

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES  
City Council Chambers – 100 Civic Center Drive, Newport Beach  
Wednesday, August 14, 2024  
5 p.m.

**1. CALL MEETING TO ORDER**

The meeting was called to order at 5 p.m.

**2. ROLL CALL**

PRESENT: Scott Cunningham, Chair  
Ira Beer, Vice Chair  
Marie Marston, Secretary  
Steve Scully, Commissioner  
Gary Williams, Commissioner

ABSENT: Rudy Svrcek, Commissioner (excused)  
Don Yahn, Commissioner (excused)

Staff Members: Paul Blank, Harbormaster  
Jennifer Biddle, Executive Assistant  
Cynthia Shintaku, Administrative Assistant  
Rosalinda Gonzalez, Administrative Assistant

**3. PLEDGE OF ALLEGIANCE – Led by Chair Cunningham**

**4. PUBLIC COMMENTS (NON-AGENDA ITEMS)**

None.

**5. APPROVAL OF MINUTES**

**1. Draft Minutes of the July 10, 2024 Harbor Commission Regular Meeting**

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

Vice Chair Beer moved to approve the July 10, 2024 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Scully. The motion carried by the following roll call vote:

**Ayes:** Marston, Scully, Williams, Yahn, Beer, Cunningham  
**Nays:** None  
**Abstain:** None  
**Absent:** Svrcek (excused), Yahn (excused)

**6. CURRENT BUSINESS**

**1. Ad Hoc Committee Updates**

**Recommendation:**

- 1) 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
- 2) Receive and file.

Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)

No update.

General Plan Vision Statement Ad Hoc – Commissioners Scully and Marston (08-09-2023)

Harbormaster Blank is working with Water Quality and Coastal Tidelands Committee Member Curtis Black on a joint presentation to present to the Harbor Commission in October, in order to get the Harbor Commission more engaged on this topic.

Public Dock Utilization Ad Hoc – Commissioners Beer, Svrcek, and Williams (04-10-2024)

No update.

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed.

**2. Harbor Commission 2024 Objectives**

**Recommendation:**

- 1) 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
- 2) Receive and file.

1.	Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Yahn).
	<u>Update:</u> <i>No report.</i>
2.	Collaborate with the Water Quality/Coastal Tidelands Committee to partner on areas within the Harbor that both Commission/Committees intersect (Commissioners: Svrcek, Scully)
	<u>Update:</u> <i>No report.</i>
3.	Successful implementation of the mooring reconfiguration initiative, including design, testing, permitting, execution, and monitoring (Commissioner: Beer).
	<u>Update:</u> <i>No report.</i>
4.	<del>Collaborate with Parks, Beaches, and Recreation Commission and Staff to evaluate the best use for Lower Castaway and make a recommendation to City Council</del> (Commissioners: Marston, Svrcek).
	<u>Update:</u> <i>No report.</i>
5.	Work with staff to identify opportunities to add additional Harbor Services ( <del>Restrooms</del> , additional pump out stations, dock space, Shore Boat Service, Boat Launch Ramp, <del>and development of the mobile app</del> ) (Commissioners: Marston, Yahn)
	<u>Update:</u> <i>Commissioner Marston reported she met with Commissioner Yahn and they agreed that as restrooms have been previously discussed, it does not need to continue being listed on this item. Pump out, stations, a dock, space, Shore, boat service and launch a boat launch ramp should probably be continued, particularly the boat launch ramp, in case the agreement with the County was ever terminated, there would need to be some other kind of launch ramp available, The development of the mobile app could probably be taken off of this objective, since there is now a mobile app.</i>
6.	Continue with the participation of businesses, nonprofits, and the Harbor Department with a Newport Harbor Safety Committee to promote best practices and address safety issues on the water (Commissioner: Scully).
	<u>Update:</u> <i>Commissioner Scully noted there is a gap in insurance on rental boats operating in the Harbor. There is an app-based insurance product which includes purchase of rental</i>

		<i>insurance on a rental board for the time period of the rental. Several Harbor operators were contacted to gauge interest and awareness. Operators expressed concern that bringing up insurance to renters may cut down on rentals. The marine activity permit requires insurance from the operator. Insurance should be discussed with operators in the Harbor, especially to educate them that their insurance is at risk in the event of an incident.</i>
7.	Review Harbor Department responsibilities, evaluate the Department's readiness and effectiveness to deliver Harbor services as necessary for normal operations and during emergencies and make recommendations as determined necessary (Commissioner: Scully, Williams).	
	<u>Update:</u>	<i>Commissioner Scully commended the Harbor Department on their depth of services and responsibilities.</i>
8.	Work with City Staff on an update of the market Rent to be charged for onshore and offshore moorings (Commissioner: Cunningham, Beer).	
	<u>Update:</u>	<i>No report.</i>
9.	Evaluate establishing day moorings off Big Corona Beach (Commissioner: Williams).	
	<u>Update:</u>	<i>Commissioner Scully suggested to Commissioner Williams to look at putting \$50,00 toward getting Helix-4 moorings at the subject location, as it would be great to see boats moored off Big Corona. Vice Chair Beer noted Harbormaster Blank has been working on this item and obtaining costs and other information for implementation.</i>
10.	Support staff in all efforts related to the dredge completion of the Federal Navigation channels in addition to the upcoming agency renewals of Regional General Permit (RGP54) shallow water dredging permit. (Commissioners: Cunningham, Svrcek)	
	<u>Update:</u>	<i>No report.</i>

Chair Cunningham opened public comments.

Adam Leverenz noted that comments were made regarding the restroom on the beach at a recent City Council meeting, citing that they are locked during evening hours when patrons from the restaurants and other establishments need to use them, and those individuals wind up using the Harbor for restroom purposes.

Seeing no others, Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed.

### **3. Harbormaster Update – July 2024 Activities**

#### **Recommendation:**

- 1) 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
- 2) Receive and file.

Harbormaster Blank provided a summary of the agenda report provided in the publicly noticed agenda packet. A PowerPoint presentation was displayed.

Commission and staff discussion ensued including comments related to data from Marina Park, over anchorages and Harbor rules regarding same, no reports that mooring permittees cannot access the pump outs, and the increase in trash/debris removal with the pool skimmer, as it was a performance metric assigned by the City Manager.

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

**7. MOTION FOR RECONSIDERATION**

None.

**8. COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)**

None.

**9. MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)**

It was noted that Administrative Services Manager Chris Miller will be making a presentation in the next few months concerning the upcoming Capital Improvement Plan.

**10. DATE AND TIME FOR NEXT MEETING:**

The September meeting is canceled. The next regular meeting is scheduled for Wednesday, October 9, 2024, at 5 p.m.

**11. ADJOURNMENT**

There being no further business to come before the Harbor Commission, the meeting was adjourned at 5:40 p.m.

DRAFT