



**CITY OF NEWPORT BEACH  
CITY COUNCIL AGENDA**

**STUDY SESSION AND REGULAR MEETING**

**NOVEMBER 19, 2019**

**COUNCIL CHAMBERS - 100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA 92660**

**STUDY SESSION - 5:00 P.M. (PUBLIC WELCOME)  
CLOSED SESSION FOLLOWS STUDY SESSION  
REGULAR MEETING - 7:00 P.M.**

**DIANE B. DIXON, Mayor  
WILL O'NEILL, Mayor Pro Tem  
BRAD AVERY, Council Member  
JOY BRENNER, Council Member  
DUFFY DUFFIELD, Council Member  
JEFF HERDMAN, Council Member  
KEVIN MULDOON, Council Member**

**GRACE K. LEUNG, City Manager  
AARON C. HARP, City Attorney  
LEILANI I. BROWN, City Clerk  
CAROL JACOBS, Assistant City Manager**

**NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Clerk 24 hours prior to the scheduled City Council meeting.

**PUBLIC HEARINGS**

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

**NOTICE TO THE PUBLIC**

The City provides a yellow sign-in card for those wishing to address the City Council to assist in the preparation of the minutes. The cards are available in the lobby of the Council Chambers. Speakers are not required to submit a card as a condition to addressing the City Council. If you do fill out the card, please place it in the box at the podium. Any times listed in this agenda are provided as a courtesy and the actual item may be heard either before or after the time given.

This agenda was prepared by the City Clerk and staff reports are available at the City Clerk's Office located at 100 Civic Center Drive (Bay E, 2nd Floor). Staff reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation regarding any item of business on the agenda, please contact City Clerk staff at 949-644-3005. Agendas, minutes and staff reports are also available on the City's webpage at [newportbeachca.gov/agendas](http://newportbeachca.gov/agendas).

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [cityclerk@newportbeachca.gov](mailto:cityclerk@newportbeachca.gov)).

**NEWPORT BEACH CITY COUNCIL AGENDA  
COUNCIL CHAMBERS - 100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA  
92660**

**NOVEMBER 19, 2019  
STUDY SESSION - 5:00 P.M. (PUBLIC WELCOME)  
CLOSED SESSION FOLLOWS STUDY SESSION  
REGULAR MEETING - 7:00 P.M.**

**I. ROLL CALL - 5:00 p.m.**

**II. CURRENT BUSINESS**

**SS1. Clarification of Items on the Consent Calendar**

**SS2. Proclamation Honoring the 2019 Newport Harbor Lawn Bowling National Champions**

**SS3. Proclamation Recognizing the Volunteers of the Newport Beach Animal Shelter**

**SS4. Presentation by the Newport Beach Public Library Foundation**

**SS5. Short Term Lodging - Ad Hoc Committee on Short Term Lodging Recommended Changes**

City staff has been working with the Ad Hoc Committee on Short Term Lodging on changes to the City's ordinance on short term lodging. This presentation will update the City Council on the ad hoc committee's recommended changes and gain the City Council's feedback before a revised ordinance is introduced for their consideration. It is anticipated that an updated ordinance will be introduced in early 2020.

[Insider's Guide](#)

**III. PUBLIC COMMENTS**

*The City provides a yellow sign-in card to assist in the preparation of the minutes. The completion of the card is not required in order to address the City Council. If the optional sign-in card has been completed, it should be placed in the box provided at the podium.*

*The City Council of Newport Beach welcomes and encourages community participation. Public comments are invited on agenda and non-agenda items, are generally limited to three (3) minutes. The City Council has the discretion to extend or shorten the time limit on agenda or non-agenda items.*

**IV. CLOSED SESSION - Council Chambers Conference Room**

**A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**(Government Code § 54956.8): 3 matters**

**1. Property:** 4200 Campus Drive, Newport Beach, CA 92660  
APN: 427-121-01

**Agency Negotiator:** Grace K. Leung, City Manager  
Seimone Jurjis, Community Development Department  
Director  
Lauren Whitlinger, Real Property Administrator

**Negotiating Parties:** Avis Rent A Car Systems, LLC;  
and D.E.K.K. Associates, a California limited  
partnership

**Under Negotiations:** Price and terms of payment

**2. Property:** 3175 Airway Avenue, Costa Mesa, CA 92627  
APN: 427-091-12

**Agency Negotiator:** Grace K. Leung, City Manager  
Seimone Jurjis, Community Development Department  
Director  
Lauren Whitlinger, Real Property Administrator

**Negotiating Parties:** City of Costa Mesa

**Under Negotiations:** Price and terms of payment

**3. Property:** 1885 Anaheim Avenue, Costa Mesa, CA 92627  
APN: 424-211-12

**Agency Negotiator:** Grace K. Leung, City Manager  
Seimone Jurjis, Community Development Department  
Director  
Lauren Whitlinger, Real Property Administrator

**Negotiating Parties:** City of Costa Mesa

**Under Negotiations:** Price and terms of payment

**V. RECESS**

**VI. RECONVENE AT 7:00 P.M. FOR REGULAR MEETING**

**VII. ROLL CALL**

**VIII. CLOSED SESSION REPORT**

**IX. INVOCATION - Pastor David Manne, Calvary Chapel of Costa Mesa**

**X. PLEDGE OF ALLEGIANCE**

**XI. NOTICE TO THE PUBLIC**

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*The City Council of Newport Beach welcomes and encourages community participation. Public comments are generally limited to three (3) minutes per person to allow everyone to speak. Written comments are encouraged as well. The City Council has the discretion to extend or shorten the time limit on agenda or non-agenda items. As a courtesy, please turn cell phones off or set them in the silent mode.*

**XII. CITY COUNCIL ANNOUNCEMENTS AND ORAL REPORTS FROM CITY COUNCIL ON COMMITTEE ACTIVITIES**

**XIII. PUBLIC COMMENTS ON CONSENT CALENDAR**

*This is the time in which Council Members may pull items from the CONSENT CALENDAR for discussion (ITEMS 1 - 20). Public comments are also invited on Consent Calendar items. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record. If any item is removed from the Consent Calendar by a Council Member, members of the public are invited to speak on each item for up to three (3) minutes per item.*

*All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. Council Members have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of these items prior to the time the City Council votes on the motion unless members of the City Council request specific items to be discussed and/or removed from the Consent Calendar for separate action.*

**XIV. CONSENT CALENDAR**

**READING OF MINUTES AND ORDINANCES**

**1. Minutes for the November 5, 2019 City Council Meeting**

Waive reading of subject minutes, approve as written, and order filed.

[Minutes](#)

[Written Comments](#)

**2. Reading of Ordinances**

Waive reading in full of all ordinances under consideration, and direct the City Clerk to read by title only.

**ORDINANCES FOR ADOPTION**

**3. Adoption of Ordinances Modifying the City's Regulation of Municipal Campaign Contribution and Expenditure Limits and Establishing Lobbyist Registration, Reporting and Disclosure Requirements**

a) Determine this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;

b) Conduct second reading and adopt Ordinance No. 2019-19, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Chapter 1.25 of Title 1 of the Newport Beach Municipal Code Pertaining to Municipal Campaign Contribution and Expenditure Limits*; and

c) Conduct second reading and adopt Ordinance No. 2019-20, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 1.12.020, Subsection J, and Adding Chapter 1.28 to Title 1 of the Newport Beach Municipal Code to Increase Transparency in Government Operations and Establish Lobbyist Registration, Reporting and Disclosure Requirements.*

[Written Comments](#)

[Attachment A - Ordinance No. 2019-19](#)

[Attachment B - Ordinance No. 2019-20](#)

[Correspondence](#)

[Written Comments](#)

#### **RESOLUTIONS FOR ADOPTION**

**4. Resolution No. 2019-99: Amending the Expiration Date of the Ad Hoc Committee for Local Business Advancement**

a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and

b) Adopt Resolution No. 2019-99, *A Resolution of the City Council of the City of Newport Beach, California, Amending the Expiration Date of the Ad Hoc Committee for Local Business Advancement.*

[Staff Report](#)

[Attachment A - Resolution No. 2019-99](#)

[Written Comments](#)

**5. Resolution No. 2019-100: Restructuring of the Homeless Task Force**

a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and

b) Adopt Resolution No. 2019-100, *A Resolution of the City Council of the City of Newport Beach, California, Reconstituting the Character, Membership and Purpose of the Newport Beach Homeless Task Force.*

[Staff Report](#)

[Attachment A - Resolution No. 2019-100](#)

[Insider's Guide](#)

[Written Comments](#)

**CONTRACTS AND AGREEMENTS**

**6. Slurry Seal Program - Notice of Completion for Contract No. 7432-1 (19R04)**

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project;
- b) Authorize the City Clerk to release the Labor and Materials Bond 65 days after the Notice of Completion has been recorded in accordance with applicable portions of Civil Code; and
- c) Release Faithful Performance Bond one year after acceptance by the City Council.

[Staff Report](#)

[Attachment A - Location Map](#)

**7. Grand Canal Dredging Project Phase 2 - Notice of Completion for Contract No. 8171-2 (16H12)**

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project;
- b) Authorize the City Clerk to release the Labor and Materials Bond 65 days after Notice of Completion has been recorded in accordance with applicable portions of the Civil Code; and
- c) Release the Faithful Performance Bond one year after acceptance by the City Council.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - 3-12-19 Staff Report](#)

[Attachment C - 3-12-19 Minutes](#)

**8. Annual Concrete Replacement Program - Award of Contract No. 7682-1 (20R06)**

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), Class 1, (maintenance of existing public facilities involving negligible or no expansion of use), of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment;
- b) Approve the project plans and specifications;
- c) Award Contract No. 7682-1 to Western Construction Specialists, Inc., for the total bid price of \$741,300.00, and authorize the Mayor and City Clerk to execute the contract; and
- d) Establish \$37,000.00 (approximately 5 percent) contingency to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attachment A - Location Map](#)

**9. Bison Avenue, San Joaquin Hills Road and San Nicolas Drive Pavement Rehabilitation Project - Award of Contract No. 7433-2 (19R21)**

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), Class 1 (maintenance of existing public facilities involving negligible or no expansion of use) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment;
- b) Approve the project plans and specifications;
- c) Award Contract No. 7433-2 to R.J. Noble Company, Inc., for the total bid price of \$2,681,325.00, and authorize the Mayor and City Clerk to execute the contract; and
- d) Establish \$270,000.00 (approximately 10 percent) contingency to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attacement A - Location Map](#)

**10. West Coast Highway Median Landscaping Phases 2 and 3 - Award of Contract No. 7189-2 (18L11)**

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) (minor alterations of existing facility involving negligible or no expansion of capacity) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment;
- b) Approve the project drawings and specifications;
- c) Recognize KASA Construction, Inc. as the lowest responsive bidder based on the base bid plus all additive bid items and award Contract No. 7189-2 to KASA Construction, Inc. for the base bid price of \$967,450.50 plus additive bid items 44, 45 and 46 to add artificial rocks to Phase 1 for \$7,900.00, for a total contract price of \$975,350.50, and authorize the Mayor and City Clerk to execute the contract;
- d) Establish \$97,000.00 (approximately 10 percent) contingency to cover the cost of unforeseen work not included in the original contract; and
- e) Approve Budget Amendment No. 20-022 appropriating \$64,739.00 from unappropriated Neighborhood Enhancement Fund balance to the West Coast Highway Median Landscaping project 18L11.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - Budget Amendment](#)

**11. Newport Island Park Enhancements - Award of Contract No. 7500-1 (19L01)**

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302(c) (reconstruction of existing facility involving negligible or no expansion of capacity) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment;
- b) Approve the project drawings and specifications;
- c) Award Contract No. 7500-1 to Green Giant Landscape, Inc. for the total bid price of \$305,000.00, and authorize the Mayor and City Clerk to execute the contract;
- d) Establish \$30,000.00 (approximately 10 percent) contingency to cover the cost of unforeseen work not included in the original contract; and
- e) Allow the installation of Newport Island Homeowners Association (HOA) storage shed, direct staff to enter into an Encroachment Agreement with the HOA, and authorize the City Manager and City Clerk to execute the Encroachment Agreement on a form approved by the City Attorney.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - Shed Location Map](#)

**12. Approval and Award of Agreement for Commercial Refuse Removal Services for City Facilities to CR&R, Incorporated**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Approve a Maintenance and Repair Services Agreement with CR&R, Incorporated for commercial refuse removal services for a five-year term with a total not-to-exceed amount of \$651,614.17, and authorize the Mayor and City Clerk to execute the agreement as to a form approved by the City Attorney

[Amended Staff Report](#)

[Staff Report](#)

[Attachment A - Agreement](#)

[Insider's Guide](#)



**13. Approval and Award of Maintenance and Repair Services Agreement with Am-Tec Total Security, Inc.**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Approve a three-year agreement with Am-Tec Total Security Inc. for Alarm and Security Camera systems maintenance and repair services for a total not-to-exceed amount of \$235,200, and authorize the Mayor and City Clerk to execute the agreement.

[Staff Report](#)

[Attachment A - Agreement](#)

**14. Final Tract Map No. 18108 for a Mixed-Use Condominium Development Located at 410 and 412 29th Street**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Review and approve the Subdivision Agreement for Final Tract Map No. 18108 pursuant to Section 19.36.010 of the Municipal Code, and authorize the Mayor and City Clerk to execute the Subdivision Agreement;
- c) Review and approve the required construction securities for Final Tract No. 18108 pursuant to Section 19.36.030 of the Municipal Code, and authorize the Public Works Director to execute and release securities; and
- d) Review and approve Final Tract Map No. 18108 located at 410 and 412 29th Street pursuant to Section 19.60.010 of the Municipal Code.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - Tract Map No 18108](#)

[Attachment C - Subdivision Agreement and Surety Bonds](#)

[Attachment D - Planning Commission Resolution](#)

[Written Comments](#)

**15. Fourth Amendment to the Joint Powers Agreement for the Metro Cities Fire Authority**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Approve and authorize the Mayor and City Clerk to execute the Metro Cities Fire Authority Fourth Amended Joint Powers Agreement.

[Staff Report](#)

[Attachment A - Fourth Amended JPA Agreement](#)

[Attachment B - Fourth Amended JPA Agreement \(redline\)](#)

**16. Professional Services Agreement for Document Printing, Mailing Services and Online Presentment**

a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and

b) Authorize the Mayor to execute a five year Agreement with InfoSend, Inc. for a total not-to-exceed amount of \$703,300.

[Staff Report](#)

[Attachment A - Agreement](#)

**17. Amendment No. Two with Basin Marine for Balboa Yacht Basin Management Services**

a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and

b) Approve Amendment No. 2 with Basin Marine Inc. for Balboa Yacht Basin Management Services for one additional year.

[Staff Report](#)

[Attachment A - Amendment No. Two](#)

[Written Comments](#)

**18. Approval and Award of Professional Services Agreement for Integrated Library System Software with SirsiDynix**

a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and

b) Approve the Professional Services Agreement between Newport Beach Public Library and SirsiDynix for the purchase, installation, implementation and maintenance services for the Symphony Integrated Library System in an amount not-to-exceed \$472,378.

[Staff Report](#)

[Attachment A - Agreement](#)

[Written Comments](#)

**19. Approval of Professional Services Agreement for SCADA System Services**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Approve the Professional Services Agreement with Partners In Control dba Enterprise Automation for SCADA System services for a five-year term with a total not-to-exceed amount of \$1,000,000; and
- c) Authorize the Mayor and City Clerk to execute the Agreement.

[Staff Report](#)

[Attachment A - Professional Services Agreement](#)

[Written Comments](#)

**MISCELLANEOUS**

**20. Adoption of 2019 Sewer System Management Plan Update**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Adopt the City's 2019 Sewer System Management Plan as required by the State Water Resources Control Board.

[Staff Report](#)

[Attachment A - 2019 Sewer System Management Plan](#)

[Written Comments](#)

**ACTION: MOVE AFFIRMATIVE ACTION OF THE CONSENT CALENDAR, EXCEPT FOR THOSE ITEMS REMOVED**

**XV. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**XVII. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the City Council. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record.*

**XVII. PUBLIC HEARING**

**21. Superior Avenue Pedestrian/Bicycle Bridge and Parking Lot Project - Adoption of Mitigated Negative Declaration, Approval of Conceptual Design, and Approval of Professional Services Agreement with Dokken Engineering (Contract No. 8020-5)**

- a) Conduct a public hearing;
- b) Adopt Resolution No. 2019-101, *A Resolution of the City Council of the City of Newport Beach, California, Exempting a Public Parking Lot, Pedestrian Bridge, and Public Park from Development Standards and Permit Requirements, in Accordance with Section 20.40.040 of the Newport Beach Municipal Code (PA2019-014)*;
- c) Adopt Resolution No. 2019-102, *A Resolution of the City Council of the City of Newport Beach, California, Adopting Mitigated Negative Declaration No. ND2019-002 (SCH# 2019099074) for the Superior Avenue Pedestrian and Bicycle Bridge and Parking Lot Project (PA2019-014)*;
- d) Approve the conceptual design for the Superior Avenue Pedestrian/Bicycle Bridge and Parking Lot project including the proposed concrete bridge, parking lot and one of the following alternatives for the recreational area:
  1. Dog Park (current alternative); or
  2. Passive Recreation Area at Lower Sunset View Park (Open Space) Adjacent to Parking Lot (similar grading as dog park alternative with a level grass area down low); or
  3. Passive Recreation Area at Upper Sunset View Park (Open Space) Adjacent to existing Sunset View Park (terraced retaining walls with a level grass area up high); and
- e) Approve a Professional Services Agreement with Dokken Engineering of San Diego, California, for the Superior Avenue Pedestrian/Bicycle Bridge and Parking Lot project at a not-to-exceed price of \$919,890.00, and authorize the Mayor and City Clerk to execute the Agreement.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - Conceptual Design](#)

[Attachment C - Dog Park \(Alt. 1\)](#)

[Attachment D - Open Space \(Alt. 2\)](#)

[Attachment E - Open Space \(Alt. 3\)](#)

[Attachment F - Resolution No. 2019-100](#)

[Attachment G - Resolution No. 2019-101](#)

[Attachment H - Agreement](#)

[Attachment I - Public Comments](#)

[Correspondence Received After Agenda Printed](#)

[Insider's Guide](#)

**22. Ordinance Nos. 2019-17 and 2019-18: Adoption of the 2019 California Building Standards Code and 2019 California Fire Codes with Local Amendments**

- a) Conduct a public hearing;
- b) Find the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, because they will not result in a physical change to the environment, directly or indirectly;
- c) Waive full reading, direct the City Clerk to read by title only, and adopt Ordinance No. 2019-17, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 15 (Building and Construction) of the Newport Beach Municipal Code to Adopt Amendments to Chapter 1 Division II of the 2019 California Building Code Designated as the Newport Beach Administrative Code, 2019 California Historical Code, 2019 California Existing Building Code, 2019 California Green Building Standards Code, and 2019 California Energy Code, 2018 International Property Maintenance Code with Local Amendments, 2019 Edition of the California Building Code, 2019 Edition of the California Residential Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2018 International Swimming Pool and Spa Code with Local Amendments and Amending Chapter 15.10 (Excavation and Grading)*; and
- d) Waive full reading, direct the City Clerk to read by title only, and adopt Ordinance No. 2019-18, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 9 (Fire Code) of the Newport Beach Municipal Code to Adopt the 2019 Edition of the California Fire Code, as forth in Title 24, Part 9 of the California Code of Regulations, with Local Amendments.*

[Staff Report](#)

[Attachment A - Ordinance No. 2019-17](#)

[Attachment B - Ordinance No. 2019-18](#)

**23. Conduct a Proposition 218 Public Hearing and Consider a Water Rate Increase**

- a) Conduct a public hearing to accept comments on the proposed water rates and at the conclusion of the hearing close the 45-day notice period;
- b) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- c) Direct the City Clerk to tabulate the results of the protests received from property owners and customers and announce the findings;
- d) Waive full reading, direct the City Clerk to read by title only, and adopt Ordinance No. 2019-16, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Chapter 14.12 (Water Rates and Charges) of the Newport Beach Municipal Code Setting Water Rates by Resolution and Other Related Changes*; and
- e) Adopt Resolution No. 2019-103, *A Resolution of the City Council of the City of Newport Beach, California, Establishing Water Charges Effective January 1, 2020 and Four Years of Phased in Increases Thereto*.

[Staff Report](#)

[Attachment A - NBMC Chapter 14.12 \(redline\)](#)

[Attachment B - Ordinance No 2019-16](#)

[Attachment C - Resolution No. 2019-103](#)

[Attachment D - Presentation](#)

[Insider's Guide](#)

[Correspondence](#)

**XVIII. CURRENT BUSINESS**

**24. Central Library Lecture Hall Building Design - Approval of Professional Services Agreement (19F11)**

- a) Determine this this action is exempt from environmental review under CEQA pursuant to the categorical exemptions set forth in Sections 15301 (Existing Facilities) and, 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because there is no substantial evidence demonstrating an exception to reliance on the categorical exemptions;
- b) Approve the Second Amendment to the Declaration of Special Land Use Restrictions on the property between the City of Newport Beach and The Irvine Company LLC;
- c) Approve a Professional Services Agreement (PSA) with RCA of Newport Beach, California, for the Lecture Hall project at a not-to-exceed price of \$637,670, and authorize the City Manager and City Clerk to execute the Agreement on a form approved as to form by the City Attorney; and
- d) Approve Budget Amendment No. 20-021 appropriating \$110,000.00 from Building Excise Tax Fund Balance to the Lecture Hall project 19F11.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - CEQA Exemption](#)

[Attachment C - Budget Amendment](#)

[Attachment D - Special Land Use Restrictions Agreement](#)

[Attachment E - Public Comments](#)

[Correspondence Received After Agenda Printed](#)

[Insider's Guide](#)

**XIX. MOTION FOR RECONSIDERATION**

*A motion to reconsider the vote on any action taken by the City Council at either this meeting or the previous meeting may be made only by one of the Council Members who voted with the prevailing side.*

**XX. ADJOURNMENT**

**Testimony given before the City Council is recorded.**

**The timer light will turn yellow when the speaker has one minute remaining.**

**The timer light will turn red when the speaker has 10 seconds remaining.**

**PLEASE TURN CELL PHONES OFF OR SET IN SILENT MODE.**