



**CITY OF NEWPORT BEACH
CITY COUNCIL SPECIAL MEETING AGENDA**

**JULY 8, 2025
CITY COUNCIL CHAMBERS
100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA 92660 - 100 CIVIC CENTER DRIVE,**

**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 Harp, City Attorney
Molly Perry, Interim City Clerk**

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 \$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.

NOTICE TO THE PUBLIC

The agenda was prepared by the City Clerk's Office located at 100 Civic Center Drive, Bay E, 2nd Floor. If you have any questions, please contact City Clerk staff at 949-644-3005. Agendas, minutes and staff reports are also available on the City's website: <http://www.newportbeachca.gov/agendas>.

The Newport Beach City Council is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the City Council special meeting agenda be posted at least 24 hours in advance of the meeting.

The City Council of Newport Beach welcomes and encourages community participation. Public comments are generally limited to three minutes per person to allow everyone to speak. Written comments are encouraged as well.

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 Leilani Brown, City Clerk, 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).

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DRIVE, NEWPORT BEACH, CA 92660
JULY 8, 2025

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS

Public comments are invited on agenda and items generally considered to be within the subject matter jurisdiction of the City Council. Speakers must limit comments to three minutes. Before speaking, please state your name for the record.

IV. CLOSED SESSION

**A. PUBLIC EMPLOYMENT - PUBLIC EMPLOYEE APPOINTMENT
(Government Code § 54957): 2 matters**

Title: City Manager.

Title: City Clerk.

[Written Comments Special Meeting](#)

**B. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code § 54957.6): 2 matters**

Agency Designated Representatives: Mayor Joe Stapleton and Mayor Pro Tem Lauren Kleiman.

Unrepresented Employees: City Manager and City Clerk.

V. CLOSED SESSION REPORT

VI. ADJOURNMENT

PLEASE TURN CELL PHONES OFF OR SET IN SILENT MODE.

July 8, 2025, City Council Special Meeting Agenda Comments

The following comments on items on the Newport Beach City Council [agenda](#) are submitted by:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

General comment

Although it is announced under “Meetings” on the City’s [home page](#) and the agenda is linked to from the City’s [online calendar](#) and its [Agendas & Minutes](#) page, it is not, oddly, posted on the “Legistar”/“Granicus” [page](#) where all City agendas and public notices have previously and consistently been posted, It could be missed by those who look only there.

Item IV.A. PUBLIC EMPLOYMENT - PUBLIC EMPLOYEE APPOINTMENT

According to the agenda announcement, this item has been scheduled, pursuant to California [Government Code section 54957](#) of the “Brown Act” (presumably Subsection 54957(b), to allow the Council to privately discuss the appointment of a City Manager and a City Clerk.

It seems worth remembering that the default expectation in California is for discussion of public business by legislative bodies such as a city council to take place in public, a position affirmed and strengthened by [Proposition 59](#) in 2004, which added [Section 3\(b\)](#) to Article 1 of the California Constitution, intended to guarantee that passages like Subsection 54957(b) that limit the public’s right of access will be narrowly construed.

The problem here is that this exception to public discussion of the public’s business exists solely to protect the privacy of the potential appointees, and since vacancies in the City Manager and City Clerk positions do not yet seem to have been posted by the Human Resources Department, it is not obvious there are any potential appointees to discuss. Indeed, at least with regard to the City Manager appointment, according to a recent [City press release](#) announcing the future retirement of the current City Manager, the Mayor is quoted as saying “*the Newport Beach City Council will discuss **the selection process** for her successor during a closed session at its July 8 meeting.*”

The **process** by which a new City Manager or City Clerk will be selected, such as what qualifications will be sought and what salary will be offered (as opposed to the qualifications and merits of specific candidates) does not implicate any privacy considerations and is, therefore, not a legitimate topic for closed session discussion. It is public business that needs to be deliberated in public.

In other words, if there are candidates to discuss, this exception can be used. But if, as the press release says, this is about the selection process, it should be re-noticed for open session discussion.