

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- - - - - Members Golonski, Murphy, Ramos, Vander Borgh and Laurell.
Absent - - - - - Members None.
Also Present - Mr. Ovrom, City Manager; Ms. Alvord, Assistant City Manager;
Mr. Barlow, City Attorney; and, Mrs. Moioffer, Deputy Secretary.

5:34 P.M. The Agency recessed at this time to the City Hall Basement Lunch
Recess Room/Conference Room to hold a Closed Session on the following:

Conference with Real Property Negotiator:

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 The regular meeting of the Redevelopment Agency of the City of
Reconvened in Burbank was reconvened at 6:36 p.m. by Mr. Laurell, Chairman.
Council
Chambers

Invocation The invocation was given by Reverend Tania Kleiman, Olive
Branch Ministries.

Flag The pledge of allegiance to the flag was led by Sharon Cohen,
Salute Acting Library Services Director.

ROLL CALL

Present- - - - - Members Golonski, Murphy, Ramos, Vander Borgh and Laurell.
Absent - - - - - Members None.
Also Present - - 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. Following a public hearing, the Council meeting was recessed to
Meeting allow the Agency and the Housing Authority to hold a joint

10/1/02

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
Closed

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 81
RA 42-1
Amend FY 2002-
2003 Budget for
Funding Property
Acquisition of
1729-1735 Elliott

RESOLUTION NO. R-2040:
A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK AMENDING FISCAL YEAR 2002-2003 BUDGET FOR THE PURPOSE OF FUNDING PROPERTY ACQUISITION OF 1729-1735 ELLIOTT DRIVE.

Adopted

The resolution was adopted by the following vote:

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

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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. Recess 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:"

RA 82
Amend & Restated Regulatory Agrmt. w/Burbank Housing Corp. Regarding W. Elmwood Ave. RESOLUTION NO. R-2041:
A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY 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
Coop. Agrmt. w/ Housing Auth. for Affordable Housing (1729-1735 Elliott) RESOLUTION NO. R-2042:
A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BURBANK APPROVING A COOPERATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND THE HOUSING 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. Recess The Agency recessed to allow the Housing Authority and the Council to continue their meetings. The Agency reconvened at

10/1/02

Carried

The motion was carried by the following vote:

Ayes: Members Golonski, Murphy, Ramos, Vander Borght and
Laurell.

Noes: Members None.

Absent: 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