



**CITY OF NEWPORT BEACH
CITY COUNCIL AGENDA**

MAY 26, 2026

COUNCIL CHAMBERS - 100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA 92660

REGULAR MEETING- 4:00 PM

**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**

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 before or after the time given.

This agenda was prepared by the City Clerk. Copies of the staff reports and supporting materials are on file with the City Clerk and are available for public inspection and copying at the City Clerk's Office or online at newportbeachca.gov/agendas. For questions or to request copies of any staff reports or other documentation related to items on this agenda, please contact the City Clerk's Office at 949-644-3005.

The City of Newport Beach's goal is to fully comply with the Americans with Disabilities Act (ADA). If you require special assistance to participate in this meeting, we will attempt to accommodate you in every reasonable manner. Please contact City Clerk staff prior to the meeting at 949-644-3005 or cityclerk@newportbeachca.gov so that reasonable accommodations can be made.

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

INVOCATION

Rev. Sadie Cullumber, Harbor Christian Church

PLEDGE OF ALLEGIANCE

II. **STUDY SESSION**

• **Proposed Fiscal Year 2026-27 through 2031-32 Capital Improvement Program (CIP)**

Public Works staff will present the proposed Fiscal Year 2026-27 through 2031-32 Capital Improvement Program (CIP) budget for further public and Councilmember review and discussion. The annual CIP budget serves as an identification and funding plan for City infrastructure projects and programs that are in progress and/or will be implemented in the coming 2026-27 fiscal year. The total proposed 2026-27 CIP budget is \$95,096,260.

[FY 2026 27 CIP Presentation](#)

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.

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

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

- **Consider purchasing and installing audio livestream and recording devices for all City Board, Commission and Committee (A-2) Ralph M. Brown Act applicable meetings (Councilmember Weigand)**

PUBLIC COMMENTS ON CONSENT CALENDAR

This is the time in which Councilmembers may pull items from the CONSENT CALENDAR for discussion (ITEMS 1 - 11). 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.

IV. CONSENT CALENDAR

1. Approval of Minutes

Approval of Minutes for the May 12, 2026, City Council Meeting.

[2026-05-12 CC Minutes](#)

ORDINANCES FOR ADOPTION

2. Ordinance No. 2026-04: Amending Newport Beach Municipal Code Section 3.36.030 Related to Cost Recovery Percentages

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) Waive the full reading of the Ordinance, read by title only, conduct a second reading and adopt Ordinance No. 2026-04, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Newport Beach Municipal Code Section 3.36.030 Related to Cost Recovery Percentages.*

[Staff Report](#)

[Attachment A - Ordinance No. 2026-04](#)

[Attachment B - Redlined Code Section 3.36.030](#)

CONTRACTS AND AGREEMENTS

3. Fiscal Year 2025-2026 Citywide Park Fence Rehabilitation - Notice of Completion for Contract No. 9837-1 (25P02)

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

[Staff Report](#)

[Attachment A - Location Map](#)

4. Amendment No. One to Professional Services Agreement with MissionSquare Retirement for Retirement Health Savings Plan Recordkeeping, Administration, and Claims Processing Services - One-Year Term Extension (Contract No. C-7279-2)

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) Authorize the Mayor and City Clerk to execute Amendment No. One to Professional Services Agreement with the International City Management Association Retirement Corporation, doing business as MissionSquare Retirement for Retirement Health Services Plan Agreement, Contract No. C-7279-2, extending the agreement term by one year through April 2027 and incorporating a reduction in annual administrative fees from 0.135% to 0.129%, with all other terms and conditions remaining unchanged.

[Staff Report](#)

[Attachment A – Amendment No. One with MissionSquare](#)

5. Increase Purchase Order Amount with Mueller Systems for As-Needed Water Meters

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 change order to the Purchase Order with Mueller Systems in increasing the total amount from \$120,000 to \$250,000 for FY 2025-26; and

c) Approve issuing a purchase order with Mueller Systems for \$250,000 for FY 2026-27 on or after July 1, 2026.

[Staff Report](#)

[Attachment A - Mueller Meter Price Quotes](#)

6. On-Call Professional Services Agreement for Animal Care Medical 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 an On-Call Professional Services Agreement for animal care medical services with Mariners VH LP for Animal Care Medical Services (DBA Mariners Mile Pet Clinic of Newport Beach, California) at a not-to-exceed cost of \$505,000 and authorize the Mayor and City Clerk to execute the agreement.

[Staff Report](#)

[Attachment A – Agreement](#)

7. General Liability Third Party Administrator - Approval of Professional Services Agreement with George Hills Company, Inc.

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 a five-year Professional Services Agreement with George Hills Company, Inc., for Third Party General Liability Claims Administration Services at a not-to-exceed amount of \$784,025 and authorize the Mayor and City Clerk to execute the Agreement.

[Staff Report](#)

[Attachment A - PSA w George Hills Company, Inc.](#)

8. MacArthur Boulevard Pavement Rehabilitation and Median Improvements - Award of Contract No. 9431-2 (24R13)

a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), Class 1 (maintenance of existing public facilities involving negligible or no expansion of use) of the CEQA Guidelines, 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. 26-080 appropriating \$11,700 in new revenue and expenditures from Orange County Sanitation District (OCSan) to Account Nos. 13501-431075-24R13 and 13501-980000-24R13, appropriating \$57,800 in new revenue and expenditures from Irvine Ranch Water District (IRWD) to Account Nos. 13501-431220-24R13 and 13501-980000-24R13, appropriating \$29,437 in new revenue and expenditures from the City of Irvine to Account Nos. 13501-431135-24R13 and 13501-980000-24R13, appropriating \$321,860 in new revenue and

expenditures from Cal Recycle Grant Funding to Account Nos. 13501-431490-26R02 and 13501-980000-26R02, appropriating \$550,503 in increased expenditures in Account No. 12101-980000-24R13 from Gas Tax unappropriated fund balance, and appropriating \$221,887 in increased expenditures in Account No. 01201927-980000-24R13 from General Fund unappropriated fund balance;

d) Award Contract No. 9431-2 to All American Asphalt for the total bid price of \$7,099,118 for the MacArthur Boulevard Pavement Rehabilitation and Median Improvements project, and authorize the Mayor and City Clerk to execute the contract; and

e) Establish a contingency of \$710,000 (approximately 10% of the total bid) to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attachment A - Location Map](#)

[Attachment B - Budget Amendment](#)

MISCELLANEOUS

9. Set Public Hearing Date to Adopt Fiscal Year 2026-2027 Budget

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) Schedule a public hearing of the City's Proposed Budget for Fiscal Year 2026-2027 for June 9, 2026, and direct the City Clerk to publish a notice of said hearing in accordance with Section 1102 of the Newport Beach Charter.

[Staff Report](#)

10. Third Quarter Budget Update

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 Budget Amendment No. 26-076, adjusting revenue estimates and expenditure appropriations for the Fiscal Year 2025-26 budget as further outlined in this report.

[Staff Report](#)

[Attachment A - Budget Amendment No. 26-076](#)

11. Planning Commission Agenda for the May 21, 2026, Meeting

Receive and file.

[PC Agenda](#)

[PC Action Report](#)

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

V. PUBLIC HEARINGS**12. Ordinance No. 2026-5: Amending Title 21 of the Newport Beach Municipal Code, and Resolution No. 2026-30: Implementing the Housing Element and Establishing the Housing Opportunity (HO) Overlay Coastal Zoning District (PA2022-0245)**

- a) Conduct a public hearing;
- b) Find that all potential environmental effects for the amendment have been adequately addressed in the previously certified Final Program Environmental Impact Report identified by State Clearinghouse Number 2023060699, and the City Council of the City of Newport Beach intends to use said document for the approval of the Local Coastal Program Amendment;
- c) Adopt Resolution No. 2026-30, *A Resolution of the City Council of the City of Newport Beach, California, Approving an Amendment to the Coastal Land Use Plan, as Modified by the California Coastal Commission, to Incorporate Updates for Consistency with the Adopted and Certified 6th Cycle Housing Element (PA2022-0245);* and
- d) Introduce Ordinance No. 2026-05, *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 Housing Opportunity (HO) Overlay Coastal Zoning District (PA2022-0245 & PA2024-0205),* and pass to second reading on June 9, 2026.

[Staff Report](#)[Attachment A - Resolution No. 2026-30](#)[Attachment B - Ordinance No. 2026-05](#)[Attachment C - Resolution No. 2024-51](#)[Attachment D - Ordinance No. 2024-16](#)[Attachment E - Resolution No. 2024-52](#)[Attachment F - Ordinance No. 2025-10](#)[Attachment G - Resolution No. 2025-32](#)[Attachment H - Coastal Comm. Reports and Correspondence](#)[Attachment I - Approval Letter and Suggested Modifications](#)[Attachment J - Redline](#)**13. Resolution No. 2026-31: Community Development Block Grant - 2026-2027 Annual Action Plan**

- a) Conduct a public hearing to receive comments on the Annual Action Plan;
- b) Find the approval of the 2026-2027 Annual Action Plan exempt from the National Environmental Policy Act (NEPA) pursuant to 24 CFR Part 58, Section 58.34;
- c) Find the approval of the 2026-2027 Annual Action Plan exempt from 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 Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly;

d) Adopt Resolution No. 2026-31, *A Resolution of the City Council of the City of Newport Beach, California, Approving the 2026-2027 Annual Action Plan for the Allocation of the Federal Community Development Block Grant Program Funds for Fiscal Year 2026-2027*; and

e) Authorize the City Manager to:

- Proportionally adjust appropriations to specific programs and projects as necessary to conform with the final 2026-2027 formula grant allocation of CDBG funds from HUD if the appropriation is more or less than \$409,157;
- Submit the 2026-2027 Annual Action Plan to HUD;
- Execute the 2026-2027 CDBG Program Grant Agreement and all related documents on behalf of the City of Newport Beach;
- Execute all sub-recipient agreements with the non-profit organizations receiving allocations of CDBG funds in the 2026-2027 Action Plan; and
- Authorize the Community Development Director, or his designee, to be the official representative of the City of Newport Beach, administer the 2026-2027 Annual Action Plan and submit required environmental documentation to HUD for CDBG projects.

[Staff Report](#)

[Attachment A - Resolution No. 2026-31](#)

14. Ordinance No. 2026-06: Amending Title 5 (Business Licenses and Regulations) and Title 20 (Planning and Zoning) for Tobacco Retailer Businesses and Cigar Lounges

a) Conduct a public hearing;

b) Find this project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code and pursuant to Section 15061(b)(3), the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment; and

c) Introduce Ordinance No. 2026-06, *An Ordinance of the City Council of the City of Newport Beach, California, Adding Chapter 5.55 (Tobacco Retailer Businesses) to Title 5 (Business Licenses and Regulations) and Amending Title 20 (Planning and Zoning) of the Newport Beach Municipal Code Related to Operation of New Tobacco Retailer Businesses and the Relocation or Physical Expansion of Existing Tobacco Retailer Businesses, Also Known as Smoke Shops*, and pass to

second reading on June 9, 2026.

[Staff Report](#)

[Attachment A – Ordinance No. 2026-06](#)

[Attachment B - March 19, 2026, PC Staff Report](#)

[Attachment C - March 19, 2026, PC Minutes](#)

[Attachment D - Amendments to Title 5 - Redlined](#)

[Attachment E - Amendments to Title 20 - Redlined](#)

VI. 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.

PUBLIC COMMENTS ON CLOSED SESSION

VII. CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION**

Government Code § 54956.9 (d)(1): 1 matter.

Steven Shulman v. City of Newport Beach

WCAB Case Nos. ADJ7917346 and ADJ8398388

CLOSED SESSION REPORT

ADJOURNMENT - In Memory of Judy Ware

Written Comments Received on Agenda and Non-Agenda Items after Agenda Posting

PLEASE TURN CELL PHONES OFF OR SET IN SILENT MODE.