

# HARBOR COMMISSION AGENDA

City of Newport Beach  
Council Chambers – 3300 Newport Blvd.  
Wednesday, September 16, 2009  
Regular Meeting – 6:00 p.m.

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Karen Rhyne- Chairman

John Corrough  
Tim Collins  
Marshall Duffield

Don Lawrenz  
Ralph Rodheim  
Vincent Valdez

The Harbor Commissioners are citizens of Newport Beach who volunteer to serve on the Harbor Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

Chris Miller  
Manager, Harbor Resources

Shannon Levin  
Supervisor, Harbor Resources

Lorrie Arcese  
Specialist, Harbor Resources

## **NOTICE TO THE PUBLIC**

Regular meetings of the Harbor Commission are generally held on the second Wednesday of each month at 6:00 p.m. Staff reports or other written documentation have been prepared. The agendas, minutes and staff reports are available on the City's web site the Friday afternoon before the meeting. The address is: <http://www.city.newport-beach.ca.us>, under Agendas & Minutes, then Harbor Commission. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Harbor Resources staff at (949) 644-3034.

It is the intention of the City of Newport Beach 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, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Lorrie Arcese, Harbor Resources Specialist at (949) 644-3034, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

**NEWPORT BEACH HARBOR COMMISSION AGENDA**  
**3300 Newport Blvd., Newport Beach, CA**  
**Wednesday, September 16, 2009**

**CALL TO ORDER**                      6:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/INTRODUCTION:**

*"The Commissioners sitting before you are citizens of Newport Beach who volunteer to serve on the Harbor Commission. They were appointed by the City Council at large by majority vote for 4-year terms. The people sitting at the table in front are City staff members and are here to advise us during the meeting. Immediately to my left are:*

*Chris Miller, Harbor Resources Manager  
Shannon Levin, Harbor Resources Supervisor  
Lorrie Arcese, Harbor Resources Specialist*

**MINUTES:**                      **Recommended Action:** Approve minutes from last meeting.

**PUBLIC COMMENTS:** *Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Harbor Commission – Speakers must limit comments to 3-minutes. Before speaking, please state your name and address for the record.*

*ALL TESTIMONY GIVEN BEFORE THE HARBOR COMMISSION IS TAPE RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.)*

**ACTION & APPEAL ITEMS**

***ITEM #1***

**Subject:** AERIE Dock Structure at 201-207 Carnation Avenue – Continue Item  
**Issue:** The AERIE applicant has requested that the Harbor Permit / Approval in Concept appeal be continued to the date certain Harbor Commission meeting on October 14, 2009.  
**Discussion:**  
**Public Comments:**  
**Action:** The Harbor Commission may:

1. Continue the AERIE appeal to the October 14, 2009 Harbor Commission meeting.

***ITEM #2***

**Subject:** Bluewater Grill, Harbor Permit Appeal  
**Issue:** In July 2009 City staff was notified that a shade structure was constructed on the patio / pier of Bluewater Grill without prior approval and permits. According to the Harbor Development Regulations no permanent structures are allowed on patios/piers, therefore, the applicant was informed that Harbor Resources would not issue a Harbor Permit. The applicant has appealed to the Harbor Commission to reconsider and issue a permit for the shade structure.

**Discussion:**

**Public Comments:**

**Action:** 1. The Harbor Commission may approve the applicant's appeal and advise Harbor Resources to grant a Harbor Permit for the structure.

2. The Harbor Commission may deny the applicant's request and require the structure to be removed.

**ITEM #3**

**Subject:** Sea Lion Presentation by the Pacific Marine Mammal Center

**Issue:** The Harbor Commission will hear a presentation about sea lions from a representative of the Pacific Marine Mammal Center.

**Discussion:**

**Public Comments:**

**Action:** Receive and file.

**SUB-COMMITTEE REPORTS** – Receive and file.

**HARBOR RESOURCES UPDATE** – Receive and file.

**PUBLIC COMMENTS ON SUB-COMMITTEE REPORTS OR HARBOR RESOURCES UPDATE:**

**COMMISSIONER'S ANNOUNCEMENTS OR MATTERS TO BE PLACED ON FUTURE AGENDAS FOR DISCUSSION, ACTION OR REPORT:**

**RECOMMENDED TOPICS FOR FUTURE AGENDAS:**

**DATE AND TIME FOR NEXT MEETING:** To be determined.

**ADJOURNMENT**

CITY OF NEWPORT BEACH  
**HARBOR COMMISSION STAFF REPORT**

Agenda Item No. 3  
September 16, 2009

**TO:** HARBOR COMMISSION

**FROM:** Harbor Resources Division  
Chris Miller, Harbor Resources Manager  
(949) 644-3043 [cmiller@newportbeachca.gov](mailto:cmiller@newportbeachca.gov)

**SUBJECT:** Sea Lion Presentation by the Pacific Marine Mammal Center

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**ISSUE:**

The Harbor Commission will hear a presentation about sea lions from a representative of the Pacific Marine Mammal Center.

**RECOMMENDATION:**

The Harbor Commission is requested to:

1. Receive and file.

**PUBLIC NOTICE:**

This agenda item has been noticed according to the Ralph M. Brown Act (72 hours in advance of the public meetings at which the Harbor Commission considers the item). It was also posted on the City's website.

**ENVIRONMENTAL REVIEW**

The Harbor Commission's review of this agenda item does not require environmental review.

Prepared by:

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Chris Miller  
Harbor Resources Manager