

# CITY OF NEWPORT BEACH

## City Council Meeting Minutes Regular Meeting August 26, 2025

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### I. ROLL CALL – 4:06 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. INVOCATION – Pastor Ryan Montague, Viewpoint Church

### III. PLEDGE OF ALLEGIANCE

### IV. PRESENTATIONS

- Presentation of Proclamation - International Literacy Day, September 5, 2025

Mayor Stapleton read and presented a proclamation to Rebecca Lightfoot, Library Services Manager and Christy Smith, Literacy Coordinator, in recognition of International Literacy Day. Ms. Lightfoot thanked the City Council and the Newport Beach Library Foundation for their support.

- The History of Fashion Island by Bill Lobdell

Mayor Stapleton introduced Bill Lobdell who has been providing outstanding historical presentations at City Council meetings and has a podcast, “Newport in the Rearview Mirror.” Mr. Lobdell provided a PowerPoint presentation on the history of Fashion Island that, beginning sixty years ago, has continued evolving over the decades to present-day architecture and shopping center features.

### V. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Mayor Stapleton noted that opportunity for public comments for agenda and non-agenda items would occur later in the meeting but questioned whether any members of the public wanted to speak on the A-1 Items for City Council consideration. There were no requests to speak.

### VI. CITY COUNCIL ANNOUNCEMENTS AND ORAL REPORTS FROM CITY COUNCIL ON COMMITTEE ACTIVITIES

Councilmember Weigand:

- As the City’s representative on the Orange County Sanitation District (OCSAN), Councilmember Weigand had the privilege of going out on the Nerissa, a research vessel that is owned and operated by OCSAN and with a full crew and scientists, who conduct state and federally mandated tests on water, fish, and animals.

Councilmember Barto:

- Attended the Newport Beach Police Department’s National Night Out.
- Attended Bike and Bike Safety Working Group meeting.
- Attended Cappy’s Café Waffle Eating Contest.

Councilmember Grant:

- Attended the 95<sup>th</sup> Anniversary of the Kerckhoff Marine Laboratory in Corona del Mar.
- Attended the State of the County Luncheon hosted by the Newport Beach Chamber of Commerce.
- Attended the Newport Bay Conservancy Gala that raises funds for the protection and preservation of Upper Newport Bay.

Mayor Pro Tem Kleiman:

- Wished Councilmember Grant a belated Happy Birthday.

Mayor Stapleton:

- Participated in the Demolition Derby, with Councilmembers Weber, Weigand, and Blom, at the Orange County Fair where close to \$50,000 was raised for CHOC Hospital.
- Attended Ribbon Cuttings for Five Crowns 60<sup>th</sup> Anniversary, CoreViva and BMO Bank.
- Attended the Junior Lifeguard Graduation Ceremony where 1,500 kids graduated and thanked the City's lifeguards.
- Attended the Newport Beach Police Department National Night Out.
- Attended the announcement of the Citizen of the Year, Ed Selich, with the recognition dinner to occur later this year.
- Presented a Certificate to Jack Cohen who received the Jack Elliott Character Award.
- Attended the State of the County.
- Attended the Little Balboa Island Summer Series.
- Provided a reminder of the September 13, 2025, Ben Carlson Foundation, paddle across Catalina to Newport event, featuring approximately 100 paddlers who will be raising money for the foundation.

**VII. MATTERS WHICH COUNCILMEMBERS HAVE ASKED TO BE PLACED ON A FUTURE AGENDA (NON DISCUSSION ITEM)**

By a straw vote, the City Council voted unanimously (7-0) for the following consideration that will be agendized for a future City Council meeting:

- Consider adopting a Resolution opposing any attempt to bypass California's Independent Citizens Redistricting Commission by altering the State's Congressional Districts through a Ballot Measure and Special Election (Submitted by Mayor Stapleton and Councilmember Weigand)

By a straw vote, the City Council voted unanimously (7-0) for the following consideration that will be agendized for a future City Council meeting:

- Consider Traffic Calming and Public Safety Measures in the Bayview Heights Neighborhood of Santa Ana Heights (Submitted by Councilmember Weigand)

**VIII. PUBLIC COMMENTS ON CONSENT CALENDAR**

1. Adam Leverenz spoke on Item 8, *Ordinances Nos. 2025-15 and 2025-16: Newport Beach Municipal Code Amendments Related to Short Term Lodging (PA2023-0116)*, noting opposition to the 20-unit requirement; Item 25, *Public Bathroom Gate Fabrication and Installation - Award of Contract No. 9761-1*, requesting whether the bathroom locks can coincide with the closing of the area's bars and restaurants; and spoke on Item 36, (see "Current Business").
2. Heather Cieslak, Operations Director, Newport Bay Conservancy, spoke on Item No. 13, *Big Canyon Restoration (Phase 3) Project - Award of Contract to Superb Engineering, Inc. (Contract No. 9532-1) and Approve Professional Services Agreement with Horrocks LLC (Contract No. 9532-2) (Project No. 25X11)*, and thanked the City Council, City Attorney's Office, and the Public Works Department for their work on this project.

**IX. CONSENT CALENDAR**

***READING OF MINUTES AND ORDINANCES***

- 1. Minutes for the July 22, 2025, Regular City Council Meeting and July 29, 2025, Special City Council Meeting**  
Waive reading of subject minutes, approve as written, 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.

***ORDINANCES FOR INTRODUCTION***

- 3. Ordinance 2025-19: Amending Title 11 (Recreational Activities) of the Newport Beach Municipal Code Related to the Prohibition of Climbing on Railings of Public Property and Amending Title 11 (Recreational Activities) Related to Swimming Regulations and Restrictions on Diving, Jumping and Climbing on Public Property Adjacent to Waterways**
  - 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, and introduce Ordinance No. 2025-19: *An Ordinance of the City Council of the City of Newport Beach, California, Adding Section 11.12.140 (Climbing on Railings of Public Property) and Amending Section 11.12.150 (Diving or Jumping from Public Property) of Chapter 11.12 (Swimming Regulations) to Title 11 (Recreational Activities) of the Newport Beach Municipal Code, Relating to Restrictions on Diving, Jumping and Climbing on Public Property Adjacent to Waterways* and pass to a second reading on September 9, 2025.

**Motion passes 6-1, Councilmember Weigand opposed.**

***ORDINANCES FOR ADOPTION***

- 4. Ordinance No. 2025-11: Amending Section 9.04.470 (Local Agency Very High Fire Hazard Severity Zone) To Adopt the 2025 Moderate, High, and Very High Fire Hazard Severity Zones, As Designated By The California Department of Forestry and Fire Protection and Pursuant to California Government Code Section 51178**
  - 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. 2025-11, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 9.04.470 (Local Agency Very High Fire Hazard Severity Zone) To Adopt the 2025 Moderate, High, and Very High Fire Hazard Severity Zones, As Designated By The California Department of Forestry And Fire Protection And Pursuant to California Government Code Section 51178.*

**Motion passes 4-0-3, Mayor Pro Tem Kleiman and Councilmember Weber recused due a conflict of interest in their personal residences; and Councilmembers Grant recused due to a conflict of interest on her business partner's interest in real property.**

**5. Ordinance No. 2025-12: Revision to Municipal Code Chapter 14.10 Cross-Connection Control 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) Conduct second reading and adopt Ordinance No. 2025-12: *An Ordinance of the City Council of the City of Newport Beach, California, Replacing in its Entirety Chapter 14.10 (Cross Connection Control Program) of the Newport Beach Municipal Code to Comply with State Law.*

**6. Ordinance No. 2025-13: Amending Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to Update Commercial Parking Requirements (PA2021-104)**

- 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. 2025-13, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Local Coastal Program Amendment to Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code Related to Commercial Parking (PA2021-104).*

**Motion passes 6-0-1, Councilmember Blom recused based on his business and real property interests in properties at 224 Marine, 417 and 501 30<sup>th</sup> Street; and 2902 Coast Highway.**

**7. Ordinance No. 2025-14: Amending Title 21 of the Newport Beach Municipal Code Related to Comprehensive Municipal Code Amendments (PA2022-0219)**

- 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. 2025-14, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Local Coastal Program Amendment to Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as Modified by the California Coastal Commission Related to Comprehensive Municipal Code Amendments (PA2022- 0219).*

**8. Ordinances Nos. 2025-15 and 2025-16: Newport Beach Municipal Code Amendments Related to Short Term Lodging (PA2023-0116)**

- a) Find the amendments exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, which states that an activity is not subject to CEQA if “[t]he activity will not result in a direct or reasonably foreseeable indirect physical change in the environment”;
- b) Conduct second reading and adopt Ordinance No. 2025-15, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Code Amendment to Chapter 5.95 (Short Term Lodging Permit) of the Newport Beach Municipal Code to Ensure Consistency with the Local Coastal Program Amendment Related to Short Term Lodging (PA2023-0116),* and
- c) Conduct second reading and adopt Ordinance No. 2025-16, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Local Coastal Plan Amendment Amending Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as Modified by the California Coastal Commission Related to Short Term Lodging (PA2023-0116).*

**Motion passes 6-0-1, Councilmember Blom recused based on his business and real property interests in properties at 417 and 501 30<sup>th</sup> Street.**

**9. Ordinance No. 2025-17: Approving the Third Amendment to Development Agreement No. DA2012-003 for the Uptown Newport Planned Community located at 4321 Jamboree Road (PA2025-0010)**

- a) Find that all significant environmental concerns for the Project have been addressed in the previously certified Environmental Impact Report No. ER2012-001 (SCH No. 2010051094), First Addendum No. ER2012-001, and Second Addendum No. ER2020-001; and
- b) Conduct second reading and adopt Ordinance No. 2025-17, *An Ordinance of the City Council of the City of Newport Beach, California, Approving the Third Amendment to Development Agreement No. DA2012-003 for the Property at 4321 Jamboree Road Located Within Uptown Newport Planned Community (PA2025- 0010).*

**Motion passes 5-0-2, Mayor Pro Tem Kleiman recused based on possible impact on her spouse's income; and Mayor Stapleton recused based on his interest in real property at 4100 and 4110 MacArthur.**

**10. Ordinance No. 2025-18: Amending Title 21 of the Newport Beach Municipal Code Related to the Tennis and Pickleball Club at Newport Beach Located at 1602 East Coast Highway (PA2021-260)**

- a) Find that all significant environmental concerns for the proposed project have been adequately addressed in the Addendum to Mitigated Negative Declaration No. 2010-008 (SCH 2010091052), previously approved by City Council Resolution 2023-69; and
- b) Conduct second reading and adopt Ordinance No. 2025-18, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 21 (Local Coastal Implementation Plan) of the Newport Beach Municipal Code as Modified by the California Coastal Commission Related to the Tennis and Pickleball Club at Newport Beach Located at 1602 East Coast Highway (PA2021-260).*

**Motion passes 6-0-1, Mayor Pro Tem Kleiman recused based on possible impact to her spouse's income.**

**RESOLUTIONS FOR ADOPTION**

**11. Resolution No. 2025-53: Adopting a Memorandum of Understanding Between the City of Newport Beach and the Part Time Employees Association of Newport Beach (PTEANB) and Amending the Salary Schedules**

- 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. 2025-53, *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 Part Time Employees Association of Newport Beach and Amending the Salary Schedule;* and
- c) Approve Budget Amendment No. 26-019 to appropriate \$406,230.36 in increased expenditures for various salary and benefit accounts from unappropriated fund balances.

**CONTRACTS AND AGREEMENTS**

**12. Sidewalk Steam Pressure Washing Services - Reject All Bids for Contract No. 9832-1 and Approve Amendment No. One to Maintenance and Repair Services Agreement with Quality Commercial Cleaning, Inc.**

- 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) Reject all bids received for Contract No. 9832-1; and
- c) Approve Amendment No. One to the Maintenance and Repair Services Agreement with Quality Commercial Cleaning, Inc. dba Spectrum Facility Maintenance to extend the term to September

30, 2026, and increase the not-to-exceed amount by \$310,000, for a new not-to-exceed amount of \$1,781,703, and authorize the Mayor and City Clerk to execute the agreement.

**13. Big Canyon Restoration (Phase 3) Project - Award of Contract to Superb Engineering, Inc. (Contract No. 9532-1) and Approve Professional Services Agreement with Horrocks LLC (Contract No. 9532-2) (Project No. 25X11)**

- a) Find the requirement for environmental review under the California Environmental Quality Act (CEQA) for the Big Canyon Restoration (Phase 3) Project qualifies as statutorily exempt under CEQA per Public Resources Code, § 21080.56, subdivisions (a) to (d), inclusive, with the attached concurrence by the Director of Fish and Wildlife.
- b) Approve the project drawings and specifications.
- c) Authorize the City Manager to execute the Right of Entry Permit between the State of California, acting by and through the California Department of Fish and Wildlife, and the City of Newport Beach for permission to access those portions of Big Canyon Nature Park for purposes of carrying out the Project.
- d) Authorize the City Manager to execute the Agreement between Newport Bay Naturalists and Friends (DBA Newport Bay Conservancy) and the City of Newport Beach to designate \$6,594,000 in grant funds to the City of Newport Beach for restoration work in the Project area.
- e) Award Contract No. 9532-1 to Superb Engineering, Inc. for the total bid price of \$5,242,833.25, and authorize the City Manager and City Clerk to execute the contract.
- f) Establish a contingency of \$786,000 (approximately 15% of total bid) to cover the cost of unforeseen work not included in the original contract; and
- g) Approve a professional services agreement with Horrocks LLC of San Diego, California, for the Project at a not-to-exceed price of \$487,040 and authorize the City Manager and City Clerk to execute the Agreement.

**14. Office Lease Agreement with River Valley Holdings, LLC for Use of Suite 390 at 1201 Dove Street**

- a) Find this matter is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing facilities) and Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment; and
- b) Authorize the City Manager and City Clerk to execute the Office Lease Agreement between the City of Newport Beach and River Valley Holdings, LLC for use of City Property, office space Suite 390 located at 1201 Dove Street, in a form substantially similar to the amendment attached to the staff report.

**15. Alley Reconstruction (Assessment District 111, Underground Utility District 22 Phase 2 and Assessment District 124 Phase 0 Areas) - Notice of Completion for Contract No. 8820-2 (23R07)**

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

**Motion carries 6-0-1, Councilmember Blom recused based on his real property interest in 224 Marine Avenue.**

**16. Approval of Professional Services Agreement with Verde Design, Inc. for Bonita Creek Park Athletic Field Synthetic Turf Replacement (Project No. 26P11) (Contract No. 9890-1)**

- 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 professional services agreement with Verde Design, Inc. for the Bonita Creek Park Athletic Field Synthetic Turf Replacement project for a total not-to-exceed amount of \$353,625 and authorize the Mayor and City Clerk to execute the agreement.

- 17. Approval of On-Call Maintenance and Repair Services Agreement for On-Call Elevator Services with SmartRise Elevator Service, Inc.**
  - 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 SmartRise Elevator Services, Inc., for On-Call Elevator Services for a five-year term and total amount not-to-exceed of \$300,000 and authorize the Mayor and City Clerk to execute the agreement.
  
- 18. Ford Road Wastewater Pump Station Improvement Notice of Completion for Contract No. 7731-2 (23S04)**
  - a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project.
  
- 19. OASIS Senior Center Site Lighting Phase 2 - Award of Contract No. 9009-3 (26F02)**
  - a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(a), Class 1 (Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) 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) Declare SFADIA Inc., dba Green Innovations Inc. bid non-responsive due to performing less than 50% of the work listed on the submitted bid per section 2-3.2 Self Performance of the Public Works Standard Specifications.
  - d) Relieve Optima Energy Inc. of its bid due to a bid error.
  - e) Approve Budget Amendment No. 26-017 appropriating \$149,950 in new revenue and expenditures from the U.S. Department of Energy to 13501-980000-26F02.
  - f) Award Contract No. 9009-3 to SacTown Contractors Corporation for the total bid price of \$526,450 for the OASIS Senior Center Site Lighting Phase 2 project, and authorize the Mayor and City Clerk to execute the contract; and
  - g) Establish a contingency of \$53,000 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.
  
- 20. Police Department Parking Lot Maintenance Project No. 25F02) - Notice of Completion for Contract No. 7901-1**
  - a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project.
  
- 21. Temporary Fire Station No. 1 Project - Award of Contract No. 8865-3 (23F12)**
  - a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or conversion of small structures), Section 15304 under Class 4 (Minor Alterations to Land), and Section 15311 under Class 11 (Accessory Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because this project has no potential to have a significant effect on the environment and the exceptions to these categorical exemptions under Section 15300.2 are not applicable;
  - b) Approve the project plans and specifications.
  - c) Find the bid submitted by VSI Technologies to be non-responsive.
  - d) Award Contract No. 8865-3, including the additive bid item for potential lease extension to Premo Construction, Inc. for the total bid price of \$295,800 for the Temporary Fire Station No.1 Temporary Trailer Project, and authorize the Mayor and City Clerk to execute the contract; and
  - e) Establish a contingency of \$29,500 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.

- 22. Approval of Professional Services Agreement with Stantec Consulting Services, Inc. for the San Miguel Drive Pavement Rehabilitation Project (Project No. 26R11) (Contract No. 9855-1)**
  - 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 Budget Amendment No. 26-015, appropriating \$40,000 in increased expenditures in Account No. 12601-980000-26R11 from the unappropriated SB1-Road Maintenance & Rehabilitation Account (RMRA) fund balance; and
  - c) Approve a professional services agreement with Stantec Consulting Services, Inc. for the San Miguel Drive Pavement Rehabilitation project for a total not-to-exceed amount of \$297,640 and authorize the Mayor and City Clerk to execute the Agreement.
  
- 23. Approval of Amendment No. One to Professional Services Agreement with Brightly Software, Inc. for Facility Maintenance Software**
  - 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. One to the professional services agreement with Brightly Software, Inc. for Facility Maintenance Software to extend the term through June 30, 2028, increase the agreement amount by \$68,613.21 for a total not-to-exceed amount of \$187,351.80, and authorize the Mayor and City Clerk to execute the agreement.
  
- 24. Purchase of Police Department Patrol Vehicles**
  - 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 purchase of six (6) black-and-white Ford Explorer police patrol vehicles, one (1) all-black Ford Explorer police patrol vehicle and four (4) black-and-white Ford F-150 police patrol trucks from the National Auto Fleet Group of Watsonville using Sourcewell cooperative pricing and authorize the City Manager to execute a purchase order in the amount of \$664,964.91.
  
- 25. Public Bathroom Gate Fabrication and Installation - Award of Contract No. 9761-1**
  - 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) Award Contract No. 9761-1 to Modern General Contractor, Inc., for the total bid price of \$292,008 for the Public Bathroom Gate Fabrication and Installation project, and authorize the Mayor and City Clerk to execute the contract; and
  - c) Establish a contingency of \$29,200 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.
  
- 26. Bristol Street North, Spyglass Hill Road, and Von Karman Avenue Pavement Rehabilitation - Award of Contract No. 8895-3 (25R11, 25R15, and 23R15)**
  - a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), Class 1 (maintenance of existing public facilities involving negligible or no expansion of use) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment.
  - b) Approve the project plans and specifications.
  - c) Approve Budget Amendment No. 26-016 appropriating \$95,850 in new revenue to Account No. 13501-431220-23R15 and expenditures to Account No. 13501- 980000-23R15 from Irvine Ranch Water District and \$18,500 in new revenue to Account No. 13501-431075-23R15 and expenditures to Account No. 13501-980000-23R15 from Orange County Sanitation District.



- d) Award Contract No. 8895-3 to R.J. Noble Company for the total bid price of \$4,579,033.59 for the Bristol Street North, Spyglass Hill Road and Von Karman Avenue Pavement Rehabilitation project, and authorize the Mayor and City Clerk to execute the contract; and
- e) Establish a contingency of \$458,000 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.

**Motion carried 5-0-2, Mayor Stapleton recused based on his interest in real property at 4100 and 4110 MacArthur; and Councilmember Weber recused based on her interest in her personal residence.**

**27. Approval of On-Call Professional Services Agreement with Paramedrix, LLC for EMS Quality Improvement Services**

- 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 an On-Call Professional Services Agreement with Paramedrix, LLC to provide EMS Quality Improvement Services for a three-year term and a total amount not-to-exceed \$180,000 and authorize the Mayor and City Clerk to execute the agreement.

**28. Amendment No. One to Clinical Affiliation Agreement with Regents of the University of California**

- 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. One to the Agreement with the Regents of the University of California, On Behalf of the University of California, UCLA Center for Pre-Hospital Care Paramedic Education Program for Paramedic Internships at Newport Beach Fire to extend the term of the agreement to September 30, 2029, and update indemnification and insurance provisions, and authorize the Mayor and City Clerk to execute the amendment.

**29. Approval and Award of Printing Services Agreement for Newport Navigator Magazine with Advantage Mailing LLC**

- 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) Award a five-year printing services contract for the Newport Navigator brochure and digital summer camp guide to Advantage Mailing LLC for the total not-to-exceed price of \$521,544.91, and authorize the Mayor and City Clerk to execute the contract agreement.

**30. First Amendment to Lease with Risk Placement Services, Inc. for Use of Suite 100 at 1201 Dove Street**

- a) Find this matter is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing facilities) and Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment; and
- b) Authorize the City Manager and City Clerk to execute the First Amendment to Lease between the City of Newport Beach and Risk Placement Services, Inc. for use of City Property, office space Suite 100 located at 1201 Dove Street, in a form substantially similar to the amendment attached to the staff report.

**MISCELLANEOUS**

**31. Planning Commission Action Report for the August 7, 2025 Meeting and Agenda for the August 21, 2025 Meeting**

- a) Receive and file

**32. Appointment of William Lobdell as the Newport Beach City Historian Laureate**

- 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) Appoint William Lobdell to the volunteer position of Historian Laureate pursuant to Resolution No. 2025-24.

**33. Confirmation of Nominees to Serve on the Aviation 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) Confirm the nominations made by the Aviation Ad Hoc Committee:
  1. Kurt Belcher
  2. Cassie Bretschger
  3. Jeffrey Cole
  4. Ryan Dougherty
  5. Barbara Lichman
  6. Nicholas Prytherch
  7. Michael Radigan
  8. Timothy Strader, Jr.
  9. John "Jack" Stranberg
  10. Mary-Christine (MC) Sungaila
- c) Direct the City Clerk to agendize a formal vote for five citizen-member appointments for the September 9, 2025, City Council meeting.

**Motion by Mayor Pro Tem Kleiman, seconded by Councilmember Blom**, to approve the Consent Calendar, including amendments to Agenda Item No. 1, the Minutes; a "no" vote on Agenda Item 3 by Councilmember Weigand; and noted recusals.

**The motion carried 7-0.**

**X. ITEMS REMOVED FROM THE CONSENT CALENDAR**

There were none.

**PRESENTATIONS (CONT.)**

The Mayor and City Councilmembers recognized City Historian Laureate Bill Lobdell for his historical presentations at City Council meetings and on his appointment as the City's inaugural City Historian Laureate.

**XI. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Mariah Stinson, representing the City Employees Association, made comments related to recent negotiations.

Adam Leverenz provided comments on his concerns related to the recent recruitment of the City Manager.

**XII. PUBLIC HEARINGS**

**34. Ordinance No. 2025-20 and Resolution No. 2025-54 Amending Title 20 (Zoning Code) and Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code Updating ADU and JADU Standards (PA2025-0093)**

- a) Conduct a public hearing;
- b) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 66310 through 66342 of the Government Code are exempt from the requirements of CEQA and pursuant to CEQA Guidelines Section 15265(a)(1), local governments are exempt from the requirements of CEQA in connection with the adoption of a Local Coastal Program;
- c) Waive full reading, direct the City Clerk to read by title only, and introduce Ordinance No. 2025-20, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 20.48.200 (Accessory Dwelling Units) of the City of Newport Beach Municipal Code Related to Accessory Dwelling Units and Junior Accessory Dwelling Units*, and pass to second reading on September 9, 2025; and
- d) Adopt Resolution No. 2025-54, *A Resolution of the City Council of the City of Newport Beach, California, Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission to Amend Section 21.48.200 (Accessory Dwelling Units) of the Newport Beach Municipal Code Related to Accessory Dwelling Units and Junior Accessory Dwelling Units (PA2025-0093)*.

**Motion by Councilmember Grant seconded by Councilmember Weber.** to a) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 66310 through 66342 of the Government Code are exempt from the requirements of CEQA and pursuant to CEQA Guidelines Section 15265(a)(1), local governments are exempt from the requirements of CEQA in connection with the adoption of a Local Coastal Program; b) Waive full reading, direct the City Clerk to read by title only, and introduce Ordinance No. 2025-20, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 20.48.200 (Accessory Dwelling Units) of the City of Newport Beach Municipal Code Related to Accessory Dwelling Units and Junior Accessory Dwelling Units*, and pass to second reading on September 9, 2025; and c) Adopt Resolution No. 2025-54, *A Resolution of the City Council of the City of Newport Beach, California, Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission to Amend Section 21.48.200 (Accessory Dwelling Units) of the Newport Beach Municipal Code Related to Accessory Dwelling Units and Junior Accessory Dwelling Units (PA2025-0093)*.

Mayor Stapleton opened the public hearing at 4:50 p.m.

**PUBLIC COMMENTS**

1. Jim Mosher noted his concerns related to the correspondence from the California Department of Housing and Community Development (HCD) requiring the City to revise and update the City's ADU ordinance; requested the City to do a thorough review of the responsive amendments; and noted what he believed were typographical errors in the proposed ordinance.

Mayor Stapleton closed the public hearing at 4:54 p.m.

**The motion carried unanimously, 7-0.**

**35. Resolution No. 2025-55: Ford Road Townhomes Appeal (PA2025-0049)**

- a) Conduct a public hearing;

- b) Find that this project 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 the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699) and statutorily exempt from the requirements of CEQA pursuant to Public Resources Code Section 21080.66; and
- c) Adopt Resolution No. 2025-55, *A Resolution of the City Council of the City of Newport Beach, California, Denying an Appeal and Upholding the Decision of the Planning Commission to Approve a Major Site Development Review to Construct 27 Residential Condominiums Located on an Unaddressed Parcel Abutting 1650 Ford Road (PA2025-0049).*

Mayor Stapleton asked his colleagues if there were any requests for recusal or to announce ex parte communications.

Councilmembers Barto, Blom, Weber, and Mayor Stapleton had communications with the applicant which were indicated in the staff report and exhibits.

Mayor Pro Tem Kleiman recused herself noting that while her family had no direct or indirect financial interest related to the item, the perception that her spouse may financially benefit required her to leave the dais.

Assistant Planner Jerry Arregui, and Deputy Director of Community Development Jaime Murillo, presented the staff presentation including a PowerPoint presentation reviewing the project; and spoke on Planning Commission approval.

The Applicant, Shawna Schaffner from CAA Planning, Inc., provided a PowerPoint presentation that provided information on the proposed townhome project to address concerns expressed by the residents.

Omar Corona, representing the Appellant, Save Our Sports (S.O.S.) Park, provided a PowerPoint presentation opposing the project and noted the incompatibility of the project.

Councilmember Blom questioned Mr. Corona on the location of the law firm he represents; and project inconsistencies included in a letter Council received just prior to the meeting.

Mayor Stapleton opened the Public Hearing at 5:22 p.m.

#### **PUBLIC COMMENTS**

The following individuals spoke in support of the appeal (against the project):

Kayla Gastic  
Derrick Hunt  
Jerry Schmidt  
Diane Hornby  
Craig Gordon  
Rachel Yelsey  
Wade Womack  
Mary O'Loughlin  
Michael Weiland  
Polly  
Robert Bise  
Gunnar Gooding, representing the Bonita Canyon Board of Directors  
Marsha Cullen  
Tom Sholan  
Michelle Bethel  
Steve Robinson

Amy Heicks  
Janet Hathaway  
Karol Hatch  
Katie Drown  
Unidentified Speaker

The following individuals spoke in opposition of the appeal (in favor of the project):

Jose Cortez  
Isabella

Ms. Schaffner representing the Applicant, provided rebuttal comments to concerns relayed by the public and the Appellant including CEQA requirements; traffic; affordable housing; trip generation counts; land use; density and height concerns, which were not in question at this time; compatibility; and the California Housing Accountability Act.

Councilmember Weigand questioned the Applicant on the parking concerns of the residents; what are the City's enforcement options; and parking restrictions at the sports park.

Mr. Corona, representing the Appellant, provided rebuttal comments including that the project is not aligned with the City's Housing Element; the City is not compelled to approve; noted the need for additional analysis; the tentative tract map is no longer in the appeal period; the City's noticing was improper; and expressed concern related to the 10-day and 14-day appeal timeline.

Mayor Stapleton closed the Public Hearing at 6:07 p.m.

Councilmember Blom noted his 45-year residency and how the City has evolved over that time; noted that there were 1,052 apartment homes that had been built across the street from the Port streets; stated that everyone loves and cares about the community; and keeping children safe is the highest priority.

Councilmember Grant questioned whether the cell tower was moving; and requested clarification on the trip counts.

Staff responded that the monopole will be relocated; conditions are included in the resolution; federal law oversees telecom requirements; and noted that the traffic phasing analysis included 184 trips in a 24-hour period.

Councilmember Weigand questioned the stop sign location and whether additional analysis should be done to determine if warranted; commented on the need to be aware of scheduling important public hearings close to the holidays and asked that staff avoid that in the future.

Councilmember Barto noted that traffic issues will be constant in the City and continued traffic analysis is important.

Councilmember Grant noted her understanding of the residents' concerns; that it is important to keep our high quality of life; noted that this isn't her district but that she lives very close to the site and will experience the effects of the project; the system of the housing overlay and that challenges have failed in the past; the alternative to this project could have been worse; the AT&T site is blighted; and the Project Proponent will provide a high quality project.

Mayor Stapleton noted the threat to Newport Beach comes from Sacramento; that the reality is there could have been many more units on the site; and traffic issues are something the City can continue working on.

**Motion by Councilmember Blom, seconded by Councilmember Weber,** to a) Find that this project 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 the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699) and statutorily exempt from the requirements of CEQA pursuant to Public Resources Code Section 21080.66; and b) Adopt Resolution No. 2025-55, *A Resolution of the City Council of the City of Newport Beach, California, Denying an Appeal and Upholding the Decision of the Planning Commission to Approve a Major Site Development Review to Construct 27 Residential Condominiums Located on an Unaddressed Parcel Abutting 1650 Ford Road (PA2025-0049).*

**The motion carried 6-0-1, Mayor Pro Tem Kleiman recused.**

**XIII. CURRENT BUSINESS**

**36. Ordinance No. 2025-21: Authorizing an Amendment to the City's Contract with CalPERS to Eliminate Section 20516(a) Cost Sharing for Citywide Miscellaneous Tier I Employees**

- 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, and introduce Ordinance No. 2025-21, *An Ordinance of the City Council of the City of Newport Beach, California, Authorizing an Amendment to the Contract Between the City Council of the City of Newport Beach and the Board of Administration of the California Public Employees' Retirement System;* and pass to a second reading on September 9, 2025.

**PUBLIC COMMENTS**

1. Adam Leverenz noted his concern related to the reduction of the percentage that Tier 1 employees contribute to pension costs.
2. Jim Mosher spoke on the division of payment for City employee pensions; voiced concern related to transparency as the agenda item title did not fully reflect the subject matter; highlighted the contract's numerous provisions; noted difficulty finding the existing contract in the City's records portal; and felt that the staff report should have been clearer.

**Motion by Councilmember Blom, seconded by Councilmember Weber,** 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) Waive full reading, direct the City Clerk to read by title only, and introduce Ordinance No. 2025-21, *An Ordinance of the City Council of the City of Newport Beach, California, Authorizing an Amendment to the Contract Between the City Council of the City of Newport Beach and the Board of Administration of the California Public Employees' Retirement System;* and pass to a second reading on September 9, 2025.

**The motion carried 7-0**

**37. Agreement for Purchase and Sale and Escrow Instructions with 3848 Campus L.P. for the Purchase of Real Property at 3848 Campus Drive**

- a) Determine this action exempt from 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 Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this action will not result in a physical change to the environment, directly or indirectly;
- b) Authorize the City Manager and City Clerk to execute the Agreement for Purchase and Sale of Real Property and Escrow Instructions, and all associated documents necessary to complete the

- purchase transaction, with 3848 Campus L.P., to purchase the property at 3848 Campus Drive, for a price of \$11,500,000 in a form substantially similar to the agreement attached to the staff report; and
- c) Approve Budget Amendment No. 26-018 to appropriate \$11,936,500 in increased expenditures from the unappropriated General Fund balances.

Real Property Administrator Wooding-Whitlinger and Assistant City Manager Jurjis presented the staff report and PowerPoint presentation. The presentation included the following amendment to the proposed agreement and escrow instructions:

**Section 2.1, (i), The proposed 45 days shall be changed to 120 days; and (ii), the proposed 90 days shall be changed to 200 days**

Staff reviewed the proposed amendments that would give the City additional time to receive further analysis if required.

Councilmember Weigand thanked staff and the seller for the proposed amendments and requested the Orange County Transit Authority (OCTA) work with staff as soon as possible.

Councilmember Barto noted that this was a great opportunity; the extension of time is very helpful; questioned what kind of guard rails the City has and the timeline; and requested regular updates on the status.

Assistant City Manager Jurjis responded that the City has a 200-day escrow; that staff would immediately begin working with OCTA on costs and timing of the project and noted alternative options of an extension or dropping out.

Councilmember Grant thanked the Ad Hoc Committee and staff; noted the improvement on the new set of terms; noted that the property owner was working with the City; and the City needs to be mindful of time.

Mayor Pro Tem Kleiman expressed appreciation to the OCTA Board of Directors; and reiterated her confidence of staff and the OCTA to get to a solution.

**PUBLIC COMMENTS**

Jim Mosher spoke on concerns related to the price and purchase of this property; and expressed concerns over whether there was a need to move the Newport Center Fire Station to the current Transportation Center, that would then require moving the Transportation Center to the potential location on Campus Drive.

**Motion by Mayor Pro Tem Kleiman, seconded by Councilmember Weigand,** to a) Determine this action exempt from 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 Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this action will not result in a physical change to the environment, directly or indirectly; b) Authorize the City Manager and City Clerk to execute the Agreement for Purchase and Sale of Real Property and Escrow Instructions, and all associated documents necessary to complete the purchase transaction, with 3848 Campus L.P., to purchase the property at 3848 Campus Drive, for a price of \$11,500,000 in a form substantially similar to the agreement attached to the staff report; and c) Approve Budget Amendment No. 26-018 to appropriate \$11,936,500 in increased expenditures from the unappropriated General Fund balances.

**The motion carried 7-0.**

**XIV. MOTION FOR RECONSIDERATION – None**

**ADJOURNMENT IN MEMORIAM**

Prior to recessing to Closed Session, Mayor Stapleton invited Councilmember Weigand to provide special comments on the recent passing of former Newport Beach Police Chief Charles Gross.

**XV. PUBLIC COMMENTS ON CLOSED SESSION**

No comments were received on Closed Session.

**XVI. CLOSED SESSION**

City Attorney Harp announced the Closed Session Items.

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Government Code § 54956.9(d)(1)): 2 matters

1. *Pacaso, Inc. v. City of Newport Beach*  
United States District Court Case No. 8:23-cv-01762-JVS-ADS
2. *Barbara Salvini v. City of Newport Beach*  
Orange County Superior Court Case No. 30-2024-01442980-CU-OE-CJC

**RECESS**

The Mayor recessed to Closed Session at 7:00 p.m.

**RECONVENE**

The Mayor reconvened the meeting at 7:55 p.m.

**XXIII. CLOSED SESSION REPORT**

Assistant City Attorney Yolanda Summerhill announced that there were no reportable actions.

**XVI. ADJOURNMENT IN MEMORIAM – Adjourned at 7:58 p.m. in memory of Police Chief Charles Gross, Retired**

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**Joe Stapleton**  
Mayor

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**Molly Perry**  
Interim City Clerk

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 August 21, 2025, at 4:30 p.m