

# City of Newport Beach

## *Legislative Platform*

Adopted ~~February 28, 2023~~ April \_\_\_\_\_, 2026 (term indefinite until repealed or replaced)

### **PURPOSE**

The City of Newport Beach legislative platform summarizes the City's core legislative principles and positions for the purpose of advocacy efforts at the local, regional, ~~S~~state and federal levels. The platform provides ~~clear~~ direction on pertinent issues and ~~thus~~ enables staff to address legislative and regulatory matters in a timely manner.

The policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action.

### **GUIDING PRINCIPLES**

- I. **Preserve Local Control** – As a charter city, the City supports the protection or expansion of local, decision-making authority and its ability to provide public services. It opposes the preemption of local control such as mandated, additional costs without appropriate reimbursement. Local agencies should preserve authority and accountability for revenues raised and services provided.
- II. **Maintain Fiscal Responsibility** – The City supports measures that protect its existing funding sources and revenue base and its control over local government budgeting. It opposes any effort to shift local funds to the County, State or ~~f~~Federal governments or diminish its revenue base, including unfunded mandates by the State or ~~f~~Federal governments.
- III. **Protect Quality of Life** – The City supports legislation and funding that preserves the safety, security and well-being of its residents, businesses and visitors. It opposes any effort that negatively impacts the community's quality of life.
- IV. **Support Private Property Rights** – The City supports the preservation or enhancement of private property rights and opposes measures that erode or reduce laws that protect private property rights.
- V. **Promote Economic Development** – The City supports legislation and regulatory streamlining initiatives that would enhance the City's ability to attract

and retain businesses as well as encourage business expansion and job retention.

## LEGISLATIVE STRATEGY

The City shall proactively engage State, County and federal legislators, regulatory agencies, and regional authorities to advance the policies set forth in this Platform. The City will prioritize early intervention in the legislative process, and coalition building with similarly situated cities.

## **PLATFORM ISSUES**

The following categories generally reflect priorities of the City on a regular and long-term basis:

I – *AVIATION*. As a neighbor to John Wayne Airport (JWA), the City is actively involved in efforts to protect its residents from the impacts of the airport. The City shall advocate for legislative and executive actions consistent with the Council’s Airport Policy (A-17) and/or that:

- (a) Preserve and, assuming the terms and conditions are consistent with Council Policy A-17, amend or otherwise extend the JWA Settlement Agreement.
- (b) Preserve and protect the 2006 Cooperative Agreement between the County of Orange and the City.
- (c) Oppose changes in regional aviation policies that would regionalize aviation administration or that would allow a regional entity the power of eminent domain to expand airport capacity.
- (d) Support legislative and regulatory initiatives to study and mitigate the noise and air quality impacts associated with air traffic overflights.
- (e) Support local control over local airports.
- (f) Support efforts to increase usage of airports with excess capacity such as Ontario International, provided the increased usage does not materially impact the quality of life of nearby residents.
- (g) Support efforts to encourage the operation of aircraft with quieter engines at John Wayne Airport.
- (h) Support local authority over new aviation technologies including electric vertical takeoff and landing aircraft and, drones, and advanced air mobility.
- (g)(i) Support efforts legislation to requiring transparent public engagement and environmental review prior to any significant change to aviation operations, infrastructure, or technology affecting the community. flight paths, operations or airport capacity

*II – HOUSING AND LAND USE REGULATIONS.* The City seeks to protect and strengthen its land use authority, including regulation of residential recovery facilities and group homes, zoning, incorporation, annexation, and community development. Therefore, the City shall:

- (a) Support efforts that would allow cities and counties greater control over the placement and management of residential recovery facilities, parolee homes, sober living homes, and other group accommodations in residential areas, while respecting disabled persons' right to housing.
- (b) Support efforts to ensure the accountability of State-licensed residential recovery facility operators including expanded inspection, licensing, disclosure, and enforcement authority for State and local agencies to ensure that operators comply with health, safety, fair housing and anti-fraud laws.
- (c) Support efforts to strengthen the legal and fiscal capability of the City to prepare, adopt and implement plans for orderly growth, development, beautification and conservation of local planning areas, including but not limited to, regulatory authority over zoning, subdivisions and annexations.
- (d) Oppose development agreements in the City's spheres of influence in undeveloped areas that do not conform to City standards.
- (e) Support legislation that simplifies requirements for General Plan Housing Elements.
- (f) Support measures to improve or otherwise streamline local governments' working relationship and permitting ability with County, State and ~~f~~Federal resources agencies and commissions.
- (g) Support legislation that provides funding or programs to address the lack of affordable housing as long as it does not impose mandated costs or diminish the City's zoning authority.
- (h) Aggressively support measures that preserve local control over planning and zoning matters.
- (i) Oppose legislation and regulatory efforts that eliminate or diminish the City's authority to zone and plan for the development of telecommunication infrastructure.
- (j) Oppose legislative efforts that reduce the City's ability to zone for or regulate short-term rental properties.
- (k) Support legislation that maintains local control over ~~medical—marijuana dispensaries—commercial cannabis activities~~ and upholds cities' ability to regulate and ban dispensaries or prohibit such uses as authorized by law.
- (l) Support measures that provide municipalities with increased input in the development of the Regional Housing Needs Assessment (RHNA).

- (m) Support efforts to ensure the accuracy of the information and assumptions used to create RHNA allocations.
- (n) Support legislation that preserves local discretion in the assessment, collection and usage of development fees for projects including, but not limited to, water, wastewater, transportation, and other critical infrastructure needs.
- (o) Oppose efforts that restrict the use and disposition of City property.
- (p) Support legislation and regulatory authority to prevent “body brokering,” patient trafficking, referral kickbacks, and other predatory practices associated with residential recovery facilities.
- (q) Support efforts that allow for cities to impose reasonable spacing, operational, and management standards on group living facilities consistent with State and federal fair-housing laws, to protect patients and quality of life.
- (r) Support efforts to restore greater local input and flexibility in the preparation, implementation, and amendment of Housing Elements and in the administration of State housing laws.

*III – FISCAL STABILITY.* The City’s objective is to protect existing revenue sources and to limit the cost of government upon the taxpayers of Newport Beach. The City also seeks to protect Newport Beach residents and businesses from onerous fiscal actions by other levels of government (County, State, ~~f~~Federal) which may impair our ability to protect our quality of life. Therefore, the City shall:

- (a) Support legislation leading to greater financial independence from the State government and which would result in greater predictability in local government budgeting.
- (b) Oppose legislation that would impose State and ~~f~~Federal mandates for which there is no or inadequate local reimbursement or offsetting benefits.
- (c) Oppose actions to change 1978’s Proposition 13, including the development of a “split roll” property tax valuation system.
- (d) Support legislation that reforms California's tort system to promote personal responsibility for one’s actions and reduce frivolous lawsuits, ~~to~~ curtail unreasonable liability exposure for public agencies and restore the ability of public agencies to obtain affordable insurance.
- (e) Oppose any changes in State law that would further limit the ability of charter cities to manage their affairs.
- (f) Oppose new or expanded State taxes and fees that affect local services.
- (g) Support legislation that generally promotes market-based compensation and oppose legislation that mandates State-defined labor compensation and benefits.
- (h) Oppose legislative or regulatory actions that would increase the City’s required contribution costs to CalPERS.

- (i) Oppose legislation that expands public employee pension or retiree benefit obligations without sustainable, long-term funding mechanisms.
- (j) Oppose legislative or regulatory policies that would increase the likelihood of litigation involving local taxes and fees.
- (k) Support legislation that preserves local authority to set and adjust user fees and cost-recovery charges for municipal services.
- ~~(f)(l)~~ Support legislation that preserves local flexibility to finance and deliver critical infrastructure and capital improvement projects.

IV – *LABOR RELATIONS*. The City respects the working conditions, benefits, and rights of Newport Beach employees and the conservative fiscal management principles of the community. Therefore, the City shall:

- (a) Support legislation that promotes fiscally responsible public retirement benefits and oppose legislation that threatens to increase the cost and burden of administering retirement benefits.
- (b) Oppose legislation that imposes mandated (State or ~~f~~Federal) employee benefits that are more properly decided at the local bargaining table.
- (c) Oppose efforts that reduce local control over public employee disputes.
- (d) Support workers' compensation-related legislative measures which positively affect public employers.
- (e) Support preservation of local flexibility in workforce management, scheduling, contracting and recruitment.
- ~~(d)~~(f) Oppose legislation that restricts the City's ability to manage staffing models, deploy personnel efficiently, or implement operational changes necessary to maintain service levels and customer service.

V – *TRANSPORTATION*. The City supports multi-modal transportation systems, programs and services. Therefore, the City shall:

- (a) Encourage ~~f~~Federal, State, County and local programs to increase funding and simplify permitting for transit, bicycling, and pedestrian travel.
- (b) Support legislation and voter-approved bond measures that help local agencies finance local transportation facilities.
- (c) Oppose legislation that requires additional County, State and ~~f~~Federal review of projects that are predominantly of regional or local significance.
- (d) Support legislation that gives local agencies greater access to and discretion over transportation funds.
- (e) Support legislative efforts to simplify and create efficiencies within the California Environmental Quality Act (CEQA) as it pertains to small- and large-scale transportation projects.

- (f) Support legislative and municipal efforts to enhance or expedite the bond obligation payoff of the State Route 73 Toll Road so as to remove tolls, and turn the facility into a free roadway facility as originally intended.
- (g) Support legislation and funding that improve evacuation routes, traffic management, roadway resilience, parking management technology, and other local transportation systems necessary to serve residents, visitors, and emergency response needs.
- (h) Support local discretion over mobility planning, including curb management, parking regulation, micromobility, and transportation technologies operating within the public right-of-way.

VI – *ENVIRONMENTAL QUALITY*. The City supports effective measures to improve the environment, including water quality, solid waste, hazardous materials clean-up, and ocean, beaches and bay protection. Therefore, the City shall:

- (a) Support legislation that would establish or increase funding for local agencies to analyze and mitigate potential impacts of sea level rise on coastal communities.
- (b) Support measures that enhance local authority and flexibility to regulate solid waste and recyclable materials.
- (c) Support efforts that provide a dedicated stream of funds to projects benefiting area beaches and waterways, including adequate and independent funding for boating and waterways.
- (d) Seek any appropriate one-time and/or long-term sources of funds and/or services to enhance and protect Newport Bay, including Lower Newport Bay and Upper Newport Bay dredging activities.
- (e) Support efforts that ensure that public waters are accessible, safe and clean.
- (f) Oppose legislation that would allow the development of new off-shore oil platforms along the Orange County coastline.
- (g) Support legislation that provides for oil spill prevention and response efforts while incorporating engagement and feedback from local authorities.
- (h) Support funding for remediation of closed oil operations where the land will transition to non-residential development, habitat, parkland or ~~and~~ open space.
- (i) Support measures that improve funding resources and the science associated with water quality testing and beach closure standards.
- (j) Advocate for Regional Board control over fines and fees collected from water quality violations so that such fines and fees remain in the region and returned to local agencies to be used directly for water quality improvements.
- (k) Support efforts to complete the Orange Coast River Park.
- (l) Support changes to the California Environmental Quality Act (CEQA) that retain CEQA's foundation of appropriately addressing environmental impacts but that

ensure that CEQA is not used as a tool for litigation and the delay of important projects.

~~Oppose conflicting State regulations...~~

~~(f)(m)~~ Support water quality objectives and legislation based on industry standards, methods, testing, data collection and science-based criteria.

*VII – WATER SUPPLY AND UTILITIES.* The City supports effective measures to maintain local control and improve utilities, including the City’s water supply ~~and sanitation system~~, and that promote the reliability and cost-effectiveness of other utilities, such as electricity and natural gas.

Therefore, the City shall:

- (a) Support projects, legislation and funding measures (including statewide bond measures) that would increase water supply and improve water quality in this region.
- (b) Support efforts that encourage and incentivize coordinated planning activities for sustainable water resources, infrastructure and planning.
- (c) Oppose measures that limit the City’s ability to regulate the quality of public water or limit public use.
- (d) Support efforts to protect local water rights and the reliability and security of Orange County’s water supplies.
- (e) Oppose efforts that unilaterally reduce the indoor water use standards without the input of local and regional stakeholders.
- (f) Support legislation and efforts that will provide for and ensure there are ample, reliable and cost-effective electrical energy generation, transmission and distribution systems in place that are capable of serving all current and foreseeable electrical power demands.
- (g) Oppose efforts to add more load demands until the corresponding and necessary electrical energy generation and transmission capacity is constructed and put into service.
- ~~(g)~~(h) Support efforts to maintain the use of natural gas as a primary or competitive alternative energy source in addition to electricity, as well as a clean fuel source for electrical energy generation.

*VIII – COASTAL RESOURCES AND THE COASTAL ZONE.* The City supports efforts to protect and enhance public access and coastal resources in a manner that balances the rights of the individual property owner and local government land use authority with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution.- Therefore, the City shall:

- (a) Support legislation that provides funding or programs to address public access to coastal resources.
- (b) Support efforts that improve public assets in the coastal zone.
- (c) Support coastal resiliency efforts to protect and enhance natural and constructed coastal resources.
- (d) Oppose legislation that preempts or otherwise diminishes local control within the coastal zone.
- (e) Oppose legislation that diminishes the land value of public and private property in the coastal zone.
- (f) Support legislation that promotes the fair and balanced implementation of the California Coastal Act that emphasizes local input and local control.
- (g) Support appropriate funding and legislative oversight of the California Coastal Commission that guarantees efficiency of operations, clarity of mission, and accountability.
- (h) Support local authority over sea -level -rise adaptation strategies.
- ~~(g)~~(i) Support legislation and local-funding efforts that improve harbor operations, dredging, beach replenishment efforts, and marine recreational activities funding.

IX – *PUBLIC SAFETY*. The City supports measures that provide local governments access to resources that enable them to provide quality police, fire, emergency medical and emergency management services. Therefore, the City shall:

- (a) Support efforts that address the illicit use of opioids, including fentanyl, by holding drug traffickers accountable, stopping the transport of narcotics across the border, adding harsher penalties for fentanyl sold or distributed to youth, and preventing the use of social platforms to illegally sell and distribute opioids.
- (b) Support a public safety system that promotes local law enforcement services, crime prevention, prosecution of crime, confinement of high-risk adults, and evidence-based programs aimed at rehabilitation and lowering the recidivism rate.
- (c) Support the restoration of accountability in the criminal justice system by ensuring sentences are fully carried out and sufficiently address the significance of each crime.
- ~~(d)~~ Support efforts to assist law enforcement in fighting cybercrime and promoting programs that increase cybersecurity awareness.
- ~~(e)~~(d) Support efforts to increase penalties for driving under the influence of alcohol or drugs, as well as resources that promote efforts to prevent driving under the influence.

- ~~(f)~~(e) \_\_\_ Oppose efforts to restrict local law enforcement from collaborating with State and fFederal agencies regarding shared public safety threats.
- ~~(g)~~(f) \_\_\_ Support victims' rights programs and services for victims of crimes.
- ~~(h)~~(g) \_\_\_ Support efforts to prevent sexual assault, human trafficking and related crimes.
- ~~(i)~~(h) \_\_\_ Support legislation that provides for wildfire local assistance grant programs.
- ~~(j)~~(i) \_\_\_ Support public provider emergency medical services.
- ~~(k)~~(j) \_\_\_ Support the continuation of Cal OES emergency preparedness funding for cities and counties to provide organized staffing during incidents.
- (k) \_\_\_ Support legislation that aligns with the City Council's Civil Asset Forfeiture and Seizure Policy as currently set forth in Council Policy F-10.
- (l) Support regional and intergovernmental coordination, training, and information sharing to improve cyber incident preparedness and response while preserving local control and accountability.
- (m) Support legislation, funding, and partnerships that enable local deployment of advanced cybersecurity technologies, including threat detection, network hardening, incident response, and digital forensics to protect City systems and resident data, and to assist law enforcement and community combat cybercrime and digital fraud.
- ~~(n)~~(n) \_\_\_ Support sustained State and fFederal grant programs to modernize public safety communications, emergency alerting, and interoperable data systems that enhance response capabilities.

X – **HOMELESSNESS.** The City supports efforts and legislation that seeks to alleviate homelessness throughout the Sstate by providing funding and programmatic assistance to cities and counties. Therefore, the City shall:

- (a) Support fFederal, State, County or local efforts to develop programs, partnerships or grant programs to assist cities in providing housing solutions and/or services to address homelessness.
- (b) Support the conversion to or construction of transitional housing facilities.
- (c) Support legislative changes to Coordinated Entry requirements that allow local governments to prioritize based on local unsheltered needs.
- (d) Support countywide investments in mental health treatment across the continuum of care, including efforts to support or encourage creation of additional board and care beds as well as subacute treatment and psychiatric skilled nursing facilities.
- (e) Support the creation and/or continuance of private, fFederal, State or County grant opportunities for funding to reduce and prevent homelessness.

- (f) Support authority to regulate encampments consistent with constitutional standards.
- (g) Support conservatorship tools for severe mental illness and addiction.

XI – TECHNOLOGY, DIGITAL INFRASTRUCTURE & CYBERSECURITY. The City supports secure, reliable and resilient technology systems and digital infrastructure to serve and protect residents, visitors and the City organization. Therefore, the City shall:  
Digital Infrastructure & Cybersecurity

- (a) Support funding to protect municipal systems from cyberattacks.
- (b) Support ransomware-recovery and data protection programs for cities.
- (c) Support local authority to regulate the siting, design, placement, and operation of telecommunications and digital infrastructure within the public right-of-way and other local jurisdictional areas.
- (d) Support reasonable standards and safeguards for the responsible use of emerging technologies, including artificial intelligence, automated decision systems, and digital surveillance tools, with appropriate transparency, accountability, and protection of civil liberties.
- (e) Support efforts to protect residents, businesses, and local agencies from digital fraud, identity theft, online exploitation, and cyber-enabled financial crimes.
- (f) Support investments that improve broadband reliability, network redundancy, and communications resilience for emergency response and continuity of operations.

XII – COMMUNICATIONS. The City supports reliable communication systems while preserving local control over infrastructure. Therefore, the City shall:

- (a) Improve wireless connectivity via fFederal and State legislation along with municipal code and policy updates and partnerships with wireless carriers.
- (b) Support local authority over the placement, concealment, maintenance, and design of wireless facilities, antennas, fiber, and related communications infrastructure.
- (c) Support efforts to harden and underground communications infrastructure where feasible to improve reliability, reduce visual impacts, and strengthen disaster resilience.
- (d) Oppose legislation or regulations that unduly preempt local review of communications infrastructure or impair the City’s ability to manage its public rights-of-way.

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