

## ATTACHMENT A

### RESOLUTION NO. 2023-6

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, SUPPORTING EFFORTS TO ELIMINATE THE THREAT OF FENTANYL TO THE NEWPORT BEACH COMMUNITY

**WHEREAS**, fentanyl is the single deadliest drug threat the nation has ever encountered, and its increasing prevalence poses a considerable public health and safety risk to the Newport Beach community;

**WHEREAS**, according to the Centers for Disease Control and Prevention, 107,622 people in the United States died of drug overdoses and drug poisonings in 2021 and approximately 67 percent of those deaths involved synthetic opioids like fentanyl;

**WHEREAS**, in Orange County, fentanyl-related deaths have increased more than 1000 percent from 57 in 2017 to 636 in 2021;

**WHEREAS**, many of these deaths are the result of drug dealers selling counterfeit pills containing illicit fentanyl, concealing the presence of fentanyl from the user;

**WHEREAS**, on December 9, 2022, the Newport Beach Police Department arrested a suspected narcotics dealer and seized approximately 50,000 fentanyl pills, with an estimated street value of \$250,000;

**WHEREAS**, the seizure of fentanyl by the police saves lives by removing lethal doses of fentanyl from the streets;

**WHEREAS**, the Orange County Sheriff's Department and Newport Beach Police Department have begun issuing advisements to all those arrested for selling narcotics informing them that if a dealer sells, furnishes, or distributes drugs to someone, and that person dies because of using the drugs, they can be charged with murder;

**WHEREAS**, the Orange District Attorney's Office has adopted a policy to advise offenders convicted of certain drug-related charges that if they commit a drug-related crime again and someone dies as a result, they can be charged with murder; and

**WHEREAS**, the Newport Beach Police Department is committed to taking aggressive enforcement measures to eliminate the threat of fentanyl and bring public awareness, through community outreach, to the dangerous and potentially deadly effects that this illicit drug poses to the Newport Beach community.

**NOW, THEREFORE,** the City Council of the City of Newport Beach resolves as follows:

**Section 1:** The City Council does hereby join with the Orange County law enforcement agencies, in its commitment to eliminate the threat of fentanyl to our community, by devoting resources to the interdiction of narcotics, holding accountable drug traffickers, and raising public awareness about the dangers of drug use.

**Section 2:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 3:** If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 4:** The City Council finds the adoption of this resolution is not subject to 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 5:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

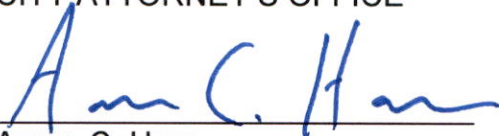
**ADOPTED** this 24th day of January, 2023.

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NOAH BLOM  
Mayor

**ATTEST:**

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Leilani I. Brown  
City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
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Aaron C. Harp  
City Attorney