



CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

Council Chambers-100 Civic Ctr. Dr./Teleconference Location Pursuant to
GC§54953(B): 9 Beach Club Dr., Business Ctr., Stateline, NV 89449

Wednesday, June 14, 2023 - 5:00 PM

Harbor Commission Members:

Steve Scully, Chair
Ira Beer, Vice Chair
Don Yahn, Secretary
Scott Cunningham, Commissioner
Marie Marston, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner

Staff Members:

Paul Blank, Harbormaster
Jennifer Biddle, Administrative Support Specialist

The Harbor Commission meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Harbor Commission agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Harbor Commission. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Paul Blank, Harbormaster, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 270-8158 or pblank@newportbeachca.gov.

Questions and comments may be submitted in writing for the Harbor Commission's consideration by sending them to harborfeedback@newportbeachca.gov. To give the Harbor Commission adequate time to review your questions and comments, please submit your written comments no later than 5 p.m. the day prior to the Harbor Commission meeting. All correspondence will be made part of the record.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Harbor Department 24 hours prior to the scheduled meeting.

1) CALL MEETING TO ORDER

2) ROLL CALL

3) PLEDGE OF ALLEGIANCE

4) PUBLIC COMMENTS

Public comments are invited on non-agenda items. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Harbor Commission has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

5) APPROVAL OF MINUTES

1. Draft Minutes of the May 10, 2023 Harbor Commission Regular Meeting

[05-10-2023 Harbor Commission Draft Meeting Minutes](#)

[05-10-2023 Harbor Commission Draft Minutes Chair Scully Comments](#)

[05-10-2023 Harbor Commission Draft Minutes Commissioner Marston Comments](#)

6) **CURRENT BUSINESS**

1. **Discussion of New Permit, Sub-Permit, or License Type for Use of City-owned Moorings**

There are currently thirteen mooring permits assigned to the City of Newport Beach. There is demand for longer-term use of moorings than a sub-permit allows. Some of that demand comes from mariners who wish not to go through the mooring permit transfer process. The Harbor Commission will discuss opportunities and operational characteristics of a new arrangement that will allow mariners to make use of City-owned moorings without having to acquire an existing permit or participate in the sub-permit process.

Any recommendation resulting from this discussion will be forwarded to the City Council for consideration.

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) Direct Staff to return with a formal recommendation on a new arrangement for the use of City-owned moorings.

[Staff Report](#)

[Attachment A - Moorings Permitted to the City of Newport Beach](#)

[Attachment B - Current Mooring Sub-Permit Agreement](#)

[Attachment C - Current Offshore Mooring Permit](#)

[Item No. 6.1 Additional Material Presented at Meeting Commissioner Presentation June 14, 2023](#)

2. **Discuss Potential Harbor Commission Objectives for 2024**

The Harbor Commission periodically conducts a review and updates its Objectives. This year they decided to continue working on the 2022 Objectives instead of creating new ones for 2023, as there was still much work to be done and it would allow the new City Council Members to settle in and learn about the Harbor Commission. The Harbor Commission will begin discussing a plan to develop Harbor Commission Objectives for 2024.

Recommendation:

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

change to the environment, directly or indirectly; and

2) Provide input on the creation of the 2024 Harbor Commission Objectives and/or create an Ad Hoc Committee to develop Objectives for each functional area and return to the Harbor Commission with recommendations for 2024 Objectives.

[Staff Report](#)

3. Ad Hoc Committee Updates

Several ad hoc committees have been established to address short term projects outside of the Harbor Commission objectives. This is the time the ad hoc committees will provide an update on their projects.

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.

[Staff Report](#)

4. Harbor Commission 2022 Objectives Update

At the February 8, 2023, Harbor Commission meeting the decision was made by the Commission to continue the 2022 Objectives instead of creating new ones for 2023. The Commission felt there was still much work to be done on the 2022 Objectives and it would allow the new City Council Members to get settled and learn about the Harbor Commission. Each ad hoc committee studying their respective Functional Area within the Commission's 2022 Objectives, will provide a progress update.

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.

[Staff Report](#)

[Attachment A - Harbor Commission 2022 Objectives](#)

[Attachment B - Harbor Commission 2022 Objectives Tracking Sheet](#)

5. Harbormaster Update - May 2023 Activities

The Harbormaster oversees the City Harbor Department and is responsible for the management of the City's mooring fields, enforcement of the municipal code, events

permitting, safety and rescue operations, the Marina Park Guest Marina, marine sanitation pump out equipment and public pier maintenance, impound and disposition of abandoned and unclaimed vessels and public relations and information dissemination on and about Newport Harbor.

This report will update the Harbor Commission on the Harbor Department's recent 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.

[Staff Report](#)

[Attachment A - Harbor Department Statistics Infographic](#)

[Attachment B - Harbor Department Statistics by Month, Current Year](#)

[Attachment C - Harbor Department Statistics, Year over Year Comparison](#)

[Attachment D - Harbor Department Definitions](#)

[Item No. 6.5 Additional Material Presented at Meeting Staff Presentation June 14, 2023](#)

7) **MOTION FOR RECONSIDERATION**

8) **COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)**

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

10) **DATE AND TIME FOR NEXT MEETING: Wednesday, July 12, 2023 at 5 p.m.**
Location Change for this meeting to Marina Park: 1600 W. Balboa Boulevard.

11) **ADJOURNMENT**