



NEWPORT BEACH

City Council Staff Report

March 25, 2025
Agenda Item No. 10

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Amendment to Professional Services Agreement with Dudek, Inc. for Consulting Services on the Comprehensive General Plan Update (PA2022-080)

ABSTRACT:

For the City Council's consideration is an amendment to the existing Professional Services Agreement with Dudek, Inc. for Consulting Services on the Comprehensive General Plan Update. The requested amendment would: (1) update the scope of work to include an update to the Noise Element, additional support for the General Plan Advisory Committee and its subcommittees, and an additional draft General Plan deliverable; (2) extend the term of the agreement to June 30, 2026; and (3) increase the total compensation by \$128,479.99.

RECOMMENDATIONS:

- 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. One to the Professional Services Agreement with Dudek, Inc. for Consulting Services on the Comprehensive General Plan Update, which augments the Scope of Work, extends the contract to June 30, 2026, and increases the contract amount by \$128,479.99 for a total not-to-exceed amount of \$1,606,509.74, and authorize the Mayor and City Clerk to execute Amendment No. One to the Agreement.

DISCUSSION:

With the City Council's authorization on June 27, 2023, the City of Newport Beach executed a professional services agreement with Dudek, Inc. (Dudek) for consulting services related to the comprehensive update of the General Plan (Agreement). It is noteworthy that the Scope of Work authorized under the Agreement did not include services on the General Plan's Circulation Element, Housing Element, or Noise Element.

Since the Agreement’s execution, Dudek has been providing professional and technical support to City staff, including attending meetings of the General Plan Update Steering Committee (GPUSC) and the General Plan Advisory Committee (GPAC). To ensure efficiency and productive meetings, the GPAC formed multiple subcommittees to review individual General Plan elements for potential refreshing to align with the community’s vision. The GPUSC has continuously overseen the work of and provided guidance to the GPAC while reporting back to the City Council on progress made.

As part of the GPUSC’s bi-monthly update to the City Council on September 24, 2024, it was reported that the GPAC Noise Subcommittee received support from the GPAC and GPUSC to pursue the City Council’s authorization for the technical work necessary to update Figures N1 through N6 related to existing and future noise contours, as well as a community noise survey to identify any major noise sources. Attachment B to this report is GPUSC Chair Nancy Gardner’s memo updating the City Council on the progress made. As recommended in the staff report for that meeting, the City Council received and filed the bi-monthly update expressing initial support to consider an amendment to the Agreement for this work.

Proposed Additional Services

Dudek has prepared a supplemental work plan that includes additional services to update the Noise Element, which are listed and briefly described in Table 1 below. The full work plan is provided in Attachment A to this report. Importantly, there is no intention to change the revisions made with the City Council’s adoption of a focused update to the Noise Element on November 14, 2023, related to housing in the Airport Area.

Table 1, Outline of Additional Work Plan Tasks

#	Task Title	Description and Subtasks
1	Noise Element Update	Dudek will provide the necessary professional and technical support to update the Noise Element, including its exhibits and figures as necessary. <ul style="list-style-type: none"> • 1.1 Establish Baseline Conditions • 1.2 Sound Propagation Modeling and Sound Contour Mapping • 1.3 Update Noise Element Policies • 1.4 Noise Element Amendment
2	GPAC Subcommittee Coordination	As the General Plan Update has progressed and with the addition of the Noise Element, it has become apparent that additional coordination with the ad hoc committees and the various GPAC Subcommittees is needed. <ul style="list-style-type: none"> • 2.1 GPAC Subcommittee Meetings and Support
3	General Plan Update Additional Draft	To accommodate the General Plan Update’s iterative process with the community and ad hoc committees, Dudek recommends an additional draft of the General Plan. <ul style="list-style-type: none"> • 3.1 Additional Draft General Plan

Project Schedule and Amended Term

The Agreement's schedule has the General Plan Update being completed in early summer 2025. With the proposed amendment, the schedule will shift to accommodate the additional work needed to include an update to the Noise Element and pushes completion to fall 2025. Given the slight delay and the potential need for additional time to wrap up the project, the amendment includes extending the term expiration from December 31, 2025, to June 30, 2026.

Project Cost

To provide the required services, Dudek is requesting an additional \$128,479.99, which includes adequate budget to allow for an additional draft of the General Plan, if necessary. Given the iterative process with significant input from the GPU SC, GPAC, and GPAC subcommittees, as well as the community, City staff believes planning for an additional draft is warranted and prudent.

With this additional cost, the total contract amount will increase from \$1,478,029.75 to \$1,606,509.74.

FISCAL IMPACT:

Given the General Plan Update will continue across fiscal years through the end of 2025, the current Capital Improvement Program (CIP) budget for Fiscal Year 2024-2025 (FY24-25) is not sufficient to complete it. Staff will request additional funds in the CIP budget for Fiscal Year 2025-2026 (FY25-26) such that sufficient funding for the amended Agreement is included as part of the General Plan Update project. All expenditures will be expensed to the General Fund Account No. 01201928-980000 (Project 20M11).

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Amendment No. One to the Professional Services Agreement with Dudek
Attachment B – September 24 City Council GPU SC Memo