

## Stop Polluting Our Newport

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**From:** Kiff, Dave <DKiff@newportbeachca.gov>  
**Sent:** Friday, October 21, 2016 2:18 PM  
**To:** undisclosed-recipients  
**Subject:** Insider's Guide for Tuesday, October 25, 2016

A happy Friday to all.

Here's what's on the agenda for the Newport Beach City Council meeting of **Tuesday, October 25, 2016**.

More detailed Council meeting information is at the end of the *Guide*. I don't summarize every item on the agenda, so make sure you look at the City Clerk's [agenda page](#) to read the whole [agenda](#) if you'd like.

There will be a study session starting at **4:30 p.m.**, with one item that's an important one:

- The **Implementation Plan (IP)** to the **Local Coastal Program (LCP)**. Wait! Don't skip to the next section! If you live in the Coastal Zone, chug some caffeine and read these paragraphs. You all know of the Coastal Commission. It was created when the voters of California passed Proposition 20 (which enacted the Coastal Act) in 1972. The Coastal Act said, among other things, that California would have a Coastal Commission that guided land use decisions within the Coastal Zone. The Coastal Zone is, generally, the waterward side of a line drawn from the Oregon border to Mexico along the coast and bays generally between the waves and a major road, like PCH (but not always!). So lots of Newport Beach is in the Coastal Zone.

The Coastal Act also suggests that local governments in the Coastal Zone have "Local Coastal Programs (LCPs)." Think of an LCP as a mini-Coastal Act for each community, with the City Council acting as the Coastal Commission. Many cities have LCPs, but Newport Beach has not had one – ever. Ok, take a breather. That's a lot to digest.

Part II of this discussion is us getting Newport Beach's LCP finished and adopted. An LCP consists of **two things** – a plan for land use designations (like residential here, commercial there, etc) called a **Coastal Land Use Plan (CLUP)** plus an **Implementation Plan (IP)**. The IP is a big document that tells the processes and procedures we'll use to adhere to the Coastal Act. Like ways we'll protect public views, encourage visitor access, enhance natural habitat, and much more. The Coastal Commission itself has to approve both the CLUP and the IP. The CLUP was approved several years ago, and the IP is the main subject here. When both are approved, you add them together to get a Local Coastal Program (woo-hoo!).

So today, we have an approved CLUP and a Commission-approved IP. But the Council needs to consider re-approving the IP as the Coastal Commission amended it (a bit) from what we asked for. The amendments are not too significant, but we need to see what the

community and Council think about it. Thus this study session. There are only a few issues where the City ultimately disagreed (gently) with what the Commission approved – one involved increasing required setbacks from a Upper Bay blufftop section of Galaxy in Westcliff (if residents there remodel more than 50% of their homes). Please follow along if you can – if you can't, the item comes back again at a night session for formal adoption before the close of the year.

The night's regular session will begin at **7:00 p.m.** Here's what might be of interest to you:

- An item stating the City's opposition to **Proposition 57** (on the November 8, 2016 General Election ballot) relating to early release for certain offenses.
- An agreement between Newport-Mesa USD and the City to **renovate the Newport Elementary School grass field**. If approved, construction could occur in Summer of 2017. Thanks to all of the Newport El parents who raised a gentle but persuasive ruckus over the need for the field to be re-done, and thanks to the folks at NMUSD for helping fund half of it.
- The annual review of a **zoning agreement** between the City and **Sober Living by the Sea** is scheduled. Generally, staff continues to find SLBTS in compliance with the agreement, as has been the practice in the last several years.
- The **Newport Harbor Yacht Club's** reconstruction is up for approval, as well as a donation from the NHYC of \$350K for a nice public pier near Lido Marina Village.
- Two large contracts come back after being continued for some more work – one involves the (still) long-awaited **Seminouk Slough dredging** (a \$1.57M item).

Some random notes:

- **Huntington Beach Air Show**. As folks in West Newport Beach have discovered, the [Breitling - Huntington Beach Air Show](#) is underway with practice flights yesterday and today and the main show over the weekend (Sat and Sun), generally in the afternoons from Noon to 4:00 p.m. Many planes will be on the quiet side, but there will be the US Air Force Thunderbirds too (I just watched them practice from the windows of the Civic Center and it was amazing!). , **if you live in Eastbluff**, the FAA may be diverting some JWA commercial flights over the Eastbluff area for a few hours as the Thunderbirds are practicing as well as during their show. This could impact Corona del Mar, too, as those same flights going over Eastbluff will keep to that straight line and stay a little east of the Jetty. Hopefully many folks will enjoy the show (it was the talk of the gym this morning – in a good way), though we've certainly had some callers upset about it. This went through the City of Huntington Beach's permit processes.
- The amazing red-rock town of Sedona, Arizona, has made the excellent choice to select Newport Beach's **Deputy Police Chief Dave McGill** as its next Police Chief. We are all happy for Dave and Kim McGill, who both are longtime Newport residents. Dave joined us from LAPD over four years ago, and I was always appreciative of how well he engaged with the community. I wish Dave and Kim good health, enjoyable work, and safe mountain biking in that beautiful place.
- **Museum House project**. At last night's Planning Commission meeting, the Planning Commission voted 7-0 to recommend approval of the 100-unit Museum House project at the Orange County Museum of Arts site in Newport Center. This means that the project comes

next to the City Council meeting, likely in either late November or early December. It is not scheduled for the October 25<sup>th</sup> meeting and I likely will not schedule it for November 8, either, as that is Election Day and folks' minds will be elsewhere. I know mine will. More than usual, I mean.

- **Speaking of schedules, what's left in terms of meetings?** We are trying to schedule a handful of big items (like Museum House, AutoNation and the LCP/IP) and several small but important ones (like updating our Building and Fire Codes) before the close of the year, and as the Council transitions with three new members on December 13<sup>th</sup>. We will do our very best to avoid conflict-laden meeting dates (like Election Day) and give you plenty of advanced notice of meeting schedules for these items. Please keep watching the *Guide* for updates.

As always, thanks for reading. Feel free to forward this *Guide* to family, friends and members of your HOA if you represent one. I always like hearing from you, too, so please don't hesitate to ask a question or offer a comment.

Sincerely,

Dave Kiff  
City Manager  
[dkiff@newportbeachca.gov](mailto:dkiff@newportbeachca.gov)  
949-644-3001

**City Council Meeting Information:** The Newport Beach City Council meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of most months (the exceptions are August and December). Typically, there is a **Study Session** that starts at 4:00 p.m. Study sessions are times for the Council to take a deeper look at a specific issue, or hear a presentation, that might eventually lead to a specific and more formal action. A **closed session** often follows the Study Session. Closed sessions are typically to address legal, personnel, and other matters where additional confidentiality is important. The **Regular (evening) Session** typically starts at 7:00 p.m., and often has a specific listing of 20-40 different items ready for formal votes. Items on the "Consent Calendar" are heard all at once, unless a Council member has removed (aka "pulled") an item from the Consent Calendar for specific discussion and separate vote. If an item on the agenda is recommended to be "continued", it means that the item won't be heard nor voted on that evening, but will be pushed forward to another noticed meeting.

**Public Comment** is welcomed at both the Study Session and the Regular Session. The public can comment on any item on the agenda. If you want to comment on a Consent Calendar item that was not pulled from the Consent Calendar by a Council Member, you will want to do so at the time listed on the agenda – right before the Council votes on the entire Consent Calendar (it's Roman Numeral XIII on the posted agenda). If an item is pulled, the Mayor will offer that members of the public can comment as that specific item is heard separately. Additionally, there is a specific section of Public Comment for items not on the agenda, but on a subject of some relationship to the city government. If you cannot attend a meeting and/or want to communicate with the City Council directly, this e-mail gets to all of them:

[CityCouncil@newportbeachca.gov](mailto:CityCouncil@newportbeachca.gov). Please know that I get a copy of that e-mail, too, because in almost all cases it's something that the City Manager follows-up on. It's my head-start.

The Council meets in the Council Chambers at 100 Civic Center Drive, off of Avocado between San Miguel and East Coast Highway. There is plenty of parking in the parking structure behind City Hall. You are always welcome to attend in person, but you can also watch on TV (Channels 3/31) or on your computer.

This *Insider's Guide* is not an attempt to summarize every item on the Agenda – just the ones that seem of specific interest to Dave. I encourage you to read the full agenda if you wish.