

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES  
City Council Chambers – 100 Civic Center Drive, Newport Beach  
Wednesday, May 13, 2026  
5 p.m.

**1. CALL MEETING TO ORDER**

The meeting was called to order at 5:00 p.m.

**2. ROLL CALL**

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

ABSENT: None

Staff Members: Paul Blank, Harbormaster  
Chris Miller, Public Works Administration Manager  
Cynthia Shintaku, Management Analyst  
Jeffrey Goldfarb, Code Enforcement Officer

**3. PLEDGE OF ALLEGIANCE – Secretary Scully**

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

Chair Beer opened public comments.

Ms. Coeli Hylkema, a Newport Harbor mooring permit holder, stated that she supports fairness and transparency in the actions and decisions of City policymakers. She expressed concern regarding proposed changes to the City's mooring program, stating that the City has threatened fee increases ranging from 300% to 500% and has proposed ending permit transferability in order to implement a City-owned mooring licensing program with substantially higher fees. She stated that the proposed program would increase costs and reduce harbor access for boaters of moderate means.

Ms. Hylkema noted that current and former policymakers attended the Newport Harbor Foundation's State of the Bay luncheon earlier that day, where ticket prices reportedly began at \$500 per person. She stated that presentations were given on harbor-related matters, including a mooring permit fee update by former Harbor Commissioner Skip Kenney and remarks by Council Member Joe Stapleton, who she noted is a former Harbor Commissioner, former Mayor, and current member of the two-person ad hoc committee tasked with conducting a comprehensive review of harbor management issues. She stated that Council Member Stapleton served as the event's master of ceremonies.

Ms. Hylkema stated that she was not aware of the discussions that occurred at the event but expressed concern regarding the potential influence of interactions between policymakers and affluent community members. She referenced statements published on the Newport Harbor Foundation's website in which Mr. Kenney indicated that, in the Foundation's opinion, the mooring permit fees proposed by the Harbor Commission were reasonable. She stated that the proposal would result in fee increases of approximately 300% to 500% for offshore moorings and approximately 1,000% for onshore moorings.

Ms. Hylkema further stated that Mr. Kenney indicated the Newport Mooring Association had aggressively opposed any increase in mooring permit fees. She asserted that the statement did not acknowledge that

mooring permit holders already pay substantially higher fees than certain other user groups, including commercial and for-profit users.

Ms. Hylkema stated that, to her understanding, Mr. Kenney owns a harbor front home with a dock. She asserted that residential pier permit holders do not pay fees to store boats at their private docks, pay a fraction of the fees paid by mooring permit holders despite utilizing larger tideland footprints, enjoy exclusive use rights, and are permitted to rent dock space for private profit. She further stated that the City has not threatened to revoke residential pier permits, which she believes contribute significant value to harbor front properties.

Ms. Hylkema concluded by stating that, while she did not know what was discussed at the luncheon, she found the circumstances and perceived inequities difficult to accept.

Chair Beer closed public comments.

## **5. APPROVAL OF MINUTES**

### **1. Draft Minutes of the April 8, 2026, Harbor Commission Regular Meeting**

Chair Beer opened public comments.

Mr. Adam Leverenz stated that, upon reviewing the meeting minutes, he realized that he had misspoken during the prior discussion. He noted that the minutes reflected his statement that sacrificial anodes may not experience significant oxidation because they are embedded in the soil. He clarified that he had intended to refer to helical anchors, not sacrificial anodes, as being embedded in the soil.

Mr. Leverenz stated that he believed the Commission likely understood his intended meaning, as he had previously referenced scientific materials indicating that helical anchors do not experience significant oxidation. He reiterated that his comments regarding limited oxidation were intended to apply to helical anchors rather than sacrificial anodes.

Ms. Sandy Manich stated that she holds Permit A-193 and has lived aboard her mooring for approximately 15 years. She noted that she has worked as a public school teacher for the past eight years. She expressed concern with the helical anchors.

Harbormaster Paul Blank interjected and explained that the public comment period was specifically for the draft minutes of April 8, 2026.

Ms. Manich addressing the meeting minutes, she expressed concern that the minutes did not reference the impact of a stolen boat incident that she stated had devastated Mooring Field A. She asserted that the incident originated from a boat stolen from the condominiums and referenced concerns regarding code enforcement activities at a nearby fishing dock shared with mooring holders. She stated that she had provided photographs and information to Code Enforcement regarding related activities.

Chair Beer stated that her comments were not related to the prior meeting minutes and advised that discussion should be limited to matters specifically addressed in the minutes from the previous meeting. He noted that the matters she referenced were neither discussed during the prior meeting nor reflected in the minutes.

Ms. Manich acknowledged the Chair's direction and stated that her comments related to the discussion of helical anchors. She stated that when Mooring Field A was impacted by the incident in September, approximately ten boats were struck. She expressed the opinion that, had the mooring field been utilizing helical anchors at the time, as many as sixty boats, including her own, could have been affected.

Chair Beer closed public comments.

Secretary Scully moved to approve the April 8, 2026 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Miller. The motion carried by the following roll call vote:

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

## 6. PUBLIC HEARINGS

### 6.1 Hearing on Revocation of Mooring Permit for Mooring E-1A-Clarely Family Trust

#### 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. Revoke the mooring permit for Mooring E1-A.

Mr. Jeff Goldfarb, Code Enforcement Officer, presented information regarding Mooring E1-A. He stated that the permittee is the Clarely Family Trust and that the permit was issued on April 25, 2022. He noted that the mooring is located near Crabby Point. He reported that the last known mooring fee payment was made in October 2025. He stated that, according to Finance Department records as of 4:30 p.m. that day, no additional payments had been received since that time. He explained that permittees are required to pay mooring fees in a timely manner pursuant to both the conditions of their permit and the provisions of the Municipal Code.

Code Enforcement Officer Goldfarb stated that revocation of the permit is an authorized remedy for failure to pay mooring fees under Newport Beach Municipal Code Section 17.70.020. He reported that the City issued an initial warning letter on February 28, 2026, regarding the delinquent fees, followed by a second letter on March 14, 2026, advising that the permit was subject to revocation if payment was not received. He further stated that, after no payment was received, the City issued a Notice of Hearing regarding permit revocation on April 9, 2026. He stated that he was unaware whether a representative of the permittee was present at the meeting and concluded his presentation by offering to answer questions from the Commission.

Chair Beer asked whether there had been any communication with the permittee beyond the written notices that had been sent.

Code Enforcement Officer Goldfarb stated that he had not been working today but had been informed by the Dockmaster that the permittee had called earlier in the day regarding payment. He further stated that there had also been email communication with the permittee.

Secretary Scully asked about the payment requirements established by the Municipal Code, including the timeframe within which mooring fees must be paid.

Code Enforcement Officer Goldfarb explained that payment is due within 60 days. He stated that when an account reaches between 60 and 90 days delinquent, staff receives a report and sends a letter requesting payment. He explained that permittees are provided 15 days to make payment and that, if payment is not received within that period, a second letter is issued advising the permittee of the City's intent to revoke the mooring permit if the delinquency is not resolved.

Secretary Scully asked whether, to Mr. Goldfarb's knowledge, the permittee disputed that the City had fulfilled its obligations under the terms and conditions of the mooring permit.

Code Enforcement Officer Goldfarb confirmed the City has fulfilled all of its obligations.

Commissioner Williams inquired about the nature of the permittee's communication with the City, including whether the permittee had indicated an intention not to pay or had attempted to make payment.

Harbormaster Blank stated that he had received a copy of an email from the permittee indicating that payment had been made at City Hall earlier that day. He stated, however, that the City had no record of receiving such payment.

Chair Beer asked for clarification as to whether staff had verified that payment had not been made or whether there was simply no record of payment.

Code Enforcement Officer Goldfarb stated that he had contacted the Finance Department, provided the account number, mooring number, and permittee's name, and requested confirmation. He reported that Finance staff advised that any payment made that day, either by telephone or through the online payment system, would have been reflected in their records. He stated that no such payment was recorded.

Commissioner Miller asked whether the Commission could consider delaying action for a short period in light of the permittee's assertion that payment had been made, noting that online payment records would typically be available immediately.

Chair Beer stated that the Commission could consider any action it deemed appropriate and that the matter was open for discussion. He noted that the delinquency had persisted for approximately eight months.

Code Enforcement Officer Goldfarb clarified that this was not the first time the permittee had been substantially delinquent in paying mooring fees. He reported that the permittee had previously been in arrears for more than six months on two prior occasions. He further stated that staff had verified that no payment had been received that day and indicated that this information changed the circumstances under consideration.

Commissioner Yahn thanked staff for the information provided and noted that the delinquency dated back to October 2025. He asked why the matter had extended well beyond the standard 30-, 60-, and 90-day collection periods and inquired whether the permittee had been able to delay enforcement actions without consequence. He further asked how the matter had remained unresolved for several months beyond the initial delinquency period.

Harbormaster Blank responded that the Harbor Department's available resources for pursuing delinquent accounts are limited and not consistently available. He stated that staff addresses such matters as promptly as possible within existing resource constraints but does not necessarily initiate enforcement action immediately upon an account reaching 91 days delinquent. He explained that other operational priorities may take precedence and that it can take several months before staff is able to advance a revocation matter.

Commissioner Yahn stated that he understood the resource limitations and was seeking clarification regarding the length of time the matter had remained unresolved. He observed that the process appeared to move slowly and had been ongoing for a substantial period. He asked whether, if the permittee had in fact made payment that day, there were penalties, interest charges, or other fees that would have accrued during the delinquency period, or whether the permittee could simply pay the previously outstanding balance.

Code Enforcement Officer Goldfarb responded that the Municipal Code provides for late fees.

Harbormaster Blank noted that such fees had been assessed to the account. He explained that the total amount due included all outstanding mooring fees as well as accumulated late fees, which he believed were approximately 10 percent. He further stated that the account balance reflected both the unpaid monthly mooring fees and the applicable penalties.

Harbormaster Blank suggested that, if the permittee were present, the Commission could invite the individual to come forward and provide proof of payment. He noted that, if payment had been made earlier that day, the permittee would likely possess a receipt.

Chair Beer asked whether a vessel was currently occupying the mooring.

Code Enforcement Officer Goldfarb responded that no vessel was currently occupying the mooring. He stated that a float supporting two personal watercraft had previously been located at the site but had been removed approximately one to one-and-a-half years earlier.

Chair Beer, at recommendation of the Harbormaster, invited the permittee, if present, to address the Commission regarding the matter under consideration. The permittee was not present.

Chair Beer opened public comments.

Ms. Manich, holder of Mooring Permit A-193 and a liveaboard permittee, requested that the Commission postpone action on the matter. She stated that the City had been notified by the State that the mooring fee structure may be discriminatory and that the issue was expected to be reviewed within approximately six weeks. She suggested that the permittee's nonpayment may be related to concerns regarding the fee structure and asserted that mooring permit holders have experienced regular fee increases while residential pier permit fees have not increased over a comparable period. She requested that the Commission defer action until the State has had an opportunity to review the City's plans regarding the fee structure.

Mr. Leverenz stated that he supports the timely payment of fees and obligations. He noted that, based on his review of the staff materials, the permit is held by a family trust and stated that he had been informed that correspondence regarding the delinquency may have been sent to multiple addresses. He further commented that, while staff had indicated a receipt would be available if payment had been made that day, individuals making online payments may or may not retain or print receipts.

Mr. Leverenz suggested that the Commission consider postponing action until the following month to allow additional time to determine whether payment had been made. He stated that, if payment had in fact been submitted and the permit were revoked, the City could potentially face legal challenges. He further stated that, according to staff, the permittee's delinquency history had been an ongoing issue and suggested that, if payment had been made, the permittee could be advised that any future delinquency would result in enforcement action.

Mr. Leverenz expressed concern regarding service and notification procedures, stating that he had been informed the City considers notices served upon mailing. He noted that mail delivery can be unpredictable and questioned whether permittees receive sufficient notice before enforcement proceedings begin. He also observed that the Finance Department tracks delinquent accounts before the Harbor Department becomes involved, which, in his view, may reduce the time available for permittees to respond. He suggested that earlier notification could improve the process.

Mr. Leverenz further noted that trusts can involve administrative complexities, particularly when trustees or responsible parties change. He concluded by asking what harm would result from delaying action for one month to verify whether the trust had paid the outstanding fees and, if not, proceeding with revocation at that time.

Chair Beer closed public comments.

Commissioner Miller asked whether the Commission could approve a conditional revocation of the permit. He inquired whether the Commission could take action to revoke the permit subject to verification of the permittee's claim that payment had been made that day. He suggested that, if the permittee subsequently

demonstrated that payment had been made, the revocation could be rescinded; otherwise, the revocation would remain in effect.

Harbormaster Blank responded that he did not believe the revocation itself would be rescinded but noted that there is an established appeal process available following a Commission decision. He stated that one option available to the Commission would be to adopt a motion specifying that the revocation become effective on a designated date, subject to verification of whether payment had been made.

Chair Beer stated that he would support the Harbormaster's recommendation and moved to conditionally revoke the permit, with the revocation becoming effective on Friday. He stated that, if the permittee had in fact made payment as claimed, the permittee would have several days to provide proof of payment. Otherwise, the revocation process would proceed.

Harbormaster Blank suggested that the Commission consider a motion providing for revocation to become effective at 8:00 a.m. on Friday, contingent upon confirmation that payment had not been received. He stated that such an approach would allow staff additional time to verify the permittee's claim that payment had been made while still establishing a definite effective date for the revocation if the delinquency remained unresolved.

Commissioner Miller moved to revoke the permit conditionally effective Friday, May 15, 2026 to allow the permittee to provide proof of payment as of today.

Chair Beer restated the motion for clarification. He stated that the proposed action was exempt from CEQA and would revoke the permit effective Friday, May 15, at 8:00 a.m., contingent upon the City not receiving proof that all outstanding fees had been paid. Secretary Scully confirmed that Chair Beer had accurately stated his motion.

Chair Beer requested clarification that the proof of payment must demonstrate payment of all outstanding amounts and that the payment must have been made on or before May 13. Commissioner Miller stated that he understood the motion as providing the permittee until 8:00 a.m. on May 15 to demonstrate proof of payment made by May 13, after which the permit would be revoked if satisfactory proof had not been provided.

Commissioner Miller moved that the proposed action be exempt from CEQA and would revoke the permit effective Friday, May 15, at 8:00 a.m., contingent upon the City not receiving proof that all outstanding fees had been paid by May 13, 2026. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

**Ayes:** Miller, Svrcek, Williams, Yahn, Scully, Marston, Beer

**Nays:** None

**Abstain:** None

**Absent:** None

## **6.2 Residential Dock Reconfiguration at 2227 Bayside Drive** **Recommendation:**

1. Conduct a public hearing; and
2. Find the project be Project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) and Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3; and
3. Adopt Resolution HC2026-002 approving in concept the Project.

Public Works Manager Chris Miller presented a residential dock reconfiguration proposal for the property located at 2227 Bayside Drive within Carnation Cove. He explained that Newport Beach Municipal Code requires Harbor Commission approval for piers and floats in this area when certain conditions exist or

when a dock extends beyond its existing permitted length. He noted that the Commission must conduct a public hearing and make the required findings to support any approval. Public Works Manager Miller emphasized that Harbor Commission decisions are made on a case-by-case basis and do not establish precedent for other properties.

Public Works Manager Miller reviewed the location of the property and explained that Carnation Cove has several unique characteristics. He stated that the area contains relatively shallow water and underlying bedrock, which limits dredging and has resulted in unusually long piers. He noted that the subject pier has a permitted length of approximately 260 feet. He further explained that the federal harbor lines in this area are located channel ward of the existing piers and that the cove's concave shoreline configuration can create property line conflicts for some waterfront properties. He stated that the subject property's side property lines extend parallel to one another and therefore do not create the same constraints found at neighboring properties.

Public Works Manager Miller described the existing dock as a shared pier containing three finger floats arranged in a double U-shaped configuration. He stated that the proposed project would modify only the western slip by extending both the western and middle finger floats by approximately 18 feet and widening the slip by approximately six feet. He explained that the proposed configuration would increase the interior width of the slip to approximately 18 feet and create an overall slip length of approximately 60 feet.

Public Works Manager Miller reviewed historical permit records, including approvals issued in 1997, 2000, and 2001 by the City, the California Coastal Commission, the United States Army Corps of Engineers, and the Regional Water Quality Control Board. He stated that these records confirmed the existing dock configuration and established that the current dock was legally permitted to its existing dimensions.

Public Works Manager Miller stated that the applicant proposes to berth a vessel approximately 60 feet in length and has confirmed that adequate water depth exists at the site. He noted that the vessel may slightly overhang the slip but would remain substantially within the proposed berth area. He further stated that the proposed improvements would remain approximately 85 feet from the bulkhead line and would not be expected to create conflicts with neighboring slips or navigation.

Public Works Manager Miller reported that notice of the public hearing had been mailed to all property owners within the required 300-foot noticing radius. He also reviewed the proposed special conditions of approval, noting that most were standard conditions routinely applied to residential dock projects. He highlighted conditions requiring compliance with property line limitations and existing Harbor Code provisions governing vessel encroachments.

Public Works Manager Miller concluded by stating that the Commission could approve, conditionally approve, or deny the project. He advised that any modifications to the proposed conditions should be stated clearly and specifically for the record. He further explained that minor modifications could be incorporated into the resolution following the meeting, while more substantial changes or a denial would require the matter to return to the Commission with a revised resolution at a future meeting.

Chair Beer invited the applicant to address the Commission.

Mr. Pete Swift, representing property owner Gary Smith and his wife, addressed the Commission regarding the proposed dock reconfiguration. He noted that Mr. Smith was present at the meeting and available to answer questions.

Mr. Swift concurred with staff's analysis and emphasized that the unique configuration of the subject property's side property lines distinguishes it from many neighboring properties within Carnation Cove. He stated that, unlike many surrounding parcels whose property lines converge as they extend into the harbor, the subject property's lines remain parallel. As a result, he expressed the opinion that approval of

the project would not create a precedent leading to widespread requests for similar expansions by neighboring property owners.

Mr. Swift stated that the proposed dock would remain well behind the federal pierhead line and would remain entirely within the property's side boundaries and required setbacks. He further noted that there is no established line of dock projections in the area that would be affected by the proposal and stated that the modified dock would not extend farther into the harbor than surrounding structures.

Mr. Swift stated that he had evaluated the proposal's effect on vessel movements entering and leaving the channel and concluded that the project would not adversely affect navigation, including access near the nearby dock located closest to the pierhead line.

Mr. Swift stated that the proposal satisfies the criteria identified by staff and the Municipal Code. He expressed the opinion that the dock's design and size are compatible with allowable uses, that the modification is physically suitable for the site, that its operation would not adversely affect public convenience or safety, that it would not obstruct public access or public use of the harbor, and that it would not negatively affect neighboring views, navigation, or future dredging activities.

Commissioner Svrcek asked whether extending the middle finger float would allow the neighboring slip to extend a vessel's beam farther outward from the center finger.

Mr. Swift responded that it would and explained that slip measurements are based on the length of the longer of the two finger floats.

Commissioner Svrcek also asked whether the neighboring owner sharing the dock had been notified of the proposed changes and whether they supported the project.

Mr. Swift responded that the neighboring owner had reviewed the proposal and signed the plans indicating approval.

Secretary Scully asked about the beam of the proposed 60-foot vessel.

Mr. Swift stated that the vessel has a beam of 16 feet.

Secretary Scully noted that the dimensions appeared to provide adequate clearance within the proposed slip. He further asked whether the dock's structural design and mooring system would be sufficient to withstand south swell conditions common in that area of the harbor.

Mr. Swift stated that the project engineer had reviewed the design requirements and would continue to evaluate the plans. He expressed confidence that the dock would be adequately secured and noted that the vessel could be relocated if severe storm conditions were anticipated.

Secretary Scully then asked Public Works Manager Miller whether any negative comments had been received during the public noticing process.

Public Works Manager Miller stated that no objections had been received. He reported receiving a single inquiry that was readily addressed and stated that he had received no additional comments or voice messages regarding the project.

Secretary Scully asked whether any concerns had been raised by individuals outside the formal noticing area.

Public Works Manager Miller responded that none had been received.

Vice Chair Marston asked for clarification regarding earlier comments that a Duffy boat would not fit within the proposed side-tie area.

Public Works Manager Miller explained that he was making an example of the side-tie.

Vice Chair Marston asked whether side-tie mooring would be permitted along the proposed dock configuration or whether vessels would be limited to berthing within the slip.

Public Works Manager Miller responded that permittees are generally allowed to utilize their water space, provided that vessels do not encroach upon or extend beyond the applicable side property lines. He explained that his earlier reference to a Duffy boat was intended only as an illustration. He noted that the proposed reconfiguration would provide approximately six feet of space along the side of the float, while the minimum clearance requirement is five feet, and stated that a typical Duffy boat would exceed that width.

Vice Chair Marston then asked whether the proposed dock expansion could impair the future navigational ability of the neighboring property at 2223 Bayside Drive should that property owner seek to modify or expand its dock in the future. She asked whether the proposed dock expansion could affect the future ability of the neighboring property at 2223 Bayside Drive to construct a dock.

Mr. Swift responded that the proposed project would have no impact on neighboring properties because the subject property's side property lines extend parallel to one another, creating a clear corridor extending into the harbor. He stated that the proposed expansion would remain within those property boundaries and would not interfere with adjacent properties.

Vice Chair Marston observed that 2223 Bayside Drive does not currently have a dock.

Public Works Manager Miller explained that, should the property owner wish to construct a dock in the future, the proposal would require a separate public hearing and review process. He acknowledged that the available space could be limited because the neighboring dock appears to be located close to the property line, but noted that any future dock proposal for 2223 Bayside Drive would need to be evaluated independently and was not part of the current application.

Public Works Manager Miller further stated that the proposed pier and float configuration complies with the City's Harbor Design Criteria and applicable code requirements. He explained that the project's appearance before the Harbor Commission was required solely because the proposal would extend the dock beyond its currently permitted length, which automatically triggers a public hearing under the Municipal Code.

Commissioner Yahn inquired what the administrative process would be should the float actually expand in square footage.

Commissioner Yahn asked whether increases in dock square footage are considered by the Harbor Commission when evaluating dock modification requests.

Public Works Manager Miller responded that dock square footage is generally not a factor in the Commission's review throughout most of Newport Harbor. He explained that limitations on dock square footage are primarily applicable within Balboa Island areas and that, elsewhere in the harbor, square footage is not restricted by City regulations. He noted that applicants may still be subject to requirements imposed by other regulatory agencies.

Commissioner Miller asked whether the existing dock configuration already imposed a practical beam limitation along the western side of the dock.

Public Works Manager Miller explained that the overriding limitation is compliance with the side property lines and that vessels may not extend beyond those boundaries. He stated that the more specific notes included in recent approvals are intended to clarify that longstanding requirement. He further noted that such clarifying language was not commonly included in approvals prior to approximately 2003.

Commissioner Yahn also asked for clarification regarding recent discussions about modifying public noticing requirements so that notices would not need to extend across the harbor.

Public Works Manager Miller responded that the proposed amendments to Title 17 had not yet been approved by the City Council and were tentatively scheduled for consideration on June 9.

Chair Beer asked the applicant for additional information regarding the vessel intended for the proposed slip. He noted that the project was designed to accommodate a vessel approximately 60 feet in length and observed that the proposed 18-foot extension represented a substantial increase in the size of the berth. He stated that, based on the materials presented, he did not have concerns with the proposal itself. However, he noted the unique configuration of nearby docks and questioned whether a vessel with an 18-foot beam could potentially result in a significantly longer vessel occupying the slip. He expressed concern that, under the current code provisions, a vessel substantially longer than the intended 60-foot vessel could extend beyond the berth and potentially affect neighboring dock users.

Chair Beer suggested that the Commission consider imposing a condition limiting the distance a vessel could extend beyond the proposed float in order to prevent unusually large vessels from protruding excessively into the harbor. He asked whether the applicant would be amenable to such a restriction.

Mr. Swift responded that vessel beam, rather than vessel length, is typically the controlling factor for the slip. He explained that an 80-foot vessel would generally be too wide for the proposed berth, although some vessels in the 75- to 80-foot range may have beams between 16 and 18 feet and could potentially fit within the slip dimensions.

Chair Beer requested that the applicant consult with the property owner regarding the possibility of limiting vessel overhang beyond the proposed berth. He stated that he would be interested in hearing whether the applicant and property owner would support such a condition.

Mr. Gary Smith addressed the Commission and stated that the vessel intended for the slip is approximately 57 feet in length and slightly more than 16 feet in beam. He stated that the proposed slip length was designed to keep the vessel substantially within the berth and that he had no intention of allowing a vessel to extend significantly beyond the slip. He indicated that he would not object to a condition limiting the amount a vessel could extend beyond the end of the slip.

Mr. Swift suggested that an eight-foot allowance would be acceptable.

Chair Beer stated that he was comfortable with that concept and invited comments from the other Commissioners.

Secretary Scully asked Harbormaster Blank whether he had concerns regarding the six-foot side clearance on the western side of the dock and whether it could create future enforcement issues.

Harbormaster Blank responded that he was not overly concerned and would not recommend modifying the proposal based on that issue. He stated that occasional encroachments over projected property lines do occur but are typically resolved between neighboring property owners. He further stated that, when such matters are brought to the Harbor Department's attention, they are enforced in accordance with applicable regulations.

Secretary Svrcek asked about subsurface conditions at the site, noting references to shale or rock beneath the harbor bottom.

Public Works Manager Miller responded that steel pipe piles are typically used in Carnation Cove due to the presence of Monterey shale.

Mr. Swift added that the shale layer is generally located approximately six to eight feet below the sand and that steel piles are driven to refusal, typically penetrating only four to five feet into the shale before reaching the required bearing capacity.

Chair Beer opened public comments.

Mr. Leverenz stated that, in his view, the appropriate standard for evaluating dock extensions is the federally established pierhead line beyond which structures should not be constructed. He stated that the proposed project appears to comply with that standard. He noted that exceptions may be appropriate for structures that predate the establishment of the pierhead line or where compliance is impracticable.

Mr. Leverenz further stated that, although the Harbor Commission does not evaluate overwater coverage as part of its review, agencies such as the California Coastal Commission consider increases in dock square footage when evaluating potential impacts, including impacts to eelgrass habitat and other environmental resources. He referenced prior comments regarding Newport Harbor being substantially built out and expressed concern about allowing expansions into harbor areas that he believes are unavailable to other users, including kayakers, paddlers, and other recreational users. He urged the Commission to apply its policies consistently.

Mr. Jim Mosher addressed the Commission and stated that he appreciated the Commission's recent efforts to clearly document the specific improvements being approved, noting that historical records from several decades ago were often less precise. He suggested that Special Condition No. 9 could be revised for clarity. He stated that the current language references encroachment onto a neighboring property's water area, whereas the area beyond the side property lines is public water. He suggested that the condition instead directly reference the applicable Municipal Code provision by stating that vessels berthed at the pier shall not extend beyond the prolongation of the side property lines of the property to which the pier is connected. He noted that such language would more accurately reflect the regulatory requirement.

Ms. Manich, holder of Mooring Permit A-193 and a liveaboard permittee, stated that she objected to the amount of time devoted to consideration of the residential dock proposal while issues relating to mooring fees and alleged fee discrimination remained unresolved. She referenced the State's request for recommendations regarding the matter.

Chair Beer advised Ms. Manich that her comments were not related to the residential dock application under consideration and stated that such matters should be raised during the public comment portion of the meeting. He requested that she limit her remarks to the item before the Commission.

Ms. Manich noted that future fee charges applicable to the property owner would be relevant to the discussion and recommended that this item be held until the meeting with the State in July

Chair Beer closed public comments.

Secretary Scully asked Public Works Manager Miller for his thoughts regarding Mr. Mosher's suggestion to revise Special Condition No. 9 of the proposed resolution.

Public Works Manager Miller stated that he agreed with the recommendation and believed it would be appropriate to revise the language to more closely match the terminology contained in Title 17 of the Municipal Code. He stated that staff could review the meeting minutes and applicable code provisions and incorporate the revised language into the final resolution.

Secretary Scully moved to approve the proposed dock reconfiguration project, with the project being exempt from CEQA, and proposed adding a condition limiting the extent to which vessels could project beyond the end of the dock.

Public Works Manager Miller advised that any modification should be stated clearly and specifically for the record. Referring to Special Condition No. 8, he suggested modifying the language to specify a maximum allowable extension beyond the end of the finger floats. He proposed language stating that vessels may not extend bayward beyond the end of the finger floats by a distance greater than eight feet.

Secretary Scully indicated that the proposed language reflected his intent and incorporated the modification into his motion.

Secretary Scully moved to adopt the resolution approving the proposed dock reconfiguration project at 2227 Bayside Drive, finding the project exempt from the California Environmental Quality Act (CEQA), amending Special Condition No. 8 to state that vessels may not extend bayward beyond the end of the finger floats by a distance greater than eight feet, and directing staff to revise Special Condition No. 9 to conform to the language of Title 17 of the Newport Beach Municipal Code. Seconded by Vice Chair Marston.

## 7. CURRENT BUSINESS

### 7.1 Review and Approve Recommended Harbor Commission Objectives for 2026

#### 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. Approve the recommended 2026 Harbor Commission Objectives and Commissioner assignments and forward them to the City Council for review and consideration.

Chair Beer stated that, in late 2025, the Ad Hoc Committee revised the Harbor Commission's objectives to better align with the Commission's goals for Newport Harbor. He noted that, in April 2026, the subcommittee presented proposed objectives for 2026 and identified a chair for each functional area. He explained that Commissioners would be assigned responsibility for specific objectives and that, if approved, the recommended 2026 objectives would be forwarded to the City Council for review and consideration.

Chair Beer noted that no formal staff presentation had been prepared for the item and returned the discussion to the Commission. Speaking as chair of the subcommittee, he stated that the proposed objectives had been presented at the previous meeting and had received public comment and Commission input. He explained that the draft before the Commission was substantially similar to the version presented previously, with the addition of Commissioner assignments to serve as chairs for the various functional areas.

Chair Beer stated that all functional areas had assigned to chairs, including Functional Area 3, which had been assigned in Commissioner Williams' absence. He asked Commissioner Williams whether he was willing to serve as chair of Functional Area 3.

Commissioner Williams indicated that he was willing to serve in that role and thanked Chair Beer for assigning him to the functional area.

Chair Beer stated that it was not necessary to assign individual objectives to Commissioners at that meeting and suggested that Commissioners review the finalized objectives before accepting responsibility

for specific assignments. He stated that Commissioners could discuss any preferences or concerns regarding assignments at that time. He noted that, once assigned, Commissioners would generally be expected to oversee their respective objectives through completion.

Chair Beer opened the public comment.

Ms. Sandy Manich, holder of Mooring Permit A-193 and a liveaboard permittee, stated her objection to the Harbor Commission's approval process, asserting that the Commission had not complied with a State directive requiring action regarding mooring fee issues by July. She stated that mooring permit holders had been waiting approximately one year for what she described as discriminatory fee practices to be addressed and expressed concern that the matter had not yet been resolved.

Chair Beer advised Ms. Manich that her comments were not related to the proposed annual objectives under consideration and requested that she limit her remarks to the agenda item.

Ms. Manich asked that the proposed objectives be displayed and requested information regarding their contents.

Chair Beer responded that the objectives were included in the meeting packet, which had been publicly posted on the preceding Friday. He stated that copies of the packet were available in the lobby for public review.

Ms. Manich then asked when public comment would occur, noting that she had remained at the meeting through the preceding agenda items.

Chair Beer responded that public comment had been conducted at the beginning of the meeting and noted that members of the public would have another opportunity to address the Commission at future meetings. He stated that public comment is typically heard at the beginning of each meeting.

Chair Beer moved to approve the Harbor Commission objectives for 2026 as shown in the report and find that the action is exempt from CEQA. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

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

## 7.2 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.

Harbor Commission Objectives Ad Hoc- Commissioners Beer, Scully and Miller (8-13-2025)

Chair Beer reported that item is complete and requested it be removed from subsequent agendas.

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

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

### 7.3 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.

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.

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).

Secretary Scully reported that he had been working with Harbormaster Blank on the rental vessel safety objective discussed previously by the Commission. He stated that they had been exploring the use of artificial intelligence tools to develop a training video and accompanying assessment program. He indicated that he believed the existing safety video developed by Harbormaster Blank would serve as an effective foundation for the project.

Secretary Scully noted that additional work remained on the assessment questions, format, and overall implementation, but stated that the project was progressing well. He expressed the hope that a prototype or sample version could be presented at a future Harbor Commission meeting for review and feedback from the Commission. He stated that he viewed the initiative as a positive step forward for harbor safety and indicated that additional information would be presented at a future meeting.

Chair Beer stated that he had appreciated the previous presentation and discussion regarding the concept. He observed that the project appeared to align with proposed Objective 4.1 and indicated that Secretary Scully would likely play a leadership role in advancing that objective.

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).

No update.

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

No update.

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)

No update.

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

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

## **6.6 Harbormaster Update – April 2026 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 presented the Harbor Department activity report for April. He stated that the report was organized around the Department's mission areas of maintaining a clean, safe, and well-enjoyed harbor. Before beginning his report, Harbormaster Blank invited Public Works Manager Miller to provide an update on the harbor dredging project.

Public Works Manager Miller provided a status update on the Newport Harbor dredging project. He explained that the project progress map is updated weekly and noted that the green areas on the map represent completed dredging operations. He reported that all dredged material designated for disposal at the Port of Long Beach had been successfully delivered, achieving that milestone approximately five weeks ahead of schedule.

Public Works Manager Miller stated that dredging operations were currently underway in the Newport Harbor Yacht Club mooring field. He explained that the project map uses color coding to identify completed, active, and future work areas, with green indicating completed work, yellow indicating active dredging, and other colors identifying areas scheduled for future operations.

Public Works Manager Miller reported that the project commenced in early December and remains on schedule for completion in late September. He noted that dredging activities will continue through the summer season and stated that staff has worked closely with yacht clubs, sailing organizations, charter operators, and other harbor stakeholders to minimize operational impacts. He further noted that the dredge operator monitors VHF Channel 11 and is responsive to vessel traffic and operational requests. He stated that staff has requested that the dredging contractor remain mindful of afternoon regatta activities and provide appropriate radio communications during peak sailing periods.

Chair Beer thanked Public Works Manager Miller for the update and commended the coordination efforts between City staff and the United States Army Corps of Engineers. He stated that managing the dredging project is a complex undertaking and expressed appreciation for staff's efforts in keeping the project on schedule and minimizing impacts to harbor users.

Secretary Scully commended Public Works Manager Miller and the project team for successfully completing the transportation of dredged material to the Port of Long Beach ahead of schedule. He stated that the achievement represented a significant benefit to Newport Beach residents and harbor users and asked that the Harbor Commission's appreciation be conveyed to all staff involved in the project. He stated that a resident had contacted him regarding dredging activities within Linda Isle and asked whether dredging had occurred throughout the interior basin areas.

Public Works Manager Miller responded that dredging had been completed throughout the navigable portions of the basin but explained that the precise center of the horseshoe-shaped area had intentionally been left undisturbed. He stated that a central mound was retained for eelgrass protection purposes while dredging was completed around the perimeter and navigational channels. He described the remaining area as a central mound surrounded by dredged waterways.

Secretary Scully asked whether staff knew the depth of the remaining mound.

Public Works Manager Miller responded that he did not know the exact depth but stated that vessels could run aground there during low-tide conditions. He further reported that dredging within the basin was substantially complete and that the contractor was now working on dredging projects requested by approximately 25 individual waterfront property owners.

Secretary Scully asked whether the waterways within Linda Isle were public or private.

Public Works Manager Miller explained that the waterways are privately owned and noted that Linda Isle was originally developed from what was once known as Shark Tooth Island. He stated that ownership of the surrounding waterways is divided among various private interests.

Secretary Scully then asked whether the Harbor Department should provide notice regarding the shallow-water conditions in the area.

Public Works Manager Miller responded that such notification would not typically be a Harbor Department responsibility but suggested that it would be prudent for the Linda Isle Association to install a shoal marker or buoy if one were not already present.

Secretary Scully agreed with that recommendation.

Vice Chair Marston asked whether the white markers currently located within Linda Isle were intended to identify the undredged area.

Public Works Manager Miller responded that he was uncertain of their purpose. He stated that several markers were present near the center of the basin and appeared to be narrow posts, possibly constructed of PVC pipe, but he did not know whether they were installed before or after dredging activities or whether they served as boundary markers.

Commissioner Miller stated that he recalled a previous presentation showing the disposal location for dredged material in the Port of Long Beach and commented on the impressive scale of the facility. He stated that seeing the location helped illustrate how such large quantities of dredged material could be accommodated and expressed appreciation for the work performed by staff and project partners.

Public Works Manager Miller thanked Commissioner Miller for his comments and explained that the disposal area is exceptionally large. By way of comparison, he stated that the facility is capable of accommodating multiple large container ships within a single berth area, illustrating the substantial scale of the operation.

Chair Beer thanked Public Works Manager Miller for the information and directed the meeting back to the Harbormaster's report.

Harbormaster Blank continued with the Harbor Department's April activity report.

Under the Department's clean harbor initiatives, Harbormaster Blank reported that staff responded to an illegal discharge from a local boatyard that was initially observed by a passerby. He stated that staff quickly investigated the matter, issued a stop-work order, and cited the boatyard for the unauthorized discharge.

Harbormaster Blank reported that staff continued to dedicate significant resources toward addressing suspected unpermitted liveaboards. He highlighted the successful impoundment and removal of an unpermitted liveaboard vessel during April, describing the operation as complex and resource intensive. He stated that the vessel, a small mastless sailboat, was ultimately removed from the harbor. He also reported that staff removed multiple unauthorized mooring sale signs from public beaches and worked with the advertiser to clarify permitted signage requirements.

Harbormaster Blank announced that the Harbor Department's trash rover successfully completed its first fully autonomous mission. He credited Dockmaster Nick Gauci for developing and implementing the software necessary to support the autonomous operation.

Regarding harbor safety activities, Harbormaster Blank reported that staff advised swimmers of hazards associated with nearby dredging operations, particularly near Marina Park and Mother's Beach. Although most visitors complied with posted warnings and restrictions, he stated that some individuals attempted to enter the water despite the active dredging operations. He reported that Harbor Department staff and volunteers assisted in maintaining public safety in the area.

Harbormaster Blank also reported that a Harbor Safety Officer successfully assisted a disabled rental vessel and towed it to a public dock. Following an inspection, staff determined that the vessel lacked required safety equipment and that the renters had not received adequate navigation and safety instruction. He stated that staff subsequently met with the rental concession operator and continued discussions regarding compliance and customer safety education. He noted that additional assistance was provided to several disabled sailboats during the month, including one vessel that was safely relocated to a berth at Marina Park after its sole occupant was unable to maneuver the vessel safely.

Harbormaster Blank further reported that Harbor Department personnel participated in a mass casualty incident training exercise at Marina Park. He noted that the exercise included participation from the Newport Beach Police Department, Newport Beach Fire Department, Huntington Beach Fire Department, and associated lifeguard agencies.

Under the Department's efforts to keep the harbor well enjoyed, Harbormaster Blank stated that staff is evaluating software solutions to assist with public dock time-limit enforcement. He explained that enforcement of public dock regulations is resource intensive and that staff is exploring technologies that may improve efficiency and consistency. He noted that a pilot program may be implemented later in the year.

Harbormaster Blank reported that the Department conducted a vessel auction that generated \$1,407 in revenue. He also noted strong utilization of Marina Park by participants in the Newport-to-Ensenada Race and local yacht club activities throughout April.

Harbormaster Blank announced that a new marine rental concession operator had received a Marine Activities Permit through a collaborative process involving the operator and the Community Development Department. He explained that the operator addressed parking limitations by offering incentives for customers who arrive via rideshare services rather than personal vehicles. He stated that the approval is conditional and subject to future evaluation.

Harbormaster Blank highlighted a favorable article published in the April 9, 2026 edition of The Log, which described Newport Harbor as one of the best-managed recreational harbors in the country. He stated that neither he nor Harbor Department staff participated in the preparation of the article but expressed appreciation for the recognition.

Harbormaster Blank announced that the first stakeholder meeting regarding implementation of recommendations from the California State Lands Commission had been scheduled for May 27 at the Oasis Senior Center. He encouraged Commissioners and members of the public to attend. He further reported that the Department had conducted pilot testing of drone technology to support public dock enforcement and anchorage compliance activities. He credited a Harbor Department staff member for developing and implementing the drone program and indicated that additional information would be provided in the future.

Harbormaster Blank shared a report from a waterfront property owner who observed significantly improved water clarity in Newport Harbor and attributed the improvement to recent dredging activities. He

noted that the property owner stated that visibility conditions were the best she had observed in more than a decade.

Harbormaster Blank announced that management responsibility for Balboa Yacht Basin would transfer from Bellport Management Group to the Harbor Department effective June 1. He stated that the transition followed more than three years of planning and approval efforts and is expected to save the City more than \$175,000 annually. He further stated that the Harbor Department expects to provide service levels equal to or exceeding those currently provided by the third-party management company.

As an example of recent operational activity, Harbormaster Blank described a situation involving a permittee who questioned the temporary use of a vacant mooring by another vessel. He stated that staff explained the City's authority to temporarily assign vacant moorings that remain unused for more than 30 days and provided documentation confirming that authority under the terms of the permit.

Harbormaster Blank reported that the Harbor Department responded to 2,185 calls for service during April, including 1,885 calls that were geographically mapped. He reminded the Commission that the Department's interactive public call-for-service map remains available online and allows users to review service activity by date, location, and call type.

Harbormaster Blank stated that usage of the Harbor Route Amenity Map remained consistent with prior years and noted that the tool recently received upgrades to improve mapping functionality and user experience.

Turning to permitting activity, Harbormaster Blank reported that the Department remains on pace to exceed prior-year permitting totals. He noted that 32 Harbor Event Permits, 19 Marine Activities Permits, and 32 mooring permit transfers had been processed to date during the current year.

Harbormaster Blank reported that sub-permit revenue was tracking below budget expectations. He explained that staff had not actively promoted sub-permit opportunities during the fiscal year and acknowledged that this contributed to the shortfall. He stated, however, that the revenue deficiency would be offset by stronger-than-anticipated revenue from Marina Park slip rentals and special event permits and was not expected to negatively affect the Department's overall revenue goals.

Harbormaster Blank also reviewed pump-out station utilization statistics, noting strong usage throughout the year with seasonal fluctuations related to weather and boating activity. He reported that anchorage utilization remained healthy during April, although usage levels were lower than in March. He reminded the Commission that the East Anchorage remained unavailable due to dredging operations and stated that staff would continue encouraging use of the West Anchorage.

Finally, Harbormaster Blank presented historical statistics regarding requests for mooring size adjustments and extensions. He reported that following the lifting of the moratorium in 2022, the Department received varying numbers of requests each year. He noted that, historically, slightly more requests have been approved than denied and stated that the Department has received 33 requests thus far in 2026, with two approvals and one denial completed to date. He concluded that the long-term average has been approximately seven requests per year and that staff continues to evaluate requests on a case-by-case basis.

Chair Beer thanked Harbormaster Blank for the report and invited questions from the Commission.

Commissioner Williams commended Harbormaster Blank and Harbor Department staff for their continued work and the quality of the monthly report.

Secretary Scully asked about a previously discussed presentation regarding abandoned and derelict vessels that had been expected from Code Enforcement Officer Goldfarb.

Harbormaster Blank responded that the presentation was based on a program previously delivered by Code Enforcement Officer Goldfarb at the California Boating Safety Officers Association conference and focused on strategies for addressing abandoned and derelict vessels in Newport Harbor. He stated that scheduling constraints and other priorities prevented the presentation from being included on the current agenda but reported that it was anticipated for the June Harbor Commission meeting.

Harbormaster Blank noted that Code Enforcement Officer Goldfarb had been recognized as the 2025 Code Enforcement Officer of the Year and stated that the presentation would be provided unless displaced by higher-priority matters. He anticipated it being on the June agenda.

Secretary Scully stated that he looked forward to the presentation and noted that he had heard positive feedback regarding its content.

Secretary Scully then asked for additional information regarding the Harbor Department's drone program and inquired whether the equipment was owned by the City or the Harbor Department.

Harbormaster Blank responded that the Harbor Department currently has two drones that were donated by a private benefactor. He further stated that he personally owns a drone that has been made available for Harbor Department operations, resulting in a total of three drones available for use. He noted that the equipment is relatively basic but stated that staff is making effective use of the available technology.

Vice Chair Marston asked whether Harbor Commissioners would be permitted to attend the stakeholder meeting scheduled at the Oasis Senior Center.

Harbormaster Blank responded that attendance by a limited number of Commissioners would be permissible but cautioned that attendance by a majority of the Commission could raise concerns under the Brown Act. He advised that no more than three Commissioners attend any individual stakeholder meeting unless appropriate notice and procedures were followed. He further advised that, if multiple Commissioners were present, they should refrain from conducting Commission business, deliberating, or making decisions. He suggested that Commissioners coordinate attendance among themselves and rotate participation, noting that multiple stakeholder meetings would be held throughout the process.

Commissioner Miller stated that he had numerous interactions with Harbor Safety Officers during the preceding month and commended their professionalism and service. He noted that he had observed staff assisting boaters, fishermen, and members of the public, including towing disabled vessels to safety. Commissioner Miller expressed appreciation for the Harbor Department staff and thanked them for their dedication and stewardship of Newport Harbor.

Chair Beer opened public comments.

Ms. Sandy Manich, holder of Mooring Permit A-193 and a liveaboard permittee, commented on the Harbor Department's report regarding sub-permit revenue and expressed concern that the lack of convenient and safe access to moorings makes sub-permits less attractive to potential users. She stated that mooring permit holders must access their vessels from public docks that are also used by recreational fishermen and described conditions that, in her view, create safety and operational challenges for mooring users.

Ms. Manich stated that she had experienced issues related to fishing activity at public docks, including encountering fishing debris and observing overhead casting in areas she believed created hazards for other harbor users. She expressed concern about the safety of individuals accessing moorings from public docks and stated that enforcement of existing regulations appeared insufficient.

Ms. Manich further stated that individuals without access to yacht club water taxi services face limited options for reaching moored vessels. She noted that yacht club memberships and related deposits can be

costly and suggested that the City consider providing additional services or amenities to improve access to moorings and encourage greater participation in the sub-permit program.

Ms. Manich also commented on the Harbor Department's efforts to evaluate software for monitoring public dock time limits. She questioned whether similar monitoring or enforcement efforts were being directed toward fishing activities occurring on public docks and expressed concern about reported incidents involving fishing lures and other harbor users.

Ms. Manich stated that liveaboard permit holders provide value to the harbor by serving as observers who can identify and report potential violations or safety concerns. As an example, she stated that she observed what she believed to be unpermitted maintenance work occurring on a vessel and reported the activity to Harbor Department staff, including providing photographs and other information to assist with the investigation.

Mr. Leverenz expressed appreciation for the information and updates regularly provided by Harbormaster Blank and encouraged members of the public to review the Harbor Department reports due to the breadth of information they contain. He commented on Vice Chair Marston's question regarding attendance at the stakeholder meeting scheduled for May 27. He stated that he had previously discussed similar issues with members of the Harbor Commission and City Council and had sought clarification from the City Attorney regarding Brown Act requirements. He stated his understanding that Commissioners may attend public meetings of other bodies provided they do not deliberate, conduct Commission business, or act on matters within the Commission's jurisdiction.

Mr. Leverenz acknowledged that Brown Act compliance can involve nuanced circumstances and stated that legal counsel would likely continue to advise caution regarding attendance by a majority of the Commission. He noted, however, that attendance by fewer than a quorum at separate meetings could allow Commissioners to hear public input and gather information without violating applicable requirements. He expressed the opinion that opportunities for Commissioners, City Council members, stakeholders, and members of the public to hear one another's perspectives could improve understanding of harbor-related issues and potentially facilitate a more collaborative and efficient decision-making process.

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

Chair Beer provided additional information regarding the stakeholder meeting scheduled for May 27 at the Oasis Senior Center. He stated that the meeting is part of the City's ongoing review process prompted by findings and recommendations from the California State Lands Commission. Chair Beer explained that the review includes an evaluation of the management of residential piers, moorings, and other harbor uses to ensure fairness, transparency, and compliance with applicable State requirements. He stated that the meeting would provide an overview of the State Lands Commission's findings, outline the City's planned next steps, and offer members of the public an opportunity to provide input and participate in the development of future policy recommendations.

Commissioner Svrcek reported on concerns previously raised regarding the condition of facilities and infrastructure in the Back Bay. He stated that, following discussions with Council Member Robin Grant, City staff conducted a site visit and began implementing improvements. He reported that roadway repairs,

including crack repair, regrading, and repaving work, had been completed in several areas and that additional improvements remained underway. He expressed appreciation for the progress that had been made.

Chair Beer commended the effort and noted that meaningful progress had been achieved.

**10. DATE AND TIME FOR NEXT MEETING – Wednesday, June 10, 2026 at 5 p.m.**

The next regular meeting is scheduled for June 10, 2026 at 5:00 p.m.

**11. ADJOURNMENT**

There being no further business coming before the Harbor Commission, the meeting was adjourned at 6:45 p.m.

DRAFT