



# NEWPORT BEACH

## City Council Staff Report

July 9, 2024  
Agenda Item No. 11

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Leilani I. Brown, City Clerk - 949-644-3005,  
lbrown@newportbeachca.gov

**PREPARED BY:** Leilani I. Brown, City Clerk

**TITLE:** Appointment to the Building and Fire Board of Appeals

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### **ABSTRACT:**

The appointments to the annual vacancies on the City of Newport Beach's boards and commissions occurred at the June 25, 2024 City Council meeting, pursuant to City Council Policy A-2 (*Boards, Commissions and Committees*). There was only one application for the two vacancies on the Building and Fire Board of Appeals, so Khosrow Nourmohammadi (Saum Nour) is requesting that the City Council reappoint him for a third term.

### **RECOMMENDATIONS:**

- 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) Waive a portion of City Council Policy A-2; and
- c) Reappoint Saum Nour to a third term on the Building and Fire Board of Appeals.

### **DISCUSSION:**

Pursuant to City Council Policy A-2, Mayor Will O'Neill established a City Council Ad Hoc Appointments Committee (Committee) comprised of himself, Mayor Pro Tem Joe Stapleton, and Councilmember Lauren Kleiman. The Committee was charged with reviewing the applications and making recommendations to the City Council to fill the vacancies on the City's boards and commissions which expired on June 30, 2024. The City Council made annual appointments to fill the vacancies at its June 25, 2024 meeting.

At the conclusion of the application period on May 8, 2024, only one application was received for the two vacancies on the Building and Fire Board of Appeals. Khosrow Nourmohammadi (Saum Nour) requested he be considered for his vacant seat. Mr. Nour was first appointed in 2015 to serve an unscheduled vacancy, reappointed in 2016 to serve a full four-year term, and reappointed in 2020 to serve his second full four-year term. He currently serves as the chair of the Building and Fire Board of Appeals.

The vacancy notice for the annual vacancies indicated that vacancies would remain open until filled. If the City Council desires to reappoint Mr. Nour to a third term, a waiver would be needed relative to the portion of City Council Policy A-2 (*Boards, Commissions and Committees*) which states, "...no person shall be eligible for appointment to any one City Board, Commission, or Committee for more than two consecutive four-year terms..."

If the City Council waives the portion of City Council Policy A-2 and reappoints Mr. Nour to a third term, he would also be eligible to serve an additional four-year term after the 2024-2028 term expires.

**FISCAL IMPACT:**

There is no fiscal impact related to this item.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action 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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENT:**

Attachment A – Application