



Weekly Management Report

March 5, 2021

1. **Memo** Development Impact Fee Program Update
Community Development Department
2. **Memo** Update on Parking Enforcement Activities
Police Department
3. **Memo** Tin Horn Flats Memo
Police Department


MEMORANDUM



COMMUNITY DEVELOPMENT

DATE: February 26, 2021

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director 
BY: David Kriske, Assistant Community Development Director

SUBJECT: City Manager Tracking List Item #2285 –Development Impact Fee Program Update

At the February 4, 2020 City Council meeting, Staff held a Study Session on updating the City's Development Impact Fee (DIF) program and ordinance. The Study Session provided an overview of DIFs, background on the City's current DIF program, the process for updating the DIFs, and some City Council policies to consider when updating these fees. Council further directed staff to bring back a more in-depth analysis of existing and proposed fee levels, and the potential effects on new development. Staff expects to return to the City Council with the requested in-depth information at a second Study Session to be held in Summer 2021.

In addition to the specific information staff will present, staff will also respond to the City Council's specific questions raised at the first study session, including:

- Identifying the public benefits generated by recent large approved developments and comparing the financial value of those benefits to the revenues generated from current and proposed increased DIFs
- Comparing existing and proposed DIFs for Burbank with those in Glendale and Pasadena and whether assessing DIFs in Burbank's neighboring cities impacted planning and development
- Providing a profile of existing and proposed DIF assessments on medium to high density projects and provide an assessment of fees generated by medium to high density multi-family residential projects

In addition, staff continues to coordinate with development of the Golden State Specific Plan and Burbank Center Plan Update to ensure that public infrastructure improvements identified in these proposed plans can be accommodated in the updated DIF program and ordinance.

MEMORANDUM



POLICE DEPARTMENT

DATE: March 4, 2021

TO: Justin Hess, City Manager

FROM: Scott LaChasse, Chief of Police *Scott LaChasse*
VIA: Denis Cremins, Police Captain – Patrol Division
BY: Courtney Padgett, Police Administrator
John Pfrommer, Lieutenant – Traffic Bureau

SUBJECT: City Manager Tracking List #2361: Update on Parking Enforcement Activities

On January 5th, 2021, Council Member Anthony requested a report on the status of the City's parking enforcement activities.

Background

In March 2020, the Los Angeles County Department of Public Health issued the Safer at Work and in the Community for the Control of COVID-19 Order in effort to reduce the spread of the coronavirus. The order included provisions requiring the extended closure of non-essential businesses and that individuals remain inside of their place of residence as much as practicable. The implementation of these restrictions resulted in an increased number of vehicles parked on City streets for extended periods of time.

Due to the extenuating circumstances related to the pandemic, on March 17, 2020, the Burbank Police Department suspended enforcement activities related to parking violations for street sweeping, overtime parking in residential neighborhoods, and 72-hour parking restrictions (with the exception of abandoned vehicles). Parking enforcement activities were briefly resumed for a few days in July, with the City determining to re-suspend enforcement through September 30, 2020, due to the continued circumstances related to the pandemic. Refunds were issued to individuals who received parking citations for the previously suspended violations during the brief enforcement resumption period. As the County approved the reopening of certain businesses and began to permit

some public activities, on September 29, 2020, Council approved the resumption of all regular parking enforcement activities effective October 1, 2020.

The Department provided information regarding the resumption of all enforcement activities to the community through press releases, social media posts, and via City and Police Department websites. There was a two-week warning period between October 1, 2020, and October 14, 2020, with the issuance of citations resuming on October 15, 2020.

The initial suspension, temporary reinstatement, and subsequent re-suspension of the street sweeping, permit parking, and 72-hour parking regulations created a high-level of confusion within the community. Several other cities also suspended various parking regulations, with enforcement protocols varying by city and jurisdiction, leading some to misunderstand the regulations in place within Burbank. During this time period the Department received numerous complaints from community members who were unaware that parking enforcement had been reinstated, despite the various efforts to ensure appropriate notification was made to the community.

Environmental Impact

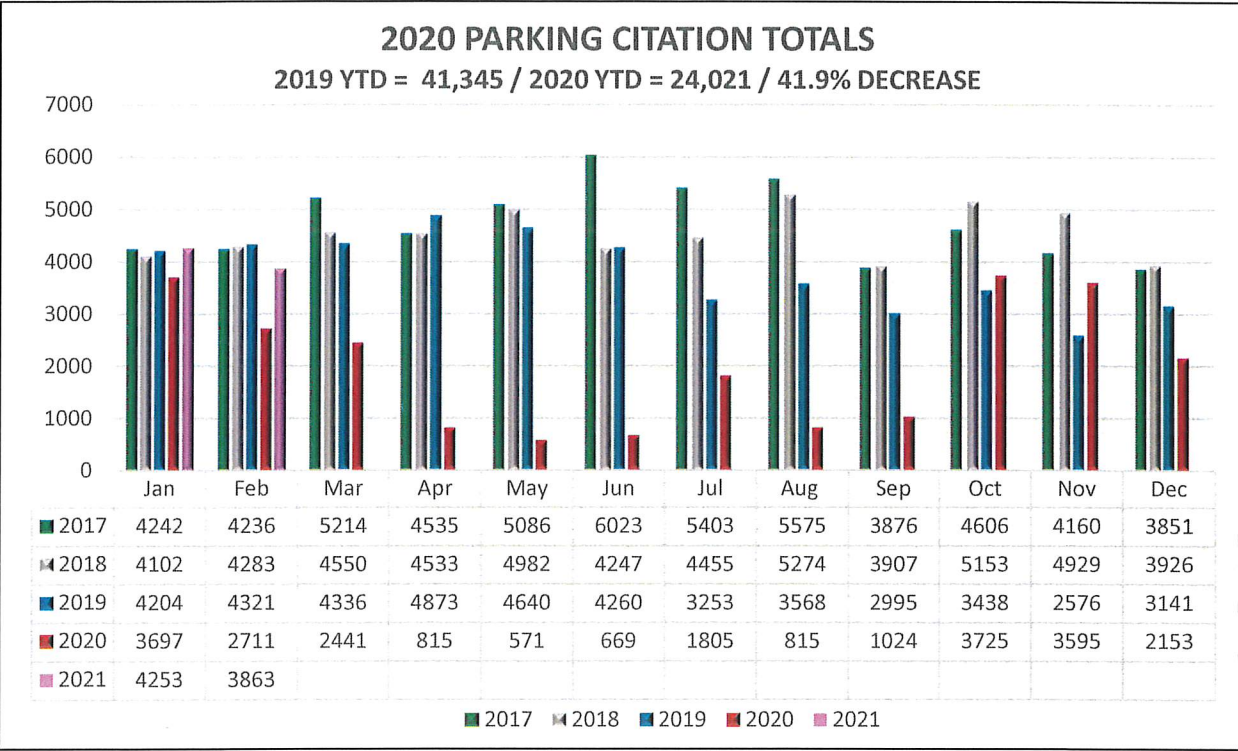
Resumption of enforcement included street sweeping violations, which were reinstated due to environmental impact concerns pertaining to the continued build-up of debris in gutters and storm drains. The Municipal Storm Water Program regulates storm water discharges from municipal separate storm sewer systems (MS4s) throughout California. Pursuant to the Federal Water Pollution Control Act (Clean Water Act), storm water permits are required for discharges from an MS4 serving a population of 100,000 or more. Burbank Public Works is required to clean the City street gutter lines once per week in adherence with the storm water (MS4) permit. Without proper maintenance and cleaning of the gutter lines, there is the increased possibility of debris and trash impeding and/or blocking the efficient flow of storm water through the screens affixed to the City catch basins, which could contribute to potential flooding.

Parking Enforcement Activities

The Department reinstated full enforcement for all parking violations effective October 1, 2020, with a two-week warning period prior to citation issuance resuming on October 15, 2020. Between the resumption of full enforcement activities on October 15, 2020, and February 28, 2021, a total of 17,110 citations were issued for parking-related violations.

During calendar year 2020, a total of 24,021 parking citations were issued, with 13,893 (57.8%) of these citations issued for street sweeping violations. This was a 41.9% decrease from the total number of parking citations issued in 2019. Between January 1, 2021, and February 28, 2021, a total of 8,116 citations were issued, with 5,830 (71.8%) issued for street sweeping violations. Information for the number of parking citations by

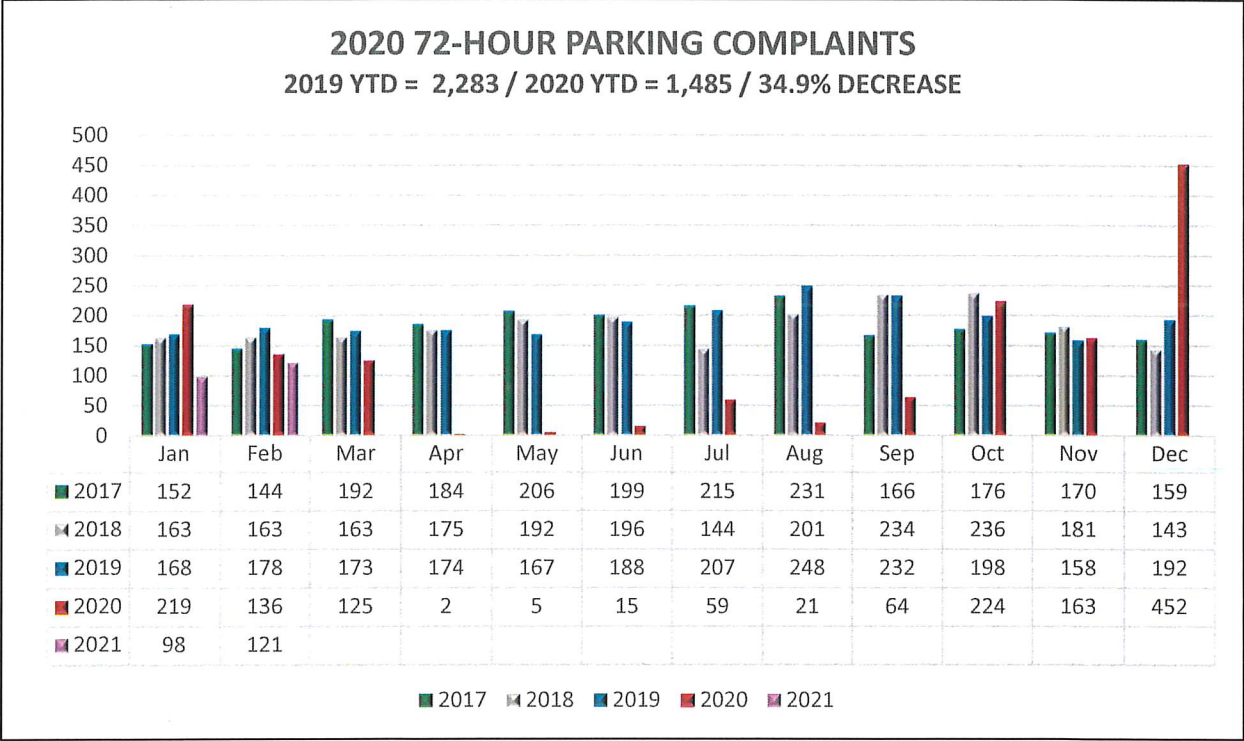
month for the last four years as well as for January and February of 2021 is displayed below.



Parking Complaints

The Department also saw a notable decrease in the number of parking complaints received during the previous year. During 2020, the Department received 1,485 complaints from residents regarding 72-hour parking issues, a 34.9% decrease from 2019. Complaints decreased significantly with the onset of the pandemic and the discontinuation of enforcement activities between the months of April through September, with complaints increasing during October, November, and December upon the resumption of enforcement. There was a notable rise in the number of complaints received during December (452 complaints). This increase is likely attributable to the reinstatement of many Los Angeles County stay-at-home restrictions. These restrictions lead to an increased number of vehicles remaining parked on City streets for extended periods of time, combined with more residents in their homes for prolonged periods. The community’s awareness that the City continued parking enforcement activities during this time period likely contributed to the increased volume of complaints received during the month.

Information for the number of parking complaints received regarding 72-hour parking issues by month for the last four years as well as for January and February 2021 is displayed on the following page.



The Department also receives a limited number of complaints for non-72-hour parking issues (e.g. red zone violations, blocked driveways, blocked fire hydrants), however the overall volume of these complaints is small and in most instances these issues are addressed immediately by a Parking Control Officer or Patrol Unit.

Enforcement in Other Jurisdictions

In the fall of 2020, as California began to slowly reopen businesses and permit certain public recreational activities, surrounding jurisdictions that had imposed parking enforcement suspensions similar to the City of Burbank moved to reinstate enforcement activities. The City of Pasadena resumed full enforcement for all parking violations on October 1, 2020.

The City of Glendale also resumed full parking enforcement in October 2020. In December 2020 Glendale re-suspended enforcement for street sweeping and parking meter violations only, due to the rise in COVID-19 cases and reinstatement of the County Safer at Home Order. On February 1, 2021, Glendale reinstated enforcement for all parking violations, to include street sweeping and meter violations, with a two-week warning period prior to reinstatement of citation issuance on February 15, 2021.

The City of Los Angeles Department of Transportation (LADOT) resumed all parking enforcement activities on October 15, 2020, to include resumption of enforcement for street sweeping violations.

Conclusion

The Police Department recommends the continuation of full enforcement for all parking violations, with staff monitoring enforcement activities and related complaints received accordingly.

**CITY OF BURBANK
POLICE DEPARTMENT
MEMORANDUM**



DATE: March 5, 2021

TO: Justin Hess, City Manager

FROM: Scott LaChasse, Police Chief *Scott LaChasse*

SUBJECT: FOLLOW UP TO COUNCIL REQUEST FOR INFORMATION ON CALLS REGARDING TINHORN FLATS' VIOLATIONS OF HEALTH ORDERS

During the February 22, 2021 special City Council meeting, staff presented a report for Council consideration to revoke, suspend or modify Conditional Use Permit No. 11-0000126 for Tin Horn Flats Saloon/Bar & Grill operated by Barfly Inc. (THF) at 2623 West Magnolia Boulevard. As part of the presentation, staff noted 11 calls for service had been received by the Police Department related to the ongoing operation of the establishment against the Los Angeles County Department of Public Health Order (Order). At that meeting, Vice Mayor Talamantes requested clarification on the details of the 11 calls for service, including any action taken by the Police Department in response to the calls for service. This memo is intended to outline the requested information.

During the pandemic, the City's policy for addressing violations of any County Order is the following: When a complaint is received, it is directed to the License and Code Services Office for follow up. If a second complaint is received, the matter is referred to the Police Department for follow up. If a third complaint is received, it is referred to the County Health Department for further follow up. THF was treated the same as all businesses where complaints were received by the City.

On December 9, the LA County Health Officer issued a revised Order which closed temporary outdoor seating for restaurants. Subsequently, on December 10th, around 6:30 PM the Police received a call from a citizen pertaining to the apparent violation of the new Order by THF. At approximately 7:00 PM, a Captain and Sergeant proceeded to THF and introduced themselves to the owner/manager, Lucas Lepejian. He was informed that he was operating in violation of the Order by serving food and drinks to patrons who were sitting in the outdoor area of the restaurant. Mr. Lepejian replied that he was aware of the fact that he was in violation of the Order. He was also informed that he was exposing himself to a variety of sanctions and even potential prosecution by the continued operation of his establishment in defiance of the Order. Mr. Lepejian acknowledged understanding of the statements by the Police Captain.

Following the December 10th visit, there were 11 calls received by the Police Department of which all were related to a lack of adherence to the County Health Order including,

operating in contradiction to the Order, lines along the sidewalk and/or no masks being worn by patrons. The police had already warned the establishment about their violation of the Health Order, and the County Public Health Office was advised of their violation and were conducting inspections of the establishment. Consequently, police officers were not dispatched to THF to provide additional warnings, instead all the subsequent calls related to those violations were memorialized for future administrative and/or prosecutorial purposes and processes.

In addition to the 11 COVID related calls received between December 10, 2020 and January 8, 2021, there were three other occasions the Police were called regarding non-COVID issues. One call was received on December 16, 2020 where it was reported a person was down on the sidewalk in front of THF, but the call was cancelled within ten minutes as the person eventually got up and walked away. Another call was received on the evening of December 22nd, with complaints of people outside the establishment singing Christmas carols on a PA system, but was cancelled within minutes by the original complainant. Then about 12 minutes after the call regarding caroling, additional calls were received regarding a stabbing outside THF. The Police were immediately dispatched with numerous officers as well the Fire Department to address the incident. The Police Department spent several hours at the location investigating the incident.