

## **Attachment E**

October 22, 2019 City Council Minutes

- Took her second tour of the Orange County Groundwater Replenishment System
- Displayed slides to announce a free community fair to kick-off the General Plan Update process and the 3<sup>rd</sup> Annual Halloween Spooktacular on October 26, 2019
- Read the Newport Beach Police Department announcement requesting that parents talk to their teen about driving safely and announced that *National Teen Driver Safety Week* is October 20-26, 2019

**XIII. MATTERS WHICH COUNCIL MEMBERS HAVE ASKED TO BE PLACED ON A FUTURE AGENDA**

- **Consideration of prohibiting all electric or motorized bicycles and vehicles from the Peninsula boardwalk [Dixon]**

*City Clerk Brown recused herself due to real property interest conflicts.*

With the exception of Mayor Pro Tem O'Neill and Council Member Muldoon, the remaining Council Members concurred to place the matter on a future agenda.

- **Evaluate opportunities for installation of protected bicycle lanes with curbs or physical barriers, without reducing parking spaces, and intersection bulb-outs within Newport Heights [Muldoon]**

*Council Member Avery recused himself due to real property interest conflicts.*

With the exception of Council Member Herdman, the remaining Council Members concurred to place the matter on a future agenda.

**XVI. PUBLIC COMMENTS ON CONSENT CALENDAR**

Regarding Item 9 (Proposed Amendments to the Non-Exclusive Franchise Agreement), David Fahrion, CEO of the California Waste and Recycling Association, stated the association supports the City meeting the State mandates, but expressed concerns relative to the proposed increases to the insurance requirements, amendments to the CalGreen mandates, and the length of the agreement. He added that the haulers did not have the opportunity to meet with staff to discuss the substantive changes, and requested Council consider extending the term of the agreement beyond 2024.

Public Works Director Webb reviewed the process, stated staff received correspondence and were available to meet with haulers, and staff did meet with some of the Tier 1 haulers whose suggestions were incorporated into Exhibit E.

Council Member Muldoon requested Item 9 be pulled for further discussion.

**XV. CONSENT CALENDAR**

***READING OF MINUTES AND ORDINANCES***

**1. Minutes for the October 8, 2019 City Council Meeting [100-2019]**

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

**2. Reading of Ordinances**

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

***RESOLUTION FOR ADOPTION***

3. **Resolution No. 2019-92: Initiation of Zoning Code and LCP Amendments Related to the Abatement of Nonconforming Signs (PA2019-184) [100-2019]**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3; and
- b) Adopt Resolution No. 2019-92, *A Resolution of the City Council of the City of Newport Beach, California, Initiating Amendments to Title 20 Entitled "Planning and Zoning" and Title 21 Entitled "Local Coastal Program Implementation Plan" of the City of Newport Beach Municipal Code Related to Signs (PA2019-184).*

#### **CONTRACTS AND AGREEMENTS**

- 4. **Approval of Amendment No. Three to Janitorial Services Agreement with Quality Commercial Cleaning, Inc. for Sidewalk Steam Cleaning (C-6303) [38/100-2019]**
    - 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. Three to Janitorial Services Agreement with Quality Commercial Cleaning, Inc. dba Spectrum Facility Maintenance for sidewalk steam cleaning services to increase the total not-to-exceed amount by \$120,000 for a total not-to-exceed amount of \$1,370,000, and authorize the Mayor and City Clerk to execute the amendment.
  - 5. **16th Street Water Pump Station Upgrades and Backup Generator (18W13) – Approval of Professional Services Agreement with Dudek Inc., Contract No. 7693-1 [38/100-2019]**
    - 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 Professional Services Agreement with Dudek Inc. of San Juan Capistrano, California, for the 16th Street Pump Station Upgrades and Backup Generator project at a not-to-exceed price of \$311,798.00, and authorize the Mayor and City Clerk to execute the Agreement.
  - 6. **Approval of Amendment No. Three to Maintenance/Repair Services Agreement with Park West Landscape Maintenance, Inc. for Landscape Maintenance of Medians and Roadsides (C-5959) [38/100-2019]**
    - a) Determine that the 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 it will not result in a physical change to the environment, directly or indirectly; and
    - b) Approve Amendment No. Three to Maintenance/Repair Services Agreement with Park West Landscape Maintenance, Inc. for landscape maintenance of medians and roadsides to extend the term of the agreement for one year and increase the not-to-exceed contract amount by \$2,303,175 for a total not-to-exceed amount of \$12,087,966, and authorize the Mayor and City Clerk to execute the amendment.
  - 7. **Approve a Cooperative Agreement with the City of Irvine for a Regional Traffic Signal Synchronization Project on the MacArthur Boulevard Corridor (C-8570-2) [38/100-2019]**
    - a) Determine that the 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 it will not result in a physical change to the environment, directly or indirectly; and
    - b) Approve Cooperative Agreement between the City of Newport Beach and the City of Irvine for the MacArthur Boulevard Corridor Regional Traffic Signal Synchronization Project (RTSSP) and direct City Manager to include the City's required funding match (approximately \$158,000) within the FY 2020-21 Capital Improvement Program.
- Council Member Muldoon recused himself on Item 7 due to business property interest conflicts.*
- 8. **Amendment No. One to a Professional Services Agreement with Sagecrest Planning and Environmental for Consulting Services (C-7132-2) [38/100-2019]**
    - 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