

## ATTACHMENT A

### RESOLUTION NO. 2020-26

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB 1, THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**WHEREAS**, Senate Bill 1 (“SB 1”), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the California Legislature and signed into law by Governor Jerry Brown on April 28, 2017, to address the significant multi-modal transportation funding shortfalls statewide;

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Newport Beach (“City”) are aware of the projects proposed for funding in the community and which projects have been completed each fiscal year;

**WHEREAS**, the City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (“RMRA”), created by SB 1, in the City budget, which must include a description and location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement;

**WHEREAS**, the City, will receive an estimated \$1,646,555 in RMRA funding in Fiscal Year (“FY”) 2020-21 from SB 1;

**WHEREAS**, this is the fourth year in which the City is receiving SB 1 funding which will enable the City to continue road maintenance and rehabilitation projects, safety improvements, repair and replace aging bridges, and increase access and mobility options for the traveling public;

**WHEREAS**, the City has undergone a robust public process to ensure public input into our community’s transportation priorities and the project list;

**WHEREAS**, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community’s priorities for transportation investment;

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate streets throughout the City this year and similar projects into the future;

**WHEREAS**, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in "good" condition and this revenue will help the City maintain or improve the overall quality of our road system over the next decade;

**WHEREAS**, the City Council previously approved three projects that are still active for FY 2020-21 and which shall be funded in whole, or in part, with funding from the RMRA;

**WHEREAS**, the City Council desires to add an additional project to the list of projects proposed to be funded either in whole, or in part, with funding from RMRA for FY 2020-21; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE**, the City Council of the City of Newport Beach hereby resolves as follows:

**Section 1:** The City Council hereby approves the following newly proposed project, which will be funded in whole, or in part, with Fiscal Year 2020-21 Road Maintenance and Rehabilitation Account ("RMRA") funds:

**Bonita Canyon Drive and Ford Road Pavement Rehabilitation:** This project is located on Bonita Canyon Drive and Ford Road and involves cold milling and overlaying the existing asphalt concrete pavement with rubberized asphalt concrete. Deteriorated concrete improvements will also be reconstructed. Impacted utilities will be adjusted to grade. The new pavement will also be restriped. Final design is scheduled to be completed by April 2020 and construction will be completed by winter 2020. The estimated useful life of this project is 15 years minimum.

**Section 2:** The following previously proposed and adopted projects may also utilize RMRA revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the state its intent to fund these projects in whole, or in part, with RMRA funds:

**Cameo Highlands Street Pavement Reconstruction:** This project is located in the residential neighborhood of Cameo Highlands off Cameo Highlands Drive and East Coast Highway. The project involves removing the deteriorated asphalt concrete pavement, reconstructing new asphalt concrete pavement, and reconstructing isolated failed concrete improvements such as curbs, sidewalks, driveway approaches, and access ramps. Impacted utilities shall be adjusted to grade. The new pavement shall also be restriped. Final design is scheduled to be completed by spring 2020, and construction shall be completed by winter 2020. The estimated useful life of this project is 15 years minimum. The RMRA funds for this project were originally identified in FY 2019-20.

**Bison Avenue, San Joaquin Hills Road and San Nicolas Drive Pavement Rehabilitation:** This project is located on Bison Avenue, San Joaquin Hills Road and San Nicolas Drive and involves cold milling and overlaying the existing asphalt concrete pavement with rubberized asphalt concrete. Deteriorated concrete improvements shall also be reconstructed. Impacted utilities shall be adjusted to grade. The new pavement shall also be restriped. Final design was completed in November 2019. Construction will be completed by spring 2020. The estimated useful life of this project is 15 years minimum. The RMRA funding for this project was originally identified in FY 2018-19.

**MacArthur Boulevard and University Drive Pavement Rehabilitation:** This project is located on MacArthur Boulevard and University Drive and involves cold milling and overlaying the existing asphalt concrete pavement with rubberized asphalt concrete. Deteriorated concrete improvements shall also be reconstructed. Impacted utilities shall be adjusted to grade. The new pavement shall also be restriped. Final design was completed in March 2019. Construction was completed in September 2019. The estimated useful life of this project is 15 years minimum. The RMRA funding for this project was originally identified in FY 2017-18.

**Section 3:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 4:** If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 5:** The City Council finds the adoption of this resolution 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 6:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

**ADOPTED** this 24th day of March, 2020.

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Will O'Neill  
Mayor

**ATTEST:**

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Leilani I. Brown  
City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE



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Aaron C. Harp  
City Attorney