

ATTACHMENT A

RESOLUTION NO. 2025-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AMENDING THE STRUCTURE, MEMBERSHIP, ROLES AND RESPONSIBILITIES OF THE AVIATION COMMITTEE

WHEREAS, Section 200 of the City Charter, of the City of Newport Beach ("City"), vests the City Council with the authority to make and enforce all laws, rules and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the City Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, powers, and privileges or procedures granted or prescribed by any law of the State of California;

WHEREAS, on July 10, 1979, the City Council adopted Resolution 9597 establishing the Orange County Airport Aviation Committee ("Aviation Committee") because the City Council was concerned about the welfare of the community and the potential expansion of John Wayne Airport ("JWA");

WHEREAS, as set forth in Council Policy A-17, one of the primary objectives of the City Council is to protect the residents of the City of Newport Beach ("City") from the impacts of aircraft operations at and from JWA;

WHEREAS, periodic review of the structure, membership, roles, and responsibilities of the Aviation Committee is necessary to ensure the City is taking all the steps necessary to protect the citizens of the City;

WHEREAS, at the February 25, 2025, City Council meeting, the City Council adopted Resolution 2025-10 forming an ad hoc committee to review the structure, membership, roles and responsibilities of the aviation committee ("Ad Hoc Committee");

WHEREAS, the Ad Hoc Committee has recommended to the City Council that the structure, membership, roles, and responsibilities of the Aviation Committee be amended as set forth in Attachment A; and

WHEREAS, the City Council desires to amend the structure, membership, roles, and responsibilities of the Aviation Committee to ensure the City is taking all steps necessary to protect the citizens of the City from aircraft operations at JWA.

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

Section 1: The City Council hereby approve this amendment modifying the structure, membership, roles and responsibilities Aviation Committee ("Committee") as set forth in Attachment A. The City Council hereby repeals all prior resolutions, or parts thereof, related to the Aviation Committee which conflict with this resolution.

Section 2: The recitals provided in this resolution are true and correct and are incorporated into the operative portion of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 5: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

ADOPTED this 10th day of June, 2025.

Joe Stapleton
Mayor

ATTEST:

Leilani I. Brown
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney

Attachment A: Description of the Aviation Committee

ATTACHMENT A
AVIATION COMMITTEE

AUTHORIZATION: Established by Resolution No. 9597, adopted on July 10, 1979. Renamed by Resolution No. 82-133, adopted on September 27, 1982. Term extended by Resolution No. 88-106, adopted on October 24, 1988. Membership expansion by Resolution No. 94-67, adopted on July 25, 1994. Membership composition and duties changed by Resolution No. 98-15, adopted on February 9, 1998. Appointment of officers added by Resolution No. 2000-8, adopted on January 25, 2000. Membership composition changed by Resolution No. 2002-7, adopted on January 8, 2002. Membership composition changed by Resolution No. 2003-11, adopted on February 11, 2003. Membership and responsibilities changed by Resolution No. 2011-31, adopted on April 12, 2011. Structure membership, roles and responsibilities changed by Resolution No. 2019-26, adopted on March 26, 2019. Structure, membership, roles and responsibilities changed by Resolution No. 2025-____, adopted on June 10, 2025.

MEMBERSHIP: Up to seven (7) members comprised of the following:

- A. Two (2) members of the Newport Beach City Council appointed by the Mayor.
- B. Up to five (5) citizen members appointed by the Mayor and confirmed by the entire City Council.

The committee shall have a Chairperson and a Vice Chairperson appointed by the Mayor. The Mayor has the discretion to appoint either a Council Member or a citizen to either of these two (2) positions.

MEMBER TERM: The term of members shall be as follows:

- A. Council Members: Council Members currently appointed to the Committee shall continue to serve, pending City Council action. Council Members terms shall comply with Council Policy A-2.
- B. Citizen Appointees:

- (1) Current Members: All previously appointed citizen members of the Committee shall continue to serve until June 30, 2025.
- (2) Effective June 30, 2025, the term of all current appointed citizen appointed members of the Committee shall end and new citizen appointed members shall be selected to begin their term effective July 1, 2025, in accordance with Council Policy A-2, except as modified herein.
- (3) Two citizen appointed members shall have an initial term of two (2) years and shall be eligible for reappointment for two (2) additional four (4) year terms. Up to three (3) citizen appointee members shall have an initial term of four (4) years and shall be eligible for appointment to one (1) additional four (4) year term.
- (4) Any unscheduled vacancies shall be filled in accordance with state law and this policy. A person appointed to fill an unscheduled vacancy shall serve the balance of the unexpired term for the person they are replacing, plus no more than two (2) additional four (4) year terms.

**QUALIFICATION
OF CITIZEN
MEMBERS:**

Citizen appointee members shall be:

- A. A resident of the City; and
- B. A registered voter in the City; and
- C. Possess expertise and professional experience in an aviation or airport related field such as airport or air carrier operations, aircraft design and engineering, airport design and planning, aviation law, aircraft noise and emissions, Advanced Air Mobility / emerging technologies, airline piloting, commercial real estate or a similar related field.

MEETINGS:

Meetings shall be held quarterly, on a calendar year basis, or as required by the business needs of the Aviation Committee.

Staff support shall be provided primarily by the City Manager, with other staff as necessary.

The City staff shall invite a representative of John Wayne Airport ("JWA") to participate in the Committee meetings.

BROWN ACT:

The Aviation Committee shall be subject to the Ralph M. Brown Act, or any successor regulation.

**PURPOSE &
RESPONSIBILITIES:**

Advise the City Council on the implementation of the City Council's Airport Policy (Council Policy A-17), including, but not limited, to:

- A. Monitoring development, operations, and other commercial and general aviation activities at JWA and related policies and actions taken by the Orange County Board of Supervisors.
- B. Providing the City with technical guidance when monitoring and renegotiating the JWA Settlement Agreement.
- C. Providing technical expertise to the City in its development of an Advanced Air Mobility strategy.
- D. Monitoring current and future policies regarding air carrier service, alternative transportation services and the implementation of Advanced Air Mobility.
- E. Monitoring state and federal legislation pertaining to JWA, air traffic and Advanced Air Mobility.
- F. Reporting on other entities' support of the City's JWA strategy, including the Corridor Cities Coalition.
- G. Assist in the dissemination of information to City residents regarding the future status of JWA and the Settlement Agreement.
- H. Provide advice on aviation matters as requested by the City Council.