

City Council meeting
Meeting Minutes
July 14, 2026, 4:00 PM

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

Present: Mayor Lauren Kleiman, Mayor Pro Tem Noah Blom, Councilmember Michelle Barto, Councilmember Robyn Grant, Councilmember Sara J. Weber, Councilmember Erik Weigand Absent: Councilmember Joe Stapleton (excused absence; observing the meeting remotely via Zoom)

Invocation

The invocation was delivered by Chaplain Kathy Gilbert of Calvary Chapel of Costa Mesa.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Weber.

II. PRESENTATIONS

Recognition of Outgoing Board, Commission and Committee Members

Mayor Kleiman recognized the following outgoing Commission and Committee members: Ira Beer (Harbor Commission), Hassan Archer (Parks, Beaches & Recreation Commission), Diane Daruty (Parks, Beaches & Recreation Commission), Allen Cashion (Finance Committee), Bill Callopy (Finance Committee), Don Yahn (Harbor Commission), and J.R. Waltz (Building and Fire Board of Appeals). Sharon Wood (Civil Service Board), Bill Caskey (Building and Fire Board of Appeals), and Kory Kramer (Finance Committee) were unable to attend. Mayor Kleiman expressed gratitude for their years of service to the City.

III. STUDY SESSION

Staff presentation on the City's planning, public safety response, and operational efforts related to the Fourth of July weekend. The study session will include a review of pre-event preparations, staffing and resources, enforcement efforts, mutual aid coordination, incident response, and next steps to further protect public safety during future holiday weekends.

City Manager Seimone Jurjis introduced the study session, noting the weekend drew more than 420,000 visitors, including 160,000 on July 4 alone, and that all City departments played a role in planning and executing the operational plan.

Pre-Event Preparations and Public Messaging: City Manager Jurjis described the multi-department operational plan, which included enhanced police and fire staffing, fully staffed lifeguards, code enforcement, safety enhancement zones, short-term lodging monitoring, harbor deployment, Caltrans traffic coordination, and a geotargeted "Not in Newport Beach" deterrence campaign reaching markets in Arizona, Nevada, and beyond.

Police Response: Police Chief Dave Miner reported that large unruly gatherings began forming around 7:30 PM near Newport Pier, with crowds launching mortar-style fireworks at bystanders and officers. At 8:06 PM, the mutual aid plan was activated, resulting in nearly 400 officers responding. An unlawful assembly was declared and the beaches and streets were cleared. Total arrests from July 3 at 6:00 PM through July 5 at 6:00 AM numbered 439, with 328 attributable to the mass arrest incident. Of those arrested, 75% were ages 18–25, 20% were juveniles ages 13–17, and 97% came from outside Newport Beach, with Maricopa County, Arizona accounting for the largest share. No shootings or serious injuries were reported. Investigations are ongoing in coordination with the Orange County District Attorney's Office.

Fire and Lifeguard Response: Fire Chief Jeff Boyles reported that 147 fire personnel were deployed on July 4 alone, responding to 194 incidents including 143 medical calls over the weekend—a 30% increase in medical volume over the prior year. Despite increased traffic, average response times were only 4 seconds higher than normal due to prepositioning on the peninsula. Lifeguards performed over 4,600 preventative actions and conducted 260 ocean rescues. No firefighter injuries were reported.

Code Enforcement and Cleanup: City Manager Jurjis reported that code enforcement staff responded to 47 holiday-related calls, issuing 239 administrative citations totaling approximately \$35,000 in fines. Municipal Operations deployed 31 personnel and collected approximately 41 tons of trash, completing cleanup by early Sunday morning.

Areas for Improvement: City Manager Jurjis identified the following areas for further evaluation: earlier and more unified public messaging; improved cellular and radio communications; earlier traffic control and dedicated rideshare areas; tighter juvenile curfew provisions and short-term lodging regulations; and expanded regional intelligence and law enforcement support.

TikTok Partnership: Mayor Kleiman invited Janine Villacres, Head of U.S. and State Government Affairs for TikTok, who addressed the Council. Ms. Villacres stated that TikTok is proactively working with law enforcement to remove harmful content and expressed willingness to continue partnering with the City and local law enforcement to prevent future incidents.

Public Comment:

Ingrid Yankauskas (resident) stated that disruptive behavior on the peninsula has been escalating for years across multiple holidays and that residents' calls for help have historically gone unanswered.

Dan Sullivan (resident) requested clarification on the difference between arrests and citations, questioned the comparability of arrest data across years and cities, and urged the City to publish arrest logs publicly.

Maureen Cotton, President of the Pier-to-Pier Association, called the events predictable and urged the Council to limit both vehicle and pedestrian access to the peninsula once safe capacity is reached, and to implement consistent year-round enforcement.

Monique Christensen inquired about the possibility of trying juveniles as adults, asked about evidence of premeditation, and suggested reinstating beach permits prioritizing Newport Beach residents.

Chris Kluwe commended the police response and urged proactive social media monitoring to prevent future incidents, and encouraged TikTok to take more substantive action.

Rod Sudbeck (resident) argued that the situation was foreseeable and preventable, citing last year's Fourth of July as a prior warning, and called for an honest after-action review and reinstatement of previously successful preventive measures such as mutual aid pre-deployment and early road closures.

Dennis Baker (Corona del Mar resident) drew parallels to Balboa Week in the 1950s–60s, noting that closing the island to non-residents ultimately ended the disorder, and urged staff to study historical precedent in the context of modern social media.

Philip Bettencourt suggested improved lighting at Newport Pier, pre-positioned SWAT teams, and a closer examination of short-term rental oversight.

Dawn Vargas (resident) emphasized that violence began well before dusk and called for limiting access to the Balboa Peninsula by all modes of transportation, including e-bikes, as well as greater scrutiny of short-term rentals.

Roger Abramson (resident) praised the police response and asked what specific legal deterrents, including potential prosecution outcomes, would prevent recurrence.

Daryl Nelson (resident) commended the Mayor, City Council, and first responders for their leadership and professionalism in handling an unprecedented situation.

Kathy Hill (Newport Beach business owner) called on the community to plainly acknowledge criminal activity, expressed support for law enforcement, and asked whether out-of-state arrests could constitute a federal matter.

Jeff Flint, Newport Beach Short Term Rental Alliance, urged the Council not to scapegoat responsible short-term rental owners, noting that many guests were also victims, and asked that the Alliance be used as a resource in developing solutions, including reconsidering a ban on remote check-ins during holiday weeks.

Kendall Johnson (resident) stated that conditions on the peninsula had been visibly changing since spring break and urged the City to recognize shifting dynamics early and respond proactively, as has historically been Newport Beach's approach.

Robert Snider (resident) described witnessing the escalation firsthand, noted a gap in police presence between 7:00 and 9:00 PM in the parking lot area, and urged earlier enforcement action rather than repeated warnings without consequence.

Tina Babajanyans (resident) offered to organize and lead a Peninsula Public Safety and Events Task Force comprised of residents and stakeholders to serve as a resource to the City, and noted she had flagged similar behavior during spring break.

Gary Cruz (resident) noted that densely concentrated short-term rentals are a contributing factor, and urged the City to track and publicize calls for service data.

Denise Schuler (resident) expressed gratitude to the City Council, specifically Councilmembers Grant and Barto, and commended the police, fire, and lifeguard departments.

Gila Wildner (resident and short-term rental owner/operator) cautioned against misplacing blame on short-term rentals, noting only 2% received citations, and urged investigation into where the out-of-state visitors were actually staying.

Kristin Jackson (resident) expressed concern for elderly neighbors and residents without alternate evacuation options who were effectively trapped during the gridlock, and called for a reliable emergency evacuation plan.

Danielle Diestel (resident) alleged that the Council was aware in advance that something would occur and called for greater accountability.

Linda Delaney (resident) urged Citywide solutions including vehicle caps, resident parking permits, and improved dispatch communications, noting that Corona del Mar also experienced impacts.

Andrew Mason (resident) described personally witnessing violence while biking with his young children and stated he did not want to face that situation again in his own community.

Nancy Scarbrough (resident) warned that this type of incident could occur on any weekend, not just the Fourth of July, and proposed establishing a formal Citywide public safety advisory committee and updating the peninsula's evacuation plan.

Deborah Gubernik (resident) urged the City to track patterns of visitor influx aligned with out-of-state school calendars, and cautioned against allowing tourism to come at the expense of residents.

Martha Gewertz (resident) noted that e-bikes are a recurring quality-of-life problem and that parents in other jurisdictions are being held responsible for their children's behavior.

Walter Stahr (resident) recommended bringing in an outside expert for an independent after-action review and cautioned against changing short-term rental rules before data on where arrested individuals were staying is available.

An unnamed speaker thanked Mayor Kleiman and Police Chief Miner for their leadership and presence on July 4, and noted that 400 arrests necessarily consumed officer capacity.

Nate Capra (resident) encouraged the community to articulate what an ideal Newport Beach Fourth of July looks like, and to invest some energy into marketing a safe, family-friendly vision of the holiday.

Cyrus Hojjaty (Laguna Niguel resident) framed the issue as a generational and cultural problem rather than solely a legal one, and suggested that increasing hotel supply could reduce dependence on short-term rentals.

Nancy Gardner (resident) urged the Council to view the situation through a broader Citywide safety and evacuation lens, not limited to the Fourth of July.

Sandy Manich (liveaboard resident) described serving as a safety resource in the harbor since 2018, presented documentation of 347 emails to code enforcement, and requested restoration of an overnight Orange County Sheriff's Harbor Patrol boat presence.

Jordan Carter (resident) credited community volunteers who independently organized cleanup at the Pavilions parking lot on July 5, and argued that short-term rentals undermine the sense of community that motivated that civic response.

Carmen Rosen (resident) described large gatherings forming as early as 11:00 AM and recommended checkpoint breath-testing, backpack checks, suspension of the

trolley on the Fourth of July, and engaging legislators to hold social media platforms accountable.

Wade Womack (resident) commended the police response, recommended early and frequent arrests as a deterrent, and raised concern that the "Not in Newport" messaging campaign may have had unintended consequences by drawing attention to the City.

Scott McFetters (resident) expressed support for addressing short-term rentals more broadly, citing Newport Island's successful owner-occupancy requirement, and praised the Police Department's day-to-day responsiveness.

Ron Anderson (resident) acknowledged that beach properties have a long tradition of rentals, urged short-term rental owners to install exterior cameras, engage responsible property managers, and build relationships with neighbors.

Councilmember Stapleton (via Zoom) thanked residents for their outreach, called for full prosecution of all 402 individuals arrested, urged real-time social media monitoring as standard practice, identified the Pavilions property as a strategic location for public safety partnership, and committed to holding a community town hall in District 1 in the near future.

Councilmember Grant thanked residents and public safety staff and noted the importance of synthesizing all community input, including concerns about safety enhancement zones, evacuation routes, and peninsula access, in preparation for a safer future.

Councilmember Barto acknowledged the events as unacceptable but emphasized the extraordinary performance of police, fire, and lifeguard teams, and recommended a full analysis, review by an outside crowd-control expert, real-time social media monitoring, expanded use of existing camera and drone infrastructure, and geofenced emergency communications.

Councilmember Weigand acknowledged the difficulty of the situation, praised Municipal Operations' cleanup response, noted the longstanding volatility of the Fourth of July on the peninsula, and outlined a detailed set of short-term rental policy directions including formation of an ad hoc committee, review of minimum night stays, transferability, transient occupancy tax reporting frequency, required security cameras, and remote check-in policy.

Councilmember Weber praised the Police Department's performance as the definitive story of the weekend, credited preparation and leadership for preventing major injuries, and commended Public Works for the speed and thoroughness of the cleanup.

Mayor Pro Tem Blom offered a firsthand account of spending the entire holiday weekend on the peninsula, including the night of the incident, and emphasized that while the events were real and serious, the response was the most effective coordinated effort he had witnessed in Newport Beach's history.

Mayor Kleiman summarized a comprehensive set of proposed policy directions, including: tighter unaccompanied minor restrictions and enhanced curfew authority for the police chief during safety enhancement zone periods; parent accountability measures; DUI checkpoints; dedicated public safety travel lanes and parking lot closures; an unlawful mass gathering ordinance with enhanced penalties and

emergency closure authority; an ordinance targeting social media influencers who organize large unauthorized public gatherings; crisis communications consulting; cross-platform social media monitoring; adoption of Starlink for public safety communications; expansion of the drone program to 8–10 nests with overlapping coverage; and additional police-controlled street cameras.

PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Adam Leverenz expressed concern that hard copies of agenda materials, staff reports, and public comments are no longer available in the Council Chambers alcove, with only one agenda packet provided there for public viewing, as well as one copy in the Library and one in the City Clerk's Office. He stated that the reduced availability of hard-copy materials limits the public's ability to review meeting information and undermines transparency and informed public participation.

Samantha McDonald (liveaboard resident) urged the Council to adopt the California State Lands Commission Category 1 rental rates for Southern California as the fair and reasonable benchmark for mooring and dock fees, arguing this would resolve ongoing rate disputes and avoid costly appraisals and investigations.

Sandy Manich (liveaboard resident) provided additional documentation of harbor safety incidents since 2018, including three major thefts of multi-million dollar vessels, and reiterated the liveaboard community's role as safety partners in the harbor.

Wade Womack (resident) advocated for the creation of a substantial police substation on the Balboa Peninsula to improve response times, increase year-round presence, and provide redundancy in the event of a major emergency.

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

Councilmember Grant reported on two notable items: the installation of a new flagpole by the Balboa Island Improvement Association at Park and Marine Avenue, and the grand opening of Witte Hall, a new public auditorium more than a decade in the making, which she described as an exemplary public-private partnership.

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

Consider taking a support position on Propositions on November 2026 ballot: Proposition 39 (Voter ID), Proposition 41 (Audit new tax spending), Proposition 42 (Prohibit new personal property tax and retroactive taxes), and consider taking an opposition position on Proposition 40 on the November 2026 ballot (Billionaire Tax) (Councilmember Weigand)

The request to place the matter on a future agenda was approved by a straw vote of 6-0 (Councilmember Stapleton absent).

V. CONSENT CALENDAR

Councilmember Weigand recused himself from Item 2 due to investments in telecom.

Public comment was received from Adam Leverenz, who raised concerns regarding Item 3 (citation authority procedures) and Item 4 (harbor ordinance language regarding marine sanitation devices and the scope of the Harbormaster's subpoena authority).

Jim Mosher (resident) raised concerns regarding Item 2 (removal of public process for telecom approvals on city-owned property), Item 4 (drafting deficiencies in the harbor waste ordinance), and Item 11 (planning commission approvals of housing projects without affordable housing requirements).

Motion: *to approve the Consent Calendar, Items 1 through 11, with no changes to the minutes, was made by Mayor Pro Tem Blom and seconded by Councilmember Weber. The motion carried unanimously, with Councilmember Stapleton absent and Councilmember Weigand recused from Item 2.*

The following ordinances were read by title and adopted:

Ordinance No. 2026-07 – Adding Chapter 13.22 (Personal Wireless Service Facilities in the Public Right-of-Way) and Amending Chapter 20.49 (Personal Wireless Service Facilities) of the Newport Beach Municipal Code Related to Telecommunication Facilities.

Ordinance No. 2026-08 – Amending Section 1.12.020 (Authority of Public Officers or Employees to Issue Citations), Chapter 1.12 (Citations and Warrants), Title 1 (General Provisions) of the Newport Beach Municipal Code Related to City Employees' Enforcement of the Municipal Code and State Law.

Ordinance No. 2026-09 – Amending Title 10 (Offenses and Nuisances), Title 11 (Recreational Activities), and Title 17 (Harbor Code) of the Newport Beach Municipal Code to Regulate and Manage Certain Activities within Newport Harbor.

Consent Calendar Items:

1. Approval of Minutes

Approval of Minutes for the June 23, 2026, Regular City Council Meeting

ORDINANCES FOR ADOPTION

2. Ordinance No. 2026-07: Updating Titles 13 (Streets, Sidewalks and Public Property) and 20 (Planning and Zoning) of the Newport Beach Municipal Code Related to Personal Wireless Service Facilities

- a) Find the adoption of this ordinance and master license agreement template is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), 15303, and 15378, of the California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines). The proposed amendments are also exempt pursuant to CEQA Guidelines 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;
- b) Waive full reading of an Ordinance, read by title only, conduct a second reading and adopt Ordinance No. 2026-07, *An Ordinance of the City Council of the City of Newport Beach, California, Adding Chapter 13.22 (Personal Wireless Service Facilities in the Public Right-of-Way) and Amending Chapter 20.49 (Personal Wireless Service*

Facilities) of the Newport Beach Municipal Code Related to Telecommunication Facilities; and

c) Adopt a Master License Agreement template for the nonexclusive installation of personal wireless service facilities by private wireless providers in the public right-of-way in a form substantially similar to Attachment C.

3. Ordinance No. 2026-08: Updating Title 1 (General Provisions) of the Newport Beach Municipal Code Related to City Employees' Enforcement of the Municipal Code and State Law

d) Find the adoption of this ordinance 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

e) Waive full reading of an Ordinance, read by title only, conduct a second reading and adopt Ordinance No. 2026-08, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 1.12.020 (Authority of Public Officers or Employees to Issue Citations), Chapter 1.12 (Citations and Warrants), Title 1 (General Provisions) of the Newport Beach Municipal Code Related to City Employees' Enforcement of the Municipal Code and State Law.*

4. Ordinance No. 2026-09: Amending the Newport Beach Municipal Code to Regulate and Manage Certain Activities within Newport Harbor

f) Find this project statutorily 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

g) Waive full reading of an Ordinance, read by title only, conduct a second reading and adopt Ordinance No. 2026-09, *An Ordinance of the City Council of Newport Beach, California, Amending Title 10 (Offenses and Nuisances), Title 11 (Recreational Activities), and Title 17 (Harbor Code) of the Newport Beach Municipal Code to Regulate and Manage Certain Activities within Newport Harbor.*

CONTRACTS AND AGREEMENTS

5. Approval of a Professional Services Agreement with Arts Orange County to Manage Phase XI of the Sculpture Exhibition in Civic Center Park

h) 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

i) Authorize the Mayor and City Clerk to execute a Professional Services Agreement with Arts Orange County for Sculpture Exhibition - Phase XI in the Civic Center Park for a total amount not-to-exceed \$135,080.

6. FY 2025-26 Park Shade Structures Project - Award of Contract No. 10002-1 (26P02)

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(d), Class 1 (restoration or rehabilitation of deteriorated facilities involving negligible or no expansion of existing use) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because this project has no potential to have a significant effect on the environment;
- b) Approve the project plans and specifications;
- c) Find the bids submitted by Varn Painting, Inc. dba Varn Development, Ampel Corp, and First Trade, LLC dba YMC to be non-responsive;
- d) Award Contract No. 10002-1 to Micon Construction, Inc. for the total bid price of \$376,000 for the FY 2025-26 Park Shade Structures Project, and authorize the Mayor and City Clerk to execute the contract; and
- e) Establish a contingency of \$37,600 (10% of the total bid) to cover the cost of unforeseen work not included in the original contract.

7. Trash Enclosure Modifications - Award of Contract No. 10030-1 (27F13)

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 3 (new construction or conversion of small structures) 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) Approve Budget Amendment No. 27-002 appropriating \$50,000 in new revenue and expenditures from Ruby's Diner to Account Nos. 13501-561005-25T13 and 13501-980000-27F13, respectively;
- d) Award Contract No. 10030-1 to Vandert Construction Inc. for the total bid price of \$244,000 for the Trash Enclosure Modifications project, and authorize the Mayor and City Clerk to execute the contract; and
- e) Establish a contingency of \$36,600 (15% of the total bid) to cover the cost of unforeseen work not included in the original contract.

8. Approval of Professional Services Agreement with Marine Taxonomic Services, LTD for Newport Harbor Shallow-Water Eelgrass Surveys - Contract No. 7487-5

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 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 Professional Services Agreement with Marine Taxonomic Services, LTD for the 2026 Newport Harbor Shallow-Water Eelgrass Surveys for a total not-to-exceed amount of \$174,208.62, and authorize the Mayor and City Clerk to execute the agreement.

9. Approval of Amendment No. Two to Residential Solid Waste Collection & Recycling Contract (Contract No. 8823-1) with CR&R, 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) Authorize the Mayor and City Clerk to execute Amendment No. Two to Agreement for the Collection, Transportation, Processing and Diversion of Residential Recyclable Materials, Food Scraps, Green Waste and other Materials and Collection, Transportation and Disposal of Municipal Solid Waste Between the City of Newport Beach and CR&R, Incorporated increasing the annual cost to \$9,958,229 (Contract No. 8823-1) for Fiscal Year 2026-27.

MISCELLANEOUS

10. Response to the 2025-2026 Orange County Grand Jury Report "Wildfires Hit Home"

- 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 the Newport Beach Fire Department's response to the 2025-2026 Grand Jury Report, "Wildfires Hit Home", authorize the Mayor to sign the cover letter, and authorize the Fire Chief to finalize and submit the response on behalf of the City of Newport Beach to the Presiding Judge of the Orange County Superior Court.

11. Planning Commission Agenda for the July 9, 2026, Meeting

Receive and file.

VI. PUBLIC HEARINGS

12. Resolution No. 2026-52: 2350 Bristol Street Driveway Access Appeal (PA2025-0112)

Mayor Kleiman asked if councilmembers had any ex parte communications and Councilmember Weigand reported he had spoken with a handful of neighborhood residents regarding this matter. No other ex parte communications were reported.

Assistant Planner Daniel Kopshever presented the staff report, explaining that the project site at 2350 Southeast Bristol Street was originally approved by the County of Orange more than 40 years ago with a rear driveway on Zenith Avenue designated for emergency access only. Following a code enforcement complaint in December 2024 that the gate was open and being used by non-emergency vehicles, the applicant sought a determination that such use was consistent with the original approval. The Planning Commission denied the application, and the property owner appealed to the City Council.

Appellant's Position: Legal counsel Charles Krolkowski, representing the property owner, argued that the original county approvals never explicitly stated the Zenith driveway was for "emergency access only," that the County's issuance of a certificate

of occupancy vested the right to use the driveway as built, and that Bristol Street's physical constraints make the rear driveway necessary for the safe ingress and egress of delivery vehicles and employees. He noted that a city traffic engineer had acknowledged at the Planning Commission hearing that the Bristol Street access is unsafe for delivery vehicles.

Mayor Kleiman opened public hearing.

Public Comment:

Jim Mosher (resident) stated that the Planning Commission correctly read "emergency access" as "emergency access only," and noted that the proper remedy is for the property owner to apply for a modification to their use permit, which remains available to them.

Linda Geet Giedt (neighborhood resident) described observing recurring commercial activity through the Zenith driveway over a five-month period and argued that the driveway is no longer functioning as a controlled emergency access point, contrary to the intent of the Santa Ana Heights Specific Plan.

Charlie Schoff (Orchid Street resident) recalled being told when the building was first constructed that the driveway would be blocked and used only for emergencies, and stated that the adjacent building does not have two driveways on Bristol as the appellant claimed.

Public Hearing was closed.

Community Development Director Jaime Murillo clarified through questioning that staff had initially been open to discussing limited delivery vehicle access but that the applicant ultimately sought full employee and delivery access, which staff could not support under the existing approval. Staff confirmed that the applicant retains the option to file a new site development review application to formally amend the conditions of approval.

Councilmember Grant expressed difficulty accepting the argument that unrestricted access was ever intended, given the documentary record, and observed that denial preserves a legitimate alternative path for the applicant to pursue modifications through proper channels.

Mayor Pro Tem Blom noted the significance of historical handwritten notations in the approval record, including notations by a prior fire chief, and acknowledged that staff had already extended some leniency in discussions around delivery vehicles.

Motion: to find this action exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15270 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 as projects which a public agency rejects or disapproves are not subject to CEQA review; and adopt Resolution No. 2026-52, 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 Deny Employee and Delivery Vehicle Use of an Emergency Access Driveway at an Existing Professional Office Building Located at 2350 Bristol Street Driveway Access (PA2025-0112), was made by Mayor Pro Tem Blom and seconded by Mayor Kleiman. The motion carried 6–0, with Councilmember Stapleton absent.

13. Ordinance No. 2026-10: Approving Amendment to Newport Place Planned Community Development Plan (PC-11) Related to the Minimum Percentage of Inclusionary For-Sale Housing within the Residential Overlay and Resolution No. 2026-53: Overriding Airport Land Use Commission's Determination of Inconsistency (PA2025-0196)

Mayor Kleiman recused herself from this item due to her husband's company having received income from Intracorp involving projects outside the City. Mayor Pro Tem Blom presided.

No council members requested a staff report. The public hearing was opened.

Public Comment:

Adam Leverenz objected to the successive reductions in the inclusionary housing requirement for the Newport Place residential overlay—from 30% in 2006 to 15% in 2023 and now to 6% for lower-income and 8% for moderate-income units—arguing that continued accommodation of developers at the expense of affordability requirements will create future compliance problems with state housing mandates.

Jim Mosher (resident) noted that the housing overlay framework approved by a prior council effectively renders the inclusionary requirement moot, as developers may apply under the housing opportunity overlay with no affordable housing obligation whatsoever, as demonstrated by a recent Planning Commission approval at 1301 Dove Street.

Public hearing was closed.

Motion: to a) find the Amendment is not subject to 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;

b) Introduce Ordinance No. 2026-10, *An Ordinance of the City Council of the City of Newport Beach, California, Approving an Amendment to the Newport Place Planned Community Development Plan (PC-11) to Revise the Minimum Inclusionary For-Sale Housing Percentage Required within the Residential Overlay (PA2025-0196);* and

c) Adopt Resolution No. 2026-53, *A Resolution of the City Council of the City of Newport Beach, California, Finding an Amendment to the Newport Place Planned Community Development Plan (PC-11) to Revise the Minimum Inclusionary For-Sale Housing Percentage Required within the Residential Overlay 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 (PA2025-0196), was made by Mayor Pro Tem Blom and seconded by Councilmember Weber. The motion carried 5–0, with Councilmember Stapleton absent and Mayor Kleiman recused.*

VII. MOTION FOR RECONSIDERATION

No motions for reconsideration were made.

The meeting was adjourned at 7:39 p.m.