

## Mulvey, Jennifer

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**Subject:** FW: Newport Beach Insider's Guide - Council Meeting of Tuesday, December 12, 2017

Happy almost-Christmas Boat Parade time to you. That starts Wednesday the 13<sup>th</sup>, you know. Be prepared for good times, good decorations, good friends, and not-so-good traffic.

This coming **Tuesday, December 12, 2017** is the last official regular Council meeting of 2017. Hard to believe we're already there. At this meeting, not a lot happens besides some important ceremonial moves. As this is not a year where we had a Council election, we have no newcomers nor folks terming out.

Starting at 6:30 p.m., there are some very minor business items, one being the 2<sup>nd</sup> Reading of the rescinding of the approvals for Banning Ranch. Why is this coming up again? Glad you asked.

This is a good chance to remind folks of the arcane rules about **ordinances** versus **resolutions** versus other actions. An **ordinance** is typically (but not always) an action that amends the municipal code (in Banning Ranch's case, the development approvals being rescinded include lots of things, some being changes made in 2012 to the Zoning Code). Remember that the Municipal Code itself spells out our local laws relating to everything from parking to fire and building codes to the harbor to nuisances to zoning. When the Council amends the Muni Code, they do it via two nearly identical actions (called 1<sup>st</sup> Reading or Introduction and then 2<sup>nd</sup> Reading). This is in part to allow more transparency and in part to allow the Council to reconsider or change an action before it becomes law. A Muni Code change does not take effect until 30 days following an affirmative vote at 2<sup>nd</sup> Reading.

The City Charter give additional roles to ordinances, requiring that franchises and new fines and penalties be adopted by ordinance. This too is a two-step process. The Council only adopts about 25-35 ordinances in any one year.

A **resolution** is different. It is not an action that amends the Code, but it does express a formal determination by the Council of a policy, adopting a fee, stating an intention to apply for a grant, a budget's adoption, certain personnel changes and more. Resolutions only have one vote, and they typically become effective upon adoption. Last year the Council adopted about 130 resolutions, though we're on track for less in 2017.

There. You now know more about ordinances and resolutions and are half asleep. So am I.

So back to the **December 12<sup>th</sup>** meeting. After the Banning Ranch business item, we go to the annual reorganization. The reorganization goes like this:

- The mayor for 2017, Kevin Muldoon, is recognized for his service, and will offer his thoughts as he concludes that role, Then,
- Council takes nominations for the mayor's position for 2018, and takes a vote. Oftentimes only one Council member is nominated before nominations are closed.
- With the new mayor taking the gavel and the center seat, he or she takes nominations for the vice-mayor or mayor pro tem position (and another vote is taken). The vice-mayor then takes the seat to the mayor's right.

- Everyone else picks their 2018 seats, with the Council members next in seniority picking first, by alphabetical order of their first pet's name if two or more have the same seniority. Or their own last name, whatever.
- The new mayor gets to make some remarks.
- The meeting ends and off everyone goes to eat. City staff breathes a sigh of relief and imbibes in a few drinks (afterward, of course – what were you thinking?) as another year of meetings is under the belt.

A few **notes**:

- Thank you to all who have attended the two **Open Forums on the airport** in recent days and weeks. We've had strong discussions and I have appreciated the good questions and comments. I know Council Member Herdman has as well. Just as an update for all, the last known FAA NextGen adjustment at JWA was made on Thursday, December 7, as the plane routes going to two destinations (Las Vegas and Salt Lake City – the FINZZ) were shifted very slightly west. While we didn't see evidence of this until Friday, December 8, as we were in Santa Ana reverse flow conditions, the shift did happen according to our review of a handful of flights Friday afternoon. For those who want further updates on JWA, the **Aviation Committee** meets on Monday, December 11, at 4:00 p.m. at the Community Room at City Hall.
- The **Christmas Boat Parade** (as noted) starts on Wednesday, December 13<sup>th</sup> and occurs through Sunday, December 17<sup>th</sup>. With **fireworks** on the first and last days. More details are [here](#).
- By the end of this month, I have to say goodbye to another Department Director at the City. 2017 was a year that saw some retirements that I really didn't want to see – that of Community Development Director Kim Brandt and now Utilities Guru **George Murdoch**. George is a remarkable man and leader, and he's one of those people that I knew, if George was around, things were going to be OK. He led us through the drought. He would be the guy up in the middle of the night at a water main break, supervising a flooded street, or even that night this summer when a sea wall (or lack thereof) on Newport Island was in the news. If you didn't know George, you knew his work – it was in the quality of your water service, the way we didn't have to worry about wastewater spills, how your streetlights went on when they were supposed to, and much more. George has been with the City since 1980, starting as a \$5.44/hour refuse worker. He retires about 38 years later, as one of the most well-liked and respected department directors we've had here. Fortunately, he has been good about sharing his knowledge, so we'll be OK. I think. I will still miss him a great deal.
- A reminder that City Hall takes a few days off between **Christmas and New Year's**, so the Civic Center will be **closed** during the week of December 25 all the way to Monday, January 1, 2018. The Newport Beach Public Library has different hours, and is open in a limited way that week – check the Library's [Holiday Hours](#) before you go. I hope that you and your families have a Merry Christmas, a happy Hanukah, and good and safe holidays overall.

Thank you for reading. Please forward this *Guide* to family, friends and members of your HOA if you represent one. I always like hearing from you, too, so please don't hesitate to ask a question or offer a comment.

Sincerely,

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 City Manager  
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**City Council Meeting Information:** The Newport Beach City Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of most months (the exceptions are August and December). Typically, there is a **Study Session** that starts at 4:00 p.m. Study sessions are times for the Council to take a deeper look at a specific issue, or hear a presentation, that might eventually lead to a specific and more formal action. A **closed session** often follows the Study Session. Closed sessions are typically to address legal, personnel, and other matters where additional confidentiality is important. The **Regular (evening) Session** typically starts at 7:00 p.m., and often has a specific listing of 20-40 different items ready for formal votes. Items on the “Consent Calendar” are heard all at once, unless a Council member has removed (aka “pulled”) an item from the Consent Calendar for specific discussion and separate vote. If an item on the agenda is recommended to be “continued”, it means that the item won’t be heard nor voted on that evening, but will be pushed forward to another noticed meeting.

**Public Comment** is welcomed at both the Study Session and the Regular Session. The public can comment on any item on the agenda. If you want to comment on a Consent Calendar item that was not pulled from the Consent Calendar by a Council Member, you will want to do so at the time listed on the agenda – right before the Council votes on the entire Consent Calendar (it’s Roman Numeral XIII on the posted agenda). If an item is pulled, the Mayor will offer that members of the public can comment as that specific item is heard separately. Additionally, there is a specific section of Public Comment for items not on the agenda, but on a subject of some relationship to the city government. If you cannot attend a meeting and/or want to communicate with the City Council directly, this e-mail gets to all of them: [CityCouncil@newportbeachca.gov](mailto:CityCouncil@newportbeachca.gov). Please know that I get a copy of that e-mail, too, because in almost all cases it’s something that the City Manager follows-up on. It’s my head-start.

The Council meets in the Council Chambers at 100 Civic Center Drive, off of Avocado between San Miguel and East Coast Highway. There is plenty of parking in the parking structure behind City Hall. You are always welcome to attend in person, but you can also watch on TV Time Warner / Spectrum 3 and Cox Channel 852 or stream it on your computer.

This *Insider’s Guide* is not an attempt to summarize every item on the Agenda – just the ones that seem of specific interest to Dave. I encourage you to read the full agenda if you wish.