

CITY OF NEWPORT BEACH

City Council Meeting Minutes Study Session and Regular Meeting April 29, 2025

I. ROLL CALL – 4:00 p.m.

Present: Mayor Joe Stapleton, Mayor Pro Tem Lauren Kleiman (arrived at 4:02 p.m.), Councilmember Michelle Barto, Councilmember Noah Blom, Councilmember Robyn Grant, Councilmember Sara J. Weber, Councilmember Erik Weigand

II. CURRENT BUSINESS

SS1. Clarification of Items on the Consent Calendar – None

SS2. Lower Castaways Redevelopment and City Pool Options

Assistant City Manager Jurjis reported that the Lower Castaways Park Ad Hoc Committee was formed in February 2024 to explore redevelopment options, focusing on an aquatic facility, and by October 2024, Council directed staff to proceed with environmental studies, construction document proposals, entitlements, and community outreach. He noted that staff received proposals for an Environmental Impact Report (EIR) and architectural and structural designs, and that staff is seeking further Council direction.

Mayor Stapleton suggested reforming the ad hoc committee with a two-pronged approach to 1) examine the best use for Lower Castaways and 2) if it is not to be used for a pool, explore potential locations for an aquatic center. He proposed including community members on the ad hoc committee, along with Councilmembers.

Councilmember Blom agreed with the Mayor's approach and emphasized the importance of addressing community concerns related to traffic.

Councilmember Weigand asked for clarification on the committee composition and application process for public members. City Attorney Harp confirmed that, typically, an application process would be used for members of the public who are not already serving on a board or commission.

Recreation and Senior Services Director Levin indicated that the City could use a community pool, citing high demand for more full-time aquatic facilities. He also reported that about 70% of current pool users for swim lessons and lap swimming use reside in the Newport-Mesa area.

Adam Leverenz expressed that, while people generally favor having a community pool, they do not support the Lower Castaways site largely due to traffic concerns. Additionally, he observed that there may also be resistance due to the construction cost for the pool/aquatic center.

Jim Mosher stated that he could support developing an aquatic center depending on the cost, but doubted the assessment that the public felt positively about the Lower Castaways site due to traffic concerns.

Brad Rollins advocated for constructing a pool somewhere in the City and took the opportunity to express concerns over maintenance standards at the existing Corona del Mar High School pool facility.

Robin Sinclair expressed support for having a community pool due to issues with relying on local high school pools, indicated that Lower Castaways has potential to transform into an improved community area, and noted that she does not have a location preference for a community pool.

Earl Craig expressed the need for the City to have aquatic facilities and supported constructing a community pool somewhere in the City.

David Granoff recounted past advocacy efforts by the Parks, Beaches and Recreation Commission to construct a swimming pool in the City, and supported locating it at Lower Castaways due to the views that it presents and the multi-venue capabilities the facility could provide.

The City Council discussed various aspects of pool design, usage, community benefits, and touched on the potential for the aquatic center to support water safety education and the Junior Lifeguard Program.

Mayor Stapleton requested a straw vote relative to recreating a seven-member ad hoc committee that would be comprised of three Councilmembers and four members of the public (one member from the Harbor Commission, one member from the Parks, Beaches and Recreation Commission, one member from the Planning Commission, and one at-large public member).

Following discussion, the straw vote was unanimous.

III. RECESSED – 4:23 p.m.

IV. RECONVENED AT 4:30 P.M. FOR REGULAR MEETING

V. ROLL CALL

Present: Mayor Joe Stapleton, Mayor Pro Tem Lauren Kleiman, Councilmember Michelle Barto, Councilmember Noah Blom, Councilmember Robyn Grant, Councilmember Sara J. Weber, Councilmember Erik Weigand

VI. INVOCATION – Councilmember Barto

VII. PLEDGE OF ALLEGIANCE – Councilmember Weber

VIII. PRESENTATION

- **History of Newport Beach Lifeguards**

Fire Chief Boyles introduced Assistant Chief O'Rourke who utilized a presentation to discuss the history of the Newport Beach Lifeguards which was established in 1923. He highlighted significant milestones and key developments like the introduction of rescue boats and beach patrol jeeps, acknowledged the Newport Beach Lifeguard Headquarters and the Junior Lifeguard Program's success, and honored Lifeguard Ben Carlson's story and legacy.

IX. CITY COUNCIL ANNOUNCEMENTS AND ORAL REPORTS FROM CITY COUNCIL ON COMMITTEE ACTIVITIES

Councilmember Grant:

- Attended the ribbon cutting ceremonies for the renovated parks at Newport Elementary School and San Miguel Park, the OASIS Senior Center volunteer lunch and OASIS Sailing Club opening day, SPON's (Stop Polluting Our Newport) annual meeting, the Newport Beach Police Department's promotion and swearing-in ceremony, and the grand opening of JSX (JetSuiteX)
- Displayed slides of the April 26, 2025 compost giveaway, e-waste and document shredding event

Mayor Pro Tem Kleiman:

- Reported on the success of the inaugural Corona del Mar Third Thursdays event, thanked the community for attending, and promoted the next Third Thursday event
- Announced that the Corona del Mar Residents Association's annual meeting will be held May 6, 2025, at Sherman Gardens

Mayor Stapleton:

- Highlighted the ribbon cutting of the City's first universally accessible playground at San Miguel Park and recognized Alexis Portillo who advocated for accessible parks in the City many years ago
- Attended the OASIS Sailing Club opening day, the Newport to Ensenada sailing event where he also exchanged gifts with the mayor of Ensenada, the Lighthouse Café's 10th anniversary event, El Ranchito's 50th anniversary event, the Eastbluff Elementary School Gala, the Newport Beach Police Department's promotion and swearing-in ceremony, and the Orange County Crime Victims' Rights Ceremony with District Attorney Todd Spitzer

X. PUBLIC COMMENTS ON CONSENT CALENDAR

Regarding Item 3 (Ordinance Related to the Use of Bicycles, Electric Bicycles, and Other Such Devices on the Beach), Jim Mosher stated the matter should have been brought to the Parks, Beaches, and Recreation Commission for their input and to allow the public the opportunity to provide input regarding bicycles on the paved walkways.

Adam Leverenz expressed appreciation for the installation of a sign enforcing the 8 mph speed limit on the boardwalk but shared difficulties in capturing adolescent speeding violators. He also noted that, despite the sign's presence, speeding issues persist.

Peter Anderson, representing the Central Newport Beach Community Association, expressed gratitude for the ordinance in Item 3, and added that he has also noticed and appreciated the increased police presence and enforcement of boardwalk regulations.

XI. CONSENT CALENDAR

READING OF MINUTES AND ORDINANCES

1. Minutes for the April 15, 2025 City Council Meeting

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.

ORDINANCE FOR INTRODUCTION

3. Ordinance No. 2025-6: Amending Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code Related to the Use of Bicycles, Electric Bicycles, and Other Such Devices on the Beach

- 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) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-6, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code Related to the Use of Bicycles, Electric Bicycles, and Other Such Devices on the Beach*, and pass to a second reading on May 13, 2025.

RESOLUTIONS FOR ADOPTION

4. Resolution No. 2025-14: Supporting Submission of Grant Application Under the Orange County Transportation Authority Measure M2 Tier 1 Environmental Cleanup Program

- 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) Adopt Resolution No. 2025-14, *A Resolution of the City Council of the City of Newport Beach, California, Authorizing and Approving the Submittal of a Grant Proposal for Funding Under the Orange County Transportation Authority Environmental Cleanup Tier 1 Grant Program.*

5. Resolution No. 2025-15: Creating the Ad Hoc Oil Advisory Committee

- 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;
- b) Adopt Resolution No. 2025-15, *A Resolution of the City Council of the City of Newport Beach, California, Creating the Ad Hoc Oil Advisory Committee;* and
- c) Confirm the appointments of Councilmember Michelle Barto, Councilmember Noah Blom and Councilmember Sara J. Weber to serve on the Ad Hoc Oil Advisory Committee.

Mayor Stapleton recused himself from Item 5 due to real property interest conflicts.

6. Resolution No. 2025-16: Creating the Integrated Pest Management Ad Hoc Advisory Committee

- 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;
- b) Adopt Resolution No. 2025-16, *A Resolution of the City Council of the City of Newport Beach, California, Creating an Ad Hoc Committee to Review the City's Integrated Pest Management Program and Make Recommendations to the City Council Regarding Revisions Thereto;* and
- c) Confirm the appointments of Mayor Pro Tem Lauren Kleiman, Councilmember Noah Blom and Councilmember Sara J. Weber to serve on the Ad Hoc Council Integrated Pest Management Program Review Committee.

CONTRACTS AND AGREEMENTS

7. Approval of Amendment No. Two to Maintenance/Repair Services Agreement with Nature's Image, Inc. (C-8537-1)

- 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. Two to the Maintenance/Repair Services Agreement with Nature's Image, Inc. to extend the term through April 22, 2029, increase the not-to-exceed amount by \$2,334,049.71, for a new not-to-exceed amount of \$4,868,982.95, and incorporate green-waste reporting requirements, and authorize the Mayor and City Clerk to execute the amendment.

8. Approval of On-Call Maintenance and Repair Services Agreement for Facilities Maintenance Support with Ramco General Engineering Contractors, Inc. (C-8560-2)

- 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 Maintenance and Repair Services Agreement with Ramco General Engineering Contractors Inc., for On-Call Facilities Maintenance Support Services for a three-year term and not-to-exceed amount of \$500,000, and authorize the Mayor and City Clerk to execute the agreement.

9. Approve the Service Agreement for Water Laboratory Services with Sierra Analytical Labs, Inc. (C-8639-2)

- 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 Professional Services Agreement for Potable Water Laboratory Services with Sierra Analytical Labs, Inc., for a five-year term with a total not-to-exceed amount of \$325,000, and authorize the Mayor and City Clerk to execute the agreement.
- 10. Approval of Amendment No. Two to Professional Services Agreement with Bumper to Bumper, Inc. for Vehicle Washing and Detailing Services (C-8877-1)**
- 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. Two to Professional Services Agreement with Bumper to Bumper, Inc. to extend the term through May 30, 2027, and increase the not-to-exceed amount by \$260,000 for a new not-to-exceed amount of \$580,000, and authorize the Mayor and City Clerk to execute the amendment.
- 11. Approve the Second Amendment to the 2009 Waste Disposal Agreement with the County of Orange (C-4194)**
- 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 the Second Amendment to the 2009 Waste Disposal Agreement with the County of Orange (Contract No. 4194), to extend the term of the Agreement for 12 months and allow for a 2.6% disposal fee increase, and authorize the Mayor and City Clerk to execute the amendment.
- 12. Reassignment and Amendment of the Services Agreement for Sewer Manhole Lining Services (C-8934)**
- 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;
 - b) Approve assignment agreement from Sancon Technologies, Inc. to Vortex Services, LLC for on-call maintenance/repair services agreement C-8934-1 for sewer manhole lining services; and
 - c) Approve Amendment No. 1 to the On-Call Maintenance/Repair Services Agreement with Vortex Services, LLC for Sewer Manhole Lining Services, extending the term to July 28, 2027, and increasing the agreement amount by \$200,000, and authorize the Mayor and City Clerk to execute the Agreement.
- 13. Tentative Agreement with the Newport Beach Fire Association (C-2060)**
- 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) Receive and consider the Tentative Agreement between the City of Newport Beach and the Newport Beach Fire Association.
- 14. Tentative Agreement with the Association of Newport Beach Ocean Lifeguards (ANBOL) (C-2058A)**
- 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) Receive and consider the Tentative Agreement between the City of Newport Beach and the Association of Newport Beach Ocean Lifeguards.
- 15. Amendment No. One to the Professional Services Agreement with Infosend, Inc. for Printing, Mailing and Online Presentment and Authorization to Execute Documents for Credit-Card Pass-Through Fees (C-8614-1)**
- 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;

- b) Approve Amendment No. One to the Professional Services Agreement with Infosend, Inc. for Document Printing, Mailing Services and Online Presentment; and
- c) Authorize the City Manager and/or her designee to execute documents with the merchant service providers to implement pass-through credit card fees for utility payments.

16. Amendment No. 2 to Official Police Tow Truck Service Agreements with G&W Towing (C-3203) and Southside Towing (C-7008-1)

- 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. 2 to the Official Police Tow Truck Service Agreements with G&W Towing of Costa Mesa and PD Transport, Inc., DBA Southside Towing, of Costa Mesa increasing towing rates, amending insurance requirements, and allowing insurance cost offsets in an amount not-to-exceed \$75,000 per towing operator, and authorize the Mayor and City Clerk to execute the amendments.

MISCELLANEOUS

17. Grants and Donations Report for the Quarter Ending March 31, 2025

- 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) Receive and file.

18. Fiscal Year 2024-25 Second Quarter Financial Report

- 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 Budget Amendment No. 25-057, adjusting revenue estimates and expenditure appropriations for the Fiscal Year 2024-25 budget as further outlined in the report.

19. Approve the 2025 Sewer System Management Plan

- 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 the City's 2025 Sewer System Management Plan as required by the State Water Resources Control Board Order 2022-103-DWQ.

20. Planning Commission Cancellation Notice for the April 17, 2025 Meeting

Receive and file.

Motion by Mayor Pro Tem Kleiman, seconded by Councilmember Blom, to approve the Consent Calendar; and noting the amendments to Item 1 and the recusal by Mayor Stapleton to Item 5.

The motion carried unanimously.

XII. ITEMS REMOVED FROM THE CONSENT CALENDAR – None

XIII. PUBLIC COMMENTS ON NON-AGENDA ITEMS – None

XIV. PUBLIC HEARINGS

Prior to conducting the public hearings, the following ex parte communications were announced:

- Councilmember Weigand met with the owner of and consultant for Five Crowns (Item 22)
- Councilmember Barto spoke with the owner of Five Crowns (Item 22)
- Councilmembers Blom met with the owner of Five Crowns (Item 22)

- Mayor Pro Tem Kleiman spoke with Item 22's applicant and appellant
- Mayor Stapleton met with The Irvine Company (Item 23) and noted that their conversation was fully reflected in the written record

21. Resolution No. 2025-17: Revising Certain Fees Within the Schedule of Rents, Fines and Fees

Mayor Stapleton opened the public hearing.

Jim Mosher commented on the library fees and suggested that the resolution reference that the Board of Library Trustees has authority to set library fees.

Hearing no further testimony, Mayor Stapleton closed the public hearing.

Motion by Mayor Stapleton, seconded by Councilmember Blom, to 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) adopt Resolution No. 2025-17, *A Resolution of the City of Newport Beach, California, Revising and Adopting Fees Within the Schedule of Rents, Fines, and Fees*.

The motion carried unanimously.

22. Resolution No. 2025-18: Appeal of a Limited Term Permit and Coastal Development Permit for the Five Crowns Temporary Patio (PA2023-0202) (C-4014)

Councilmember Weber recused herself due to Ryan Wilson, CEO of Lawry's Restaurants Inc., being a client of her business and a source of income.

Deputy Community Development Director Murillo introduced Assistant Planner Whelan who utilized a presentation to discuss the zoning map, project location and description, background and proposal, Emergency Temporary Use Permit (ETUP) history, Zoning Administrator and Planning Commission actions, appeal concerns, and the basis for staff's recommendations.

Mayor Stapleton opened the public hearing.

Ryan Wilson, CEO of Lawry's Restaurant, stated that he is representing Five Crowns and utilized a presentation to highlight their 60-year history in Corona del Mar and the actions taken at the Zoning Administrator and Planning Commission meetings. He detailed the additional Conditions of Approval they were willing to accept in order to be a better neighbor and requested that Council uphold the Planning Commission's decision.

Ken Catanzarite, appellant, discussed the 1977 Use Permit, expressed concerns about noise impacts on nearby residences due to the use of the outdoor patio, and questioned the legality of the application process. He also disputed the effectiveness of the proposed sound mitigation measures and asked Council to reconsider Planning Commission's decision and approve the appeal.

Jim Mosher discussed the purpose of disclosing ex parte communications, questioned the logic in requiring the applicant to provide its own noise study, suggested the City hire an on-call acoustics expert, doubted that the soundwall would be tall enough to block all lines of sight to the patio, and noted that Condition of Approvals 2 and 20 are the same.

Dwight Manley discussed his background, urged Council to support long-standing establishments like Five Crowns, and expressed support for the project.

Chad Tilner stated that the use of amplified music over recent years has increased which could be bothersome to neighbors. However, he indicated he remains neutral about the project but hoped that Council would take the nearby neighbors' concerns about noise into consideration.

Following Mayor Stapleton's inquiry, no Councilmember amended their ex parte communication information.

Mr. Catanzarite asked Council to not ignore Five Crowns' sound impacts on the residents and indicated that his sound consultant believes that, no matter what is done by the restaurant, it will not mitigate the sound.

Hearing no further testimony, Mayor Stapleton closed the public hearing.

In response to Councilmember Grant's questions, Deputy Community Development Director Murillo stated that the most up-to-date sound study from the applicant is included with the staff report but the appellant also conducted a sound study. Further, the only location in the City with onsite sound monitoring is at Newport Dunes.

In response to the appellant's previous question, City Attorney Harp clarified the intention of the section related to the application process.

In response to Councilmember Weigand's questions, Deputy Community Development Director Murillo and Assistant Planner Whelan discussed what initiated the project, explained the purpose of proposing the limited term permit for this matter, and reviewed the restaurant's complaint history over two years.

Councilmember Blom expressed support for maintaining the Five Crowns legacy, emphasizing its historical significance and community role, and highlighted key community-centered imperatives surpassing specific resentments linked to residential concerns regarding amplified noise.

In response to Councilmember Barto's question, Assistant Planner Whelan indicated that the police department noted that the complaints against Five Crowns were not out of the ordinary compared to other restaurants.

Following discussion, Councilmember Weigand suggested that Conditions of Approval 6, 8, 9, 10, 11, 16, 19 and 20 be either removed or amended, emphasizing that the operating hours should be amended and the sound attenuation wall requirement should be removed. City Attorney Harp pointed out that the appellant would normally be given the opportunity at this time to comment on the proposed amendments; however, he noted that Mr. Catanzarite was no longer in the Council Chambers.

Motion by Councilmember Weigand, seconded by Councilmember Blom, to a) find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment; and b) adopt amended Resolution No. 2025-18, *A Resolution of the City Council of the City of Newport Beach, California, Denying an Appeal and Upholding the Decision of the Planning Commission's and Zoning Administrator to Approve a Limited Term Permit for a Temporary Outdoor Dining Area with Live Entertainment Located at 3801 East Coast Highway (PA2023-0202)*, including the removal or amendments to Conditions of Approval 6, 8, 9, 10, 11, 16, 19 and 20.

Mayor Pro Tem Kleiman concurred with Councilmember Weigand's recommended amendments, notably agreeing to eliminate the requirement for the sound mitigation wall after reviewing the extensive attempts made by Five Crowns to address noise concerns.

With Councilmember Weber recusing herself, the motion carried 6-0.

23. Ordinance Nos. 2025-7 and 2025-8, and Resolution No. 2025-19: Approving an Amendment to the North Newport Center Planned Community (PC-56)

Assistant City Manager Jurjis explained the background regarding the amendment and Principal Planner Westmoreland utilized a presentation to provide a staff report, reported that the amendment would allocate 1,500 dwelling units from the Housing Opportunity Overlay to the planned community, allow for increased building heights, make other changes to development standards, and highlighted the recommendations.

Councilmember Weigand requested and received confirmation from Principal Planner Westmoreland that the residential community in Block 100 would not impact the view ordinance already established in the area.

Mayor Stapleton opened the public hearing.

Shawna Schaffner, representing The Irvine Company, stated that they agree with the recommendations.

Adam Leverenz raised concerns about the lack of affordable housing in the City given the trend for luxury development. He believed the City has a history of removing affordable units without replacing them and warned about the negative consequences of failing to provide affordable housing.

Jim Mosher noted that The Irvine Company's 1,500-unit proposal was added without a Greenlight vote (Charter Section 423). He also questioned the justification for building all the units in one location, as it may significantly affect the views of the surrounding areas, including a publicly funded view platform.

Todd Larner expressed support for The Irvine Company's proposal since it is a step toward resolving housing supply issues, aligns with smart planning principles that would ensure that the City remains an employment destination, and creates quality housing without significantly impacting local traffic.

Georgina Jacobson expressed support for The Irvine Company's proposal since it addresses the housing mandate while maintaining the City's quality of life.

Hearing no further testimony, Mayor Stapleton closed the public hearing.

Councilmember Blom thanked The Irvine Company for being a part of the community and making an investment in the City, and commended Principal Planner Westmoreland for her presentation.

Councilmember Grant reviewed the City's efforts and milestones for achieving affordable housing, and assured everyone that the City is working tirelessly on the matter.

Motion by Councilmember Blom, seconded by Councilmember Grant, to a) find this matter is not subject to further environmental review pursuant to Section 21083.3 of the California Public Resources Code (PRC) and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines because it is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699); b) waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-7, *An Ordinance of the City Council of the City of Newport Beach, California, Approving an Amendment to the North Newport Center Planned Community Development Plan (PC-56) to Allocate 1,500 Base Dwelling Units from the HO-4 (Newport Center Area) Subarea Development Limits Set Forth in Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) of the Newport Beach Municipal Code to the North Newport Center Planned Community (PC-56) Development Plan for 100 and 190 Newport Center Drive and Various Addresses Within the North Newport Center Planned Community (PA2024-0173)*, and pass to a second reading on June 10, 2025; c) waive full reading, direct the City Clerk to read by title only,

introduce amended Ordinance No. 2025-8, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Development Agreement for the Project Located at 100 and 190 Newport Center Drive and Various Addresses Within the North Newport Center Planned Community (PA2024-0173)*, and pass to a second reading on June 10, 2025; and d) approve Resolution No. 2025-19, *A Resolution of the City Council of the City of Newport Beach, California, Approving an Affordable Housing Implementation Plan (AHIP) and Water Supply Assessment for Properties Located at 100 and 190 Newport Center Drive and Various Addresses Within the North Newport Center Planned Community (PA2024-0173)*.

The motion carried unanimously.

Regarding Item 22 and prior to Motion for Reconsideration, City Attorney Harp received confirmation from the City Council that the changes to the Conditions of Approval and adoption of Resolution No. 2025-18 also authorizes the City to amend the Findings of Fact that are attached to the resolution in order to conform with the motion.

XV. MOTION FOR RECONSIDERATION – None

XVI. PUBLIC COMMENTS ON CLOSED SESSION

Jim Mosher expressed concern over the lack of detail provided in Closed Session Item A, noting that the Brown Act does not prohibit revealing the subject matter and that this was done by a previous City Attorney in 2011.

City Attorney Harp announced that the City Council would adjourn to Closed Session to discuss the items listed on the Closed Session agenda and read the titles.

Mayor Stapleton recessed the meeting at 6:43 p.m.

XVII. CLOSED SESSION – Council Chambers Conference Room

**A. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION – INITIATION OF LITIGATION
(Government Code § 54956.9 (d)(4)): 1 matter**

**B. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code § 54957.6): 1 matter**

Agency Designated Representatives: Grace K. Leung, City Manager, Barbara Salvini, Director of Human Resources, and Jonathan Holtzman, Esq., Negotiators.

Employee Organizations: Newport Beach City Employees Association (NBCEA); Newport Beach Employees League (NBEL); Newport Beach Fire Management Association (NBFMA); Newport Beach Lifeguard Management Association (NBLMA); Newport Beach Police Association (NBPA); Newport Beach Police Management Association (NBPMA); Newport Beach Professional and Technical Employees Association (NBPTEA); and Part Time Employees Association of Newport Beach (PTEANB).

Mayor Stapleton reconvened the meeting at 7:05 p.m.

XVIII. CLOSED SESSION REPORT

City Attorney Harp announced that no reportable actions were taken.

Councilmember Grant announced that Elizabeth Stahr passed away today and that the City Council will be adjourning a future meeting in her honor.

XIX. ADJOURNMENT – Adjourned at 7:05 p.m. in memory of Andrea Donahue

The agenda was posted on the City's website and on the City Hall electronic bulletin board located in the entrance of the City Council Chambers at 100 Civic Center Drive, Newport Beach, on April 24, 2025, at 4:00 p.m.

Joe Stapleton
Mayor

Leilani I. Brown
City Clerk

Draft