



**CITY OF NEWPORT BEACH
CITY COUNCIL AGENDA**

**MARCH 25, 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. **INVOCATION - Reverend Dr. George Okusi, St. John the Divine Episcopal Church**

III. **PLEDGE OF ALLEGIANCE**

IV. **PRESENTATIONS**

- History of the Balboa Island Ferry by Seymour Beek
- Proclamation Recognizing National Library Week
- Recognition of Newport-Mesa Unified School District Students

V. **NOTICE TO THE PUBLIC**

The City Council of Newport Beach welcomes and encourages community participation. Public comments are generally limited 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.

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

VII. **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.

VIII. CONSENT CALENDAR

READING OF MINUTES AND ORDINANCES

1. Minutes for the March 11, 2025 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.

ORDINANCE FOR ADOPTION

3. Ordinance No. 2025-4: Amending the Newport Beach Municipal Code to Update Administrative Procedures Related to Good Cause Determinations and the Extension of Deadlines for Short-Term Lodging Permits

a) Determine this action is 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 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 this action will not result in a physical change to the environment, directly or indirectly; and

b) Conduct second reading and adopt Ordinance No. 2025-4, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 1.08.120 (Definitions) of Title 1 (General Provisions), Section 5.95.042 (Maximum Number of Permits), Section 5.95.043 (Transfer of Permit), and Section 5.95.065 (Suspensions and Revocations) of Chapter 5.95 (Short-Term Lodging Permit) of Title 5 (Business Licenses and Regulations) of the Newport Beach Municipal Code to Update Administrative Procedures Related to Good Cause Determinations and the Extension of Deadlines.*

[Staff Report](#)

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

[Attachment B - Changes to the Code \(redlines\)](#)

[Written Comments](#)

RESOLUTION FOR ADOPTION

4. Resolution No. 2025-12: Creating the Ad Hoc Refuse 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. 2025-12, *A Resolution of the City Council of the City of Newport Beach, California, Creating the Ad Hoc Refuse Committee*; and
- c) Confirm the appointments of Councilmember Robyn Grant and Councilmember Michelle Barto to serve on the Ad Hoc Refuse Committee.

[Staff Report](#)

[Attachment A - Resolution No. 2025-12](#)

[Written Comments](#)

CONTRACTS AND AGREEMENTS

5. Irrigation Controller Replacement Phase 2 - Award of Contract No. 9735-1

- 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) Award Contract No. 9735-1 to EMTS for the total bid price of \$480,202.74 for the replacement of 37 irrigation controllers, and authorize the Mayor and City Clerk to execute the agreement; and
- c) Establish a contingency of \$24,000 (approximately 5% of total bid) to cover the cost of unforeseen work not included in the original contract.

[Staff Report](#)

[Attachment A - Contract](#)

[Attachment B - Protest Letter](#)

[Written Comments](#)

6. Approval to Increase the Purchase Order Amount with W. W. Grainger, Inc. for As-Needed Procurement of Public Works Department Maintenance and Repair Tools, Materials and Supplies

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 Purchase Order No. 22500148 with W. W. Grainger, Inc., increasing the amount from \$120,000 to \$200,000 for FY 2024-25; and

c) Approve issuing a purchase order with W. W. Grainger, Inc., for \$200,000 for FY 2025-26 on or after July 1, 2025.

[Staff Report](#)

[Attachment A - Contract](#)

7. Amendment to Professional Services Agreement with Sampson Oil Company for Oil Well Management 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 Amendment No. Seven to the Professional Services Agreement with Sampson Oil Company for Oil Well Management Services, which extends the contract to June 30, 2026, and increases the contract amount by \$750,000, and authorize the Mayor and City Clerk to execute the Agreement.

[Staff Report](#)

[Attachment A - Amendment No. Seven](#)

8. Professional Services Agreement with Environmental Science Associates for Environmental Services Related to Proposed Improvements at Back Bay Landing and Bayside Village Marina (PA2024-0135)

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 a Professional Services Agreement with Environmental Science Associates for Supplemental EIR Related to Back Bay Landing and Bayside Village Marina Improvement Project in an amount not-to-exceed \$426,100, in a form substantially similar to the agreement attached to the staff report.

[Staff Report](#)

[Attachment A - Agreement](#)

9. Concession Agreement with Kit at the Library, Inc. for Use of the Concession Facility at the Central Library Located at 1000 Avocado Avenue

a) Find this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing facilities) and Section 15302 (Replacement or Reconstruction) 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) Authorize the City Manager and City Clerk to execute the Concession Agreement between the City of Newport Beach and Kit at the Library, Inc., for use of the concession facility at the Central Library, located at 1000 Avocado Avenue, in a form substantially similar to the agreement attached to the staff report; and

c) Approve a waiver of City Council Policy F-7 - *Income and Other Property* based on the findings contained in the staff report and the Agreement, that charging less than fair market rent promotes the City's goals to provide essential or unique services to the community, that cannot otherwise be provided if full market rates were charged.

[Staff Report](#)

[Attachment A - Concession Agreement](#)

[Attachment B - Proposed Menu](#)

[Attachment C - Proposed Tenant Improvements](#)

[Attachment D - City Council Policy F-7](#)

[On the Agenda](#)

[Written Comments](#)

10. Amendment to Professional Services Agreement with Dudek, Inc. for Consulting Services on the Comprehensive General Plan Update (PA2022-080)

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. One to the Professional Services Agreement with Dudek, Inc. for Consulting Services on the Comprehensive General Plan Update, which augments the Scope of Work, extends the contract to June 30, 2026, and increases the contract amount by \$128,479.99 for a total not-to-exceed amount of \$1,606,509.74, and authorize the Mayor and City Clerk to execute Amendment No. One to the Agreement.

[Staff Report](#)

[Attachment A - Amendment No. One](#)

[Attachment B - GPU SC Memo](#)

[Written Comments](#)

MISCELLANEOUS

11. General Plan Annual Progress Report Including Housing Element Report for 2024 (PA2025-0008)

a) Find the preparation, review and submission of the 2024 General Plan Progress Report not subject to the California Environmental Quality Act (CEQA) as the actions are not a project as defined by Section 15378(b)(2) of the Public Resources Code;

b) Approve the 2024 General Plan Progress Report, including the Housing Element Annual Progress Report; and

c) Authorize submittal of the 2024 General Plan Progress Report to the State Office of Land Use and Climate Innovation and the submittal of the Housing Element Annual Progress Report to the State Department of Housing and Community Development.

[Staff Report](#)

[Attachment A - Annual Progress Report](#)

[On the Agenda](#)

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

IX. ITEMS REMOVED FROM THE CONSENT CALENDAR

X. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Public comments are invited on agenda and 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.

XI. CURRENT BUSINESS

12. Ordinance No. 2025-5: An Amendment to Section 15.02.095 of the Newport Beach Municipal Code Related to Timeframes for Completion of Construction

a) Find this action 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 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; and

b) Waive full reading, direct the City Clerk to read by title only, introduce Ordinance No. 2025-5, *An Ordinance of the City of Council of the City of Newport Beach, California, Amending Section 15.02.095 (Section 105.3.4) of the Newport Beach Municipal Code Related to Timeframes for Completion of Construction*, and pass to second reading on April 15, 2025.

[Staff Report](#)

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

[Attachment B - Ordinance \(redlines\)](#)

[On the Agenda](#)

[Written Comments](#)

XII. 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.

XIII. CLOSED SESSION - Council Chambers Conference Room

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code § 54956.8): 3 matters

1. **Property:** 3848 Campus Drive, Newport Beach, CA 92660 (Assessor Parcel Number 427-151-08).

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

Negotiating Parties: John Saunders on behalf of 3848 Campus Drive LP.

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

2. **Property:** 12 Corporate Plaza Drive, Newport Beach, CA 92660 (Assessor Parcel Numbers 442-271-12 & 442-271-30).

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

Negotiating Parties: John Pomer on behalf of Junkins 12 Corporate Plaza, LLC; and The Irvine Company

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

3. **Property:** 707 E. Balboa Blvd, Newport Beach, CA 92661 (Assessor Parcel Number 048-135-02).

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

Negotiating Parties: Linda Sadeghi on behalf of Balboa Theater Company, LLC

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

[Written Comments](#)

B. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code § 54957.6): 1 matter

Agency Designated Representatives: Grace K. Leung, City Manager, 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).

XIV. CLOSED SESSION REPORT

XV. ADJOURNMENT - In memory of Mary Romeo and Fran Ursini

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.