



CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, August 11, 2010**

Members Present:

X	Ed Selich, Mayor, Chairman
X	Leslie Daigle, Council Member
X	Don Webb, Council Member
X	Barry Eaton, Planning Commissioner
X	Robert Hawkins, Planning Commissioner
X	Michael Toerge, Planning Commissioner

Advisory Group Members Present:

	Mark Cross
	Larry Frapwell
	William Guidero
	Ian Harrison
X	Brion Jeannette
	Don Krotee
	Todd Schooler
	Kevin Weeda
	Dennis Wood

Staff Representatives:

E	David Lepo, Planning Director
X	Leonie Mulvihill, City Attorney
E	James Campbell, Principal Planner
X	Gregg Ramirez, Senior Planner
E	Melinda Whelan, Assistant Planner
X	Sharon Wood, Special Projects Consultant
X	Rich Edmonston, Consultant

E = Excused Absence

Committee Actions

1. **Agenda Item No. 1** – Approval of minutes for April 21, 2010.

Action: The minutes were approved as written.

Vote: Consensus

2. Agenda Item No. 2 – General Plan/LCP Implementation – Master Task List

Action: Receive and file.

3. Agenda Item No. 3 – Fair Share Fee Update

Action: The Committee received public comment on the report from the Public Works Department dated July 28, 2010. Bryan Starr of the BIA reviewed a letter dated August 4, 2010, from a coalition of business groups. Peter Herzog of NAIOP, Dan Daniels of Ardell Investment Company, Dennis O'Neil of Hoag Hospital and Scott Meserve of the Koll Company supported the positions in the coalition letter. Steve Ray of the Banning Ranch Conservancy, Chris McElroy and Robin Leffler expressed concerns with Bluff Road through the Banning Ranch property.

At the request of Chair Selich, Rich Edmonston explained the history of Bluff Road and the reasons for its inclusion in the fee program. Bluff Road has been on the Newport Beach Master Plan of Streets and Highways since January 13, 1958, when the Master Plan was amended to be consistent with the Orange County Master Plan of Arterial Highways, which already included Bluff Road. Mr. Edmonston noted that lack of consistency of the City's Master Plan with the County's could result in the City not being eligible for regional highway funding, such as Measure M. He explained that the General Plan traffic study and EIR found that Bluff Road was needed under either land use option for the Banning Ranch property; without Bluff Road, West Coast Highway would need to be widened, and that may not be feasible.

Mr. Edmonston also explained that cities are required to have transportation funding programs to qualify for regional transportation funding. Newport Beach has had its Fair Share Fee since 1984. The fee has been increased over time, but this is the first comprehensive review of the improvement program and fee, and is based on the updated General Plan adopted in 2006.

At the request of Chair Selich, Assistant City Attorney Mulvihill stated that the adoption of a fee does not require environmental review of the individual transportation projects that are intended to be funded with the fee. Planning Commissioner Hawkins noted that the General Plan EIR included the transportation projects in the fee program, because they are in the Circulation Element.

Vote: The Committee took the following straw votes on the issues outlined in the report from the Public Works Department dated July 28, 2010. (References to options correspond with the text of the report.)

Banning Ranch Right-of-Way

Option A – Unanimous

Banning Ranch Right-of-Way Dedication

Option A – Hawkins, Selich, Webb

Option B – Daigle, Eaton, Toerge

Roadway Network Assumptions

Option A – Hawkins, Selich, Webb

Option B – Daigle, Eaton, Toerge

Other Right-of-Way Considerations

Option A – Hawkins, Selich, Webb

Option B – Daigle, Eaton, Toerge

Right-of-Way Overhead Costs

Option A – Unanimous

Payment of Fees

Option A – Unanimous

MacArthur Blvd/Jamboree Road Interchange

Option A – Webb

Option B – Daigle, Eaton, Hawkins, Selich, Toerge

Changes in Construction Costs

Option B – Daigle, Hawkins

Option C – Eaton, Selich, Toerge, Webb

Phasing of Fee Changes

Option A – Unanimous

Sources of Additional Funds

Option A – Unanimous

Cora Newman stated that Government Solutions' clients support the positions in the coalition letter. Steve Ray stated that the Banning Ranch Conservancy has opinions on the issues discussed by the Committee, but objects to the discussion because consideration of the fee program should comply with CEQA.

The Committee directed staff to have Revenue and Cost Specialists re-calculate the fee based on their straw votes. On issues where the vote was a tie, the fee should be calculated per both options.

4. Agenda Item No. 4 – Items for Future Agenda & Future Meeting Dates

The next meeting was scheduled for September 22, 2010, to discuss the Airport Area Infrastructure study and fees.

Vote: Consensus

5. Agenda Item No. 5 – Public Comments on non-agenda items

Planning Commissioner Eaton expressed his dissatisfaction with the outcome of the Planning Commission on the draft Zoning Code, and with staff's stated intent not to provide hard copies of agenda packets; he stated he was considering resigning from the Committee. Planning Commissioner Hawkins also expressed dissatisfaction, and stated he is resigning from the Committee. Council Members Daigle and Selich encouraged Commissioners Eaton and Hawkins to remain on the Committee.

6. Agenda Item No. 6 – Adjourn - Meeting adjourned at 5:15 p.m.