

## RESOLUTION NO. 2023-14

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A LEGISLATIVE PLATFORM

**WHEREAS**, the City Council historically promotes legislative actions consistent with the goals and functions of the City of Newport Beach;

**WHEREAS**, such legislative actions are typically included within the City's adopted Legislative Platform;

**WHEREAS**, the promotion of legislative actions once required separate City Council action to approve individual letters of support or opposition related to specific pieces of legislation;

**WHEREAS**, the piece-by-piece approval can delay important actions necessary to assist in the passage or defeat of legislation; and

**WHEREAS**, the City Council seeks to efficiently pursue legislation that reflects the Legislative Platform and the goals of the City.

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

**Section 1:** The City Council does hereby adopt the Legislative Platform, which is attached hereto as Exhibit A and incorporated herein by this reference, and repeals all prior versions of the Legislative Platform.

**Section 2:** The City Council hereby authorizes the Mayor to make statements and write letters necessary to support legislative actions consistent with the City's adopted Legislative Platform. Should the Mayor be unavailable to sign a City advocacy letter, the City Council hereby authorizes the Mayor to designate the Mayor Pro Tempore or the City Manager to sign and issue the letter in the Mayor's absence. All correspondence prepared on the City's behalf will be copied to each City Council member.

**Section 3:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 4:** 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 5:** 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 6:** 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 28th day of February, 2023.



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Noah Blom  
Mayor

**ATTEST:**



\_\_\_\_\_  
Leilani I. Brown  
City Clerk



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



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Aaron C. Harp  
City Attorney

Attachment: Exhibit A - City of Newport Beach Legislative Platform

# City of Newport Beach

## *Legislative Platform*

Adopted February 28, 2023 (term indefinite until repealed or replaced)

### **PURPOSE**

The City of Newport Beach legislative platform summarizes the City's core legislative principles and positions for the purpose of advocacy efforts at the local, regional, state and federal levels. The platform provides clear direction on pertinent issues and thus enables staff to address legislative and regulatory matters in a timely manner.

The policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action.

### **GUIDING PRINCIPLES**

- I. **Preserve Local Control** – As a charter city, the City supports the protection or expansion of local, decision-making authority and its ability to provide public services. It opposes the preemption of local control such as mandated, additional costs without appropriate reimbursement. Local agencies should preserve authority and accountability for revenues raised and services provided.
- II. **Maintain Fiscal Responsibility** – The City supports measures that protect its existing funding sources and revenue base and its control over local government budgeting. It opposes any effort to shift local funds to the County, State or Federal governments or diminish its revenue base, including unfunded mandates by the State or Federal governments.
- III. **Protect Quality of Life** – The City supports legislation and funding that preserves the safety, security and well-being of its residents, businesses and visitors. It opposes any effort that negatively impacts the community's quality of life.
- IV. **Support Private Property Rights** – The City supports the preservation or enhancement of private property rights and opposes measures that erode or reduce laws that protect private property rights.

- V. Promote Economic Development** – The City supports legislation and regulatory streamlining initiatives that would enhance the City’s ability to attract and retain businesses as well as encourage business expansion and job retention.

**PLATFORM ISSUES.** The following categories generally reflect priorities of the City on a regular and long-term basis:

*I – AVIATION.* As a neighbor to John Wayne Airport (JWA), the City is actively involved in efforts to protect its residents from the impacts of the airport. The City shall advocate for legislative and executive actions consistent with the Council’s Airport Policy (A-17) and/or that:

- (a) Preserve and, assuming the terms and conditions are consistent with Council Policy A-17, amend or otherwise extend the JWA Settlement Agreement.
- (b) Preserve and protect the 2006 Cooperative Agreement between the County of Orange and the City.
- (c) Oppose changes in regional aviation policies that would regionalize aviation administration or that would allow a regional entity the power of eminent domain to expand airport capacity.
- (d) Support legislative and regulatory initiatives to study and mitigate the noise and air quality impacts associated with air traffic overflights.
- (e) Support local control over local airports.
- (f) Support efforts to increase usage of airports with excess capacity such as Ontario International, provided the increased usage does not materially impact the quality of life of nearby residents.
- (g) Support efforts to encourage the operation of aircraft with quieter engines at John Wayne Airport.

*II – HOUSING AND LAND USE REGULATIONS.* The City seeks to protect and strengthen its land use authority, including regulation of residential recovery facilities and group homes, zoning, incorporation, annexation, and community development. Therefore, the City shall:

- (a) Support efforts that would allow cities and counties greater control over the placement and management of residential recovery facilities, parolee homes, sober living homes, and other group accommodations in residential areas, while respecting disabled persons’ right to housing.
- (b) Support efforts to ensure the accountability of State-licensed residential recovery facility operators.

- (c) Support efforts to strengthen the legal and fiscal capability of the City to prepare, adopt and implement plans for orderly growth, development, beautification and conservation of local planning areas, including but not limited to, regulatory authority over zoning, subdivisions and annexations.
- (d) Oppose development agreements in the City's spheres of influence in undeveloped areas that do not conform to City standards.
- (e) Support legislation that simplifies requirements for General Plan Housing Elements.
- (f) Support measures to improve or otherwise streamline local governments' working relationship and permitting ability with County, State and Federal resources agencies and commissions.
- (g) Support legislation that provides funding or programs to address the lack of affordable housing as long as it does not impose mandated costs or diminish the City's zoning authority.
- (h) Aggressively support measures that preserve local control over planning and zoning matters.
- (i) Oppose legislation and regulatory efforts that eliminate or diminish the City's authority to zone and plan for the development of telecommunication infrastructure.
- (j) Oppose legislative efforts that reduce the City's ability to zone for or regulate short-term rental properties.
- (k) Support legislation that maintains local control over medical marijuana dispensaries and upholds cities' ability to regulate and ban dispensaries.
- (l) Support measures that provide municipalities with increased input in the development of the Regional Housing Needs Assessment (RHNA).
- (m) Support efforts to ensure the accuracy of the information and assumptions used to create RHNA allocations.
- (n) Support legislation that preserves local discretion in the assessment, collection and usage of development fees for projects including, but not limited to, water, wastewater, transportation, and other critical infrastructure needs.
- (o) Oppose efforts that restrict the use and disposition of City property.

*III – FISCAL STABILITY.* The City's objective is to protect existing revenue sources and to limit the cost of government upon the taxpayers of Newport Beach. The City also seeks to protect Newport Beach residents and businesses from onerous fiscal actions by other levels of government (County, State, Federal) which may impair our ability to protect our quality of life. Therefore, the City shall:

- (a) Support legislation leading to greater financial independence from the State government and which would result in greater predictability in local government budgeting.

- (b) Oppose legislation that would impose State and Federal mandates for which there is no or inadequate local reimbursement or offsetting benefits.
- (c) Oppose actions to change 1978's Proposition 13, including the development of a "split roll" property tax valuation system.
- (d) Support legislation that reforms California's tort system to curtail unreasonable liability exposure for public agencies and restore the ability of public agencies to obtain affordable insurance.
- (e) Oppose any changes in State law that would further limit the ability of charter cities to manage their affairs.
- (f) Oppose new or expanded State taxes and fees that affect local services.

*IV – LABOR RELATIONS.* The City respects the working conditions, benefits, and rights of Newport Beach employees and the conservative fiscal management principles of the community. Therefore, the City shall:

- (a) Support legislation that promotes fiscally responsible public retirement benefits and oppose legislation that threatens to increase the cost and burden of administering retirement benefits.
- (b) Oppose legislation that imposes mandated (State or Federal) employee benefits that are more properly decided at the local bargaining table.
- (c) Oppose efforts that reduce local control over public employee disputes.
- (d) Support workers' compensation-related legislative measures which positively affect public employers.

*V – TRANSPORTATION.* The City supports multi-modal transportation systems, programs and services. Therefore, the City shall:

- (a) Encourage Federal, State, County and local programs to increase funding and simplify permitting for transit, bicycling, and pedestrian travel.
- (b) Support legislation and voter-approved bond measures that help local agencies finance local transportation facilities.
- (c) Oppose legislation that requires additional County, State and Federal review of projects that are predominantly of regional or local significance.
- (d) Support legislation that gives local agencies greater access to and discretion over transportation funds.
- (e) Support legislative efforts to create efficiencies within the California Environmental Quality Act (CEQA) as it pertains to small- and large-scale transportation projects.

*VI – ENVIRONMENTAL QUALITY.* The City supports effective measures to improve the environment, including water quality, solid waste, hazardous materials clean-up, and ocean, beaches and bay protection. Therefore, the City shall:

- (a) Support legislation that would establish or increase funding for local agencies to analyze and mitigate potential impacts of sea level rise on coastal communities.
- (b) Support measures that enhance local authority and flexibility to regulate solid waste and recyclable materials.
- (c) Support efforts that provide a dedicated stream of funds to projects benefiting area beaches and waterways, including adequate and independent funding for boating and waterways.
- (d) Seek any appropriate one-time and/or long-term sources of funds and/or services to enhance and protect Newport Bay, including Lower Newport Bay and Upper Newport Bay dredging activities.
- (e) Support efforts that ensure that public waters are accessible, safe and clean.
- (f) Oppose legislation that would allow the development of new oil platforms along the Orange County coastline.
- (g) Support legislation that provides for oil spill prevention and response efforts while incorporating engagement and feedback from local authorities.
- (h) Support funding for remediation of closed oil operations where the land will transition to habitat and open space.
- (i) Support measures that improve funding resources and the science associated with water quality testing and beach closure standards.
- (j) Advocate for Regional Board control over fines and fees collected from water quality violations so that such fines and fees remain in the region to be used directly for water quality improvements.
- (k) Support efforts to complete the Orange Coast River Park.
- (l) Support changes to the California Environmental Quality Act (CEQA) that retain CEQA's foundation of appropriately addressing environmental impacts but that ensure that CEQA is not used as a tool for litigation and the delay of important projects.

*VII – WATER SUPPLY AND UTILITIES.* The City supports effective measures to maintain local control and improve utilities, including the City's water supply, and that promote the reliability and cost-effectiveness of other utilities, such as electricity. Therefore, the City shall:

- (a) Support projects, legislation and funding measures (including statewide bond measures) that would increase water supply and improve water quality in this region.

- (b) Support efforts that encourage and incentivize coordinated planning activities for sustainable water resources, infrastructure and planning.
- (c) Oppose measures that limit the City's ability to regulate the quality of public water or limit public use.
- (d) Support efforts to protect local water rights and the reliability and security of Orange County's water supplies.
- (e) Oppose efforts that unilaterally reduce the indoor water use standards without the input of local and regional stakeholders.
- (f) Support legislation and efforts that will provide for and ensure there are ample, reliable and cost-effective electrical energy generation, transmission and distribution systems in place that are capable of serving all current and foreseeable electrical power demands.
- (g) Oppose efforts to add more load demands until the corresponding and necessary electrical energy generation and transmission capacity is constructed and put into service.

*VIII – COASTAL RESOURCES AND THE COASTAL ZONE.* The City supports efforts to protect and enhance public access and coastal resources in a manner that balances the rights of the individual property owner and local government land use authority with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Therefore, the City shall:

- (a) Support legislation that provides funding or programs to address public access to coastal resources.
- (b) Support efforts that improve public assets in the coastal zone.
- (c) Support efforts to protect and enhance natural and constructed coastal resources.
- (d) Oppose legislation that preempts or otherwise diminishes local control within the coastal zone.
- (e) Oppose legislation that diminishes the land value of public and private property in the coastal zone.
- (f) Support legislation that promotes the fair and balanced implementation of the California Coastal Act that emphasizes local input and local control.
- (g) Support appropriate funding of the California Coastal Commission that guarantees efficiency of operations, clarity of mission, and accountability.

*IX – PUBLIC SAFETY.* The City supports measures that provide local governments access to resources that enable them to provide quality police, fire, emergency medical and emergency management services. Therefore, the City shall:

- (a) Support efforts that address the illicit use of opioids, including fentanyl, by holding drug traffickers accountable, stopping the transport of narcotics across the border, adding harsher penalties for fentanyl sold or distributed to youth, and preventing the use of social platforms to illegally sell and distribute opioids.
- (b) Support a public safety system that promotes local law enforcement services, crime prevention, prosecution of crime, confinement of high-risk adults, and evidence-based programs aimed at rehabilitation and lowering the recidivism rate.
- (c) Support the restoration of accountability in the criminal justice system by ensuring sentences are fully carried out and sufficiently address the significance of each crime.
- (d) Support efforts to assist law enforcement in fighting cybercrime and promoting programs that increase cybersecurity awareness.
- (e) Support efforts to increase penalties for driving under the influence of alcohol or drugs, as well as resources that promote efforts to prevent driving under the influence.
- (f) Oppose efforts to restrict local law enforcement from collaborating with State and Federal agencies regarding shared public safety threats.
- (g) Support victims' rights programs and services for victims of crimes.
- (h) Support efforts to prevent sexual assault, human trafficking and related crimes.
- (i) Support legislation that provides for wildfire local assistance grant programs.
- (j) Support public provider emergency medical services.
- (k) Support the continuation of Cal OES emergency preparedness funding for cities and counties to provide organized staffing during incidents.
- (l) Support legislation that aligns with the City Council's Civil Asset Forfeiture and Seizure Policy as currently set forth in Council Policy F-10.

X – *HOMELESSNESS*. The City supports efforts and legislation that seeks to alleviate homelessness throughout the state by providing funding and programmatic assistance to cities and counties. Therefore, the City shall:

- (a) Support Federal, State, County or local efforts to develop programs, partnerships or grant programs to assist cities in providing housing solutions and/or services to address homelessness.
- (b) Support the conversion to or construction of transitional housing facilities.
- (c) Support legislative changes to Coordinated Entry requirements that allow local governments to prioritize based on local unsheltered needs.
- (d) Support countywide investments in mental health treatment across the continuum of care, including efforts to support or encourage creation of additional board and care beds as well as subacute treatment and psychiatric skilled nursing facilities.

- (e) Support the creation and/or continuance of private, Federal, State or County grant opportunities for funding to reduce and prevent homelessness.

STATE OF CALIFORNIA                    }  
COUNTY OF ORANGE                    }  
CITY OF NEWPORT BEACH                }        ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; the foregoing resolution, being Resolution No. 2023-14 was duly introduced before and adopted by the City Council of said City at a regular meeting of said Council held on the 28<sup>th</sup> day of February, 2023; and the same was so passed and adopted by the following vote, to wit:

AYES: Mayor Noah Noah Blom, Mayor Pro Tem Will O'Neill, Council Member Brad Avery, Council Member Robyn Grant, Council Member Lauren Kleiman, Council Member Joe Stapleton, Council Member Erik Weigand  
NAYS: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 1<sup>st</sup> day of March, 2023.



  
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Leilani I. Brown  
City Clerk  
Newport Beach, California