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**Subject:** FW: R 3.10

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**From:** nancy gardner <[ngardner636@gmail.com](mailto:ngardner636@gmail.com)>  
**Sent:** January 18, 2026 2:15 PM  
**To:** Zdeba, Benjamin <[bzdeba@newportbeachca.gov](mailto:bzdeba@newportbeachca.gov)>  
**Subject:** R 3.10

**[EXTERNAL EMAIL] DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

This policy will have to be written as it's not PB&R but WQ that controls":

1. Advise and make recommendations to the City Council on policies, projects and programs that support and/or strengthen existing regulations to protect water quality and habitat in the bay and ocean;
2. Advise and make recommendations to the City Council on policies, programs and projects that improve the water quality and habitat of Newport Bay and the ocean;
3. Advise the City Council on implementation of the Tidelands Infrastructure Capital Plan in the following areas:
  1. Sea level rise as it affects ocean beaches.
  2. Ocean beach sand replenishment.
  3. Other capital projects affecting the ocean beaches and tidelands not covered by other committees;
4. Advise and make recommendations to the City Council on policies, programs and projects that educate the watershed's population about the value of Newport Bay and the ocean; and
5. Advise on any matter referred to the Water Quality/Coastal Tidelands Commi



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**Subject:** FW: Important Reminder: GPAC/GPUSC Meeting - Wednesday, January 21, 2026 at 4 p.m.

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**From:** Paul Watkins <[paul@lawfriend.com](mailto:paul@lawfriend.com)>  
**Sent:** January 18, 2026 3:20 PM  
**To:** Zdeba, Benjamin <[bzdeba@newportbeachca.gov](mailto:bzdeba@newportbeachca.gov)>  
**Cc:** nancy gardner <[ngardner636@gmail.com](mailto:ngardner636@gmail.com)>; Susan DeSantis <[SDeSantis@ArellanoAssociates.com](mailto:SDeSantis@ArellanoAssociates.com)>; Dennis & Diane Baker <[Dennis.Baker@DiandDen.net](mailto:Dennis.Baker@DiandDen.net)>; Greer, Arlene <[arlenegreer@gmail.com](mailto:arlenegreer@gmail.com)>; Evans, Jeremy <[JEvans@newportbeachca.gov](mailto:JEvans@newportbeachca.gov)>  
**Subject:** Re: Important Reminder: GPAC/GPUSC Meeting - Wednesday, January 21, 2026 at 4 p.m.

**[EXTERNAL EMAIL] DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

Hi Ben:

Thank you and your outstanding Team for all of your excellent work on the Agenda Packet (and, yes, Clarivel is a miracle worker for all her skilled GP organizational/support/herding cats efforts over the past several years).

Our comments/questions are limited. I look forward to a positive vote next Wednesday, January 21 on the Final Draft of the GPAC/GPUSC General Plan Update and the Draft Implementation Programs and Crosswalk Tool.

Here are a few thoughts:

(1) Page 25, top half of page: In addition to the "annual report" on the GP required by Ca Government Code Section 65400(a), our GP says that "the City is committed to more thorough reviews of each element once every **3** years." Just wondering if the **3**-year timetable for in depth review of each element is a bit ambitious in light of the cost and dedication of staff (and perhaps consultant) time to such an effort. (I note that at Page 76 the citywide historical resources survey may take place every **10** years; and at Page 331, the City's Noise Ordinance may be reviewed at least every **10** years.) As you know, this GP Update exercise has taken several years. I'm concerned that if we stick with an in depth mandated element review every **3** years (in addition to the "annual report"), there will never be a Staff "rest" from the GP. Would it be wiser to engage in a more in depth review, say, "at least every **5** years"?

(2) Page 38, Section 2.3: please make a small revision for this to read: "2.3 A harbor, a bay, and beaches that are safe, clean, and enjoyed by all".

(3) Page 40, Section 5.1: please change to lower case "city"; Page 41, Section 7.3, please change to upper case "City's"; Page 46, Policy AC-3.1, fourth line, please change to upper case "City".

(4) Bottom of Page 68 and top of Page 69, omitted language: due to the early onset of senility, I had forgotten that we agreed to remove the language discouraging the extension of the boardwalk at 36th Street (West Newport); I am generally OK with the underlined language at the top of Page 69 regarding coastal recreational amenities but would prefer that it read as follows: "The types and location of amenities will consider both the need for a passive, quieter family experience and a more active, dynamic coastal experience. As active, dynamic mobility experiences are provided, safe pedestrian access should always be prioritized."

(5) Page 109, top of page, line 2: please correct the last part of this line to read: "site-specific project such as a capital improvement".

(6) Page 171, Energy Transition: It is my understanding that in June of 2025, President Trump signed a resolution overturning a California law that would phase out the sale of new gas-powered cars by 2035. There may be other instances where California law is inconsistent with Federal law/pronouncements. It seems to me that we should add to this Section (or perhaps a global qualifier to the GP) to the effect that the Supremacy Clause (Article VI, Clause 2) of the US Constitution declares that Federal law is the supreme law of the land, binding on state courts and conflicting state laws; thus, to the extent Federal law is inconsistent with State law, Federal law will control. At the very least, this Section (and perhaps a global qualifier) should adopt language similar to the following: "Subject to Federal law and other preemptive legal requirements, . . . ."

Thanks again, Ben, for your and your Team's extraordinary efforts. Almost time to start chilling the Champagne.

Be well,

Paul

Paul K. Watkins for

Paul K. Watkins, APC  
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 Costa Mesa, CA 92627-4705  
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**From:** Zdeba, Benjamin <[bzdeba@newportbeachca.gov](mailto:bzdeba@newportbeachca.gov)>

**Sent:** Friday, January 16, 2026 2:40 PM

**To:** Gardner, Nancy; Evans, Jeremy; Greer, Arlene

**Cc:** Rodriguez, Clarivel; Murillo, Jaime; Elizabeth Dickson

**Subject:** Important Reminder: GPAC/GPUSC Meeting - Wednesday, January 21, 2026 at 4 p.m.

Hello, Chair Gardner and GPUSC Members, and Co-Chairs Evans and Greer and GPAC Members,

Happy Friday! I hope you all are enjoying this summer-like weather. Before I move on to the purpose of this email, I'd like to give kudos to Clarivel in our office for all her hard work supporting the GPUSC and GPAC meetings over the years, but especially with assembling the agenda packet for the upcoming meeting.

Speaking of the agenda packet, as you click to review it, you will find the download may take a little while and that there are **431** pages. The primary attachment in this packet is the Final Draft GPUSC/GPAC General Plan Update (Attachment 2), so I will draw your attention to that. While you are always encouraged to familiarize yourself with the attachments in their entirety, we have included the draft in redline-strikeout format to help narrow your focus and make it easier to digest what's new. These mark-ups reflect the changes that have been made based on your review and direction on the input from City Boards, Commissions, and Committees, and community members at your joint meeting in December. As a note, there will appear to be more changes than you might expect, as the Elements have also been updated with shorthanded titles in front of each policy for easier navigation.

Since there is a lot to get through, you are encouraged to provide any comments as soon as possible. This will allow us to distribute to the GPAC and GPUSC earlier for better preparation and will help us understand exactly what needs to be addressed at the meeting.

I'd like to also re-emphasize that I'm here to help. Please reach out to me anytime. I've enjoyed meeting with a few of you since the December meeting to talk about various points of interest and to help address concerns. Although City Hall is closed on Monday in observance of Martin Luther King Jr. Day, I will make myself available on Tuesday or Wednesday to help.

Lastly, this is a very important meeting. You will be considering a formal vote moving this draft forward and concluding your efforts, so it would be great to have as many of you attend as possible. If you cannot make it, let us know by email.

Thanks for all your diligence and hard work on this – I truly hope that you all can be proud of the draft documents presented.

Have a great weekend and see you next week!

Ben Z.



**Benjamin Zdeba, AICP**

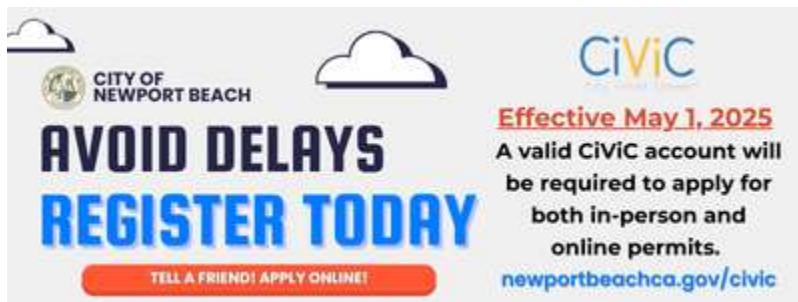
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**From:** Rodriguez, Clarivel <[CRodriguez@newportbeachca.gov](mailto:CRodriguez@newportbeachca.gov)>  
**Sent:** January 15, 2026 6:21 PM  
**Subject:** JOINT SPECIAL GPAC/GPUSC Meeting - Wednesday, January 21, 2026 at 4 p.m.

Good evening, Co-Chairs Greer and Evans, Chair Gardner, Committee Members and City Staff,

The agenda packet for the upcoming GPAC meeting is posted online, attached for your convenience (*Agenda only*), and available at the link below. Please contact Benjamin Zdeba, [bzdeba@newportbeachca.gov](mailto:bzdeba@newportbeachca.gov), with any questions or concerns you may have.

The meeting will be held at **Community Room, 100 Civic Center Dr., on Wednesday, January 21, 2026, at 4:00 p.m.** **Please reply to this email if you will be unable to attend this meeting.**

GPAC/GPUSC Agenda Packet: Click [here](#) to view the full packet. Due to large size of PDF our server cannot email as attachment.

GPAC Information page: Click [here](#) to view the webpage.

GPUSC Information Page: Click [here](#) to view the webpage.

*Please note: Due to the large size of the final draft General Plan Update, limited copies will be printed to share at the meeting.*

Thank you,



**Clarivel Rodriguez**

Assistant to the Community Development Director

Community Development Department

Office: 949-644-3232

100 Civic Center Drive

Newport Beach, CA 92660



## January 21 2026, GPUSC-GPAC Joint Agenda Comments

These comments on items on the Newport Beach [General Plan Update Steering Committee](#) and [General Plan Advisory Committee](#) joint meeting [agenda](#) are submitted by: Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### **Item IV. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This meeting to make recommendations about concluding the two committees' review of the General Plan seems a fairly important one at which one might think public participation would be encouraged. Yet, curiously, that it is happening is not evident from the [Newport, Together](#) website.

#### **Item V.a. GPAC/GPUSC Meeting Minutes of December 3, 2025**

The minutes appear to have been carefully prepared and reviewed, but a couple of minor corrections to the draft joint meeting minutes could be considered:

**Page 11**, paragraph 9, sentence 1: *"In response to GPAC Member Hayes' inquiry, GPUSC Chair Gardner reported that residents have fought in the past against public restrooms at the wedge **Wedge**."*

**Page 12**, paragraph 8, sentence 3: *"She added that they depend on staff and consultants to ensure that the GPAC drafts **is are** consistent with the Housing Element."*

**Page 12**, paragraph 10: *"GPAC Member Stevens stated that the General Plan includes already approved elements and separating them out from the GPAC's mission does **not** make sense."*

[comment: The video (at around [01:04](#)) confirms this is what was said. However, I believe the intent may have been to observe that removing already-approved elements from the GPAC's mission **does** make sense.]

It might also be noted that the title card for the [video](#) of this meeting says "November 3, 2025," and a banner at the bottom of the screen says the same until about 43 minutes in, when it switches to "December 3, 2025."

#### **Item V.b. Review and Consideration of the Final Draft of the GPAC/GPUSC General Plan Update**

Others may have done better, but I have managed to review only a small fraction of the materials provided, and have attempted to submit separately my comments on what little I was able to review.

While many of the recommended policies may be good, one of my major concerns is that, at least during the period in which we were assisted by the consultant, the GPAC was never asked to examine the existing General Plan and suggest how it could be improved. Instead, the consultant selected policies for the subcommittees to review. The many errors I now find in the narrative portions of the draft elements make me question how deeply the consultant

understands our community, and hence whether their policy choices, and particularly their choices of policies to omit, were all wise ones.

I am also concerned with the background reports, which are not being reviewed here, but which we understand will somehow be linked to what *is* being reviewed to provide readers with an opportunity for a “deeper dive” into the issues being addressed. My fear is that without further review, they may be more a source of misinformation than enlightenment.

### ***Item V.c. Review and Consideration of the Draft Implementation Programs and Crosswalk Tool***

It seems a bit ironic to me that when a lack of consistent implementation was identified by the GPUSC and GPAC as one of the problems with the existing General Plan, we would be recommending a continuation of the existing Implementation Program, albeit supplemented by a “Crosswalk Tool.”

I think the existing format, which requires fitting each policy to some set of generic implementation programs, is less ideal than developing implementations specific to the policy.

In that regard, at the December 3rd meeting, GPAC member Anders-Ellmore pointed out that during the GPAC’s earlier policy discussions when a refinement to a policy was suggested, the response was frequently something to the effect of “that is too specific for the General Plan, doing that will come in the implementation.” I fear many of those policy-specific implementation suggestions have been lost.

Regarding the Crosswalk Tool, while it will certainly be a helpful guide to the intended policy implementation, it was pointed out at the last meeting that for a policy subject to multiple implementation programs, the responsible department and timeline may be different for each program. Indeed, the way the Implementation Program is written, a single program, as applied to a particular policy could involve more than one department or timeline. Yet, in the spreadsheet’s present form, for a given policy, all implementing actions are confusingly combined on a single Excel row, with multiple programs (and departments) cited in a single cell. Both for the intent to be clear, and for the spreadsheet to be sortable, each applicable program and each variation within it needs to be on a separate row.

It was also pointed out at the last meeting that many agencies indicate how they expect each program to be funded. I do not know if that has been or will be considered.

### ***Item V.d. Considering a Recommendation to City Council on an Ad Hoc General Plan Implementation Committee***

In the absence of a staff report, it is difficult to guess, but my understanding is that in this context an “ad hoc” committee would be something that is appointed for a specific purpose and then dissolves once its objective has been accomplished.

From the draft December 3rd GPUSC minutes (at the end of Item V.a on the present agenda) the recommendation to be discussed might be for a “small” committee (it was not clear if it would be a committee of Council members or citizens) to be appointed each year to hold a

single meeting to review and write a report about the state of implementation of “one or two” elements, on a rotating basis.

While that may be helpful, I would think lettin the GPAC spend more time fleshing out the immediate steps needed to implement General Plan goals, and working them into the Implementation Program might also be helpful.

### **Item V.e. Next Steps and Closing**

The most recent document governing the GPAC, City Council [Resolution No. 2025-2](#), sets GPAC’s primary responsibility as reviewing and making recommendations to City staff, consultants and the GPUSC about changes to the goals and policies in the General Plan. But it also says the GPAC exists to ensure there is sufficient stakeholder input regarding the General Plan Update. As such, it says the GPAC continues to exist until the Council actually adopts a revised General Plan, unless dissolved earlier by the Council.

Although there is a note after Item VII in the present agenda saying “*Next Meeting: TBD*,” the announcement of this Item V.e is written in such a way as to strongly suggest there will be no next meeting, as if the GPUSC and GPAC were being asked to self-dissolve at the conclusion of the present meeting. It does not seem to me Resolution No. 2025-2 gives either the committees or the staff the power to do this. Only the Council can prematurely dissolve the committees. And while the resolution sets the current appointments to end on the date of the first Council meeting in February (which will fall on [February 10](#)), and while Council Policy A-2 directs the City Clerk to announce vacancies two months before they occur, which she has not done, appointees normally serve until the appointee’s successors have been named, and no successors have yet been named.

If staff will be asking the Council to dissolve the GPUSC and GPAC on February 10 or before, they will perhaps tell us under this item. However, I think that would be unwise. The General Plan update is not complete until a new plan is adopted, and until a plan is adopted, stakeholder input is still needed.

We have heard, for example, that the end product of the update effort will be an online plan in an as-yet completely unknown format. While the boards, commissions and other committees will presumably be concentrating on goals and policies, the GPAC could be providing input on the format of the online plan as it evolves.

There is also an as-yet to be released Glossary, whose definitions of words may alter the meaning of goals or policies the GPAC has previously reviewed.

There may be recommendations for implementation follow-up that are unlikely to be fully fleshed out at the present meeting.

And there is always the unexpected that could come up during the “final” review by the other boards, commissions and committees, which I think is why Resolution No. 2025-2 is written to retain the GPAC until a revised plan is actually adopted.

In short, I don’t believe the GPAC’s work is done.