BURBANK REDEVELOPMENT AGENCY October 1, 2002

A regular meeting of the Burbank Redevelopment Agency was held in the City of Burbank Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 5:33 p.m. by Mr. Laurell, Chairman.

CLOSED SESSION Present Absent Also Present -	Members Golonski, Murphy, Ramos, Vander Borght and Laurell. Members None. Mr. Ovrom, City Manager; Ms. Alvord, Assistant City Manager; Mr. Barlow, City Attorney; and, Mrs. Moioffer, Deputy Secretary.
5:34 P.M. Recess	The Agency recessed at this time to the City Hall Basement Lunch Room/Conference Room to hold a Closed Session on the following:
	 <u>Conference with Real Property Negotiator</u>: Pursuant to Govt. Code §54956.8 Agency Negotiator: Assistant Executive Director/Susan M. Georgino. Property: 201 East Magnolia Boulevard (The 41-acre site generally bounded by Magnolia Boulevard, I-5 Freeway, Burbank Boulevard and Third Street). Party With Whom Agency is Negotiating: Center Trust. Terms Under Negotiation: Amendment of Ground Lease.
Regular Meeting Reconvened in Council Chambers	The regular meeting of the Redevelopment Agency of the City of Burbank was reconvened at 6:36 p.m. by Mr. Laurell, Chairman.
Invocation	The invocation was given by Reverend Tania Kleiman, Olive Branch Ministries.
Flag Salute	The pledge of allegiance to the flag was led by Sharon Cohen, Acting Library Services Director.
ROLL CALL Present Absent Also Present	Members Golonski, Murphy, Ramos, Vander Borght and Laurell. Members None. Mr. Ovrom, Executive Director; Ms. Alvord, Assistant City Manager; Mr. Barlow, City Attorney; Mrs. Georgino, Assistant Executive Director; and, Mrs. Campos, Secretary.
7:33 P.M. Meeting	Following a public hearing, the Council meeting was recessed to allow the Agency and the Housing Authority to hold a joint

Continued

hearing.

7:33 P.M. Jt. Hrg. w/Housing RA 81 RA 42-1 Reso. Of Necessity Condemnation of Real Prop. (1729-1735 Elliot Dr.)

Chairman Laurell stated that "this is the time and place for a hearing on the adoption of a resolution of necessity for condemnation for public purposes of certain real property located at 1729-1735 Elliott Drive, Burbank, California. The owner of the real property is Linda Reinoso."

Staff Report Mr. Solomon, Housing Development Manager, stated the purpose of the hearing is to provide the property owner with an opportunity to comment on the proposed action of the Housing Authority to acquire improvements of the subject site located at 1729-1735 Elliot Drive (Site), adding that in addition to the Housing Authority adopting a Resolution of Necessity to initiate condemnation, the Agency Board will be asked to consider a Resolution for a budget amendment to allocate funds from the Agency's Low-Moderate Income (LMI) funds to acquire the subject site, and the Housing Authority and Agency Board will also consider the approval of a Cooperation Agreement to allocate housing funds of the Agency to the Housing Authority for site acquisition, and later transfer title to the Agency.

Mr. Solomon discussed that over the past several months, staff has attempted to contact the owner to tender a purchase offer, but has yet to receive any response from the owner. The Authority has made every reasonable effort to acquire the property by purchase negotiations, having offered the owner just compensation commensurate with the fair market value established at \$960,000. He noted that while staff continues to attempt negotiations with the owner, staff believes that the project now must move forward and it is now time to initiate eminent domain proceedings. He stated a Notice of Intent was mailed to the owner setting forth tonight's hearing and that the owner is the only party who may be heard and his/her remarks must be limited to the following salient points: That the public interest and necessity require the project; that the project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury; that the property sought to be acquired is necessary for the project; and, whether an offer required by Government Code Section 7267.2 was made to the owner of record. Mr. Solomon highlighted the Housing Authority's response to the above-stated points as follows: that the project would serve the public interest and necessity by abating blighting and unsafe conditions evidenced by the substandard condition of housing on the site, as the poor layout of building footprints exacerbated by the absence of proper parking placement and configuration of vehicular access creates a dangerous condition; the Agency has planned the project in such a manner as to minimize the loss of units necessary during rehabilitation, while also providing all relocation services as required under law; the property to be acquired makes up the project; and, the Authority tendered an offer on June 24, 2002 and again on July 24, 2002 to the owner, providing 30 days to respond, and the owner chose not to accept or counter the offer within the allotted time.

Mr. Solomon explained that should the Authority adopt the Resolution of Necessity and the Agency adopt the Budget Amendment by the required four-fifths vote of each agency, staff will next file a complaint in Superior Court and obtain an Order of Immediate Possession (IOP) and deposit the probable compensation commensurate with the fair market value of \$960,000, after which the Authority will take possession at the end of a 90-day period.

- Hearing There being no response to the Chairperson's invitation for the owner or representative for comment, the hearing was declared closed.
- Motion It was moved by Ms. Murphy and seconded by Mr. Golonski that "the following resolution be passed and adopted:"

RA 81RESOLUTION NO. R-2040:RA 42-1A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITYAmend FY 2002-OF BURBANK AMENDING FISCAL YEAR 2002-2003 BUDGET FOR2003 Budget forTHE PURPOSE OF FUNDING PROPERTY ACQUISITION OF 1729-Funding Property1735 ELLIOTT DRIVE.Acquisition of1729-1735 Elliott

Adopted The resolution was adopted by the following vote:

Ayes: Members Golonski, Murphy, Ramos, Vander Borght and Laurell. Noes: Members None.

Absent: Members None.

RA 82

- Housing Auth. Reso. Adopted Housing Authority Resolution No. H-175 Finding, Determining and Resolving that the Public Interest, Convenience, and Necessity Require and Authorize the Condemnation for Public Purposes of Certain Real Property Situated within the City (1729-1735 Elliott Drive) was approved.
- 7:46 P.M. The Agency and Housing Authority were recessed at this time for oral communications. The Agency reconvened at 8:49 p.m. with all members present.
- Motion It was moved by Ms. Murphy and seconded Mr. Vander Borght that "the following items on the consent calendar be approved as recommended:"

RESOLUTION NO. R-2041:

Amend & Restated
Regulatory Agrmt.A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY
OF BURBANK APPROVING AN AMENDED AND RESTATED
OF BURBANK APPROVING AN AMENDED AND RESTATED
REGULATORY AGREEMENT AMENDING THE REGULATORY
AGREEMENTS AMONG THE REDEVELOPMENT AGENCY OF THE
CITY OF BURBANK, THE CITY OF BURBANK, AND BURBANK
HOUSING CORPORATION GOVERNING PROPERTIES ON WEST
ELMWOOD AVENUE IN THE CITY OF BURBANK.

RA 81	RESOLUTION NO. R-2042:
Coop. Agrmt. w/	A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY
Housing Auth. for	OF BURBANK APPROVING A COOPERATION AGREEMENT
Affordable Housing	BETWEEN THE REDEVELOPMENT AGENCY AND THE HOUSING
(1729-1735 Elliott)	AUTHORITY OF THE CITY OF BURBANK FOR SITE ACQUISITION
	AND ASSEMBLY PURPOSES FOR AFFORDABLE HOUSING (1729-
	1735 ELLIOTT DRIVE).

- Adopted The consent calendar was adopted by the following vote:
 - Ayes: Members Golonski, Murphy, Ramos, Vander Borght and Laurell.
 Noes: Members None.
 Absent: Members None.
- 8:49 P.M. The Agency recessed to allow the Housing Authority and the Council to continue their meetings. The Agency reconvened at

9:54 p.m. with all members present. Mr. Ovrom left the meeting at this time.

9:54 P.M. Mr. Ovrom Left the Meeting

RA 52-1 Housing and Childcare Ctr Demo Proj (The Cottages 2245-2251 N. Fairview St. & 2242-2308 N. Ontario St.)

Lvnch, Senior Project Manager, briefly summarized Mr. background information on the project, stating that last year the Ctr Agency entered into agreement with M. David Paul to construct 20 homes and a childcare center in the 2200 block of Ontario Street and Fairview Street near the Airport, that part of the agreement required the developer to build the childcare center and then sell the land and building to an entity selected by the Agency for \$1, and recommended that the Burbank Housing Corporation (BHC) as the entity to own the center. Next, he outlined the requirements of the childcare provider established by the Agency, including that the childcare center have an infant care component, and that 20 percent of the childcare spaces be made available at below-market tuition rates. He noted five responses had been received in response to the Agency's Request for Proposal, and in conjunction with the Childcare Committee, the selection had been made to accept the proposal of Knowledge Beginnings at the operator of the childcare center.

Mr. Lynch informed the Agency that the operator will have startup costs which will require an additional subsidy, but over time, Knowledge Beginnings will show a surplus of funds; and that the Agency has earmarked \$588,000 to finish the interior improvements for the center, including \$175,000 in Federal Block Grants, and a \$40,000 grant from the State, which unfortunately has been rescinded due to the State's budget deficit, noting the Federal Block Grant has several restrictions which are not conducive to this particular project. He recommended that the Block Grant funds be used on another project, and replace those funds and the state grant funds with additional Redevelopment Agency funds, with any money left over being used for the additional start-up costs for the center. In addition, he recommended the Agency modify certain loans currently outstanding with BHC to further alleviate start-up costs and in later years to provide additional discounts on tuition rates for needy families, and that participants of the Family Self-Sufficiency Program be targeted for childcare services at the center.

Motion It was moved by Mr. Golonski and seconded by Ms. Murphy that "staff proceed with negotiations with the Burbank Housing Corporation and Knowledge Beginnings and that staff is directed to look into utilizing Proposition 10 funding to offset costs."

Carried	The motion was carried by the following vote:			
	Ayes:	Members Golonski, Murphy, Ramos, Vander Borght and Laurell.		
		Members None. Members None.		
9:58 P.M. Mr. Ovrom Returned to the Meeting	Mr. Ovrom returned to the meeting at this time.			
9:58 P.M. Recess	The Agency recessed at this time to permit the City Council to continue its meeting. The Agency reconvened at 11:33 p.m. for public comment with all members present.			
11:54 P.M. Adjournment	There being no further business to come before the Agency, the meeting was adjourned at 11:54 p.m.			

Secretary

APPROVED NOVEMBER 5, 2002

Chairperson