

HARBOR COMMISSION AGENDA

City of Newport Beach
Council Chambers – 3300 Newport Blvd.
Wednesday, February 10, 2010
Regular Meeting – 6:00 pm

Karen Rhyne - Chairman

John Corrough
Tim Collins
Marshall Duffield

Don Lawrenz
Ralph Rodheim
Vincent Valdes

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

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 Secretary 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, February 10, 2010

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*

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: **Balboa Marina Status Update**

Issue: The Harbor Commission will be updated by the Office of the City Attorney on the status of the public accessibility condition for their newly constructed marina.

Discussion:

Public Comments:

Action: The Harbor Commission is requested to:

1. Receive and file.

ITEM #2

Subject: **Statewide Coastal Marina Permit**

Issue: The Harbor Commission is asked to provide comments on the State Water Resources Control Board's (SWRCB) proposal of the Coastal Marina Permit currently under consideration.

Discussion:

Public Comments:

Action: The Harbor Commission may consider any of the following options:

1. Provide input and comments to staff. Advise staff to draft a position letter (sample attached) for Council to evaluate and distribute as they see fit, or;
2. Receive and file.

ITEM #3

Subject: Association of Orange Coast Yacht Clubs (AOCYC)

Issue: The Harbor Commission will hear a presentation by Commodore Jon Reynolds of the AOCYC.

Discussion:

Public Comments:

Action: The Harbor Commission is requested to:

1. Receive and file.

ITEM #4

Subject: Revised Sea Lion Ordinance

Issue: Should the Harbor Commission recommend the current time limits for sea lion deterrent measures in Title 17 (§17.25.020.I.4 and §17.50.100) be tightened from ten (10) day and seven (7) day written notices to a more stringent deadline?

Also, should the Harbor Commission recommend the subsection of this code excepting marine contractors from compliance of the mooring provisions be changed or eliminated?

Discussion:

Public Comments:

Action: If desired, the Harbor Commission may consider any of the following options:

1. Advise staff to tighten the deadline schedule for a single warning for sea lion deterrence to (7) seven days in §17.25.020.I.4 (Anchorage, Berthing and Mooring Regulations) and §17.50.100 (Securing of Structures), and eliminate subsection §17.25.020.I.5 (Exceptions) or;
2. Advise staff to tighten the deadline schedule for a single warning to an alternate time schedule as determined by the Commission, and maintain current regulations for marine contractors or;
3. Advise staff to maintain the time schedule currently in place in §17.25.020.I.4 and §17.50.100, and eliminate subsection §17.25.020.I.5 (Exceptions) or;
4. Advise staff to make no changes to the Municipal Code.

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

- Presentation on the Sportfishing Industry in Newport Beach
- Rhine Wharf public pier rules (time limits, no fishing etc...)

DATE AND TIME FOR NEXT MEETING: March 10, 2010

ADJOURNMENT

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

Agenda Item No. 1
February 10, 2010

TO: HARBOR COMMISSION

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

SUBJECT: Balboa Marina Status Update

ISSUE:

The Harbor Commission will be updated by the Office of the City Attorney on the status of the public accessibility condition for their newly constructed marina.

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:

Chris Miller
Harbor Resources Manager

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

Agenda Item No. 3
February 10, 2010

TO: HARBOR COMMISSION

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

SUBJECT: Association of Orange Coast Yacht Clubs (AOCYC)

ISSUE:

The Harbor Commission will hear a presentation by Commodore Jon Reynolds of the AOCYC.

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:

Chris Miller
Harbor Resources Manager