTRICT ATHLETIC FACILITIES PROJECTS.

Adoption of proposed Redevelopment Agency resolution entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AUTHORIZING THE REDESIGNATION OF CERTAIN YOUTH ENDOWMENT SERVICES EXPENDITURES FOR THE JORDAN MIDDLE SCHOOL PROJECT AND AMENDING THE FISCAL YEAR 2006-2007 ANNUAL BUDGET BY APPROPRIATING \$2,000,000 FOR THE ROBERT "BUD" OVROM PARK PROJECT.

Adoption of proposed Youth Endowment Services Fund Board resolution entitled:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE YOUTH ENDOWMENT SERVICES FUND OF THE CITY OF BURBANK APPROVING THE REDESIGNATION OF \$2,000,000 FOR THE JORDAN MIDDLE SCHOOL PROJECT.

CONSENT CALENDAR: (Items 6 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.

6. ADOPTING A GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY:

Staff is requesting Council approval of a resolution renewing a five-year General Services Agreement (GSA) between the City and the County of Los Angeles (County). Every five years, the City enters into a GSA with the County to allow the County to provide miscellaneous as-needed support services. The GSA is general in nature and provides authority for the County to provide services requested by the City.

Services provided under the GSA primarily consist of miscellaneous services, which the City requests from the County on an as-needed basis. These services include such functions as weed abatement, direct assessment collection and a variety of public works activities.

The existing GSA between the City and the County will terminate on June 30, 2007. To ensure continuation of the availability of services under the GSA to the City, the County has asked the City to renew the agreement for a five-year period, commencing July 1, 2007 through June 30, 2012. The executed GSA and a certified copy of the proposed resolution must be returned to the County by April 30, 2007 so that the County has sufficient time to agendaize and approve the renewal of the GSA.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BURBANK AND THE COUNTY OF LOS ANGELES TO RENEW A FIVE YEAR GENERAL SERVICES AGREEMENT (GSA).

7. APPROVAL OF FINAL MAP NO. 61881 – 212, 216 AND 220 NORTH BUENA VISTA STREET:

Staff is requesting Council approval of Final Map No. 61881, a one-lot subdivision totaling 18,005 square feet located at 212, 216, and 220 North Buena Vista Street. The property is in the R-4 Multiple-Family Medium-Density Residential Zone and is owned by Media District Town Homes, LLC, a California Limited Liability Company.

On February 24, 2004, the property owner requested City approval to demolish two single-family residential units and one triplex unit over three lots, to convert to one lot with 16 residential condominium units with a subterranean parking garage. Final Map No. 61881 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. 61881:

1. The tentative tract map was approved by the Community Development Director on November 24, 2004 pursuant to Burbank Municipal Code (BMC) Section 27-323 (Director's Decision on Tentative Map);
2. The Final Map contains 16 condominium units at 212, 216 and 220 North Buena Vista Street, 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;
4. Conditions of Approval for Tentative Tract Map No. 61881 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 County Recorder's Office); and,
  5. 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. 61881 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. 61881 (212, 216 and 220 NORTH BUENA VISTA STREET).

8. AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ACCEPTING GRANT FUNDS FOR THE OVROM PARK PROJECT:

Staff requests Council approval authorizing the Park, Recreation and Community Services (PRCS) Director to execute a Grant Agreement (Agreement) with the Department of Housing and Urban Development (HUD) and to accept grant funds in the amount of \$72,168.

On December 8, 2004, President Bush signed into law the Consolidated Appropriations Act of 2005, which provided the HUD with Economic Development Initiative (EDI) funds for certain special projects specified in the Conference Report accompanying the Act. Congressman Adam Schiff nominated the Ovrom Park Project (Project) to be included in the Conference Report.

In May 2005, staff was notified that the City's Project was specified in the Conference Report to receive grant funding in the amount of \$72,168. These funds will be used to offset the costs associated with the neighborhood park playground; including the site preparation, rubberized surface to be installed in fall zone areas and to allow access to playground equipment, installation of permanent playground equipment and a shade structure. The funds will be appropriated through the Fiscal Year 2007-08 Budget process.

Recommendation:

Adoption of proposed resolution entitled:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ACCEPTING GRANT FUNDS FOR THE OVROM PARK PROJECT.

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

REPORTS TO COUNCIL:

9. LAKE-ALAMEDA LANDSCAPED ACCESS PATH PROJECT:

The purpose of this report is to present to the Council the proposed Design Plans for the Lake-Alameda Landscaped Access Path Project (Project) and to consider entering into a Use Agreement (Agreement) with the Los Angeles County Flood Control District (County) for the Project.

This proposed Project is the more complex long term neighborhood improvement goal for the Lake Alameda Focus Neighborhood as it consists of working with the County to improve the flood control channel right-of-way. The channel right-of-way is heavily traveled by pedestrians, and residents of the neighborhood have expressed that they are eager to see improvements along this corridor. The proposed Project includes a quarter-mile of the Los Angeles County flood control channel right-of-way from the southeastern City limit at Victory Boulevard to Alameda Avenue. Improvements consist of an eight-foot wide meandering concrete pathway along the east side of the flood control channel. The proposed path will be flanked with landscaping, pedestrian-oriented, non-obtrusive lighting, and additional access points at the intersecting cul-de-sac streets. In addition, the proposed Project will also incorporate landscaping improvements along the west side of the flood control channel (with no public access), to complement the improvements on the east side, thereby improving the aesthetics of the area.

During the last several months, staff has been finalizing plans for the Project with additional community outreach and with input from the various City Departments. Based on the final design, the engineer's cost estimate for the construction of the Project is \$1,426,000 which includes a 20-percent contingency. There will also be an additional cost of \$180,000 for the County construction administrative services, for a total estimated Project cost of \$1,606,000. In December 2006, the Council committed \$1,527,265 million in Community Development Block Grant (CDBG) funds to complete public facility improvements in the Lake-Alameda Focus Neighborhood. Of the \$1.527 million, \$1,500 was used to plant additional street trees along Lake Street, \$249,000 is earmarked for a sidewalk construction project in the neighborhood scheduled to begin in June, \$229,900 was used for the design contract with David Evans and Associates, and the remaining \$1.047 million is earmarked for the construction of the proposed

Project. The County has agreed to fund \$766,000 of the total Project costs; therefore, the City's portion is estimated to be \$840,000 (total of \$1,606 million). The remaining available CDBG funds will be used to fund a construction management contract with David Evans and Associates for \$150,000 which leaves a project reserve of about \$57,000 for any possible cost overruns.

Staff has negotiated a Use Agreement (Agreement) with the County for the proposed Project. The Agreement outlines the bidding and construction of the improvements as the County's obligation and authorizes the City to use and maintain the improvements. The initial term of the Agreement is proposed to be for 55 years, and would be automatically extended for subsequent ten year terms thereafter. Upon approval of the Agreement by both parties, the City and the County Board of Supervisors in May 2007, the County is expected to go out to bid for a construction contractor in June 2007. It is anticipated that the bidding and procurement process will take about five months and that construction will take another six months to complete; with a tentative completion date of April 2008.

There is no fiscal impact to the General Fund associated with the Project construction. The fiscal impact to the City for the construction and construction management of the Project is estimated to be \$1,047,000. This includes a construction management contract with David Evans and Associates for \$150,000. These costs will be funded with CDBG funds that have already been committed for public facility improvements within the Lake-Alameda Focus Neighborhood on December 5, 2006. There are available CDBG funds in account number 122.CD25A.63051.1120.000000. Ongoing maintenance and upkeep of the Project is estimated to be \$35,000 annually and will be budgeted by the appropriate City departments beginning in Fiscal Year 2007-08.

Recommendation:

Adoption of proposed resolution entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE USE AGREEMENT WITH LOS ANGELES COUNTY AND APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH DAVID EVANS AND ASSOCIATES, INC. FOR THE LAKE/ALAMEDA LANDSCAPED ACCESS PATH.

10. COUNCIL DIRECTION REGARDING THE INFRASTRUCTURE SUBCOMMITTEE REPORT STUDY SESSION:

The purpose of this agenda item is to allow for subsequent public comment and Council action and direction as a result of the Infrastructure Subcommittee Report Study Session.

RECONVENE the Redevelopment Agency, Youth Endowment Services Fund Board and the Burbank Public Financing Authority meetings 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 Tuesday, April 24, 2007 at 5:00 p.m. in the Council Chamber, 275 East Olive Avenue, for a Sustainability Report Study Session.

**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)**