

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, October 8, 2025
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
Gary Williams, Commissioner

ABSENT: Don Yahn, Commissioner

Staff Members: Paul Blank, Harbormaster
Cynthia Shintaku, Management Analyst

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Miller

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Beer opened public comments.

Adam Leverenz stated that he had prepared a few slides to accompany his remarks. He reflected on the complexity of the harbor's governing regulations, noting that there are over 70 pages of harbor code in addition to the Coastal Act, public resource codes, Coast Guard regulations, Army Corps requirements, and provisions within both the U.S. and California Constitutions. He explained that he believed it might be helpful to review some of this material so that all parties could be on the same page.

Referring to his first slide, Mr. Leverenz stated that, according to a number of appraisers, a 40-foot mooring is the most common in Newport Harbor. He explained that although fees are typically based on lineal feet, both appraisers and the State Lands Commission convert these to square footage for fee purposes. He noted that a 40-foot mooring in Newport Harbor pays \$1.36 per square foot per year. He reported that according to information from the City's website, residential piers pay \$0.58 per square foot per year and are not charged for the space their boats occupy at those piers. He stated that, as a result, a 40-foot mooring pays approximately 230 percent higher rates over a greater area. He further observed that medium and small commercial marinas, shipyards, boat rental facilities, sport-fishing charters, restaurant guest slips, vessel charters, fuel docks, and other commercial entities all pay less than offshore mooring permit holders, even though many of those operations are for-profit businesses.

Mr. Leverenz cited remarks made one year prior by the Executive Officer of the State Lands Commission. He quoted her as saying, "I think what's really appalling in this situation is that incredible discrepancy between the pier rates and the mooring rates, and I can also acknowledge that the amount of tidelands being utilized by those private recreation or residential piers and the vessels attached to those piers is significantly larger than the moorings and the boats associated with those moorings. So, there is some real definite inequity going on here."

Mr. Leverenz continued with another quote from the same meeting, in which the Executive Officer stated, "We have different rates for the moorings versus the piers. On the piers and the mooring buoys, we also charge for an impact area. So, when the boat is tied up to either the pier or the mooring buoy and the

occupation of the land that's taken based on that—in all honesty, our mooring buoy rates are much lower than our residential pier rates.”

Mr. Leverenz added that he had been reviewing State Lands Commission agendas for nearly two years. He reported that the commission meets every other month, and its agendas include numerous tidelands leases from other parts of the state. He emphasized that, as the Executive Officer—who is also a member of the State Bar—had noted, moorings are fundamentally different from piers. He stated that one cannot walk to a mooring, and moorings do not provide electricity, designated parking, or showers. He concluded by expressing that it would be beneficial if these distinctions were recognized. He acknowledged that the members of the body, as well as Vice Chair Marston, all have busy personal lives, but emphasized that there are many individuals willing to share information to help improve understanding of these issues.

Jennifer Krestan stated that she attended the previous month's Harbor Commission meeting and wished to clarify a misunderstanding expressed by some commissioners regarding why boat owners place their boats on moorings. She explained that one commissioner appeared to believe that many mooring permits were purchased and sold for financial gain. She stated that this could not be farther from the truth and expressed concern that such an idea had been promoted by the Harbor Commission as fact.

Ms. Krestan emphasized that boat owners do not obtain mooring permits to make a profit through resale. Rather, they obtain mooring permits because they cannot afford to rent a boat slip from the City of Newport Beach, the Irvine Company, or a waterfront homeowner, nor do they own a multi-million-dollar waterfront home with a private dock. She noted that, after paying monthly mooring fees, biannual mooring tackle replacement or upgrades, and purchasing a dinghy, paddleboard, rowboat, or other flotation device to access their mooring, along with other related expenses over several years, boat owners are fortunate if they even recoup their initial investment. She stated that the entities actually making a profit are those renting their slips and dock space while paying considerably less than mooring permittees pay to the City of Newport Beach for use of the State of California's tidelands.

Ms. Krestan then referred to a slide presentation. She explained that the slide showed a 50-foot slip near Lido Village that, in 2022, was offered for \$43,200 per year. She noted that the slip owner likely paid between \$0.58 and \$0.99 per square foot per year into the tidelands fund only for the square footage of the dock. She stated that this amount of profit in a single year exceeded the typical transfer value of a 40-foot mooring permit in any year.

Ms. Krestan further referenced a breakdown of the cost to acquire, own, and maintain moorings in Newport Harbor over a 20-year period. She reported that the total included approximately \$44,000 for acquisition, \$36,000 in tideland rent, \$17,000 for tackle, and a transfer fee, resulting in an overall loss of approximately \$98,435. In contrast, she noted that the cost to operate and maintain a private dock in Newport Harbor over the same 20-year period included a \$28 transfer fee, \$12,000 in tideland rent, and \$600,000 in dock rental income (at \$2,500 per month), yielding a profit of approximately \$587,000.

Chair Beer closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the September 10, 2025 Harbor Commission Regular Meeting

Chair Beer noted that Secretary Scully and himself had submitted comments. Commissioners Svrcek, Williams, Miller and Marston confirmed they had no additional comments.

Chair Beer opened public comments.

Mr. Leverenz stated that he had also submitted written material related to the matter under discussion. He explained that he had transcribed a portion of the previous meeting's audio, quoting Secretary Scully as saying, “The moorings in our harbor are a big deal for this Harbor Commission. We want to make it better.

We want to do it right, and we've got to find common ground in order to be able to make changes within the harbor and still coexist and still have an opportunity for mooring permittees to have quiet enjoyment of their mooring and enjoy Newport Harbor and have it as the most affordable access to a harbor, and I'm all for that."

Mr. Leverenz stated that this comment tied directly into the fees he had discussed earlier. He emphasized that moorings should, as Secretary Scully indicated, provide the most affordable access to the harbor, aside from trailering and launching a boat for the day. He noted, however, that this statement was not reflected in the minutes as originally published by the City, nor was it included in the subsequent corrections submitted by Vice Chair Marston, Chair Beer, or Secretary Scully himself.

Mr. Leverenz observed that this omission was significant because everyone in attendance at the previous meeting had agreed with Secretary Scully's statement, yet it was not recorded. He suggested that while the omission may have been inadvertent, such discrepancies could create negative perceptions among the public. He recalled a recent meeting in which he had submitted his own corrections to the minutes, but when the motion to approve corrections was made, it specified acceptance of the corrections from Commissioners and not the ones he had submitted. He noted that he was not the only attendee who noticed this and commented that it did not reflect well on the Commission. He concluded by reiterating that these omissions might not be intentional but stated that ensuring the minutes accurately reflect what was said, particularly in this instance, would go a long way toward building public trust and confidence in the process.

Chair Beer closed public comments.

Commissioner Williams asked how the Commission goes about recording minutes as compared to the recording referenced by the previous speaker. He inquired whether there was a disparity between what is stated during the meetings and what is ultimately reflected in the minutes.

Chair Beer referred to staff.

Management Analyst Cynthia Shintaku stated that the meetings are recorded then sent to a transcriber, the notes are then sent back to staff for review and sent out to the commissioners for review.

Commissioner Williams stated that all commissioners conduct their work in the public view and expressed concern about the notion that statements made during meetings might be recorded or reflected inaccurately in the minutes.

Chair Beer continued, stating that he did not believe there was a need to hash it out as the process was clear. He explained that meetings are recorded and transcribed, and that minutes are rarely, if ever, recorded word-for-word. He explained that instead, they are summarized to reflect what was stated and the intent behind it. He added that this approach follows a sound, established process that should be respected. He emphasized that public comments are appreciated and taken into consideration.

Commissioner Williams noted that, in his view, as long as the intent of everyone's statements is captured appropriately, the record is accurate and sufficient. He concluded by stating that, in his mind, so long as the intent is clear and correctly represented everybody's good.

Secretary Scully moved to approve the September 10, 2025 Harbor Commission Regular Meeting minutes with the additions from himself, Chair Beer, Vice Chair Marston, and Mr. Leverenz.

Chair Beer stated that, before casting his vote, he wished to clarify the record. He explained that, from his perspective, it was unclear what specific changes had been proposed to the minutes by Mr. Leverenz, noting that there was nothing explicitly set forth identifying revisions, other than comments highlighting certain statements that had been made.

Secretary Scully responded that Mr. Leverenz had provided documentation related to the minutes.

Chair Beer asked whether it would be accurate to say that the intention was for Mr. Leverenz's written comments to be attached to the minutes. Secretary Scully agreed.

Management Analyst Shintaku clarified that Mr. Leverenz's comments were already attached to the agenda, along with all other written comments received.

Chair Beer clarified that therefore, there was nothing to incorporate into the minutes themselves, as no specific textual changes had been proposed beyond those general comments. He asked whether the motion should be amended.

Secretary Scully confirmed that the original motion was to include Mr. Leverenz's comments with the minutes. Chair Beer acknowledged having misunderstood initially and confirmed that the motion, as restated, was to accept the corrections submitted by the chair, vice chair, and secretary, and to ensure that Mr. Leverenz's comments were also included as part of the official record.

Secretary Scully moved to approve the September 10, 2025 Harbor Commission Regular Meeting minutes, as amended with the additions from Secretary Scully, Chair Beer, Vice Chair Marston, and Mr. Leverenz. Seconded by Commissioner Svrcek. The motion carried by the following roll call vote:

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

6. CURRENT BUSINESS

6.1 Ad Hoc Committee Updates

Recommendation:

1. Find this action exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Receive and file.

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

Secretary Scully reported that he had spoken with Joe Beek approximately two days earlier regarding the ongoing pursuit of grant funding from the California Air Resources Board (CARB) and the South Coast Air Quality Management District. He stated that progress had been slow, as both agencies must complete their respective review processes and approvals.

Secretary Scully noted that he had asked whether, in light of recent federal policy changes under the Trump Administration that reduced CARB's authority to mandate such projects, they had considered discontinuing the effort. Mr. Beek reportedly indicated that they had already advanced too far in the process to abandon it at this stage.

Secretary Scully explained that, in the near term, the ferry operators anticipate that vessels will require engine replacements, and additional ferries will need to be replaced entirely due to age. He noted that, accordingly, they intend to continue pursuing plans to transition the fleet to fully electric operation, including installation of the necessary charging infrastructure. He added that, barring any funding issues

from the two state agencies, the effort remains on track and includes plans for charging infrastructure to be installed on Balboa Island along the street adjacent to the ferry operations.

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

Secretary Scully reported that a call had recently taken place to discuss the topic further. He reminded the Commission that a presentation had been given by Ben Zdeba and Curt Black regarding the General Plan and the Harbor, Beach, and Bay Element. During that meeting, Secretary Scully had provided comments of his own, which were later discussed in greater detail during a follow-up call with Vice Chair Marston and Commissioner Yahn. He stated that the group reviewed both the plan and those initial comments and had scheduled another meeting for the following week.

Secretary Scully outlined the ad hoc committee's intent to return to the November Harbor Commission meeting with a set of recommendations or observations for consideration. He emphasized the importance of the Harbor Commission providing formal comments related to the General Plan's Harbor, Beach, and Bay Element. He requested that, prior to the next meeting, all Harbor Commissioners review Attachment A pertaining to the Harbor, Beach, and Bay Element and familiarize themselves with its contents. He welcomed receiving any thoughts, comments, questions, or concerns from commissioners to help inform the development of formal input to be incorporated into the plan.

Harbor Commission Objectives Committee – Commissioners Beer, Scully, and Miller (8-13-2025)

Chair Beer reported that a template had been prepared outlining the proposed format for the objectives. He reported that the ad hoc committee had been exchanging thoughts and ideas on the content and structure, as previously discussed. He reiterated that it was the committee's intent to present a draft to the full Commission before the end of the year and, ideally, at the next meeting for discussion.

Chair Beer opened public comments.

Adam Leverenz asked for clarification regarding Secretary Scully's earlier comments. He inquired whether Secretary Scully had been referring to a November Harbor Commission meeting or a November GPAC meeting when mentioning the GPAC.

Secretary Scully confirmed he was referencing the November Harbor Commission meeting.

Chair Beer closed public comments.

There was no further action taken on this item.

6.2 Harbor Commission 2025 Objectives

Recommendation:

1. Find this action exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
 2. Receive and file.
1. Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Miller, Williams, Yahn)

Commissioner Miller responded that the committee had held several preliminary meetings and had begun compiling a list of items identified for review and refinement under Title 17. He stated that, as the committee continues collecting notes, it has scheduled a stakeholder meeting for November 10 to solicit additional input. He encouraged participation in that meeting and invited others to share feedback on the preliminary bullet points developed so far, emphasizing the goal of continuing to clarify and improve Title 17 and its impact on the harbor.

Harbormaster Paul Blank confirmed that the stakeholder meeting would take place on November 10 at 6:00 p.m. at Marina Park, with additional details to be provided in the upcoming presentation.

Chair Beer commented that it was encouraging to see the process moving forward, noting that the previous review of Title 17 had been very productive and that the Commission looked forward to the upcoming session.

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

Commissioner Svrcek reported that there had been discussion regarding restoration projects in Newport Beach, specifically at North Star Beach and along Irvine Avenue in the Back Bay area. He stated that the projects involve re-landscaping and restoring existing open spaces. He also noted that there had been discussion about constructing a viewing deck for the trash interceptor, allowing school groups and other visitors to easily observe its operation.

5. 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)

Vice Chair Marston reported that she had met Commissioner Yahn to discuss the Capital Improvement Program (CIP) project list that Public Works Administrative Manager Chris Miller had presented to the Commission. She reported that she met with him a few days prior to reviewing and discuss potential ideas for additional projects that could be added to the CIP list.

6. Continue with the participation of businesses, nonprofits, and the Harbor Department with a Newport Harbor Safety Committee to promote best practices and address safety issues on the water (Commissioner: Scully).

No update.

7. Review Harbor Department responsibilities, evaluate the Department's readiness and effectiveness to deliver Harbor services as necessary for normal operations and during emergencies and make recommendations as determined necessary (Commissioner: Scully, Williams).

No update.

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

Chair Beer reported that the matter remains in process and is currently awaiting feedback from the State Lands Commission. He stated that the documents still listed former Commissioner Cunningham as a member of one of the committees and requested that his name be removed to bring the record current.

Chair Beer reiterated that former Commissioner Cunningham's name should also be deleted from that objective and inquired about the replacement assignment with Commissioner Svrcek.

Management Analyst Shintaku confirmed that the replacement was Commissioner Miller.

10. Support staff in all efforts related to the dredge completion of the Federal Navigation channels in addition to the upcoming agency renewals of Regional General Permit (RGP54) shallow water dredging permit. (Commissioners: Miller, Svrcek)

Harbormaster Blank noted that he would provide an update during the Harbormaster Update.

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

There was no further action taken on this item.

6.3 Harbormaster Update – September 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 Blank presented his report on September activities within the Harbor Department. He reported that several team members had attended a symposium hosted by the County of Orange Public Works Group on construction best management practices, particularly those related to runoff from construction sites. He advised that as a result of the training, staff gained improved skills for identifying and investigating sources of debris or discharge into the harbor. He noted that this led to the issuance of the department's first stop-work order related to unauthorized runoff or discharge from an upland construction site. He explained that the order was issued after staff observed runoff entering a gutter on 19th Street and flowing into the bay near the public dock.

Harbormaster Blank further reported that the department had initiated a new program to keep impounded vessels free of bird waste. He stated that the trash rover had been reactivated. In addition, he noted that the department had increased fishing enforcement, focusing on three specific types of code violations, both in areas where fishing is permitted and in areas where it is prohibited within the harbor. He referenced an image showing a youth fishing at the Balboa Marina public dock, where fishing is not permitted. He stated that information was obtained from the individual, and a notice of violation was issued. He referenced another bottom image depicting one of the vessels currently in impound, which had been transported to Marina Park for a thorough washdown. He explained that the vessel, now on a mooring, had been equipped with improved bird deterrent measures to prevent waste accumulation while in impound.

Harbormaster Blank then presented a video demonstrated Harbor Safety Officer Joshua Timmerman operating the department's trash collecting rover that was being tested over the West Anchorage area to verify its operational functions and range. He reported that although minimal debris was present in the water that day, the exercise provided valuable confirmation of the rover's capabilities and served as a positive public relations opportunity. He presented a second video featuring Harbor Safety Officer Timmerman engaging with community members while on a paddleboard. He explained that Officer Timmerman described the rover's operating range, demonstrating its reach from a nearby residence to a white buoy in the harbor. He stated that the public had expressed significant interest in the device and that initial feedback had been very positive. Lastly, he stated that the department had not yet achieved full autonomous operation of the trash rover but continued to collaborate with the manufacturer toward that goal.

Harbormaster Blank provided an update regarding the Lower Bay Dredging Project, the large-scale U.S. Army Corps of Engineers initiative. He reported that a contractor had been selected, identified as R.E. Staite Engineering. He explained that biological surveys were currently underway and that the anticipated start date for dredging was mid-November, pending weather conditions. He explained that approximately 180,000 cubic yards of dredged sediment will be transported to the Port of Long Beach for use in a fill

project, while the remaining 745,000 cubic yards will be disposed of at the LA-3 offshore disposal site. He noted that, during earlier discussions of the project, there had been consideration of placing 80,000 to 90,000 cubic yards of material between The Wedge and Balboa Pier for beach replenishment but has since been abandoned.

Harbormaster Blank then provided an update on the Balboa Yacht Basin Access Channels Project, which involves dredging the channels between the marina's finger docks. He stated that the contractor for this project is the same firm handling the third dredging project, and that biological surveys are currently underway. He noted that the anticipated start date is early December or, if delayed due to the holiday season, late January. He explained that the contractor will temporarily pause work during the Newport Beach Christmas Boat Parade, as staging equipment in Beacon Bay (also known as the D Field Channel) would interfere with the event. He noted that approximately 30,000 cubic yards of sediment from this project will also be transported to the Port of Long Beach for the same fill initiative. He reported that the homeowners' association is funding the Linda Isle Lagoon and Residential Slips Dredging Project. He explained that the same contractor selected for the Balboa Yacht Basin project will also perform this work. He noted that the homeowners' association is currently finalizing permits with the five required regulatory agencies, with the anticipated start date between early December and late January, coordinating with the Yacht Basin project schedule. He added that approximately 35,000 cubic yards of sediment will be removed, all of which has been deemed suitable for disposal at the LA-3 offshore site.

Harbormaster Blank addressed efforts related to keeping the harbor safe. He stated that a small vessel rental operator had recently been reminded of the requirement to ensure their staff were familiar with the basic rules of harbor operation and to educate their customers accordingly. He referenced the Commission's prior discussion on this topic at the previous month's meeting, expressing hope that it would be incorporated into future Commission objectives. He suggested that the City consider strengthening requirements for small vessel rental operators through additional provisions in marine activities permits. He noted he has personally observed instances of unsafe operation involving small vessel rental customers, including improper anchoring, excessive speed, and misuse of personal watercraft. He advised that these issues formed the primary focus of safety activities and enforcement efforts during the month. While no speeding citations were issued in September, he reported that the department delivered a large number of advisories and notices of violation related to these behaviors.

Harbormaster Blank reported that the Harbor Department conducted a welfare check on a liveaboard vessel in collaboration with the City's social worker, following a request from the individual's out-of-town relatives. He described the experience as positive, noting that it provided the department with a better understanding of the resources available through the City's social services. He anticipated that additional welfare checks of this nature would likely occur in the future.

Harbormaster Blank informed the Commission of a theft and damage incident involving a 55-foot Sunseeker vessel. He advised that the incident occurred between midnight and approximately 1:20 a.m. on a night in September. He reported that during the event, ten boats in the A Field sustained significant damage, including one vessel that sank. Additionally, he advised that there were two boats in the Balboa Yacht Club (BYC) field that were heavily damaged. He noted that the Orange County Sheriff's Department Harbor Patrol led the investigation and handled all associated law enforcement activities. He reported that his department was asked to assist at sunrise, as they had a patrol vessel on the water at that time. He noted that the Harbor Department's assistance was appreciated, though no further information on the case had been provided. He remarked that the stolen vessel was ultimately recovered and returned to its regular slip but sustained heavy damage both above the waterline and to its running gear. He explained that the vessel was ultimately stopped when it became entangled in the mooring tackle of a vessel in the BYC field.

Harbormaster Blank continued his report, stating that the Harbor Department, along with other responders, had recently rescued a kayaker near the 15th Street public dock. He referred to the images in his presentation, noting that the first image showed COLREG 72, the International Regulations for Preventing Collisions at Sea, which serve as the basic rules of the road for vessel operation in U.S. and

international waters and are enforced locally in Newport Harbor. He referenced a second image showing multiple vessels improperly berthed at a popular restaurant. He explained that the vessel owners and the restaurateur were unaware the arrangement violated harbor regulations by intruding into the navigable channel. He noted that the issue was promptly resolved after a Harbor Safety Officer contacted those involved, who appreciated the officer's professional approach. Lastly, he referenced a final image depicting the overturned kayak and rescued individual near 15th Street.

Harbormaster Blank reported that citations for unpermitted charters and noise violations had been issued to a vessel well known to the department. He stated that this vessel is not permitted to operate commercial charters within Newport Harbor but has continued to do so and remains a persistent nuisance. He noted that the operators repeatedly request special dispensation or accommodation, which the City has consistently refused. He explained that their reputation within the harbor has become significantly damaged, and other legitimate commercial operators have been vigilant in reporting the vessel's continued unpermitted charter activities to harbor authorities.

Harbormaster Blank reported that a mooring permittee had brought his assigned vessel to Marina Park under the City's ShipShape Program for cleaning and maintenance. He explained that during that time, the vessel's tender broke loose and drifted away, but the Harbor Department located and retrieved it, returning it safely to the owner, who is still completing maintenance work at Marina Park. He also reported that a stand-up paddleboard self-service vending machine was discovered operating in a Peninsula parking lot without the required permit. He advised that the matter was referred to the Upland Code Enforcement Division as it involved an unpermitted vending operation within the City of Newport Beach. He clarified that, although the product was harbor-related, the violation fell outside the Harbor Department's jurisdiction.

Harbormaster Blank then provided an update on the electric vessel charging station at Marina Park, reporting that the installation had been completed, although not yet operational. He reminded the Commission that this project originated in April 2018, when he was serving as a Harbor Commissioner and first met the representative from Aqua Superpower. He commended the company's persistence in navigating the lengthy permitting process and stated that the department hoped to hold a grand unveiling ceremony in October, followed by a public announcement shortly thereafter.

Harbormaster Blank reported that staff had addressed an incident involving a mooring permittee who was advertising a sublease online, which is not permitted under the current municipal code. He explained that the permittee was contacted and subsequently removed the advertisement. He also described a unique call for service involving two individuals who had installed aerial silks from the Lido Bridge to rehearse an aerial performance. He reported that the Harbor Department responded, advised the individuals that such activity was illegal, and directed them to take down the equipment and relocate their rehearsal elsewhere.

Harbormaster Blank reported on maintenance and upgrades to the department's patrol vessels following heavy summer use. He noted that the top image showed aerial silks hanging from the north side of the Lido Bridge, while the next image depicted HD1, the department's oldest patrol boat, which is being upgraded with new seating, a fuel tank, and improved overhead coverage. Lastly, he displayed the final image showed an online mooring lease advertisement near the American Legion Yacht Club, which staff had addressed.

Harbormaster Blank reported that the department handled 2,083 calls for service in September, reflecting a typical monthly average and a more manageable workload than in August. He reminded commissioners and the public that detailed service statistics and call summaries are available on the Harbor Department's website. He reported that public engagement in 2025 closely mirrors usage levels from 2024 and 2023. He noted that the department continues to promote awareness of the amenity map and encourage its use.

Harbormaster Blank reported that Rhine Wharf usage declined in 2025, largely due to the boat show schedule. He noted that this year marked the first use of the City's EnerGov system for marine activities

permits, while harbor event permitting remained strong. He noted that by comparison, in 2024, most permit activity centered on Rhine Wharf and harbor events, with fewer marine activity permits issued. He presented a chart showing that, to date in 2025, the department had issued 74 harbor event permits, denied 6, canceled 2, and had 2 pending, mostly awaiting fee payment. He noted that for Rhine Wharf use, 29 permits were issued, one denied due to scheduling conflicts, and five were pending payment. He added that the department has not yet categorized unissued marine activity permits, as staff often advises applicants not to complete submissions likely to be denied. He stated that future tracking and reporting will better capture this administrative workload, emphasizing that these unissued applications still represent a significant portion of staff time and effort.

Harbormaster Blank reported that anchorage use was high early in September but declined midweek as schools resumed and weather cooled. He announced a stakeholder meeting on November 10 at 6:00 p.m. at Marina Park to review proposed revisions to the Municipal Code. He noted that recommendations need not be limited to Title 17 and may include harbor-related items in the Recreation or Nuisance codes, while cautioning commissioners not to encroach on Planning Commission jurisdiction.

Harbormaster Blank stated that materials for the stakeholder meeting, including the meeting agenda and the collected suggested revisions to date, are available on both the Harbor Department's website and the City's main calendar. He reminded attendees that this is a subcommittee meeting of the Harbor Commission, with participation limited to Commissioners Miller, Yahn, and Williams. He explained that other commissioners are not permitted to attend, as it is not a publicly noticed special meeting of the full Commission and therefore not compliant with Brown Act requirements. He explained that no minutes would be taken for this meeting, but that the results and recommendations will be presented to the full Harbor Commission at a future meeting.

Harbormaster Blank announced that registration for the Annual Newport Harbor Underwater Cleanup would begin at 7:00 a.m. on Saturday at Marina Park. He reported that divers will enter the water at 9:00 a.m., exit at 11:00 a.m., and a closing ceremony will follow at 11:30 a.m. He noted that the ceremony will recognize divers and volunteers and highlight the most unusual or largest items recovered during the cleanup. He stated that he would be present at the event and expressed hope that many commissioners would attend as well.

Commissioner Miller asked how Harbor Safety Officers handle encounters with boaters under the California Boater Card requirement, specifically whether they verify certification in a manner similar to law enforcement officers checking a driver's license.

Harbormaster Blank explained that Harbor Safety Officers are aware of the California Boater Card requirement for anyone operating a motorized vessel in Newport Harbor. He explained that when interacting with boaters, officers typically ask if they are aware of the rule. He further explained that if a boater does not have the card, the officer advises that it is legally required and that lack of certification could affect insurance coverage in the event of an incident. He clarified that officers do not request to see the card or pursue the matter further if the operator declines to discuss it. He added that while some boaters react negatively, about half confirm they possess the card.

Commissioner Miller thanked Harbormaster Blank and expressed appreciation to the Harbor Safety Officers for their professionalism in what can often be a challenging aspect of their job.

Commissioner Miller inquired about the electric vessel charging station at Marina Park, asking whether the station was available for free to electric boat owners or if it functioned more like a Tesla charging station, where users pay for electricity and time limits apply.

Harbormaster Blank explained that the rules for the Marina Park charging station are similar to those for public road-vehicle charging stations. He confirmed that the electricity is not free, users must activate the station either through the Aqua Superpower app or by credit card. He explained that parking in the charging area is limited to three hours, regardless of whether the charging station is in use, and the

station is closed to the public between 10:00 p.m. and 8:00 a.m. However, he noted that it remains available during that time for Harbor Department use. He added that during a brief test while the unit was active, the charging rate proved to be approximately six to seven times faster than the department's existing charging equipment.

Vice Chair Marston asked a clarifying question about anchorage usage, specifically regarding the difference between red and green bars on the utilization chart.

Harbormaster Blank explained that the green bars represent vessels that were dye-tabbed during their stay in the anchorage, meaning their marine sanitation devices were tested for compliance. He further explained that the red bars represent vessels that were observed in the anchorage but were not dye-tabbed, either because the vessel was well known to the department and had been dye-tabbed during a prior visit, or because no one was aboard when officers attempted multiple times to request permission to install the dye tab.

Vice Chair Marston inquired whether there was an amusing call of the month. Harbormaster Blank replied that while there had been several amusing calls and even some colorful public comments at a recent City Council meeting, he had chosen not to include those in this month's report.

Commissioner Svrcek inquired about how the ShipShape Program operates at Marina Park.

Harbormaster Blank explained that the program is available to both onshore and offshore mooring permittees who wish to bring their assigned vessel to Marina Park for up to three hours, Monday through Thursday, in order to perform light maintenance. He stated that the program provides a slip for that limited duration and that permitted activities include cleaning, filling water tanks, and using electricity as needed. He clarified that the program is strictly for light maintenance performed primarily by the vessel owner or operator and does not allow large-scale mechanical work such as engine removal, major repairs, or significant equipment replacement. He added that special arrangements may be made in advance if a vessel owner wishes to have minor professional work, such as polishing the topsides, completed, but those requests must be coordinated ahead of time. He noted that drop-in or same-day requests for such services are not permitted.

Secretary Scully inquired about the impounded vessel currently located at Marina Park, asking whether the owner intended to reclaim it or if it would be scheduled for auction.

Harbormaster Blank clarified that the impounded 40-foot vessel is not stored at Marina Park, but was there temporarily under the City's ShipShape Program for cleaning before being moved to an offshore mooring. He stated that the Harbor Department has repeatedly attempted to contact the owner, but after more than 60 days in impound and growing fees, the City will likely take legal possession soon. He noted that once that occurs, staff will decide whether to sell the vessel "as is" or dispose of it through the Surrendered and Abandoned Vessel Exchange (SAVE) Grant Program. He noted that six to ten similar vessels are over 20 feet, and several smaller ones are currently in the same situation. He added that this case is more complex, he added, because the vessel is U.S. Coast Guard–documented rather than DMV-registered, making transfer or disposal more time-consuming and costly.

Secretary Scully remarked that it was a large vessel and a considerable undertaking to destroy. Harbormaster Blank agreed, expressing frustration with the irresponsibility of the owner who abandoned it.

Secretary Scully asked whether it is acceptable for boaters to present a digital image of their card on a mobile phone rather than carrying the physical card itself.

Harbormaster Blank clarified that, under California law, operators of motorized vessels must carry the physical California Boater Card while operating a vessel, confirming that a digital image or photocopy on

a mobile device does not meet the legal requirement. He noted that, in practice, Harbor Safety Officers do not verify the card physically, so this has not been a significant enforcement issue within Newport Harbor.

Secretary Scully then asked a follow-up question regarding the trash-collecting rover that had been featured in an earlier presentation, inquiring about its specific functions and intended uses.

Harbormaster Blank explained that the trash-collecting rover functions like a Roomba for the bay, skimming debris from about four inches below the water's surface using a collection basket. He further explained that while designed for autonomous operation, it is currently manually controlled with a game controller. He noted that the rover can also be fitted with an attachment to collect liquid contaminants, such as small fuel or oil spills. He explained that the system draws in a thin layer of surface water, filters out pollutants, and returns the clean water to the harbor. He reported that the containment bag holds up to 28 gallons, though testing has never collected more than about three gallons, as most spills cover a wide area but involve minimal liquid volume.

Secretary Scully asked whether there had been collaboration with the Newport Beach Police Department regarding their own drone program and possible coordination with Harbor Safety Officers.

Harbormaster Blank confirmed that collaboration with the Newport Beach Police Department on drone operations is already underway. He noted that two police officers met with the dockmasters and a lead harbor safety officer to discuss the department's drone deployment program. He explained that, in addition to five centrally controlled drones operating from the police station, many officers now carry line-of-sight drones in their vehicles. He noted that a large portion of the police force has been trained in drone operations, and the meeting focused on ways the Harbor Department can support future deployments. He described the discussion as highly collaborative and productive, noting that the Harbor Department has pledged full cooperation whenever assistance is needed. He reported that the dockmasters and lead harbor safety officer will provide a follow-up report outlining how the Harbor Department will be integrated into the police drone program.

Secretary Scully thanked Harbormaster Blank for the detailed explanation and expressed appreciation for the department's ongoing efforts.

Chair Beer asked about the trash collecting rover's carrying capacity, specifically how much weight or volume it could manage.

Harbormaster Blank explained that the rover's payload capacity depends on hydrodynamics, the more streamlined the debris, the better it performs. He further explained that the collection basket is about three feet long and 18 inches in diameter, with an intake opening of the same size. He noted that the drone can carry roughly one-third of that volume before drag begins to reduce performance, at which point it must return to base to offload before continuing. He added that liquid collection is less demanding, as the system efficiently skims and separates contaminants from the water surface, maintaining stable performance.

Chair Beer opened public comments.

Mr. Leverenz stated that he recalled two recent meetings where proposed revisions to Title 17 were on the agenda but later deferred. He expressed appreciation that these materials are now available to the public, noting that the added transparency will benefit the process.

He referenced his first interactions with Commissioner Scully and City Attorney Aaron Harp nearly two years ago concerning the Brown Act compliance. While acknowledging Harbormaster Blank's earlier caution about commissioners attending the upcoming stakeholder meeting, he shared his understanding that, although attendance carries some risk, commissioners may attend as observers so long as they do not deliberate or act. He suggested that informal participation in other settings could help foster greater

public engagement and communication. Addressing the California Boater Card requirement, he noted that boat renters are exempt, as are individuals who meet another state's boating education standards.

Harbormaster Blank clarified that licensed U.S. Coast Guard captains are also exempt.

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)

None.

10. DATE AND TIME FOR NEXT MEETING – Wednesday, November 12, 2025 at 5 p.m.

The next regular meeting is scheduled for November 12, 2025 at 5:00 p.m.

11. ADJOURNMENT

There being no further business coming before the Harbor Commission, the meeting was adjourned at 6:01 p.m.