



NEWPORT BEACH

City Council Staff Report

November 28, 2023
Agenda Item No. 9

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: David A. Webb, Public Works Director - 949-644-3311,
dawebb@newportbeachca.gov

PREPARED BY: Peter Tauscher, Senior Civil Engineer
ptauscher@newportbeachca.gov, 949-644-3316

TITLE: Resolution No. 2023-81: Establishing the Library Lecture Hall MOU
City Council Ad Hoc Committee

ABSTRACT:

At the November 14, 2023 City Council Study Session, the Newport Beach City Council reviewed and discussed the construction bids for the proposed Library Lecture Hall, the overall project cost, and whether to proceed with construction of the project. The Council voted 4-3, via a straw poll, in favor of moving the project forward. The award of the construction contract, and the third amendment to the memorandum of understanding (MOU) between the City of Newport Beach and the Newport Beach Public Library Foundation (NBPLF), will be brought to the Council for its consideration at a future meeting in January 2024. Mayor Noah Blom desires to create a City Council Ad Hoc Committee to negotiate the third amendment to the MOU with the NBPLF. If adopted, Resolution No. 2023-81 would establish a Library Lecture Hall MOU City Council Ad Hoc Committee comprised of three Council Members, appointed by the Mayor and confirmed by the entire City Council, to make recommendations to the entire City Council regarding the terms of the amended MOU.

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;
- b) Adopt Resolution No. 2023-81, *A Resolution of the City Council of the City of Newport Beach, California, Creating an Ad Hoc Committee to Make Recommendations to the City Council on the Third Amendment to the Memorandum of Understanding with the Newport Beach Public Library Foundation Related to Funding the Library Lecture Hall;* and
- c) Confirm the Mayor's appointments of Mayor Blom, Council Member Kleiman and Council Member Stapleton to serve on the Library Lecture Hall MOU City Council Ad Hoc Committee.

DISCUSSION:

Mayor Noah Blom desires to create a City Council Ad Hoc Committee to negotiate the third amendment to the current MOU with the NBPLF regarding further funding obligations by the NBPLF for the project.

The MOU between the City and the NBPLF was originally approved on November 30, 2021, pursuant to City Council Policy A-2. It was amended on September 12, 2022, to modify the timing of the payment for the NBPLF's commitment, provide an additional naming opportunity for the audio-visual booth, refine definitions, and include other non-substantive revisions. The MOU was amended a second time on November 15, 2022, to provide an additional naming opportunity for the auditorium.

If the City Council adopts the attached resolution, the Library Lecture Hall MOU City Council Ad Hoc Committee would be established. It would be comprised of three Council Members, who shall be appointed by the Mayor and confirmed by the entire City Council, to make recommendations to the entire City Council regarding the terms of the third amendment to the MOU with the NBPLF. The Ad Hoc Committee would be an advisory committee to the City Council and would expire upon making recommendations to the City Council regarding the terms of the third amendment to the MOU. The Mayor is appointing himself and Council Members Lauren Kleiman and Joe Stapleton to the Ad Hoc Committee.

FISCAL IMPACT:

There is no fiscal impact related to the formation of this City Council Ad Hoc Committee.

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).

ATTACHMENT:

Attachment A – Resolution No. 2023-81