

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, July 9, 2025
5 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 4:59 p.m.

2. ROLL CALL

PRESENT: Ira Beer, Vice Chair
Marie Marston, Secretary
Bob Miller, Commissioner
Steve Scully, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner

ABSENT: Don Yahn, Commissioner

Staff Members: Paul Blank, Harbormaster
Chris Miller, Public Works Administrative Manager
Cynthia Shintaku, Administrative Assistant

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Scully

4. ELECTION OF OFFICERS

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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
- 2) Elect Chair; and
- 3) Elect Vice Chair; and
- 4) Elect Secretary

Secretary Marston nominated Vice Chair Beer as Harbor Commission Chair. Seconded by Commissioner Scully. The motion carried by the following roll call vote:

Ayes: Miller, Scully, Svrcek, Williams, Marston, Beer
Nays: None
Abstain: None
Absent: Yahn

Commissioner Scully nominated Secretary Marston as Harbor Commission Vice Chair. Seconded by Chair Beer. The motion carried by the following roll call vote:

Ayes: Miller, Scully, Svrcek, Williams, Marston, Beer
Nays: None
Abstain: None
Absent: Yahn

Chair Beer nominated Commissioner Scully as Harbor Commission Secretary. Seconded by Commissioner Scully. The motion carried by the following roll call vote:

Ayes: Miller, Scully, Svrcek, Williams, Marston, Beer
Nays: None
Abstain: None
Absent: Yahn

5. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Beer opened public comments.

Adam Leverenz welcomed Commissioner Miller and highlighted key strengths from his application, including a dedication to protecting and enhancing the harbor, balancing stakeholder interests, promoting responsible management, and preserving accessibility for residents, visitors, and businesses. He expressed confidence that these priorities would guide Commissioner Miller's term.

Mr. Leverenz also congratulated Commissioner Scully on his reappointment and encouraged reflection on the Coastal Commission's February comments. He cited their recognition of the expert support available to mooring permittees and the value of ongoing collaboration, which he noted could save time and resources for all parties. He thanked all commissioners for their service.

Bud Coomans, an offshore mooring resident, introduced himself and welcomed Commissioner Miller to the commission. He expressed gratitude for the commissioners' ongoing work and dedication. He referenced a comment by Commissioner Scully about the California Boater Card course, noting that he had recently completed it. While legally required, he found it to be a helpful refresher, even as an experienced boater, reinforcing essential knowledge and best practices. He then raised a concern about the charter industry, specifically the rental of electric vessels such as Duffy boats by individuals without licenses or basic boating knowledge. He noted that boat owners are generally motivated to learn the rules, whereas rental customers often are not. He expressed frustration with this issue and concluded by stating he wanted to bring attention to the concern.

Chair Beer closed public comments.

6. APPROVAL OF MINUTES

1. Draft Minutes of the June 11, 2025 Harbor Commission Regular Meeting

Chair Beer opened public comments.

Jim Mosher referenced the bottom of page two of the draft minutes and Vice Chair Marston's markup, which correctly identified her as the commissioner who had commented on the previous meeting's minutes. He recalled that she noted three misspelled names—her own, Chair Cunningham's, and his—and suggested that the correction should state, "her and Chair Cunningham's names were also misspelled," rather than referencing only Chair Cunningham.

Mr. Mosher expressed hope that all names were properly corrected in the approved minutes but noted he was unable to verify this, as the final version had not yet been posted. He also pointed out the continued absence of speaker cards, suggesting they would help ensure accurate name spellings in the record.

Chair Beer closed public comments.

Secretary Scully moved to approve the June 11, 2025 Harbor Commission Regular Meeting minutes, as amended. Seconded by Vice Chair Marston. The motion carried by the following roll call vote:

Ayes: Scully, Svrcek, Marston, Beer
Nays: None

Abstain: Miller, Williams

Absent: Yahn

7. CURRENT BUSINESS

1. 2026 Harbor and Beaches Master Plan - Assign to Ad Hoc Committee for Initial Review

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.
- 2) Assign the Harbor Commission ad hoc committee for Objective Number 5 to
- 3) review the 2025 Harbor and Beaches Master Plan, and to return to the
- 4) Commission with a recommendation later this fall.

Public Works Manager Chris Miller stated that the purpose of the item was to assign the review of the Harbor and Beaches Master Plan document to the ad hoc committee. He noted that the intent is for the committee to review the document with staff, return with suggested changes by early fall, and for staff to then revise and present it to the Harbor Commission. He explained that, if approved, the Commission may recommend it for adoption. He further explained that the early start is intended to stay ahead of schedule. Although it is currently July, he encouraged the committee to begin reviewing the plan in August or shortly thereafter.

For the benefit of the newest commissioner, Public Works Manager Miller described the Harbor and Beaches Master Plan as a long-term list of capital projects with estimated costs and lifespans for harbor infrastructure. He noted that these projects are reprioritized annually with the Commission's input and incorporated into the City's budget as feasible. He explained that, following Commission review, the plan is forwarded to the City Council Finance Committee, typically in February. He emphasized that the purpose of this meeting was not to review specific plan items, as that task belongs to the ad hoc committee. He reported that Commissioners Svrcek, Yahn, and Marston serve on this committee, which is aligned with Objective 5: identifying opportunities to add harbor services through programs or infrastructure.

Commissioner Miller requested that the font be enlarged, noting that the spreadsheet presented was the smallest font he had seen in an Excel document. He added that, despite the size, it was very detailed and well done.

Public Works Manager Miller acknowledged the comment and agreed that font size is a common complaint. He explained that when the document returns to the Commission for full review, it is typically provided in ledger-size format, which is easier to read. He clarified that the current version under review is the same version approved by the Finance Committee in February. He further noted that staff are currently in the middle of a project that involves reorganizing several line items due to ongoing work on public piers. He reported that a revised and cleaned-up version of the document will be presented to the Harbor Commission in the fall.

Vice Chair Marston asked for clarification regarding the review process. She inquired whether the updated plan would be presented to the Commission prior to the ad hoc committee meeting or if the committee was expected to meet first in order to provide input for the revised plan.

Public Works Manager Miller explained that the intent is to assign the review to the ad hoc committee first. He stated he would be happy to meet with the committee and that a convenient date and time could be arranged. He advised the committee to disregard the specific dates listed in the current version, as those will be revised, and instead focus on the individual projects. He encouraged the committee to identify any additional projects that should be considered for inclusion.

Secretary Scully inquired about the Lower Castaways project, noting the \$47 million figure listed and asking whether that amount was being revised. He asked if there was a plan in place or if staff intended to wait for input from the subcommittee, and he acknowledged that the City Council was involved in the matter.

Public Works Manager Miller confirmed that the City Council is involved and that discussions have remained at a high level. He stated that the plan will be updated if there is further movement and that he will revise it as much as possible to reflect the City Council's new direction. He also noted that a related meeting is scheduled for the following day.

Chair Beer concluded by thanking Public Works Manager Miller for his ongoing work, stating that he appreciates reviewing and participating in the process.

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

There was no further action taken on this item.

2. Recommendation on Onshore Mooring Specification Revisions

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) Approve staff recommendation to adopt Harbor Commission Resolution HC2025- updating onshore mooring specifications.

Chair Beer stated that following last month's motion directing staff to draft a resolution, further discussion occurred in response to public input from the Newport Mooring Association and its members. These discussions focused on establishing parity among onshore mooring permittees regarding the timeline to bring moorings into compliance with updated specifications. He reported that as a result, the current staff report modifies the previous motion to require all onshore mooring permittees to meet the new specifications by the later of December 31, 2025, or their next biannual inspection. He explained that, for background, onshore moorings were originally intended to serve as access points for offshore moorings, typically supporting lightweight tenders or similar vessels. He noted that the anchor weight requirement for onshore moorings had historically been set at 250 pounds. However, over time, he advised that many of these moorings have been used to store heavier vessels, including 18-foot powerboats. He reported that this shift has resulted in incidents where vessels have broken free or dragged lighter tackle, raising safety concerns.

Chair Beer advised that under the current policy, if a mooring fails due to insufficient weight, the permittee is required to increase the mooring weight by at least 20 percent. He noted that of the approximately 429 onshore moorings, 335, about 78 percent, already meet or exceed the new 300-pound requirement. He advised that the remaining 94 moorings, or 22 percent, will need to be brought into compliance if the resolution is adopted. He further explained that these moorings, on average, must add 61 pounds to a single anchor. He noted that, based on these figures, full compliance is expected within 6 to 24 months from the effective date of the resolution. Lastly, he added that South Mooring has estimated the cost of additional weight at \$1 per pound, including both material and installation.

Permit Technician Madison Infelise reported that at the previous Harbor Commission meeting, the Commission voted to modify the specifications for onshore moorings and directed staff to return with a resolution reflecting those changes. She explained that under the revised specification, all onshore moorings must meet a minimum weight requirement of 300 pounds. She noted that the resolution presented stipulates that any onshore moorings not currently meeting this requirement must be brought into compliance by the permittee's next scheduled overhaul or by December 31, 2025, whichever occurs later. She noted that staff recommended that the Harbor Commission adopt the resolution as presented.

Chair Beer opened public comments.

Adam Leverenz clarified that he is not a member of the Newport Mooring Association but is heavily involved with its activities. He stated that the resolution reflects the type of collaboration he had referenced earlier, noting that it appears the Commission listened to public input and moved toward greater consistency. He expressed concern that some of the permittees who will be affected may not have received notice and therefore may not have had the opportunity to attend the meeting. He also noted a discrepancy in cost estimates, stating that while South Mooring quoted \$1 per pound, Tidal Marine had given a quote of \$2 per pound. Additionally, he reported that Tidal Marine advised it would charge \$200 to lift a mooring weight if the work is done outside a regular service interval. He concluded by expressing appreciation for the flexibility offered through the compliance timeline—either by the next scheduled service date or by December 31, whichever is later, which he said would be helpful to affected permittees.

Jim Mosher expressed support for the decision to move forward with the changes through a formal resolution, noting that it provides an opportunity to ensure the details are accurate. He then offered several technical comments on the revised draft distributed at the meeting. Referencing the second "Whereas" clause on the first page, Mr. Mosher pointed out a possible typographical error in the phrase, "tie moorings upon city tidelands." He questioned whether it should read "tie to moorings," noting uncertainty about the correct harbor terminology. He also raised a concern with the second-to-last "Whereas" clause, which states that there will be no change to the offshore mooring specifications adopted on January 25, 2022. He noted that, in Section One of the resolution, the Commission is said to be approving modifications to both offshore and onshore mooring specifications. He questioned why offshore moorings were included if no changes are being made and suggested that only onshore moorings should be referenced. Additionally, he noted that Exhibit A includes two pages regarding offshore moorings, which may be unnecessary or potentially inconsistent with the specifications adopted in January 2022. He cautioned that including this content could create confusion if any unintentional differences exist. Lastly, he observed that the onshore specifications are labeled as "June 2025," but stated that, since it is now July, the document should likely be updated to reflect "July 2025." He concluded by noting that, although the City Attorney was not present to address these issues, the identified items appeared to be errors.

Chair Beer closed public comments.

Harbormaster agreed to Mr. Mosher's recommended change to add the word "to" to the resolution. He clarified that the offshore mooring specifications are not being altered by this action, but the wording needs to be included for reference. He clarified that the adoption will take place in July, but the actions of the Commission were in June.

Secretary Scully moved to approve the motion as amended. Seconded by Commissioner Williams. The motion carried by the following roll call vote:

Ayes: Miller, Scully, Svrcek, Williams, Marston, Beer
Nays: None
Abstain: None
Absent: Yahn

3. 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)

Secretary Scully reported on a recent conversation with Joe Beek of the Balboa Ferry, providing an update on the efforts of the ad hoc committee focused on the ferry's compliance with state emissions requirements. He shared that there has been encouraging progress and positive developments. He reported that the ferry operators have identified 2 grant opportunities related to the replacement of the ferries and associated infrastructure. He advised that two major grants have been secured, including a \$2 million Carl Moyer grant and an \$8 million joint grant from the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD). He reported that the Carl Moyer grant has been approved, and both entities have signed off on the CARB-SCAQMD grant. He explained that these funds are designated for the design, infrastructure, and construction of new electric ferries. He noted that the funding is expected to become available within 30 to 60 days and will be provided as reimbursement for expenses related to engineering and construction.

Secretary Scully noted that the City has been highly supportive, particularly in facilitating the charging infrastructure. He advised that the City will take the lead in coordinating with Southern California Edison to install underground electrical equipment and charging stations near the ferry landing. He also mentioned that there is an effort underway to increase the Carl Moyer grant amount due to project delays and cost escalations over the past several years. He explained that once the funding is confirmed, the project will move into the engineering phase, which is expected to take approximately six months. He further explained that this will be followed by a construction phase, which will go out to bid. He advised that no decision has yet been made regarding the contractor for the ferry construction. Lastly, he emphasized that both parties have formally approved the CARB-SCAQMD grant, meaning the funds are officially earmarked and unlikely to be withdrawn, an encouraging sign for the project's future.

Vice Chair Marston inquired about the total dollar amount. Secretary Scully confirmed the total was \$10 million.

General Plan Harbor & Bay Element Update Ad Hoc – Commissioners Scully, Marston, and Yahn (10-09-2024)

No update.

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

This item will be removed from future agendas.

Chair Beer opened public comments.

Mr. Mosher provided an update regarding the General Plan Advisory Committee's work on the element currently titled the Harbor and Bay Element, which will likely be renamed the Harbor, Bay, and Beaches Element.

Mr. Mosher noted that he has mentioned for over a year that this item would be brought before the Commission for review, though the process has progressed slowly. He stated that the General Plan Advisory Committee met earlier this month and previously on June 4. He reported that at the June 4 meeting, the Committee reviewed the draft element and encouraged City staff to present it to all relevant boards and commissions, which include the Harbor Commission, the Parks, Beaches, and Recreation Commission, and the Water Quality and Coastal Tidelands Committee. He noted that, as of this meeting, none of those bodies has received the presentation. He noted that he was unsure why it had not yet advanced but assured the Commission that it would be coming.

Mr. Mosher advised that a nearly final version is available through the City's Laserfiche archive for those interested in previewing the draft. He explained that by searching under Boards and Commissions for the June 4 General Plan Advisory Committee meeting and opening the agenda packet, the draft Harbor, Bay,

and Beaches Element can be found at the end of the materials. He noted that only minor revisions were suggested during that meeting, so the version to be presented will be largely the same. He concluded by stating that he did not know when it would formally come before the Commission.

Adam Leverenz addressed the Commission again and noted that he has not followed the ferry project as closely as other matters. He inquired whether the \$10 million in anticipated funding is expected to cover the cost of new ferries in the water. He asked if any specific figures are available and requested a response for clarification.

Secretary Scully acknowledged the question and stated that he assumed the estimated amount is accurate for now. However, he noted that the final cost will not be determined until the project is fully engineered and goes out for a formal Request for Proposals (RFP). He noted that at that point, the actual cost will become clear.

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

4. 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.

Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Yahn)

No update.

Collaborate with the Water Quality/Coastal Tidelands Committee to partner on areas within the Harbor that both Commission/Committees intersect (Commissioners: Svrcek, Scully)

No update.

Work with staff to identify opportunities to add additional Harbor Services (Restrooms, additional pump out stations, dock space, Shore Boat Service, Boat Launch Ramp, and development of the mobile app) (Commissioners: Marston, Yahn)

No update.

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).

No update.

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).

Secretary Scully commented on the importance of reviewing the department's responsibilities and readiness to deliver harbor services during emergency operations. He emphasized the exceptional level of training received by the Harbor Department and the Harbor Safety Officers, stating that their preparedness significantly enhances their ability to respond effectively to real-time situations.

He expressed strong confidence in the department's capabilities and noted that there may be little additional input needed at this time.

Chair Beer thanked Harbormaster Blank for the department's efforts and sought clarification on the current terminology, confirming that the correct designation is now "Harbor Safety Officers," which aligns with the points he had made.

Work with City Staff on an update of the market Rent to be charged for onshore and offshore moorings (Commissioner: Cunningham, Beer).

Chair Beer noted that there were no updates for Item 8 but requested that Commissioner Cunningham be removed from the item, as he is no longer serving on the Commission. He invited any current commissioners interested in joining Objective 8, which involves working with staff to update the market rent for onshore and offshore moorings, to volunteer. Secretary Scully indicated a willingness to join the effort.

Evaluate establishing day moorings off Big Corona Beach (Commissioner: Williams)

Chair Beer noted that, based on previous discussions, this particular objective should be removed from the list and requested that it be taken off the Commission's objectives.

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)

Chair Beer explained that the process has been long and complex, but has reached a point where a contract has either been issued or is in the process of being finalized. He suggested that this objective is now obsolete, as no further support from the Commission appears necessary. He proposed revisiting the topic during the Harbormaster's report for a brief update and invited discussion on whether the objective should be removed. The dais voiced agreement.

Commissioner Scully requested input from Public Works Director Miller regarding RGP 54, noting that it may require continued oversight by the Commission, as the permit must be renewed on a cyclical basis.

Public Works Director Miller confirmed that the dredging contract would be awarded the following week, with a notice to proceed expected shortly thereafter. He anticipated that dredging operations would begin after the summer season, likely following Labor Day, to avoid peak harbor traffic. Regarding RGP 54, he acknowledged the contributions of former Chair Cunningham, who played a key role in shaping and revising the permit in prior cycles. He stated that the current reauthorization does not include any proposed changes or updates. He advised that while the Commission is welcome to remain informed, Mr. Miller indicated there is no immediate action required, as the permit will be renewed in its existing form.

Secretary Scully stated that the Commission should continue to monitor the dredging efforts, as they are critical to the long-term health of the harbor. He emphasized the importance of receiving updates and remaining informed on the subject. He suggested that the objective be rewritten to better reflect the current phase of the project.

Chair Beer agreed and indicated that the objective would be amended accordingly. He also noted that no objectives are scheduled to be placed on an upcoming agenda at this time. He recommended removing former Chair Cunningham from the item and stated that new commissioners would be assigned to it when appropriate.

Vice Chair Marston inquired about the title of the document, noting that it refers to the "2024 Objectives." She questioned whether the Commission operates on a calendar year or a fiscal year basis, as the timeline appeared inconsistent. She pointed out that the discussion references adoption in October 2023, which would imply the objectives should be labeled for 2023–2024, rather than 2024 alone. She asked whether the title and references should be updated for clarity.

Harbormaster Paul Blank stated that, to his recollection, the current objectives were adopted to be addressed during the 2024 calendar year. He acknowledged that the Commission has continued to work on these objectives since their adoption and clarified that the effort formally began in 2024. He noted that later in the meeting, a commissioner may propose revising the current objectives, and suggested that a subcommittee could be convened at the August meeting to develop or recommend new ones. He advised the Commission not to be overly concerned with the dates, as a new set of objectives is likely forthcoming.

Chair Beer opened public comments.

Mr. Mosher inquired whether the dredging contract expected to be awarded next week would be issued by the Army Corps of Engineers. He sought clarification on whether the City is making a substantial financial contribution to the project and asked if any further City Council action would be required in connection with the contract award, or if all necessary approvals have already been granted.

Public Works Director Miller stated that no further City Council action is required. The City contributed its share of funding two years ago, and all necessary permits and approvals are already in place. He clarified that the contract will be between the Army Corps of Engineers and the contractor, with the City serving in a supporting role. The City will act as a liaison between the residents and the contractor and will assist in guiding the contractor as needed.

Chair Beer closed public comments.

Vice Chair Marston inquired if a commissioner should be appointed to replace former Chair Cunningham for Item No. 10. Chair Beer advised that a new commissioner would be appointed when the new objectives are presented to the Commission.

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

5. Harbormaster Update – June 2025 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 Paul Blank introduced his report by noting that it covers activities during June and does not include the July 4th holiday weekend. However, he shared that the holiday weekend was extremely busy on the harbor. He noted that despite the volume of activity, there were no reported injuries, and only minor damage occurred in a single collision, which was documented in coordination with the Sheriff's Department. He noted that the Harbor Department worked extended hours, including his efforts, which continued late into the night on July 4th. He also reported receiving an anonymous tip on Sunday regarding an unpermitted charter operation carrying passengers above the vessel's certificate of inspection. In response, he contacted the U.S. Coast Guard, and a joint enforcement operation was conducted.

Harbormaster Blank returned to the June report. He noted that as part of efforts to keep the harbor clean, the Harbor Department focused on enforcing fishing restrictions at various public docks. He reported a high volume of unauthorized angling at locations where fishing is prohibited. He noted that in each case, staff approached the individuals involved and provided a list of alternative public docks within the harbor and along the ocean where fishing is permitted. While not all individuals were receptive, he explained that the department consistently offered this information. He also noted that the sea lion population appears to have recovered well from the domoic acid-related issues earlier in the year. In response to increased sea lion activity, he reported that the department deployed a significant amount of deterrent equipment for

permittees, dock owners, and property owners. While no fines were issued, he advised that a few notices of violation were issued.

Harbormaster Blank described an incident involving a vessel that entered the harbor with a new registered owner who had acquired the boat at no cost. He explained that as a condition of accepting the vessel, the owner was required to relocate it from San Diego. He further explained that although his stated destination was Wilmington, he instead stopped in Newport Harbor and abandoned the 42-foot vessel at a public dock restricted to boats no longer than 30 feet. He explained that while the situation was addressed accordingly, "a free vessel is never truly free" and stated that irresponsible owners should not offer vessels at no cost, as it often leads to abandonment and compliance issues. He also reported that the Harbor Department conducted several after-hours patrols, both late at night and early in the morning, throughout June to identify suspected unpermitted liveaboards. He advised that three cases remain under investigation. He noted that the permitted number of tenders tied to a mooring is one for non-liveaboards and two for liveaboards per harbor regulations.

Harbormaster Blank reported that in June, the Harbor Department prioritized safety through several key efforts. He advised that staff issued multiple advisories reminding paddleboarders and kayakers of the requirement to wear personal flotation devices. He reported that several disabled vessels, including electric and gas-powered boats, were towed to safety at public docks. He noted that in most cases, professional services such as Sea Tow or TowBoatUS completed the tow after initial assistance from harbor staff; however, one vessel was towed directly to the owner's residence. He reported that a young girl was rescued after becoming stranded on the 10th Street swim float. He advised that Harbor staff use a patrol boat to return her safely to shore and reunite her with her mother, who was unable to swim out to her. He referred to the incident as heartwarming, and it was widely shared within the department. He reported that navigation light patrols were conducted, with advisories and notices of violation issued, though no citations were given. He remarked that the department also supported the ongoing public float replacement project. He advised that in response to past issues involving propeller entanglements and damage to swim lines, lighted floats were added to the swim lines at Marina Park's Mother's Beach to deter activity in restricted areas after dark. He noted that despite multiple signs indicating the dock was closed for construction, three vessels were berthed at the 19th Street public dock.

Harbormaster Blank reported that the Harbor Department's efforts to ensure that the harbor remained well enjoyed focused primarily on addressing unpermitted charter activities, both those reported by the public and those observed directly by staff. He noted a significant increase in group activity within the harbor, with many groups utilizing both anchorages and the marina at Marina Park. He expressed appreciation for these groups making safe and clean use of the harbor and welcomed the increase in visitor activity. He reported that the department also implemented a new method for refreshing time zone markings on public docks, a task made necessary by the recent replacement of several dock structures.

Harbormaster Blank noted that one of the most heartwarming moments of the month involved a young returning visitor who had lost a Harbor Department code enforcement pin he received the previous year. He explained that the boy and his family, annual visitors to the Balboa Peninsula, encountered Harbor Safety Officer Lebano at the Washington Street Pier, just as they had the year before. He noted that the child reported the lost pin, and Officer Lebano returned to department headquarters, retrieved additional pins, and the following day returned to the same location. He not only replaced the lost pin but also provided pins for the boy's two friends. Lastly, he noted that a complaint regarding an underwater light in the cove area was received and successfully resolved.

Harbormaster Blank displayed that the new three-hour maximum time zone markings are visible. He advised that these markings are adhesive decals specifically designed for use on sidewalks and streets. He explained that they are pre-printed and applied using a roller, which significantly reduces the time and labor compared to traditional stenciling and painting. He noted that previously, the painting process could take two to three days, depending on drying time and the number of coats required. He explained that while the decals are not inexpensive, they are proving to be a more efficient option. He reported that Harbor service workers have reported that the decals are as effective, if not more so, than the painted

markings. He noted that the department plans to continue using them unless they fail to hold up over time.

Harbormaster Blank displayed a photo capturing a high level of harbor activity on the afternoon of June 28, which shows the 168-foot superyacht Triton anchored in the large vessel anchorage and the superyacht Invictus embarking on a harbor cruise. He explained that while a harbor cruise on a busy Thursday night in the middle of summer was not advisable, the owner proceeded with it. He noted that the photo also captures seven small electric vessels and numerous others, illustrating the vibrancy and enjoyment experienced in the harbor during June. He remarked that no other image better conveys the level of use and enjoyment the harbor saw that month.

Harbormaster Blank shared several additional updates. He advised that the department received a thank-you note from a grateful mooring permittee who had been working with the permit technician. He explained that during the documentation process, staff uncovered an undisclosed lien on a vessel the permittee had been considering for assignment to his mooring. He advised that because the sale had not yet closed, the discovery allowed the prospective owner to withdraw from the transaction. He credited the department's thorough process for protecting the individual from assuming an unknown financial burden.

Harbormaster Blank reported that an angry call was received regarding the temporary closure of the launch ramp on a Thursday. He explained that the closure was due to a fundraising event for Hoag Hospital. He further explained that the property owner, under agreement with the County of Orange, had the right to host special events. He noted that although boats could still be retrieved, the area had no space for additional vehicles or trailers. He advised that the mariner who was turned away was dissatisfied with the alternative launch options staff provided, including local boatyards and launch ramps in other areas. He noted that his final course of action was unknown.

Harbormaster Blank reported that the department again intervened regarding the same 42-foot Grand Banks vessel mentioned earlier in the report. He explained that after being previously escorted out of the harbor, the vessel returned and was found abandoned at a private residential dock. He noted that the property owner contacted the Harbor Department, which removed the vessel, placed it on a mooring, and worked closely with the new registered owner to ensure the vessel was operable. He reported that the vessel was escorted out of the harbor, and the owner confirmed that he would not return. He remarked that staff had advised him that returning would be unwise.

Harbormaster Blank reported that the department assisted a local real estate agent who inquired about the vertical clearance under the Coast Highway Bridge. He advised that staff document the bridge height at a 4.2-foot tide, which measured 20 feet of clearance. He noted that staff further advised that the clearance drops to approximately 17 feet at a 7.1–7.2-foot high tide and increases to about 23 feet at a -0.5-foot low tide. He noted that the agent, who was representing a property in the Upper Bay, was very appreciative of the information provided.

Harbormaster Blank addressed recent public comments made during the non-agenda public comment period at a City Council meeting. He stated that the remarks reflected a lack of full understanding regarding operations within the Harbor Department and felt it was necessary to provide context for the Commission and members of the public. He began by explaining the recent change in job titles from Harbor Services Worker to Harbor Safety Officer. He advised that this change required approval from both the City Council and the bargaining units representing employees in those roles. He explained that the original Harbor Services Worker title had been created by the Human Resources Department in 2017 when the Harbor Department was first established. He confirmed that it was created quickly and without consultation with other agencies performing similar functions. He explained that as a result, the title was unique to Newport Beach, with no other agency nationwide using a similar designation. He explained that to promote consistency and alignment with other harbors, where staff regularly interact with peers performing comparable duties, the title Harbor Safety Officer was adopted to reflect the responsibilities and mission of the department more accurately.

Harbormaster Blank also addressed questions raised about the requirement for the PC 832 course. He noted that while the course is titled Laws of Arrest, he clarified that the name is misleading and does not accurately reflect the content. He explained that the course is required for any City of Newport Beach employee involved in code enforcement, regardless of department. He further explained that this includes code enforcement officers in Community Development, park patrol officers in Recreation and Senior Services, and personnel in Public Works. He advised that the course focuses primarily on ensuring that those involved in code enforcement understand and protect the constitutional rights of individuals who may be subject to enforcement actions. He further explained that it is not a law enforcement course but rather a foundational requirement for responsible code enforcement practices across all city departments.

Harbormaster Blank continued by elaborating on the PC 832 course, noting that the curriculum includes extensive material on how to protect the public's First and Fourth Amendment rights, as well as how to interact appropriately with individuals suspected of code violations. He acknowledged that while the course title, Laws of Arrest, may be misleading, the content is critically important and serves to protect both the public and City personnel. He also addressed questions raised regarding the presence of safety lights and sirens on Harbor Department patrol boats. He emphasized that safety is a core component of the Harbor Department's mission. He explained that the lights and sirens are used strictly during active safety operations to draw attention to the situation and to ensure the safety of both Harbor personnel and members of the public. He clarified that these devices are not used during routine patrols, but only when the department is actively engaged in delivering safety services. He presented two images to provide two examples of why the Harbor Department uses lights and sirens during safety operations. He emphasized that in such situations, it is vital to call attention to the operation, not only for the safety of the individual in the water, but also for the safety of the officers maneuvering the vessel. He explained that in the absence of lights, sirens, or other attention-getting signals, nearby mariners may not have recognized that a rescue was in progress. He concluded that the use of visual and audible alerts ensures that others can give space and avoid interference with the emergency response.

Harbormaster Blank concluded by addressing department responsibilities and associated budget considerations. He referenced public comments made during the non-agenda public comment period at a recent City Council meeting, in which an unfavorable comparison was drawn between the City's former \$360,000 contract with the Orange County Sheriff's Harbor Patrol for mooring management services in 2016 and the Harbor Department's current fiscal year 2024 budget of \$2.8 million. He stated that this comparison was unfair and did not accurately reflect the scope or scale of services currently provided by the Harbor Department. He presented several key facts to provide context regarding the Harbor Department's responsibilities and budget.

Harbormaster Blank explained that when the Harbor Department was established in 2017, its initial, but not sole, responsibility was mooring management. He advised that in 2016, the Orange County Sheriff's Harbor Department was paid \$360,000 under contract to provide that specific service. He noted that in addition to mooring management, the newly formed Harbor Department was immediately tasked with managing the Balboa Yacht Basin Marina and supporting the Harbor Commission. He clarified that these were the only three services that the City of Newport Beach was funding in 2016.

Harbormaster Blank reported that shortly after the department's formation, City leadership, including the Harbor Commission, the City Council, and the City Manager's Office, assigned the Harbor Department numerous additional responsibilities. He advised that these responsibilities included code enforcement, events and activities permitting, safety and rescue operations, Marina Park management, pump-out and public dock maintenance, abandoned vessel abatement, education and public information services, and water quality monitoring and management. He emphasized that every City employment contract and directive includes the clause "and responsibilities as assigned," reflecting the expectation that the Harbor Department would take on new duties as projects or needs emerged.

Harbormaster Blank emphasized that comparing the 2016 contract with the Orange County Sheriff's Harbor Department for mooring management services, valued at \$360,000, to the current Harbor Department's full operating budget is misleading and does not reflect the broader scope of responsibilities

assigned to the department when it was formed in 2017. He explained that, in fact, for the fiscal year ending June 2024, the City of Newport Beach Harbor Department provided mooring management services at a cost of approximately \$316,000, less than the 2016 contract cost. He noted that this represents a more efficient and enhanced level of service, delivered at a lower cost.

Harbormaster Blank presented a chart showing that, for Fiscal Year 2024, the largest portion of the department's budget was allocated to code enforcement, a service that did not exist before the formation of the Harbor Department in 2017. He referenced a similar chart for Fiscal Year 2025, which just concluded, that also showed code enforcement as the department's largest budget component. He noted that mooring management costs for the most recent fiscal year were approximately \$360,000, meaning that nine years later, the Harbor Department is delivering a significantly improved and expanded level of mooring management service at the same cost previously paid to the Sheriff's Department.

Lastly, Harbormaster Blank shared the department's operating statement for the fiscal year ending June 2024. He noted that after all adjustments, amendments, and accruals were accounted for, the Harbor Department exceeded its revenue target by 13% and finished 3% below its budgeted personnel expenses. He concluded by highlighting that the Harbor Department achieved a 24% cost savings in operating expenses for fiscal year 2024. On a budget of \$2.8 million, he reported that the department closed the year at approximately \$2.4 million in total expenses. He described this as an operating statement any organization would be proud of and encouraged commissioners and the public to review the details. He noted that nearly all of the underlying data is publicly available through the City's website under the Finance Department's budget section, which maintains transparent and accurate records of municipal expenditures, including those for the Harbor Department.

Harbormaster Blank expressed pride in the department's financial performance but added that if anyone believes these services can be delivered more effectively or at a lower cost to taxpayers, he would gladly step aside. He acknowledged that, as both a resident and a boater, he benefits from the services provided and emphasized his willingness to support whatever approach best serves the community.

Harbormaster Blank presented the June heat map for harbor activities. He advised that staff noted that calls for service have continued to rise steadily throughout the year. He noted that the heat map indicates that coverage has been consistent across the entire harbor, including the coves, the area near the PCH bridge, and extending to the harbor entrance. He reported that the harbor amenity map usage remains on track with 2023 utilization levels. He noted that although the map saw a spike in popularity in 2024, that has since declined, the seasonal nature of its use appears consistent. He advised that staff expressed satisfaction with the access points provided, which allow users to effectively engage with the map.

Harbormaster Blank reported that permit activity is experiencing a strong year overall. He advised that Harbor event permit issuance has increased significantly, largely due to the expanded use of the large vessel anchorage. He noted that marine activities permitting is also up, reflecting growing demand for permitted commercial services on the harbor. He noted that the Rhine Wharf saw a particularly high level of activity last year, attributed to the boat show, though permit levels for that location are lower this year. He referenced the anchorage utilization calendar, which indicated four instances of vessels occupying the anchorage without being dye tabbed. He noted that two of those instances involved the same vessel, Seahawk, which holds a marine activities permit and is well known to harbor staff. He advised that, given the familiarity and compliance history of this vessel, its lack of dye tabbing was not viewed as a concern. He noted that the other two instances remain unexplained, likely due to resource limitations. Lastly, he noted that the anchorage calendar displayed on screen was incomplete. He advised that on five separate days, the number of vessels present exceeded the available anchorage space shown in the visual graphic.

Chair Beer thanked Harbormaster Blank and offered special appreciation for the detailed financial analysis and results presented. He acknowledged that during his nearly nine-year tenure on the Harbor Commission, the leadership demonstrated by Harbormaster Blank and his guidance of the Harbor Department staff, particularly the harbor safety officers, has been exceptional. He stated that this

leadership has played a significant role in transforming Newport Harbor into a world-class destination. He further noted that while commissioners often hear complaints, an expected part of public service, as residents and stakeholders voice concerns in hopes of improvement, it is less common to receive praise. However, in this case, he consistently hears positive feedback from long-time boaters and mariners regarding the current state of the harbor. He emphasized that the harbor is being managed exceptionally well, the water quality has notably improved, and efforts such as dye tabbing are having a meaningful and visible impact. He concluded by expressing sincere gratitude to Harbormaster Blank for his ongoing work and leadership.

Commissioner Williams expressed his agreement with the previous remarks and added his perspective. He shared that he has been boating in Newport Harbor for 14 years and acknowledged that many others in the room have longer histories with the harbor. However, he emphasized that, without question, the single most positive development during that time has been the creation of the Harbor Department. He extended his thanks to Harbormaster Blank for his dedication and contributions. He noted that while the financial analysis presented, particularly showing operations under budget, is commendable, especially in the realm of public works, the true value lies beyond the numbers. He concluded by stating that the City of Newport Beach is incredibly fortunate to have someone as passionate about the harbor as Harbormaster Blank.

Secretary Scully addressed Harbormaster Blank's presentation, acknowledging a tone of justification in his remarks and emphasizing that such justification is unnecessary. Reflecting on recent citywide efforts, he noted that over the Fourth of July weekend, Newport Beach's fire department and lifeguards performed heroically, with more than 600 lives saved on the beaches. He noted that the fire department also experienced a 20% increase in medical callouts, while the police department faced significant challenges at the beaches. He advised that Public Works ensure the City's streets and infrastructure remained in excellent condition despite the heavy demand. He stated that, in years past, there was strong advocacy for the establishment and proper funding of a dedicated Harbor Department to bring harbor operations in line with the City's other public safety functions. As both a resident and a boater in Newport Harbor, he described the current state of the harbor as not only fantastic but essential. He warned that without proper management, the harbor would face increasing disorder and decline. He expressed appreciation for the financial information presented and underscored that the creation of the Harbor Department is broadly supported by past and present City Councils, Harbor Commissions, and the majority of the harbor's boating community. He concluded by stating that no further justification is needed, only continued commitment to the department's mission. He thanked Harbormaster Blank for his work and expressed pride in serving alongside him as a harbor commissioner.

Vice Chair Marston offered brief remarks, expressing appreciation for the ongoing work of the Harbor Department. She noted that each month, upon reviewing the department's reports, she is consistently impressed by the volume of activity and the high level of professionalism with which it is addressed. She complimented the department's guiding principles of maintaining a harbor that is safe, clean, and well enjoyed, stating that it is reassuring to hear and reflect on those values. She concluded by thanking the department for its continued efforts.

Commissioner Miller remarked that Secretary Scully had already expressed many of the key sentiments well and chose to forgo repeating those accolades. However, he referenced an earlier discussion about the role of Harbor Safety Officers (HSOs) and shared feedback from several constituents. He noted that several individuals suggested that HSOs should be referred to as "ambassadors" to the harbor, reflecting the positive and responsive presence they provide. He contrasted this with past experiences under the jurisdiction of the Sheriff's Department, noting that assistance was often difficult to obtain. In contrast, he noted that the current Harbor Department team responds quickly, demonstrates attentiveness, and maintains a visible presence throughout the harbor. He concluded by stating that, regardless of title, the Harbor Services Officers serve as true ambassadors of both the city and the harbor. He expressed his appreciation and gratitude for their service.

Chair Beer opened public comments.

Adam Leverenz stated that he believed the detailed explanation provided during the meeting was likely in response to comments he made at a City Council meeting the previous month. He noted that while his remarks lasted fewer than three minutes, the Harbormaster's response extended well beyond ten minutes. He acknowledged that some of the concerns may stem from his misunderstanding, as well as from a lack of clarity regarding the transition from "Harbor Safety Workers" to "Harbor Safety Officers." He pointed out that concerns were especially raised when Deputy Harbormaster Cosylin stated during the prior meeting that every member of the Harbor Department would receive PC 832 training, which includes instruction on the powers of arrest. He noted that this raised alarms for some members of the public, as it was not initially clear that this training would be limited to staff involved in code enforcement and not administrative personnel. He referred to this as an unfortunate choice of wording and emphasized the importance of clarity. He expressed appreciation for Harbormaster Blank's recognition of constitutional protections, specifically the First and Fourth Amendments, and shared that he has long advocated for these rights. However, he also raised concerns about provisions within Title 17, noting that in some instances, the Harbormaster's decisions are final and unappealable, and that there are scenarios where a boat can be boarded without judicial oversight. He noted that in his view, these actions are not consistent with the constitutional rights referenced. He addressed the comparison made between the cost of mooring management services in 2016, when they were provided by the Harbor Patrol for \$360,000, and in 2024, when the Harbor Department provided the same service for approximately \$316,000. He emphasized that the Harbor Patrol operated 24/7 year-round, whereas the Harbor Department does not, resulting in a 62% reduction in coverage hours for only a 12% reduction in cost. He acknowledged the distinct roles of law enforcement and code enforcement, and expressed skepticism that every Harbor Department employee would become a POST-certified officer. He concluded by acknowledging the value of the Harbormaster's monthly reports, which he described as informative and data rich. However, he also characterized them as serving a public relations function and asserted that they do not always reflect the full range of harbor activities. He cited issues such as alleged wrongful impounds, threats, and unreimbursed lock removals by the department, matters he claimed many people are reluctant to raise. He stated that he chooses to speak on behalf of those individuals, despite knowing it may be unpopular, and closed by invoking his First Amendment right to do so.

Chair Beer 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)

Commissioner Svrcek reported that he will be attending the Lower Castaways ad hoc meeting on July 10, 2025.

Commissioner Williams encouraged everyone to mark their calendars for July 6th at 5:18 p.m. He advised that this annual moment of silence honors Ben Carlson and is organized by the Newport Beach Fire Department. He reported that the event continues to grow in attendance each year and serves as a meaningful tribute to the City's lifeguards and fire personnel. He emphasized the importance of participating as a show of respect and appreciation for their service.

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

Chair Beer requested to agendaize the Harbor Objectives at the August 13, 2025, meeting.

Secretary Scully proposed adding a future agenda item involving the Newport Mooring Association (NMA). He volunteered to reach out to Anne Stenton to see if she would be willing to provide a brief, 15-minute update to the Harbor Commission on the goals, objectives, and current direction of the association.

In response to a clarifying question from Chair Beer, Secretary Scully confirmed that he would make the initial contact to determine her interest and, if agreeable, would then bring the matter forward for formal agendaing at a future Harbor Commission meeting.

Chair Beer agreed with the idea and suggested placing a time limit on the presentation.

10. DATE AND TIME FOR NEXT MEETING:

The next regular meeting is scheduled for August 13, 2025 at 5:00 p.m.

11. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 6:28 p.m.