



**CITY OF NEWPORT BEACH  
CITY COUNCIL AGENDA**

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

**CLOSED SESSION - 4:00 P.M.  
REGULAR MEETING - 5:30 P.M.**

**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  
LEILANI I. BROWN, 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](http://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](mailto:cityclerk@newportbeachca.gov)).

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

II. **PUBLIC COMMENTS**

*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.*

III. **CLOSED SESSION - Council Chambers Conference Room**

A. **CONFERENCE WITH LABOR NEGOTIATORS**

**(Government Code § 54957.6): 1 matter**

**Agency Designated Representatives:** Grace K. Leung, City Manager, Barbara Salvini, Human Resources Director, and Jonathan Holtzman, Esq., Negotiators.

**Employee Organizations:** Association of Newport Beach Ocean Lifeguards (ANBOL); Newport Beach City Employees Association (NBCEA); Newport Beach Employees League (NBEL); Newport Beach Firefighters Association (NBFA); Newport Beach Fire Management Association (NBFMA); Newport Beach Lifeguard Management Association (NBLMA); Newport Beach Police Association (NBPA); Newport Beach Police Management Association (NBPMA); Newport Beach Professional and Technical Employees Association (NBPTEA); and Part Time Employees Association of Newport Beach (PTEANB).

B. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**(Government Code § 54956.8): 1 matter**

**Property:** A portion of the public right-of-way adjacent to 929 Zurich Circle (423-282-04) and 944 Via Lido Nord (423-281-10) (approximately 1,105 square feet).

**City Negotiators:** Seimone Jurjis, Assistant City Manager, and Lauren Whitlinger, Real Property Administrator.

**Negotiating Parties:** Palmer Luckey on behalf of the 929 Zurich Circle Trust and the 944 Via Lido Nord Trust.

**Under Negotiation:** Instruction to City Negotiators regarding price and terms of payment.

**C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code § 54956.9(d)(1)): 2 matters**

*John Doe S.C. v. City of Newport Beach et al.*

Orange County Superior Court Case No. 30-2022-01299631-CU-PP-CJC

*Barbara Salvini v. City of Newport Beach*

Orange County Superior Court Case No. 30-2024-01442980-CU-OE-CJC

**IV. RECESS**

**V. RECONVENE AT 5:30 P.M. FOR REGULAR MEETING**

**VI. ROLL CALL**

**VII. CLOSED SESSION REPORT**

**VIII. INVOCATION - Pastor Phil Eyskens, Lighthouse of Costa Mesa Church of the Nazarene**

**IX. PLEDGE OF ALLEGIANCE - Webelos Pack 108**

**X. PRESENTATION**

- **History of Lower Castaways by Bill Lobdell**

[Correspondence](#)

**XI. NOTICE TO THE PUBLIC**

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

**XIII. PUBLIC COMMENTS ON CONSENT CALENDAR**

*This is the time in which Councilmembers may pull items from the CONSENT CALENDAR for discussion (ITEMS 1 - 18). 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.*

**XIV. CONSENT CALENDAR**

**READING OF MINUTES AND ORDINANCES**

**1. Minutes for the December 10, 2024 City Council Meeting**

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

[Minutes](#)

[Written Comments](#)

**2. Reading of Ordinances**

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

**RESOLUTIONS FOR ADOPTION**

**3. Resolution No. 2025-1: Updating the List of Designated Employees for 2024 Under the City's Conflict of Interest 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) Adopt Resolution No. 2025-1, *A Resolution of the City Council of the City of Newport Beach, California, Updating the Appendix of Designated Employees and Appendix of Disclosure Categories of the City of Newport Beach Conflict of Interest Code.*

[Staff Report](#)

[Attachment A - Resolution No. 2025-1](#)

[Attachment B - Exhibit 1 \(redline\)](#)

**4. Resolution Nos. 2025-2 and 2025-3: Amending the General Plan Advisory Committee and the General Plan Update Steering 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 physical change to the environment, directly or indirectly;

b) Adopt Resolution No. 2025-2, *A Resolution of the City Council of the City of Newport Beach, California, Amending the General Plan Advisory Committee to Update the Membership and Provide for Annual Appointment of Members at the First City Council Meeting Held in February*; and

c) Adopt Resolution No. 2025-3, *A Resolution of the City Council of the City of Newport Beach, California, Amending the General Plan Update Steering Committee's Term of Membership, Responsibilities and Provide for the Annual Appointment of Members at the First City Council Meeting Held in February*.

[Staff Report](#)

[Attachment A - Resolution No. 2025-2](#)

[Attachment B - Resolution No. 2025-3](#)

[Written Comments](#)

**5. Resolution No. 2025-4: Approving an Amendment to the Key and Management Compensation Plan**

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) Adopt Resolution No. 2025-4; *A Resolution of the City of Newport Beach, California, Approving an Amendment to the Key and Management Compensation Plan*.

[Staff Report](#)

[Attachment A - Resolution No. 2025-4](#)

[Written Comments](#)

**6. Resolution No. 2025-5: Creating the Ad Hoc Council Policy Review 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 physical change to the environment, directly or indirectly;

b) Adopt Resolution No. 2025-5; *A Resolution of the City Council of the City of Newport Beach, California, Creating an Ad Hoc Committee to Review the City Council Policies and Make Recommendations to the City Council Regarding Revisions Thereto*; and

c) Appoint Mayor Joe Stapleton, Mayor Pro Tem Lauren Kleiman and Councilmember Sara J. Weber to serve on the Ad Hoc Council Policy Review Committee.

[Staff Report](#)

[Attachment A - Resolution No. 2025-5](#)

[Written Comments](#)

**CONTRACTS AND AGREEMENTS**

**7. Hillsborough Pump Station Rehabilitation - Notice of Completion for Contract No. 8758-2 (23W12)**

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](#)

**8. Storm Drain System Upgrades - Notice of Completion for Contract No. 9148-1 (23D02)**

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](#)

**9. 2023-2024 Facilities Painting Project - Notice of Completion for Contract No. 9393-1 (24F02)**

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. 38th Street and Lake Avenue Landscape Improvement Project - Notice of Completion for Contract No. 9008-1 (24L01)**

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](#)

**11. Police Department Parking Lot Maintenance - Award of Contract No. 7901-1 (25F02)**

a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) 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) Award Contract No. 7901-1 to Elegant Construction Inc., for the total bid price of \$585,000 for the Police Department Parking Lot Maintenance, and authorize the Mayor and City Clerk to execute the contract; and

d) Establish a contingency of \$88,000 (approximately 15% of total bid) to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attachment A - Location Map](#)



**12. Approval of Maintenance and Repair Services Agreements with EverFence Corporation and Red Hawk Services, Inc. for On-Call Fencing**

- 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 a Maintenance and Repair Services Agreement with EverFence Corporation for a five-year term and total not-to-exceed amount of \$300,000, and authorize the Mayor and City Clerk to execute the agreement; and
- c) Approve a Maintenance and Repair Services Agreement with Red Hawk Services, Inc. for a five-year term and total not-to-exceed amount of \$300,000, and authorize the Mayor and City Clerk to execute the agreement.

[Staff Report](#)

[Attachment A - Everfence Corporation Agreement](#)

[Attachment B - Red Hawk Services, Inc. Agreement](#)

**13. Amendment No. Two to Professional Services Agreements for The Code Group dba VCA Code for Building Safety Related Services**

- 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 and authorize the Mayor and City Clerk to execute Amendment No. Two to Professional Services Agreement with The Code Group, for Staff Augmentation and Plan Review Services to increase the contract amount by \$250,000, not-to-exceed an amount of \$1,270,000.

[Staff Report](#)

[Attachment A – Amendment No. Two to Professional Services Agreement](#)

[Attachment B – Amendment No. One to Professional Services Agreement](#)

[Attachment C - The Code Group dba VCA Code Agreement](#)

**14. Memorandum of Agreement with the City of Long Beach Acting By and Through the Port of Long Beach Board of Harbor Commissioners Authorizing Disposal of Lower Bay Dredged Material Into the Port's Pier G Slip Fill Project**

- a) Find that, pursuant to Section 21166 of the California Public Resources Code and Section 15162 of the CEQA Guidelines, the certified Environmental Impact Report for the Piers G and J Terminal Redevelopment (SCH No. 2000-021021) addressed all environmental impacts associated with the City of Newport Beach entering into this Memorandum of Agreement, that there are no new or more severe impacts beyond those analyzed in that document, and, as a result, no further environmental review is required by CEQA;
- b) Approve and execute the Memorandum of Agreement with the City of Long Beach acting by and through the Port of Long Beach Board of Harbor Commissioners authorizing disposal of Lower Bay dredged material into the Port's Pier G Slip Fill Project; and
- c) Authorize the City Manager or her designee to execute any future amendments or agreements with the City of Long Beach acting by and through the Port of Long Beach Board of Harbor Commissioners as related to the disposal of Lower Bay dredged material to ensure the City of Newport Beach meets the strict delivery schedule imposed by the Port.

[Staff Report](#)

[Attachment A - Memorandum of Agreement](#)

[Attachment B - Environmental Impact Report](#)

[On the Agenda](#)

[Correspondence](#)

[Written Comments](#)

**MISCELLANEOUS**

**15. Planning Commission Agenda for the January 9, 2025 Meeting**

Receive and file.

[Planning Commission Action Report](#)

[Planning Commission Agenda](#)

[Written Comments](#)

**16. Confirmation of Nominations to Fill an Unscheduled Vacancy on the Parks, Beaches & Recreation Commission**

- a) Determine that the 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 it will not result in a physical change to the environment, directly or indirectly; and
- b) Confirm the nominations of Kelly Denner and Travis Piridy to fill the vacancy on the Parks, Beaches and Recreation Commission.

[Staff Report](#)

[Attachment A - Applications](#)

[Written Comments](#)

**17. Confirmation of Mayor Joe Stapleton's Appointments**

- 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) Confirm Mayor Joe Stapleton's appointments under City Council Policy A-2, as provided in the staff report.

[Staff Report](#)

[On the Agenda](#)

[Written Comments](#)

**18. Ground Emergency Medical Transport Intergovernmental Transfer Voluntary Participation for Calendar Year 2025**

- 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 the City of Newport Beach's voluntary participation in the Public Provider GEMT Intergovernmental Transfer program per AB 1705 for Calendar Year 2025, and authorize the City Manager to execute the Public Provider Intergovernmental Transfer Program for Ground Emergency Medical Transportation Services Certification Forms and pay all necessary invoices.

[Staff Report](#)

[Attachment A - Certification for CY 2025 Program](#)

[Attachment B - Public Notice](#)

[On the Agenda](#)

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

**XV. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**XVI. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Public comments are invited on non-agenda 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.*

**XVII. 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.*

**XVIII. ADJOURNMENT**

**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.**