

CITY OF NEWPORT BEACH CITY COUNCIL AGENDA

JUNE 10, 2025 COUNCIL CHAMBERS - 100 CIVIC CENTER DRIVE, NEWPORT BEACH, CA 92660

REGULAR MEETING - 4:00 P.M. CLOSED SESSION - FOLLOWS MOTION FOR RECONSIDERATION

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.

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).

- I. ROLL CALL 4:00 p.m.
- II. <u>INVOCATION Representative from the Merage Jewish Community Center of Orange County</u>
- III. PLEDGE OF ALLEGIANCE
- IV. PRESENTATION
 - History of the Balboa Bay Club Hollywood's Riviera with John Wayne by Bruce Cook
- V. <u>CITY COUNCIL ANNOUNCEMENTS AND ORAL REPORTS FROM CITY COUNCIL</u>
 <u>ON COMMITTEE ACTIVITIES</u>
- VI. PUBLIC COMMENTS ON CONSENT CALENDAR

This is the time in which Councilmembers may pull items from the CONSENT CALENDAR for discussion (ITEMS 1 - 17). 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.

VII. CONSENT CALENDAR

READING OF MINUTES AND ORDINANCES

1. Minutes for the May 27, 2025 Special Joint Meeting of the City Council and Finance Committee and the May 27, 2025 City Council Meeting

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

Joint Meeting Minutes

City Council Meeting Minutes

2. Reading of Ordinances

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

ORDINANCES FOR ADOPTION

3. Postponement of Second Reading and Adoption of Ordinance Nos. 2025-7 and 2025-8 Approving an Amendment to the North Newport Center Planned Community (PC-56)

This is an informational item only and no action is required.

Staff Report

ORDINANCE FOR INTRODUCTION

- 4. Ordinance No. 2025-9: Adding Chapter 12.70 (Prohibition on Attending Street Races and Reckless Driving Exhibitions) to Title 12 (Vehicles and Traffic) of the Newport Beach Municipal Code to Prohibit Spectators from Being Present at Street Races and Reckless Driving Exhibitions in Newport Beach
 - 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 full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-9, An Ordinance of the City Council of the City of Newport Beach, California, Adding Chapter 12.70 (Prohibition on Attending Street Races and Reckless Driving Exhibitions) to Title 12 (Vehicles and Traffic) of the Newport Beach Municipal Code, and pass to a second reading on June 24, 2025.

Staff Report

Attachment A - Ordinance No. 2025-9

RESOLUTIONS FOR ADOPTION

5. Resolution No. 2025-26: Annual Measure M2 Eligibility Submittal

- 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 the Measure M2 Seven-Year Capital Improvement Program;
- c) Adopt Resolution No. 2025-26, A Resolution of the City Council of the City of Newport Beach, California, Concerning the Status and Update of the Circulation Element, Mitigation Fee Program and Pavement Management Plan for the Measure M2 Program; and
- d) Direct staff to submit all necessary materials to the Orange County Transportation Authority to satisfy the FY 2025-26 Measure M2 annual eligibility requirements.

Staff Report

Attachment A - 7-Year CIP

Attachment B - Resolution No. 2025-26

Attachment C - Mitigation Fee Program

Attachment D - Pavement Management Plan

6. Resolution No. 2025-27: Specifying Uses for FY2025-26 RMRA Funding from the Road Repair and Accountability Act of 2017

- 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. 2025-27, A Resolution of the City Council of the City of Newport Beach, California, Adopting a List of Projects for Fiscal Year 2025-26 Funded by SB 1, the Road Repair and Accountability Act of 2017.

Staff Report

Attachment A - Resolution No. 2025-27

7. Resolution No. 2025-28: Adoption of Fiscal Year 2025-26 Appropriations Limit

- 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. 2025-28, A Resolution of the City Council of the City of Newport Beach, California, Determining and Establishing the Appropriations Limit for Fiscal Year 2025-26 in Accordance with Article XIIIB of the California Constitution and Government Code Section 7910, in the amount of \$273,258,369.

Staff Report

Attachment A - Resolution. No 2025-28

8. Resolution No. 2025-29: Emergency Management Performance Grant Authorization

- 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. 2025-29, A Resolution of the City Council of the City of Newport Beach, California, Authorizing Persons Holding Certain Designated Positions to Execute Emergency Management and Homeland Security Grant Documents for and on Behalf of the City of Newport Beach for the Purpose of Obtaining Certain Federal Financial Assistance and/or State Financial Assistance.

Staff Report

Attachment A - Resolution No. 2025-29

Attachment B - Transfer Agreement

Attachment C - Standard Grant Assurances Agreement

9. Resolution No. 2025-30: Adopting a Memorandum of Understanding with the Newport Beach Police Association and Associated Salary Schedule

- 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. 2025-30, A Resolution of the City of Newport Beach, California, Adopting a Memorandum of Understanding Between the City of Newport Beach and the Newport Beach Police Association and Associated Salary Schedule;
- c) Approve Budget Amendment No. 25-069 appropriating \$361,588.92 in increased expenditures in various City division salary and benefits accounts from unappropriated General Fund balance for Fiscal Year 2024-25; and
- d) Approve Budget Amendment No. 26-001 appropriating \$4,106,309.00 in increased expenditures in various City of Newport Beach division salary and benefits accounts from unappropriated General Fund balance for Fiscal Year 2025-26.

Staff Report

Attachment A - Resolution No. 2025-30 including NBPA MOU

Attachment B - Costing

Attachment C - Budget Amendment No. 25-069

Attachment D - Budget Amendment No. 26-001

10. Resolution No. 2025-31: Amending the Structure, Membership, Roles and Responsibilities of the Aviation 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. 2025-31, A Resolution of the City Council of the City of Newport Beach, California, Amending the Structure, Membership, Roles and Responsibilities of the Aviation Committee; and
- c) Direct the City Clerk to initiate the process for filling the vacancies on the Aviation Committee pursuant to the Maddy Act and City Council Policy A-2.

Staff Report

Attachment A - Resolution No. 2025-31

CONTRACTS AND AGREEMENTS

11. Amendment to Services Agreement with American International Environmental, Inc. for the Newport Terrace Landfill Gas Control System

- 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 Amendment No. Two to the Professional Services Agreement with American International Environmental, Inc. for Newport Terrace Landfill Gas Control System Operations and Maintenance Services, which extends the contract for one additional year to June 30, 2026, and increases the contract amount by \$75,000, and authorize the Mayor and City Clerk to execute the Agreement.

Staff Report

Attachment A - Amendment No. Two

12. Tentative Agreement with Newport Beach Employees League

- 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) Receive and consider the Tentative Agreement between the City of Newport Beach and the Newport Beach Employees League.

Staff Report

Attachment A - Tentative Agreement and Proposed MOU (redline)

Attachment B - Estimated Cost of Contract

13. Community Programs and Special Event Grants Recommendations for Fiscal Year 2025-26

- 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) Pursuant to City Council Policy A-12, find that the organizations listed below provide community services or programs that serve residents and are beneficial to residents' quality of life and authorize the allocation of \$41,100 for Community Programs Grants in the following manner:

Community Programs Grants Applicant	Recommendation	
Balboa Island Museum Newport Beach	\$	10,000
Corona del Mar Residents Assn	\$	5,000
Newport Beach Chamber of Commerce	\$	3,600
Newport Beach Historical Society	\$	2,500
Orange Coast College Foundation Marina Programs	\$	4,000
Sherman Foundation	\$	10,000
Speak Up Newport	<u>\$</u>	<u>6,000</u>
Total	\$	41,100;

- c) Waive the requirement in City Council Policy A-12 that \$75,000 be expended each fiscal year for Community Programs Grants;
- d) Pursuant to City Council Policy A-12, find that the special events listed below are community, social or athletic events that are beneficial to residents' quality of life, and authorize the allocation of \$300,000 for Special Event Grants in the following manner:

Community & Charitable Events	Re	con	nmendation
3rd Thursdays		\$	3,610
4th of July Parade and Picnic		\$	544
2025 Fourth of July Celebration		\$	1,134
Andersen Deans Port of July		\$	544
Annual Corona del Mar Christmas Walk		\$	6,804
Annual Corona del Mar Scenic 5k		\$	13,630
Annual Easter Egg Hunt	\$	54	4
Annual Newport Classic Surf Contest	\$	1,1	134
Balboa Island Parade		\$	10,870
Balboa Island Summer Concert Series		\$	1,134
Balboa Island Tree Lighting and Snow Day		\$	544
Baroque Music Festival 46th Season Fall Preview		\$	900
CdM Home Tour		\$	1,173
Chili Cook-Off and Picnic at the Park		\$	544
Corona del Mar Sandcastle Contest		\$	544
Field of Honor		\$	1,134
Newport Beach Car Fest		\$	7,650
Walk for Patrick Turner		\$	544
Wooden Boat Festival		\$	1,134
World Wildlife Day Celebration	<u>\$</u>	88	<u>5</u>
Total		\$	55,000

Signature Events	Re	ecommendation
Hoag Classic		\$ 25,000
Newport Beach 4-Man Volleyball Invitational	\$	10,000
Newport Beach Christmas Boat Parade & Ring of Lights		\$ 50,000
Newport Beach Film Festival		\$ 140,000
Newport to Ensenada International Yacht Race		\$ 10,000
Susan G. Komen More than Pink Walk Orange County	<u>\$</u>	<u>10,000</u>
Total		\$ 245.000: and

e) Authorize the Recreation & Senior Services Director to sign one-year grant agreements with Signature Event organizers.

Staff Report

Attachment A - City Council Policy A-12

Attachment B - Community Grants

Attachment C - Special Events Grants

Attachment D - Grant Guidelines

MISCELLANEOUS

Confirmation **Appointments** Water Quality/Coastal **Tidelands** of to the 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; and
- b) Appoint Peter Belden, Curtis Black, Charles Fancher, and Sharon Ray to fill the unscheduled and scheduled vacancies on the Water Quality/Coastal Tidelands Committee for terms ending June 30, 2029.

Staff Report

Attachment A - Applications

Confirmation of Appointments to the Ad Hoc Committee on Utilization of **Lower Castaways and Aquatic Center Site Options**

- 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 of himself, Councilmember Noah Blom, Councilmember Michelle Barto, Harbor Commissioner Rudy Svrcek, Parks, Beaches Recreation Commissioner Keira Kirby, Planning Commissioner Jonathan Langford, and Laird Hayes, as the citizen member, to the Ad Hoc Committee on the Utilization of Lower Castaways and Aquatic Center Site Options.

Staff Report

Attachment A - Application

16. Confirmation of Nominees for Scheduled and Unscheduled Board and Commission Vacancies

- 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 the nominations made by the City Council Ad Hoc Appointments Committee:

Board of Library Trustees [1 vacancy]

Timothy (Chase) Rief (incumbent)

Jennifer Strong

Building and Fire Board of Appeals [2 vacancies]

Charles Allen (incumbent)

K. Dirk Bondy (incumbent)

Andy Boyum

James Sanders

<u>City Arts Commission</u> [3 vacancies and 1 unscheduled vacancy]

David Anastos

Andy Boyum

Judith Brower

Rita Goldberg

Melissa Kandel (incumbent)

Tiare Meegan

Laurel Tippett

Civil Service Board [1 vacancy]

Taylor Diani

Paul Meyer (incumbent)

Harbor Commission [2 vacancies]

Jon Marlo

Bob Miller

Philip Stemler

Steve Sully (incumbent)

Parks, Beaches & Recreation Commission [2 vacancies]

Kelly Denner

William Finster

Keira Kirby (incumbent)

Travis Pirdy (incumbent)

Planning Commission [2 vacancies]

Jeffrey Bergsma

Michael Gazzano

Greg Reed (incumbent)

Loren Smith

Drew Teicheira

Staff Report

Attachment A - Board of Library Trustees Applications

Attachment B - Building and Fire Board of Appeals Application

Attachment C - City Arts Commission Applications

Attachment D - Civil Service Board Applications

<u>Attachment E - Harbor Commission Applications</u>

Attachment F - Parks, Beaches & Recreation Commission Applications

Attachment G - Planning Commission Applications

17. Proposed Relocation of Newport Beach Fire Station No. 3 to 1550 Avocado Avenue

- 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 City Council to submit a letter to the Orange County Transportation Authority requesting its consideration and support in facilitating the relocation of Fire Station No. 3 to the proposed to 1550 Avocado Avenue site.

Staff Report

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

VIII. ITEMS REMOVED FROM THE CONSENT CALENDAR

IX. 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.

X. PUBLIC HEARINGS

- 18. **Ordinance** No. 2025-10 and Resolution No. 2025-32: **Approving** an Amendment to the Housing Opportunity (HO) Overlay Zoning and Coastal **Districts** and Resolution No. 2025-33: Overriding **Orange County Airport** Land Use Commission's **Determination** of Inconsistency (PA2024-0205)
 - 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 (EIR) identified by State Clearinghouse Number (SCH No. 2023060699), and the City Council of the City of Newport Beach intends to use said document for the approval of the Amendment;
 - c) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-10, An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) in Title 20 (Planning and Zoning) of the Newport Beach Municipal Code Related to Implementation of the Housing Element, and pass to second reading on June 24, 2025;
 - d) Adopt Resolution No. 2025-32, A Resolution of the City Council of the City of Newport Beach, California, Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission to Amend Pending Section 21.28.070 (Housing Opportunity (HO) Overlay Coastal Zoning Districts) in Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code Related to Implementation of the Housing Element; and
 - e) Adopt Resolution No. 2025-33, A Resolution of the City Council of the City of Newport Beach, California, Finding Amendment to Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) in Title 20 (Planning and Zoning) and Pending Section 21.28.070 (Housing Opportunity (HO) Overlay Coastal Zoning Districts) in Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code Related to Implementation of the Housing Element Consistent with the Purposes of the State Aeronautics Act and Overriding the Orange County Airport Land Use Commission's Determination of Inconsistency with the 2008 John Wayne Airport Environs Land Use Plan (PA2024-0205).

Staff Report

Attachment A - Ordinance No. 2025-10: Amendment to Title 20

Attachment B - Resolution No. 2025-31: Amendment to Title 21

Attachment C - Resolution No. 2025-32: Overriding ALUC's Determination

Attachment D - Planning Commission Record

Attachment E - ALUC Comment Letters

- 19. Resolution No. 2025-34: Fiscal Year 2025-26 Budget Adoption, Budget Public Hearing, Recommendations from the Finance Committee, and Proposed Budget Revision Items
 - a) Conduct a public hearing regarding the City Manager's proposed budget for Fiscal Year 2025-26;
 - b) 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;
 - c) Consider the Finance Committee's budget recommendations;
 - d) Review and approve the proposed budget revisions;
 - e) Adopt Resolution No. 2025-34, A Resolution of the City Council of the City of Newport Beach, California, Adopting the Budget for the 2025-26 Fiscal Year, and
 - f) Review and approve the City Manager's recommended list of position classifications and their salary ranges as required by the California Public Employees' Retirement System and in accordance with 2 CCR § 570.5 (a)(1).

Staff Report

Attachment A - Resolution No. 2025-34

Attachment B - City Position Classifications and Salary Ranges

Attachment C - Key & Management Compensation Plan

XI. 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.

XII. PUBLIC COMMENTS ON CLOSED SESSION

XIII. <u>CLOSED SESSION - Council Chambers Conference Room</u>

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

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

Unrepresented Employees: Key and Management Group.

2. Agency Designated Representatives: Grace K. Leung, City Manager, and Jonathan Holtzman, Esq., Negotiators.

Employee Organizations: Newport Beach Fire Management Association (NBFMA); Newport Beach Lifeguard Management Association (NBLMA); and Newport Beach Police Management Association (NBPMA); and Newport Beach Professional and Technical Employees Association (NBPTEA).

XIV. CLOSED SESSION REPORT

XV. ADJOURNMENT - In memory of Melinda Seely

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.