

BURBANK PARKING AUTHORITY  
JANUARY 31, 2006

A regular meeting of the Parking Authority was held in the Council Chamber of the City Hall, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:43 p.m. by Mr. Vander Borgh, Chairman.

Invocation           The invocation was given by Pastor Paul     Claireville,  
Westminster Presbyterian Church.

Flag                   The pledge of allegiance to the flag was led by Fire Chief Tracy  
Salute               Pansini.

ROLL CALL

Present - - - - -   Members Campbell, Golonski, Ramos and Vander Borgh.  
Absent - - - - -   Members None.  
Also Present - -   Ms. Alvord, Executive Director; Mr. Barlow, City Attorney; and  
Mrs. Campos, Secretary.

9:33 P.M.           Following the Joint Public Hearing between the Council and  
Meeting             Redevelopment Agency and the combined oral communications,  
Continued           the City Council, Redevelopment Agency and Parking Authority  
held a joint meeting.

Jt. Mtg. w/City     Ms. Mack, Redevelopment Project Manager, Community  
Council & Redev   Development Department, requested the Council,  
Agency            Redevelopment Agency (Agency) Board and Parking Authority  
PA 3                consider Final Map No. 62742 and various documents related to  
The Collection     The Collection Project. She also requested that the item related  
Proj. – Approval   to the approval of the lease of Lot O located at 30 East Palm  
of Final Map &     Avenue be removed from consideration since it requires a four-  
Related Agrmts.   fifths vote. She noted that the item would be administratively  
approved and brought back for consideration in six months.

Ms. Mack reported that on November 23, 2004, the Council and Agency Board approved an Amended and Restated Owner Participation Agreement (OPA) with Champion Development, Inc.; a Second Implementation Agreement to the OPA with Burbank Entertainment Village, LLC (AMC); and, other documents relating to the proposed development of the Phase II site. She noted that under the Champion OPA, the Developer is required to purchase the Phase II site from AMC contingent upon the simultaneous closing of approved bonds to help finance the Phase II parking structure. She added that the Developer is then required to construct a mixed-use project which includes 118 residential units, approximately 40,000 square feet of commercial uses and a six-level parking structure on the Phase II site. She reported that the parking structure will consist of 723 parking spaces required for the residential

condominium and commercial components of the project, including 278 public parking spaces. She stated that construction of the entire project is scheduled to commence in March 2006 and be completed within 27 months.

Ms. Mack added that in preparation for the close of escrow and start of construction, the following legal and construction-related documents are required for the implementation of the project and subsequent sale of the public parking component to the City: Reciprocal Easement and Shared Maintenance Agreement, which describes the responsibilities of both parties regarding the joint use, operation, management and maintenance of the Phase II parking structure upon its completion; Subdivision Improvement Agreement/Final Map No. 62742, which authorizes the subdivision of The Collection at Downtown Burbank Project, previously approved as Planned Development No. 2003-2, into condominium units; Right of Entry Agreement, which proposes to utilize six parking spaces in the lower level of the Orange Grove parking structure until the Phase II parking structure is completed to facilitate the timely construction; Encroachment Agreement, which proposes to utilize three travel lanes on First Street as a construction staging area; Lease Agreement for 57 East Palm Avenue, for construction storage and staging; Tie Back Agreement, for construction shoring of the Phase II property during construction; Preservation of Rights Agreement between the Parking Authority and the AMC, which allows AMC to continue to retain existing parking and signage rights in the Orange Grove parking structure and to pay towards the annual maintenance costs within this structure; Parking Maintenance Agreement between Burbank Collection Ltd. and the Parking Authority, regarding the developer's responsibilities for parking maintenance costs for its proportional share of parking spaces under the 1991 Parking Easement Agreement for the Orange Grove parking structure during the construction of the Phase II project; and, Orange Grove Parking Structure Easement between the Parking Authority and Burbank Collection, Ltd., which provides easements for pedestrian and vehicular access.

Ms. Mack stated that implementation of The Collection Project also involves items related to title, the assignment of the Phase II parking structure to the Parking Authority and early use of the Phase II parking structure by the public upon completion. She noted that these agreements are required to implement the provisions approved under the Champion OPA and do not represent a cost to the City or Agency. However, it is anticipated that the City and Agency will receive approximately \$2,325 in monthly rent revenues from the property located at 57 East Palm Avenue for the duration of the construction.

Mrs. Ramos requested clarification with regard to alternatives

considered for construction staging and on the Encroachment Agreement that will allow for the closure of three lanes on First Street. Mr. Johnson, Assistant Public Works Director/Traffic Engineer, responded that the volume of traffic on First Street can be handled by the two travel lanes and noted other efforts that will be taken to avoid traffic congestion, including penalties for the developer for violations. Ms. Mack clarified staff's efforts on alternatives for construction staging, noting that obtaining long-term lease commitments from areas in close proximity to the site was a challenge. Mrs. Georgino, Community Development Director, also expounded on the lease of Parking Lot O and noted that closure of First Street was not the developer's first choice, but was a trade off between losing parking spaces in the Orange Grove parking lot and travel lanes. She also noted the need to construct the parking structure in a timely manner.

Mr. Golonski expressed concern with the loss of lanes on First Street but noted that staff has done their due diligence in seeking alternatives. He also noted the inevitable impacts of such large projects, and expressed support for the project moving forward to enable the construction of the parking structure.

Mr. Vander Borcht agreed that staff and the developer have worked hard to come up with other viable alternatives, but still expressed concern with the traffic impact on First Street which would have to be accommodated by one lane in each direction for a period of 27 months. Mr. Johnson assured the Council that a 15,000-vehicle volume can be accommodated with two travel lanes and a turn lane. He added that the Level Of Service (LOS) for the intersections on First Street will be no worse than LOS C as opposed to the current LOS B. Mr. Vander Borcht also noted the need for enforcement capability to ensure that construction trucks are staged away from the area, to avoid exacerbating the traffic issues and to ensure pedestrian safety.

Motion                    It was moved by Mr. Golonski and seconded by Mrs. Ramos that the following resolutions be passed and adopted and that the City Council resolution requiring a four-fifths vote be brought back in six months:"

Redev. Agency        Redevelopment Agency Resolution No. R-2145 Approving the  
Reso. Adopted        Lease Agreement Between the Agency and Burbank Collection  
LTD (57 East Palm Avenue) was adopted.

PA 41                    RESOLUTION NO. P-68:

1/31/06

Approved Construction & Parking Agrmts. w/Burbank Collection, LTD. (133 E. Orange Grove) A RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BURBANK APPROVING CERTAIN CONSTRUCTION RELATED AGREEMENTS WITH BURBANK COLLECTION, LTD., AND CERTAIN PARKING AGREEMENTS RELATED TO THE ORANGE GROVE PARKING STRUCTURE (133 EAST ORANGE GROVE AVENUE).

City Council Reso. Adopted City Council Resolution No. 27,159 Approving Certain Construction Related Agreements with Burbank Collection, LTD., and Certain Parking Agreements Related to the New Public Parking Structure (Collection Project) was adopted.

City Council Reso. Adopted City Council Resolution No. 27,160 Approving Final Map of Tract No. 62742 and the Subdivision Improvement Related Thereto Between Burbank Collection LTD. and the City of Burbank was adopted.

Adopted The resolutions were adopted by the following vote:

Ayes: Members Golonski, Ramos and Vander Borgh.  
Noes: Members None.  
Absent: Members Campbell.

10:08 P.M. Recess The Authority recessed at this time to continue the City Council meeting. The Authority reconvened at 11:13 p.m. for public comment with the same members present.

11:18 P.M. Adjournment There being no further business to come before the Authority, the meeting was adjourned at 11:18 p.m.

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Margarita Campos, CMC  
Secretary

APPROVED JUNE 6, 2006

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Chairperson