

CITY OF NEWPORT BEACH

City Council Meeting Minutes Study Session and Regular Meeting May 13, 2025

I. ROLL CALL – 4:02 p.m.

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

II. CURRENT BUSINESS

SS1. Clarification of Items on the Consent Calendar – None

SS2. Presentation from the Lion's Heart Boys Group – Corona del Mar Chapter

Presidents Farris Kassab and Nick Klichan stated that Lion's Heart is a nonprofit organization that provides teens with opportunities to serve their community, earn service hours, and gain leadership skills, noted their Chapter has completed over 1,300 hours of public service, and discussed the types of organizations and events they participate with.

SS3. Proclamation Recognizing *National Public Works Week*

Mayor Stapleton read the proclamation which recognized May 18-24, 2025, as *National Public Works Week* and presented it to Public Works Director Webb and Utilities Director Vukojevic. The directors thanked the City, encouraged the community to pay tribute to Public Works professionals, and announced the Touch A Truck event on May 17, 2025, from 9:00 a.m. to noon at Peninsula Park near the Balboa Pier.

Mayor Stapleton thanked the directors and staff for their service, and congratulated Public Works Director Webb on his upcoming retirement.

SS4. Expansion of City Trolley Concept

Public Works Director Webb and Transportation Manager Sommers utilized a presentation to summarize the ongoing efforts since the last study session in September 2024, discuss the collaboration with the Ad Hoc Transit, Transportation, Parking and Mobility City Council Committee and engagement with the public, highlight the proposed trolley routes and schedule, discuss the trolley vehicles, review estimated costs, and review grant opportunities and next steps.

Councilmember Blom acknowledged the challenge of developing a full transit system in Newport Beach and expressed gratitude towards staff for tackling this task.

Councilmember Grant expressed gratitude toward the committee and staff for their work on the trolley expansion project. She noted the significant opportunity the expansion presents, particularly in addressing parking issues in the City.

Councilmember Weigand thanked everyone involved for their efforts and inquired about road furniture, advertising on the trolleys, and the potential for adding bike racks at locations with high ridership. Public Works Director Webb stated that road furniture was discussed but it was determined that benches were not needed; however, bike racks may be an option. Mayor Stapleton and Councilmember Blom expressed their desire to not allow advertisements on the trolleys.

Mayor Stapleton emphasized the potential for increasing ridership, highlighted Laguna Beach's trolley ridership, and expressed excitement about the historical connection to Newport Beach's red car trolleys from 1906.

Jim Mosher questioned Council's approach in the planning process for the trolley expansion, suggesting that procedural issues might have limited public participation.

Adam Leverenz emphasized the importance of transparent decision-making to ensure community involvement and fairness in the planning stages.

A straw vote was unanimously agreed upon to move forward with the expansion of the City trolley program.

III. PUBLIC COMMENTS

Dael Wilcox, a goatscaper, shared his experience with a contract dispute involving a condominium association in the City and requested assistance in obtaining a variance to continue his goat-based landscaping business in Newport Beach.

Chad Tillner expressed concerns about the decision-making process at the April 29, 2025 City Council meeting regarding the temporary patio at Five Crowns and urged Council to reconsider its decision.

IV. RECESSED – 4:45 p.m.

V. RECONVENED AT 4:45 P.M. FOR REGULAR MEETING

VI. 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

VII. INVOCATION – Pastor W. Dan Erlenbusch, Newport Harbor Lutheran Church

VIII. PLEDGE OF ALLEGIANCE – Councilmember Blom

IX. PRESENTATION

- **History of the Completion of Newport Harbor by Bill Lobdell**

Bill Lobdell utilized a presentation to discuss how Newport Harbor has changed from 1870 to 1936. He reviewed the harbor's original geography before the formation of the peninsula and islands, the discovery of "New Port" by Captain Samuel Dunnells, challenges due to the dangerous harbor entrance and shallow depths, failed attempts to build jetties in the 1920s, the Federal funding that was obtained during the Great Depression for harbor improvements, the completion of renovations and official opening of the newly-dredged Newport Harbor with rebuilt jetties on May 26, 1936. Mr. Lobdell pointed out that the harbor's difficulty in accommodating large commercial ships inadvertently led to its development as a pleasure harbor even to this day.

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

Councilmember Weigand:

- Announced he will be attending an Orange County Sanitation District meeting for administration and finance, as well as an Orange County Mosquito and Vector Control District meeting

Councilmember Barto:

- Attended the Newport Harbor Yacht Club and Lido Isle Yacht Club opening day ceremonies, the Balboa Bay Resort scholarship night, and the Corona del Mar Residents Association Town Hall
- Announced she will be completing the Citizens' Police Academy

Councilmember Grant:

- Attended the Newport Mesa Irvine Interfaith Council breakfast, the Newport Theater Arts Center open house, the Balboa Island mural unveiling, several yacht club opening day ceremonies, and the Daughters of the American Revolution scholastic awards event
- Displayed a slide to discuss the Transportation Corridor Agencies (TCA) environmental initiatives, its commitment to environmental restoration, and highlighted the spring tour event

Councilmember Blom:

- Recognized the significance of Mother's Day, the importance of mothers, and acknowledged his wife, Marin

Mayor Pro Tem Kleiman:

- Announced that she attended the Southern California Association of Governments (SCAG) General Assembly meeting

Mayor Stapleton:

- Attended the Newport Mesa Irvine Interfaith Council breakfast, Newport Beach International Boat Show, the OrangewoodFest, several yacht club opening day ceremonies, the Corona del Mar Residents Association Town Hall, scholarship events at the Balboa Bay Resort and Elks Lodge, and the Keck Medicine of USC – Newport Beach Radiation Oncology and Imaging grand opening
- Announced that the Newport Beach Foundation has started its 12th Distinguished Citizen Program class
- Participated in the filming of the "Wear Your Lifejacket to Work Day" video with Harbormaster Blank for *National Safe Boating Week*
- Displayed slides to highlight the Orange County Marathon and beach maintenance

XI. PUBLIC COMMENTS ON CONSENT CALENDAR

Regarding Items 3 (Use of Devices on the Beach), 7 (Ad Hoc Committee on Utilization of Lower Castaways and Aquatic Center Site Options), and 10 (Short-Term Lodging Compliance and Hotline), Adam Leverenz noted improvements in bicycle enforcement, expressed hope for open-mindedness related to the use of Lower Castaways, and encouraged the City to gather short-term lodging rental rate data as suggested by the California Coastal Commission.

XII. CONSENT CALENDAR

READING OF MINUTES AND ORDINANCES

1. Minutes for the April 29, 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 ADOPTION

- 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) Conduct second reading and adopt 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.*

RESOLUTIONS FOR ADOPTION

4. **Resolution No. 2025-20: Adopting a Memorandum of Understanding with the Newport Beach Firefighters Association and Associated Salary Schedule (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;
 - b) Adopt Resolution No. 2025-20, *A Resolution of the City Council of the City of Newport Beach, California, Adopting a Memorandum of Understanding Between the City of Newport Beach and the Newport Beach Firefighters Association and Associated Salary Schedule*; and
 - c) Approve Budget Amendment No. 25-063 appropriating \$422,413.15 in increased expenditures in various City division salary and benefits accounts from unappropriated General Fund balance.
5. **Resolution No. 2025-21: Adopting a Memorandum of Understanding with the Association of Newport Beach Ocean Lifeguards and Associated Salary Schedule (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;
 - b) Adopt Resolution No. 2025-21, *A Resolution of the City Council of the City of Newport Beach, California, Adopting a Memorandum of Understanding Between the City of Newport Beach and the Association of Newport Beach Ocean Lifeguards and Associated Salary Schedule*; and
 - c) Approve Budget Amendment No. 25-061 appropriating \$127,947.97 in increased expenditures in various City division salary and benefits accounts from unappropriated General Fund balance.
6. **Resolution No. 2025-22: Accept State of California, Department of Parks and Recreation, Division of Boating and Waterways 2025 Grant for the Marina Park Boating 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;
 - b) Adopt Resolution No. 2025-22, *A Resolution of the City Council of the City of Newport Beach, California, Authorizing Acceptance of Grant Agreement C8969330 Between the State of California Department of Parks and Recreation, Division of Boating and Waterways and the City of Newport Beach for Reimbursement of the Cost for Replacement Equipment, Refurbishment Items, Safety Equipment and Scholarships for the Marina Park Boating Program*;
 - c) Authorize the City Manager to sign and execute the Grant Agreement and subsequent related documents as may be related to the reimbursement of the cost for the adaptive sailing equipment and replacement items for the Marina Park Boating Program; and
 - d) Approve Budget Amendment No. 25-064 to record and appropriate \$46,000 in grant revenue from the State of California Division of Boating and Waterways to Marina Park – Marina Park Sailing account 0107023-561086-G2502 and in expenditure appropriations to Marina Park – Equipment NOC account 0107023-911024-G2502.
7. **Resolution No. 2025-23: Creating the Ad Hoc Committee on Utilization of Lower Castaways and Aquatic Center Site Options**
 - 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. 2025-23, *A Resolution of the City Council of the City of Newport Beach, California, Creating the Ad Hoc Committee on Utilization of Lower Castaways and Aquatic Center Site Options.*

CONTRACTS AND AGREEMENTS

8. Superior Avenue and Hospital Road Pavement Rehabilitation (Project No. 23R14) – Notice of Completion for Contract No. 8894-2

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project.

9. Central Library, OASIS Senior Center and VJ Community Center Carpet Replacement – Award of Contract No. 9750-1 (25F02)

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this project has no potential to have a significant effect on the environment;
- b) Approve the project plans and specifications;
- c) Find the bid submitted by Rod-West Floor Covering LLC to be non-responsive;
- d) Award Contract No. 9750-1 to Commercial Interior Resources for the total bid price of \$151,070 for the Central Library, OASIS Senior Center and VJ Community Center Carpet Replacement, and authorize the Mayor and City Clerk to execute the contract; and
- e) Establish a contingency of \$15,000 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.

10. Professional Services Agreement with Deckard Technologies, Inc. for Short-Term Lodging Compliance & Hotline (C-9875-1)

- 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 a Professional Services Agreement with Deckard Technologies, Inc. for Short-Term Lodging Compliance and Hotline for five years for a not-to-exceed amount of \$243,750 piggybacking off the procurement of the City of Oxnard's formal solicitation; and
- c) Authorize the Mayor and the City Clerk to execute the agreement.

11. Approval of On-Call Health Screening Services Agreements

- 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 an On-Call Professional Services Agreement with Hoag Clinic, dba Hoag Executive Health (C-8654-1A), on a form approved by the City Attorney, with a not-to-exceed amount of \$925,000 and a five-year term; and
- c) Approve an On-Call Professional Services Agreement with The Regents of the University of California on behalf of the University of California at Irvine Joe C. Wen School of Population and Public Health (C-8654-5), on a form approved by the City Attorney, with a not-to-exceed amount of \$500,000 and a five-year term.

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

The motion carried unanimously.

XIII. ITEMS REMOVED FROM THE CONSENT CALENDAR – None

XIV. PUBLIC COMMENTS ON NON-AGENDA ITEMS

George Lesley announced the 16th Annual Field of Honor at Castaways Park starting May 17, 2025, invited the public to attend the free events which honors military personnel and first responders, and indicated that the field will also feature artwork by local fifth grade students.

Jim Mosher requested that Council reconsider its decision relative to the Five Crowns temporary patio that was considered at the April 29, 2025 City Council meeting since the public hearing was closed prior to Council modifying the Conditions of Approval. He believed doing this might have impacted public participation.

Adam Leverenz echoed Mr. Mosher's procedural concerns regarding the Five Crowns temporary patio, emphasizing that changes to significant mitigating factors such as sound walls and time limits, might have discouraged some residents from participating in the discussions. He advocated for reconsideration of the decision on the basis of transparency and fairness.

City Attorney Harp explained that the City Council's de novo review allowed for Council to make changes to the Conditions of Approval and that the applicant is still required to comply with the municipal code regarding noise limits.

XV. CURRENT BUSINESS

12. Status of City of Newport Beach Vacancies and Retention Efforts Pursuant to Government Code Section 3502.3

Human Resources Director Salvini and Human Resources Manager Rodriguez utilized a presentation to discuss the City's employee vacancy rates and recruitment and retention efforts.

No bargaining unit group or member of the public spoke on the item after Mayor Stapleton opened the floor for comments, so the item was received and filed.

XVI. MOTION FOR RECONSIDERATION – None

XVII. PUBLIC COMMENTS ON CLOSED SESSION – None

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 5:26 p.m.

XVIII. CLOSED SESSION – Council Chambers Conference Room

**A. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code § 54957.6): 2 matters**

1. **Agency Designated Representatives:** Mayor Joe Stapleton and Mayor Pro Tem Lauren Kleiman, Negotiators.

Unrepresented Employees: Unrepresented Employees in the Key and Management Group.

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

Unrepresented Employees: Newport Beach Employees League.

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code § 54956.9 (d)(1)): 1 matter

Joseph Cartwright v. City of Newport Beach
Workers' Compensation Appeals Board Case No. ADJ15869339

Mayor Stapleton reconvened the meeting at 6:16 p.m.

XIX. CLOSED SESSION REPORT

City Attorney Harp announced that no reportable actions were taken.

XX. ADJOURNMENT – Adjourned at 6:16 p.m. in memory of Elizabeth Stahr

The agenda and amended agenda were 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 May 8, 2025, at 4:00 p.m., and May 9, 2025, at 11:15 a.m.

Joe Stapleton
Mayor

Leilani I. Brown
City Clerk