



**CITY OF NEWPORT BEACH
CITY COUNCIL AGENDA**

**OCTOBER 14, 2025
COUNCIL CHAMBERS - 100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA 92660**

**STUDY SESSION – 4:00 P.M. (PUBLIC WELCOME)
REGULAR MEETING - 4:30 P.M.
CLOSED SESSION FOLLOWS MOTION FOR RECONSIDERATION**

**JOE STAPLETON, Mayor
LAUREN KLEIMAN, Mayor Pro Tem
MICHELLE BARTO, Councilmember
NOAH BLOM, Councilmember
ROBYN GRANT, Councilmember
SARA J. WEBER, Councilmember
ERIK WEIGAND, Councilmember**

**GRACE K. LEUNG, City Manager
AARON C. HARP, City Attorney
MOLLY PERRY, Interim City Clerk**

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Clerk 24 hours prior to the scheduled City Council meeting.

LEVINE ACT

Under the Levine Act, Section 84308 of the Government Code, a party to a proceeding before the City involving a contract (other than competitively bid, labor, or personal employment contracts), franchise, license, permit, or other entitlement for use, is required to disclose on the record of the proceeding any contribution in an amount of more than five hundred dollars (\$500) made within the preceding 12 months by the party or the party's agent to any elected or appointed officer of the City. If you have made a qualifying contribution, please ensure to make this disclosure on the record.

PUBLIC HEARINGS

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

NOTICE TO THE PUBLIC

Any times listed in this agenda are provided as a courtesy and the actual item may be heard either before or after the time given.

This agenda was prepared by the City Clerk and staff reports are available in the City Council Chambers lobby located at 100 Civic Center Drive. Staff reports or other written documentation have been prepared or organized with respect to the items of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation regarding any item of business on the agenda, please contact City Clerk staff at 949-644-3005. Agendas and staff reports are also available on the City's webpage at newportbeachca.gov/agendas.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact City Clerk staff prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or cityclerk@newportbeachca.gov).

I. **ROLL CALL - 4:00 p.m.**

II. **PRESENTATIONS**

- Presentation of Proclamation to May Shen, Mayor's Youth Council Participant, and Recognition of Outstanding Community Service related to Homeless Advocacy
- Presentation of Proclamation to Ted Robinson
- Presentation of Commendation to Jack Jasper
- History of John Wayne Airport by former Mayor and Citizen of the Year, Thomas C. Edwards

III. **STUDY SESSION**

SS1. Clarification of Consent Calendar Items

SS2. Discussion to Consider Possible Traffic Calming and Public Safety Measures in the Bayview Heights Neighborhood

As a follow-up to resident requested improvements and to a Policy A1 item request from Councilmember Weigand at the August 26, 2025, meeting, staff will present a review and discussion on Traffic Calming and Public Safety Measures in the Bayview Heights neighborhood of Santa Ana Heights.

[Bayview Heights Traffic Calming and Public Safety Presentation](#)

[Correspondence](#)

[On the Agenda](#)

[SS2 - Correspondence](#)

IV. **RECESS**

V. **RECONVENE AT 4:30 P.M. FOR REGULAR MEETING**

VI. **ROLL CALL**

VII. **INVOCATION - Julie Holdaway, Chief Strategy & Learning Officer, Merage Jewish Community Center of Orange County**

VIII. **PLEDGE OF ALLEGIANCE**

IX. **CITY COUNCIL ANNOUNCEMENTS AND ORAL REPORTS FROM CITY COUNCIL ON COMMITTEE ACTIVITIES**

X. **PUBLIC COMMENTS ON AGENDA AND NON AGENDA ITEMS**

The City Council of Newport Beach welcomes and encourages community participation. Public comments are invited on items listed on the agenda and non-agenda items. Speakers must limit comments to three minutes per person to allow everyone to speak. Written comments are encouraged as well. The City Council has the discretion to extend or shorten the time limit on agenda or non-agenda items.

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

- Consideration of amendments to the Newport Beach Municipal Code to enhance enforcement of bicycle safety by prohibiting operation of a bicycle or e-bicycle in an unsafe manner, requiring helmets for all riders under 18, enhancing penalties for violations, applying bicycle regulations as set forth in Chapter 12.56 to e-bicycles, and updating sidewalks where riding bicycles and e-bicycles are permitted (Submitted by Councilmember Barto).

[Written Comments](#)

XII. PUBLIC COMMENTS ON CONSENT CALENDAR

This is the time in which Councilmembers may pull items from the CONSENT CALENDAR for discussion (ITEMS 1 - 15). Public comments are also invited on Consent Calendar items. Speakers must limit comments to three minutes. Before speaking, please state your name for the record. If any item is removed from the Consent Calendar by a Councilmember, members of the public are invited to speak on each item for up to three minutes per item.

All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. Councilmembers have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of these items prior to the time the City Council votes on the motion unless members of the City Council request specific items to be discussed and/or removed from the Consent Calendar for separate action.

XIII. CONSENT CALENDAR

XIV. READING OF MINUTES AND ORDINANCES

1. Minutes for the September 23, 2025, Regular City Council Meeting

Waive reading of subject minutes, approve as written, and order filed.

[Minutes](#)

[Written Comments](#)

[1 - Correspondence](#)

2. Reading of Ordinances

Waive reading in full of all ordinances under consideration and direct the City Clerk to read by title only.

XV. ORDINANCES FOR ADOPTION

3. Ordinance No. 2025-26: Adding Chapter 6.30 Prohibition of Sale and Distribution of Flavored Tobacco Products

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 a second reading and adopt Ordinance No. 2025-26, *An Ordinance of the City Council of Newport Beach, California, Amending Chapter 6.25 (Regulation of Smoking in Public Areas) and Adding Chapter 6.30 (Prohibition of Sale and Distribution of Flavored Tobacco Products) to Title 6 (Health and Sanitation) of the Newport Beach Municipal Code, Relating to Smoking and Tobacco Sales.*

[Staff Report](#)

[Attachment A - Ordinance No. 2025-26](#)

[Written Comments](#)

4. Ordinance No. 2025-27: Adding Chapter 6.40 Prohibition of Sale, Distribution and Use of Nitrous Oxide

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 a second reading and adopt Ordinance No. 2025-27, *An Ordinance of the City Council of Newport Beach, California, Adding Chapter 6.40 (Prohibition of Sale, Distribution, and Use of Nitrous Oxide) to Title 6 (Health and Sanitation) of the Newport Beach Municipal Code, Relating to Nitrous Oxide Sales.*

[Staff Report](#)

[Attachment A - Ordinance No. 2025-27](#)

[Written Comments](#)

5. Ordinance No. 2025-28: Amending Subsection B of Section 10.04.010 of Chapter 10.04 to define Possession of an Open Container

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 a second reading and adopt Ordinance No. 2025-28: *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 10.04.010 (Drinking in Public) of Chapter 10.04 (Intoxicating Liquor) of the Newport Beach Municipal Code Related to the Possession of Alcoholic Beverages.*

[Staff Report](#)

[Attachment A - Ordinance No. 2025-28](#)

6. Ordinance No. 2025-29: Adding Section 11.04.085 (Prohibiting the Use of Electric Bicycles and Similar Devices on the Newport Elementary School Playground) and Amending Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code

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 a second reading and adopt Ordinance No. 2025-29: *An Ordinance of the City Council of the City of Newport Beach, California, Adding Section 11.04.085 (Prohibiting the Use of Electric Bicycles and Similar Devices on the Newport Elementary School Playground) and Amending Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code.*

[Staff Report](#)

[Attachment A - Ordinance No. 2025-29](#)

7. Ordinance No. 2025-30: Amending Section 2.12.110 of Chapter 2.12 (Administrative Departments) of the Newport Beach Municipal Code to Include Education and Enforcement Related Provisions as a Function of the Recreation & Senior Services Department

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. 2025-30: *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 2.12.110 of Chapter 2.12 (Administrative Departments) of the Newport Beach Municipal Code to Include Education and Enforcement Related Provisions as a Function of the Recreation and Senior Services Department.*

[Staff Report](#)

[Attachment A - Ordinance No. 2025-30](#)

XVI. RESOLUTIONS FOR ADOPTION

8. Resolution No. 2025-65: Creating the Newport Beach Police Headquarters Assessment 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 direct or indirect physical change to the environment; and

b) Adopt Resolution No. 2025-65, *A Resolution of the City Council of the City of Newport Beach, California, Creating the Newport Beach Police Headquarters Assessment Committee.*

[Staff Report](#)

[Attachment A - Resolution No. 2025-65](#)

[On the Agenda](#)

[Written Comments](#)

XVII. CONTRACTS AND AGREEMENTS

9. Slurry Seal Program Fiscal Year 2024-25 - Notice of Completion for Contract

No. 9717-1 (25R04)

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

[Staff Report](#)

[Attachment A - Location Map](#)

10. Balboa Yacht Basin Maintenance Dredging - Award of Contract No. 9944-1 (26H13)

a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 Class 4 (Minor Alterations to Land - Maintenance Dredging) 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) Approve Budget Amendment No. 26-033 appropriating \$2,049,344 in increased expenditures in Account No. 10101-980000-26H13 from the Tidelands Capital Fund unappropriated fund balance;

d) Award Contract No. 9944-1 to Pacific Dredge and Construction, LLC for the total bid price of \$3,543,949 for the Balboa Yacht Basin Maintenance Dredging project, and authorize the Mayor and City Clerk to execute the contract; and

e) Establish a contingency of \$354,395 (10% of total bid) to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attachment A - Budget Amendment](#)

[Attachment B - Location Map](#)

[Written Comments](#)

11. Approval to Purchase Three 2026 or Newer Model Year Rescue Ambulances from Professional Sales and Service, L.C.

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 the selection and purchase of three 2026 or newer model year Horton 623FL Type 1 2WD ambulances on 2026 or newer Freightliner M2 Medium Duty Chassis, from Professional Sales and Service, L.C., using cooperative selection and pricing under Sourcwell Contract #122123-RVG;

c) Authorize the City Manager to execute any necessary purchase agreements related to the purchase on a form approved by the City Attorney; and

d) Approve Budget Amendment No. 26-032 appropriating \$1,570,065.69 in increased expenditures in the vehicle replacement fund, account no. 7529032-911016 from the Equipment Internal Service Fund (752) reserves.

[Staff Report](#)

[Attachment A - Proposal from Professional Sales and Service, L.C.](#)

[Attachment B - Sourcewell Contract](#)

[Attachment C - Budget Amendment](#)

[Written Comments](#)

12. Amendment to Services Agreement with Global Power Group, Inc., for Maintenance and Repair Services for City Generators

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 Maintenance Services Agreement with Global Power Group, Inc., to extend the existing agreement two years until December 31, 2027, and to increase the contract amount by \$250,000, and authorize the Mayor and City Clerk to execute the Agreement.

[Staff Report](#)

[Attachment A – Amendment No. One](#)

13. Approval of the Lecture Hall Auditorium Naming Rights Agreement

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 the Newport Beach Public Lecture Hall Naming Rights Donation Agreement between the City of Newport Beach and the Newport Beach Public Library Foundation for the naming of the auditorium; and

c) Waive City Council Policy B-9, *Naming of City Parks and Facilities* and City Council Policy B-17, *Parks, Facilities, and Recreation Program Donations*, for the naming of the auditorium.

[Staff Report](#)

[Attachment A - Auditorium Naming Rights Agreement](#)

[Written Comments](#)

XVIII. MISCELLANEOUS

14. Annual Review of Visit Newport Beach Audited Financial Statements and Expenditure Report

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) Receive and file.

[Staff Report](#)

[Attachment A - Visit Newport Beach Audited Financial Statements for the Year Ended June 30, 2025](#)

[Attachment B - Newport Beach and Company Audited Financial Statements for the Year Ended June 30, 2025](#)

[Attachment C - Visit Newport Beach Expenditure Compliance Report for the Year Ended June 30, 2025](#)

[Written Comments](#)

15. Planning Commission Action Report and Agenda for the October 9, 2025, Meeting

Receive and file.

[PC Action Report](#)

[PC Agenda](#)

ACTION: MOVE AFFIRMATIVE ACTION OF THE CONSENT CALENDAR, EXCEPT FOR THOSE ITEMS REMOVED

XIX. ITEMS REMOVED FROM THE CONSENT CALENDAR

XX. PUBLIC HEARINGS

16. Ordinance Nos. 2025-32 and 2025-33: Amending Titles 20 and 21 of the Newport Beach Municipal Code Establishing the Special Flood Hazard Area (VE) Overlay (PA2018-075)

- a) Conduct a public hearing;
- b) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15305 under Class 5 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines because it has no potential to have a significant effect on the environment;
- c) Waive full reading, direct City Clerk to read by title only, introduce Ordinance No. 2025-32, *An Ordinance of the City Council of the City of Newport Beach, California, Adopting Revisions to Zoning Code Amendment (PA2018-075) Amending Title 20 (Planning and Zoning) of the City of Newport Beach Municipal Code to Establish the Special Flood Hazard Area Overlay for Consistency with the California Coastal Commission's Modifications (PA2018-075)*, and pass to second reading on October 28, 2025; and
- d) Waive full reading, direct City Clerk to read by title only, introduce Ordinance No. 2025-33, *An Ordinance of The City Council of the City of Newport Beach, California, Approving an Amendment to Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code, as Modified by the California Coastal Commission, to Establish the Special Flood Hazard Area Overlay (PA2018-075)*, and pass to second reading on October 28, 2025.

[Staff Report](#)

[Attachment A - Ordinance No. 2025-32 \(Title 20\)](#)

[Attachment B - Ordinance No. 2025-33 \(Title 21\)](#)

[Attachment C - Resolution No. 2023-37](#)

[Attachment D - Ordinance No. 2023-10](#)

[Attachment E - City Council Staff Report dated June 13, 2023 \(without attachments\)](#)

[Attachment F - Coastal Commission Approval Letter and Suggested Modifications](#)

[Attachment G - Redline-Strikeout Version of Title 21 Code Amendment](#)

[On the Agenda](#)

17. Resolution No. 2025-66: Coyote Canyon Landfill Gas to Energy Facility Appeal (PA2022-063)

- a) Conduct a de novo public hearing; and
- b) Adopt Resolution 2025-66; *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 Adopt a Mitigated Negative Declaration and Approve a Conditional Use Permit to Construct and Operate a Landfill Gas-to-Energy Facility at 20662 Newport Coast Drive (PA2022-063).*

[Staff Report](#)

[Attachment A - Resolution No 2025-66](#)

[Attachment B - Visual Simulations](#)

[Attachment C - Project Plans](#)

[Attachment D - July 17, 2025 PC Staff Report](#)

[Attachment E - Resolution No. PC2025-008](#)

[Attachment F - July 17, 2025 PC Minutes](#)

[Attachment G - Appeal Application](#)

[Attachment H - City Appeal Response Letter](#)

[On the Agenda](#)

[PA2022-063 Supplemental Memo](#)

XXI. CURRENT BUSINESS

18. Appointment of Lena Shumway as City Clerk and Approval of Employment Agreement

- 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) Pursuant to Charter Section 600, appoint Lena Shumway as City Clerk for the City of Newport Beach, effective October 20, 2025; and
- c) Approve and authorize the Mayor and City Clerk to execute an employment agreement between the City of Newport Beach and Lena Shumway, subject to the terms and conditions approved by the City Council.

[Staff Report](#)

[Attachment A - Employment Agreement](#)

[On the Agenda](#)

XXII. MOTION FOR RECONSIDERATION

A motion to reconsider the vote on any action taken by the City Council at either this meeting or the previous meeting may be made only by one of the Councilmembers who voted with the prevailing side.

XXIII. PUBLIC COMMENTS ON CLOSED SESSION

XXIV. CLOSED SESSION - Council Chambers Conference Room

- A. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION - INITIATION OF LITIGATION
Government Code § 54956. 9 (d)(4)): 1 matter.

XXV. CLOSED SESSION REPORT

XXVI. ADJOURNMENT IN MEMORIAM - JEFFREY JOHN BITETTI

Testimony given before the City Council is recorded.

The timer light will turn yellow when the speaker has one minute remaining.

The timer light will turn red when the speaker has 10 seconds remaining.

PLEASE TURN CELL PHONES OFF OR SET IN SILENT MODE.