

Newport Beach

100 Civic Center Drive, Newport Beach, CA 92660



Minutes

Tuesday, April 28, 2026

4:00 PM

STUDY SESSION- 4:00 PM (PUBLIC WELCOME)

Council Chambers

City Council

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

SEIMONE JURJIS, City Manager
AARON C. HARP, City Attorney
LENA SHUMWAY, City Clerk

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

Present: Mayor Lauren Kleiman, Mayor Pro Tem Noah Blom, Councilmember Michelle Barto, Councilmember Robyn Grant, Councilmember Joe Stapleton, Councilmember Sara J. Weber, Councilmember Erik Weigand.

INVOCATION

The invocation was led by Natalie Teale of the Spiritual Assembly of Bahais of Newport Beach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Grant.

II. STUDY SESSION

• **Introducing the Newport Beach 2050 General Plan (PA2022-080)**

Acting Deputy Community Development Director Ben Zdeba presented an overview of the Newport Beach 2050 General Plan Update, summarizing the four-phase process initiated in 2019, the extensive community outreach effort, and the draft elements of the updated plan. Acting Director Zdeba noted that the Planning Commission unanimously recommended adoption the prior week, that the plan's horizon year is 2050, and that the online version will be fully searchable and user-friendly. The update encompasses eight elements including Arts and Culture, Historical Resources, Harbor Bay and Beaches, Recreation, Natural Resources, Noise, Safety, and Land Use, along with a fully revised Implementation Program.

Public Comment:

Nancy Gardner (former Mayor, General Plan Update Steering Committee Chair) praised the professionalism of staff and noted that the GPAC worked to keep policy language as flexible as possible. She proposed a future annual review committee to periodically examine general plan elements and report progress to the Council.

Ruth Kobayashi (GPAC Member) commended the leadership of staff and the consultant, particularly Elizabeth Dixon, Ben Zdeba, and Jaime Murillo, describing the process as highly professional.

Jim Mosher (GPAC Member) offered a dissenting view, characterizing the update as primarily a reorganization of the existing plan and expressing concern that narrative and specific vision had been stripped out. He questioned why more review sessions were not being scheduled prior to the June 23 adoption hearing and whether printed copies would be available in libraries.

Jody Jofre (Resident) expressed general concern about overdevelopment related to projects in the general plan, citing water, traffic, and energy as primary concerns.

Laura Curran (Resident) focused her comments on the natural resources element, arguing that its goals regarding native species, impervious surfaces, and viewsheds should preclude any future police station development in Civic Center Park.

Council Discussion:

Councilmember Weigand and Councilmember Grant both thanked former Mayor Gardner and supported exploring a formal annual review committee. City Manager Seimone Jurjis suggested such a committee could be formed through the mayor's annual board and commission appointment process. Councilmember Barto expressed appreciation for the improved online accessibility of general plan policies. Mayor Pro Tem Blom and Councilmember Stapleton echoed congratulations to staff and the advisory committees.

No action was required. Council adoption of the Newport Beach 2050 General Plan is anticipated at the June 23, 2026 City Council meeting.

PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Adam Leverenz requested greater Council engagement regarding the state lands tidelands report and the Public Trust Management Ad Hoc committee, and indicated he was distributing informational materials to Councilmember Stapleton and Mayor Pro Tem Blom.

Sandy Manich introduced herself as a liveaboard vessel resident of 15 years seeking appointment to the Harbor Commission, and citing her background in education and the arts.

Andrea Bird-Steiner (Newport Heights Homeowner) spoke in support of the undergrounding utility assessment loan program (Item 4), describing the program as a fiscally conservative and necessary tool for long-term fixed-income residents to participate in undergrounding districts.

Annie Clougherty (Resident) also supported the undergrounding hardship assistance program.

Jim Mosher (Resident) requested that the City provide printed agendas at Council meetings to improve public access and transparency.

Ruth Kobayashi (Resident) encouraged Council to continue prioritizing public safety in all decisions.

Mark Todd (Compass Broker) flagged easement and setback issues related to a

property at 2200 Waterfront Drive and indicated he had submitted documentation for Council review.

Rudy Svrcek (Harbor Commissioner) thanked Councilmember Grant and city staff for responding to his concerns about the deteriorating condition of roads and signage at Back Bay, noting that repairs were already underway.

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

Councilmember Weigand reported on his role with the Orange County Sanitation District, crediting Public Works Assistant City Engineer Mike Sinacori for coordinating a route solution that would keep PCH open during the upcoming OC Marathon. He also noted an upcoming tour of sanitation district facilities with Councilmembers Stapleton and Barto.

Councilmember Barto thanked Newport Ocean Sailing Organization and the delegation from Ensenada, including Claudia Agatón Muñiz, for their participation in the Newport to Ensenada race kickoff.

Councilmember Grant highlighted recent community events including the Oasis Senior Center volunteer lunch, yacht club opening day, the inaugural Oasis Coastal Circle Women's Group, a Newport Historical Society presentation on the city's last 20 years, the Newport Beach Chamber Commodores Scholarship Dinner, and National Library Week activities.

Councilmember Weber congratulated her daughter Jane on being elected fifth-grade class president.

Councilmember Stapleton commended the OC Marathon coordination efforts and thanked the Newport Beach Historical Society, the Newport Beach International Boat Show, Harbormaster Paul Blank, Library Services Director Melissa Hartson, the Chamber of Commerce, and the Oasis sailing community.

Mayor Pro Tem Blom congratulated Mayor Kleiman on becoming Chair of the Orange County Council of Governments.

Mayor Kleiman reported on the successful return of CdM's 3rd Thursdays event and provided an update from the previous evening's Aviation Committee meeting, including ongoing discussions with air carriers regarding fleet turnover at John Wayne Airport and advanced air mobility planning.

PUBLIC COMMENTS ON CONSENT CALENDAR

Public comment was received from Adam Leverenz, who addressed Harbor Commission meeting minutes, the Balboa Yacht Basin dredging cost savings, and

graffiti abatement contract considerations.

III. CONSENT CALENDAR

Item 4 was pulled for separate discussion by Councilmember Barto.

Motion to approve the Consent Calendar, minus item #4, with amendments to the minutes, was made by Mayor Pro Tem Blom and seconded by Councilmember Weber. The motion carried by the following vote.

Ayes: Councilmember Barto, Mayor Pro Tem Blom, Councilmember Grant, Mayor Kleiman, Councilmember Stapleton, Councilmember Weber, and Councilmember Weigand

READING OF MINUTES AND ORDINANCES

1. Minutes for the April 14, 2026, City Council Meeting
2. Reading of Ordinances

ORDINANCES FOR ADOPTION

3. Ordinance No. 2026-03 and Resolution No. 2026-22: Amending Subsection 12.68.060(B) - (Preferential Parking Zones - Locations and Restrictions) of Chapter 12.68 - (Residents' Preferential Parking) of the Newport Beach Municipal Code Regarding the Residential Parking Permit Program for Newport Heights and Cliff Haven

RESOLUTIONS FOR ADOPTION

4. Resolution No. 2026-23: Undergrounding Utility Assessment Loan Program
5. Resolution No. 2026-24: Approving a Legislative Platform

CONTRACTS AND AGREEMENTS

6. Balboa Yacht Basin Maintenance Dredging - Notice of Completion for Contract No. 9944-1 (26H13)
7. Citywide Public Dock Rehabilitation - Notice of Completion for Contract No. 9557-1 (24H02)
8. Award of Maintenance / Repair Services Agreement with Superior Property Services, Inc., for Graffiti Abatement Services
9. Approval of Purchase Order for the Purchase and Delivery of Sodium Hypochlorite
10. Three-Year Enterprise Licensing Agreement with Environmental Systems Research Institute (ESRI)
11. Three-Year Software License Agreement for Microsoft

MISCELLANEOUS

12. Grants and Donations Report for the Quarter Ending March 31, 2026
13. Planning Commission Agenda for the April 23, 2026, Meeting

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 4. Resolution No. 2026-23: Undergrounding Utility Assessment Loan Program

City Manager Jurjis provided a brief overview of the program, explaining that it would allow qualifying low-income homeowners aged 55 and over to receive a city-backed loan for their portion of undergrounding costs, repayable with interest over 20 years upon sale or refinance.

Councilmember Barto, who pulled the item, expressed full support for undergrounding as a public safety priority, but indicated she could not move forward with the current framework given concerns about adopting a policy without a defined funding mechanism. She requested the item be continued for approximately 60 days and directed staff to explore a private lender RFP model, along with coordination with state programs such as the State Controller's property tax postponement program.

Mayor Pro Tem Blom and Councilmembers Weber, Grant, and Stapleton concurred, each affirming strong support for undergrounding while agreeing that the city should not act as a lender. City Manager Jurjis noted that a strict 60-day return could not be guaranteed due to procurement requirements.

Motion to continue Item 4 and direct staff to return as close as possible to 60 days with a revised program framework evaluating a private lender RFP partnership, a structure to internal assessment districts, and coordination with the State Controller's property tax postponement program, was made by Councilmember Barto and seconded by Mayor Pro Tem Blom. The motion carried by unanimous vote (7-0-0).

IV. PUBLIC HEARINGS

14. Resolution No. 2026-26: 300 Newport Center Drive Condominiums Appeal (PA2025-0102)

All Council members declared no ex-parte communications with the exception of Councilmember Stapleton, who disclosed a brief general communication with the applicant's representative that did not go beyond information already in the administrative record.

Principal Planner Liz Westmoreland presented the staff report on the de novo public hearing. The project involves demolition of the Edwards Big Newport Theater and a health/fitness facility at 210 and 300 Newport Center Drive, and construction of two 22-story residential towers comprising 150 condominium units, a retail café, home offices, and 343 parking spaces on a podium structure. The project was unanimously approved by the Planning Commission on March 5, 2026. One of two appeals (filed by SAFR) was withdrawn on the day of the hearing; the remaining appeal was filed by Save Our Theater, represented by appellant Ken LaCroix. The staff report addressed CEQA compliance, cultural resources assessment (finding the theater ineligible for historic designation), aesthetic compatibility, affordable housing, parking, and mixed-use compatibility disclosures.

Property owner Jim Edwards addressed the Council, acknowledging the emotional significance of the theater to the community and the Edwards family, but noting that the era of in-person movie-going has fundamentally changed and that the theater would close no later than June 2027.

Appellant Ken LaCroix raised concerns regarding economic implications for surrounding businesses, parking and circulation adequacy, compatibility with the mixed-use environment for future residents, height consistency with the original Newport Center plan, and transparency of the approval process.

Public Comment:

Shane Hernandez (Film Student, Loyola Marymount/Chapman University) urged preservation of the theater, noting its role as the primary venue for the Newport Beach Film Festival and its cultural significance to the community.

Cody Rappaport (Local Artist) expressed concern about overdevelopment broadly and asked whether at minimum the theater sign could be preserved.

Jody Jofre (Resident) opposed the project on grounds of traffic, water, and energy impacts.

Unidentified Speaker proposed that three private investors were interested in converting the theater into a private event center, citing projected gross revenues, and urged the Edwards family to consider the proposal.

Diego (High School Senior) spoke to the theater's cultural significance and expressed concern about loss of community landmarks in favor of urban density.

Unidentified Speaker urged the Council to prioritize community-building uses over further development, suggesting integration of the theater into the development if possible.

Jim Engel (30-Year Newport Beach Resident) expressed concern about the character of the city and suggested the Big Newport site should have been evaluated as a potential police station location.

Sandy Manich (Liveaboard Resident) opposed the project on grounds that it includes no affordable housing units and that the City's broader housing strategy marginalizes lower-income residents.

Martha Tena (33-Year Resident) expressed general opposition to overdevelopment and predicted that her generation would eventually return to theaters.

Brian Harris (Newport Beach Film Festival Volunteer) urged theater preservation, citing recent studies showing strong Gen Z and millennial movie-going rates, describing Big Newport as one of the most architecturally significant theaters in the region, and noting the Festival's growing venue constraints.

Jim Mosher questioned the transparency of the process by which the site came to be designated for high-rise residential development, noting that the site was not in the adopted housing element and that the EIR had analyzed the property at a 32-foot height limit.

Denys Oberman (Resident) expressed concern about a lack of community transparency regarding the project and other pending development approvals, and requested more careful Council consideration.

Kristie Peters (30-Year Resident) spoke emotionally about the theater's importance as a community anchor and requested further deliberation.

Unidentified Speaker endorsed consideration of adaptive reuse and cited the revival of the Rivian Theater in Laguna Beach as a model.

Dave Jofre (40-Year Irvine Terrace Resident) opposed the project primarily on traffic grounds and expressed concern about the overall direction of development in Newport Beach.

Nicholas (Big Newport Employee) acknowledged the Edwards family's business decision, noted the theater is the oldest remaining operating Edwards Theater, and suggested an event center model as the best alternative to condominiums if the project were not approved.

Ron Rubino (39-Year East Bluff Resident) commended staff's work, acknowledged the legitimacy of the planning process, and expressed concern that the project consumes housing overlay units without producing any affordable housing.

Susan DeSantis (40-Year Resident, Land Use Subcommittee Chair, GPAC) expressed surprise at the height of the proposed towers relative to surrounding buildings along Newport Center Drive and questioned whether the Council needed to act on the item at this time.

Philip Bettencourt (Newport Center Research Consultant) spoke in support of denying the appeal, describing his independent research on the site and the movie industry, and concluding that the Planning Commission's recommendation represented the best possible decision for Newport Center's future.

Mayor Pro Tem Blom offered a lengthy reflection on the nostalgia associated with the theater, the reality of changing economic conditions in the movie industry, and the fundamental property rights of the Edwards family. He framed the Council's role as determining whether the project complies with applicable law rather than whether it is universally popular, and expressed strong support for the project as providing additional residents the opportunity to live in Newport Beach.

Councilmember Grant acknowledged the difficulty of the decision, affirmed that the planning department conducted a careful balancing of competing priorities, noted that the project is consistent with existing Newport Center development, and expressed support for creative solutions to continue the Newport Beach Film Festival. She emphasized that the City's discretion over private property differs from decisions regarding city-owned land.

Mayor Pro Tem Blom moved, seconded by Councilmember Weber, to deny the appeal; conduct the public hearing; Find that this project is not subject to further environmental review pursuant to Section 21083.3 of the California Public Resources Code (PRC) and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines because the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699) and statutorily exempt from the requirements of CEQA pursuant to Public Resources Code Section 21080.66; and adopt Resolution No. 2026-26, 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 Approve Major Site Development Review, Conditional Use Permit, and Vesting Tentative Tract Map to Demolish an Existing Movie Theater and Health/Fitness Facility and Construct 150 Residential Condominiums, a Café, and Home Offices Located at 210 and 300 Newport Center Drive and APNs 442-091-12 and 442-161-16 (PA2025-0102).

The motion was carried by the following vote.

Ayes: Councilmember Barto, Mayor Pro Tem Blom, Councilmember Grant, Mayor Kleiman, Councilmember Stapleton, Councilmember Weber, and Councilmember Weigand

15. Resolution No. 2026-25: Notice of Intent to Override Orange County Airport Land Use Commission's Determination of Inconsistency for the Comprehensive General Plan Update (PA2022-080)

City Manager Jurjjs noted that Acting Deputy Director Zdeba was available for a full presentation, which the Council declined. The public hearing was opened.

Public Comment:

Jim Mosher (Resident) expressed frustration that the Airport Land Use Commission is relying on noise contours projected in 1985 for conditions in 2005, while the City is using 2015 projections for 2030 conditions. He urged that actual noise measurements be taken in the airport area rather than relying on projections from either entity.

Adam Leverenz quoted a published report noting that if the City overrides the Airport Land Use Commission, the airport operator is immunized from liability for resulting damages, and asked whether the City would thereby assume that liability.

Mayor Pro Tem Blom moved, seconded by Councilmember Grant, to a) Conduct a public hearing; Find that the proposed overriding 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 because it has no potential for resulting in physical change to the environment, directly or indirectly; and Adopt Resolution No. 2026-25, A Resolution of the City Council of the City of Newport Beach, California, Notifying the Orange County Airport Land Use Commission and State Department of Transportation, Aeronautics Program of the City's Intention to Find that the Comprehensive General Plan Update is Consistent with the 2008 John Wayne Airport Environs Land Use Plan (PA2022-080).

The motion was carried by the following vote:

Ayes: Councilmember Barto, Mayor Pro Tem Blom, Councilmember Grant, Mayor Kleiman, Councilmember Stapleton, Councilmember Weber, and Councilmember Weigand

V. MOTION FOR RECONSIDERATION

No motions for reconsideration were offered.

PUBLIC COMMENTS ON CLOSED SESSION

No public comments were received on the closed session agenda.

VI. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS

Meeting went into Recess

Meeting Reconvened

CLOSED SESSION REPORT

City Attorney Aaron C. Harp reported no reportable action from closed session.

ADJOURNMENT

The meeting was adjourned at 6:54 p.m.