

Stop Polluting Our Newport

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Happy Friday to you – here we are in February already (hard to believe).

The Newport Beach City Council's next meeting is this coming **Tuesday, February 14, 2017** (St. Valentine's Day, of course) starting at both 3:30 p.m. and 7:00 p.m. More detailed Council meeting information is at the end of the *Guide*. I don't summarize every item on the agenda, so make sure you look at the City Clerk's [agenda page](#) to read the whole [agenda](#) if you'd like.

The **Study Session** (starting earlier than usual at 3:30 p.m.) is a chance to recap and get more formal direction on some items that were discussed at the **Council's Planning Session on Saturday, January 14th**. Key among these is a review of some of the major capital items planned for the near future. Mayor Kevin Muldoon, in his initial remarks back in December, suggested that the Council should take a hard look at the more discretionary aspects of our capital expenditure plans. Part of that certainly meant what we refer to as the **Facilities Financing Plan (FFP)**, which is a long-term plan for replacing (and building anew) our structures and parks.

I tried to take that to heart, and staff and I are making some recommendations in regards to a number of projects. One is the CdM Fire Station and Library (my recommendation is to not bid the project, but also not to undo the plans. Instead, we would ask permission to shelve the plans for the medium term future), another is the West Newport Community Center (to also set this concept aside without abandoning it entirely), and several more.

Why take this hard look at some very worthy projects? There are a couple of good reasons – one is that the City's unfunded pension costs continue to rapidly grow, with no specific solution in sight except to put more money towards them. But things may happen statewide that might help – not this year necessarily, but maybe in the next 3-5 years (to me, that's when other cities will really start to panic, though some are doing it now – hey, but that's a subject for a whole endless e-mail). Should relief come, maybe the Council can revisit some of these projects. Another reason is a need to do some more significant local investment in “must haves,” like sea wall repair.

The Study Sessions are opportunities for the Council to give general direction versus final action. I'd expect the Council to offer its thoughts, and then to move the FFP items to the Finance Committee for another review. After the Finance Committee's review, the FFP would come back to the Council at a night session for final action.

If you are following any of these projects, you'll want to listen in or attend the Study Session, again starting at 3:30 p.m. (a few presentations lead off the afternoon before any talk of the FFP). We'll also discuss a proposed re-do of the General Plan, the West Coast Highway landscaping, and more.

After a relatively long closed session, the **Regular Session begins at 7:00 p.m.** As the Council has not met for three weeks, there are a number of items on the agenda worth mentioning.

- With Jet-Pack America gone from the Harbor, the Council will consider **prohibiting** uses like that (**water-propelled vessels**) in Newport Harbor. Recall that the previous concept was that water propelled vessels were OK, but only “one vendor at a time.” This action would amend the Code to say that any use like that would not be allowed, thinking that uses like the Jet-Pack were a bit on the noisy side and didn’t work as well with boats and hand-launch vessels in our relatively small and narrow harbor spaces.
- The **Village Inn** comes back for a final approval of the use permit with terms and conditions hashed out at the last Council meeting. All sides seem relatively pleased with this outcome.
- Residents along the **western side of Balboa Island** (generally west of Agate to Collins Island) have asked to form a **Utility Undergrounding District** (#113).
- As a group of local residents works to fundraise for additional possible support for the little **animal shelter** that we’ve been leasing on Riverside Drive in Santa Ana Heights, we’re working with the current owner there to continue our lease arrangement with them. Staff thinks that the shelter is working out well, and there is a wonderful cadre of volunteers donating huge amounts of hours to help out the animals. If you would like to donate or to get involved and help, too, don’t hesitate to contact me and I’ll refer you to the right people. If you follow the **NB Animal Shelter on Facebook**, it will make you smile to see many of the adoptions and other success stories. Facebook should make us smile more, shouldn’t it?
- The **Newport Beach Arts Foundation** has offered to purchase and donate (to the City’s art inventory) one of the first sculptures shown in Phase I of the Civic Center Park Sculpture Garden – it’s the **large sphere** on the northerly side of the pedestrian bridge over San Miguel Road.
- A handful of committee appointments are up for consideration, including the **Finance Committee** and **Water Quality**.
- Also up for consideration is the next action on the **Museum House referendum petitions**. In late January 2017, the OC Registrar of Voters confirmed that there were more than enough valid signatures to cause the Council’s earlier action in November 2016 to approve the Museum House condominium project to be suspended unless it went before the voters. Recall that signature gatherers submitted 13,788 signatures on petitions before Christmas, and they needed 5,619 of them to be from registered Newport Beach voters. The Registrar counted 6,584 of the signatures until it reached the magic 5,619 number – then the Registrar stopped counting. With the OC Registrar’s certification in hand, the Council could either rescind its earlier action or place the Museum House project on an upcoming ballot. In the meantime, the Orange County Museum of Art (OCMA) filed litigation associated with the petitions. Because of this litigation, outside counsel advised City Clerk Leilani Brown that they would like a bit more time to review the litigation – but that the Council could still

accept the certification from the OC Registrar's Office. Certifying the petition count means that the effective date of the Museum House's General Plan Amendment is suspended. I'd imagine that outside counsel's review of the litigation will not take long, and then the item will be back before the City Council for action. You can read the staff report [here](#).

- If you live along **15th Street in Newport Heights** (not the 15th Street on the Peninsula!), you know that there is a complete sidewalk along the north/inland side of 15th, but not a fully complete one along the south side. As a part of trying to improve bike and pedestrian safety along 15th, the City worked with a number of area residents to weigh a couple of alternatives. One would have removed on-street parking to allow bike lanes to be added to 15th. Another would fill in the sidewalk gaps on the south side to allow more kids to use the sidewalk as they transit to and from Newport Heights Elementary and other neighborhood schools. The removal of on-street parking wasn't wholly supported, so staff is proposing that the Council consider moving forward on completing the 15th Street sidewalk's south side. This involves some tree removals, including some very large and old eucalyptus. It's always emotional to remove trees, but we believe that we can replace some of the trees with other species even while completing the sidewalk to improve safety. If you'd like to read more about these issues, it's Item #22 and the staff report is [here](#).

- The Council will adjourn in memory of two good folks who have left us in recent days. One is **Chip Donnelly**, a hard-working and kind member of the mooring and liveboard communities who had a passion for the traditions of the harbor. Another is **Ralph Rodheim**, who waged a 3-year battle with ALS. Ralph was an amazing and dedicated soul, who lived and breathed Newport Beach. He showed up at events even during his last days. I picture Ralph now back to being his active self, paddleboarding around the waters of heaven. Rest in peace, Ralph and Chip.

In the category of **random notes**:

- Tonight is the annual **Mayors Dinner**, honoring both the current Mayor and past mayors. It's always a fun evening and so nice to be able to see the many folks who have served the community so well over the years.
- Thank you all for bearing with us as **MacArthur** goes through its repaving process. I know I nearly knocked my teeth out coming coastward on MacArthur the other day where the scraped portion of the street met the regular portion – a few curse words may have popped out. Thankfully, the contractor made that more smooth the next day. For information about **All Things Traffic**, sign up for regular alerts or check back on this [page](#).
- The **Finance Committee** meets this Thursday at the Civic Center in the Crystal Cove Conference Room starting at 3:00 p.m. All are welcome to attend – many meaty finance subjects (including pensions and the FFP) are on the [agenda](#).

As always, thanks 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 Council Meeting Information: The Newport Beach City Council meets on the 2nd and 4th 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. 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 (Channels 3/31) 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.