

**NEWPORT BEACH HARBOR COMMISSION MINUTES**  
**City Council Chambers**  
**October 20, 2010**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**                      Commissioners Don Lawrenz, Marshall Duffield, Vincent Valdes, Doug West, and Duncan McIntosh were present. Commissioners Karen Rhine and Ralph Rodheim were absent.

Council Liaison:              Nancy Gardner (absent)

Staff:    Manager Chris Miller

Staff:    Supervisor Shannon Levin

**MINUTES**                      Commissioner Rodheim made a motion to approve the minutes from September 8th, 2010. Commissioner West seconded. All ayes. Minutes approved.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

No public comments.

**ACTION & APPEAL ITEMS**

**ITEM #1**

**Subject:**                      ***Balboa Marina at 201 E. Coast Highway - Public Access Conceptual Review***

**Issue:**                         Staff presented a conceptual plan to address public access requirements and noise problems at Balboa Marina

**Discussion:**                Chris Miller presented a new layout for the guest vessels at the Balboa Marina. The allotted slips have been relocated from the original design and currently are located directly adjacent to the 333 Restaurant. The patrons using the marina have created noise issues with the neighbors across the channel on Linda Isle. The proposed location would move the guest slips toward the main gangway and be restricted to the hours of 7am through 10pm. To limit access to the rest of the marina, California Recreation Company would install locked gates that would only be accessible by a tenant key.

Commissioner West questioned the berthing of the vessel tied between two boats in the guest docks. Commissioner Duffield asked whether proof of insurance would be required to use the docks.

Commissioner Rhine asked about the key card access and those details will be figured out as the changes ensue. Commissioner Rodheim asked about the inboard side tie and the stern tie area along the walk and if it they were available .

Staff and the Irvine Company will meet with the Linda Isle Community Association in November to discuss the proposal.

**Public Comments:**        Len Bose valet parked in that area and asked about putting the locks on timers. David Benvenuti is a neighbor that has been impacted and appreciates the City's involvement. He and neighbors think it's a great plan. Don McCalla is also a neighbor and said that weekend noise is bad and does not know which agency to call when there is a problem.

**Action:**                        Receive and file.

**ITEM #2****Subject:*****2901 West Coast Highway, Marina Reconfiguration*****Issue:**

The Harbor Commission heard a presentation on the proposed configuration at 2901 West Coast Highway and was asked for comments, and receive and file.

**Discussion:**

The proposed marina would consist of 3 angled slips to accommodate large charter vessels up to 158 feet and additional smaller vessels within the lagoon area. The current configuration is a result of repair and maintenance conducted over the last 25 years. Currently there is a overhang violation with MV Ambassador. With reconstruction of the marina, all overhang violations would be brought into compliance within the Pierhead Line and allowable overhangs.

Commissioner Rodheim stated that he was vehemently opposed to the project and wants to be proactive. He stated that the proposed charter vessel overhang is unacceptable and a safety hazard. Rodheim desires to reevaluate the current rules about overhang and will do so with the Overhang Subcommittee.

Commissioner Duffield informed the commission that the overhang rules were created prior to the ability of boat manufacturers to create boats of such width.

Commissioner Lawrenz raised concerns regarding the detail of the presentation and specifically addressed the caliber of electrical utilities meeting the intensity of use by large charter vessels. Other concerns included emergency protocol and signage.

Commissioner Rhine wanted to know how far past the largest boat would hang over the Project Line. The Majestic would overhang the Project Line by 11 feet.

**Public Comments:**

John Corrough of The Corrough Consulting Group represented the property owner and addressed questions on behalf of the project. Mr. Corrough spoke about the variety of sizes of vessels, type of vessels, Mariner's Mile use, and conformance to current rules and regulations.

**Action:**

The Commission was asked to receive and file.

**ITEM #3****Subject:*****Essential Harbor Services*****Issue:**

Staff recommended that Harbor Commission review, discuss and approve the Essential Harbor Services List as requested by Council Liaison Nancy Gardner.

**Discussion:**

Identify key harbor services and businesses to Newport Harbor. Commissioner West would suggests to highlight employment and add on-water dining and public access to the visitor serving amenities. Commissioner Rhine stated that multiple shipyards are necessary in Newport Harbor. Commissioner Duffield agrees with Commissioner West that it's critical to keep shipyards in the harbor. Commissioner Rhine wants to note the financial impact of the Christmas Boat Parade.

**Public Comments:**

No public comments.

**Action:**

Approve the Essential Harbor Services List.

**ITEM #4****Subject:*****Public Piers – New Time Limits*****Issue:**

Staff recommends that new time limits and rules be established for all of the public piers to maintain consistency throughout the Harbor.

**Discussion:**

Three public piers were rebuilt in 2010. The piers weren't posted with specific time limits and over the summer the users identified what systems worked at the piers. The proposed limits are illustrated in the staff report. Commissioner Duffield

suggested using vinyl tape instead of paint. Commissioner Rodheim suggested removing the red zone at 15<sup>th</sup> Street in the inner lagoon.

**Public Comments:**

George Hylkema says that the time limits need to be enforced. Len Bose says that the blue zone overhang could be problematic and agrees that enforcement is necessary. Rick Garcia supports no fishing at Washington Street.

**Action:**

Commissioner Rodheim motioned to vote on Action #2: Recommend the proposed public pier time limits and rules be forwarded to City Council for consideration. Commissioner Rhine seconded the motion. Motion carried all ayes.

**SUB-COMMITTEE REPORTS:**

Mooring Masterplan Subcommittee: Commissioner Duffield suggests that we start thinking about how the moorings will be physically moved when the mooring realignment proposal is approved by NOAA. The Bay Issues Committee is reviewing the Transferability Document.

Overhang Subcommittee: Commissioner Rodheim will move forward with the subcommittee.

**HARBOR RESOURCES UPDATE** – Chris gave a PowerPoint presentation on harbor updates. *The update is posted at <http://www.newportbeachca.gov/Modules/ShowDocument.aspx?documentid=9042>.*

**RECOMMENDED TOPICS FOR FUTURE AGENDAS:**

- Lower Castaways Vision Plan
- Eelgrass
- Balboa Island Bulkhead Report
- Dinghy Dock at Lido Bridge
- Bilge/pumpout stations
- Sea Lions

**PUBLIC COMMENTS**

- John Corrough noted that overhang and the exceptions in Council Policy H-1 are intertwined. Harbor Lines are always an issue, but the timing is good with the adoption of the HAMP.

**DATE OF NEXT MEETING:** November 10, 2010

**ADJOURNMENT**