



CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

Council Chambers - 100 Civic Ctr Dr/Teleconference Location Pursuant to
GC§54953(B): 3570 Las Vegas Blvd. S, LV, NV (Nobu Bus. Lounge, Fl. 72)

Wednesday, July 10, 2024 - 5:00 PM

Harbor Commission Members:

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

Staff Members:

Paul Blank, Harbormaster
Jennifer Biddle, Executive Assistant

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 June 12, 2024 Harbor Commission Regular Meeting

[06-12-2024 Harbor Commission Regular Meeting Draft Minutes](#)

[06-12-2024 Harbor Commission Regular Meeting Draft Minutes Vice Chair Beer Comments](#)

6) ELECTION OF OFFICERS

1. Harbor Commission Election of Officers for the 2024-25 Year

Recommendation:

a) 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;

b) Elect Chair;

c) Elect Vice Chair; and

d) Elect Secretary.

7) PUBLIC HEARING

1. Residential Dock Reconfigurations at 20 Beacon Bay (Beacon Bay Homeowner Association Dock Systems)

Beacon Bay Homeowner Association (“Applicant”) has applied for a harbor development permit to remove and replace the floats and one gangway on the four homeowner association dock systems (“Project”). Three proposed floats extend beyond the specified limits by 4-feet which is the same distance as the existing floats extend. The proposed Work Dock float extends beyond the specified limits by 1-foot. Because the Applicant is proposing to construct bayward beyond the specified limits defined in Newport Beach Municipal Code (“NBMC”) 17.35.030(A), staff is unable to approve the project. Therefore, NBMC directs the Harbor Commission to hold a public hearing for the proposed project.

Recommendation:

a) Conduct a public hearing;

b) Find the 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

c) Adopt Resolution HC2024-02 approving in concept the Project.

[Staff Report](#)

[Attachment A - Aerial Photos](#)

[Attachment B - Float Limit Line](#)

[Attachment C - Prior Approvals](#)

[Attachment D - Existing and Proposed Configurations](#)

[Attachment E - Public Notice](#)

[Attachment F - Resolution HC2024-02](#)

8) **CURRENT BUSINESS**

1. **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:

a) 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

b) Receive and file.

[Staff Report](#)

2. **Harbor Commission 2024 Objectives**

Each ad hoc committee studying their respective Objective within the Commission's 2024 Objectives, will provide a progress update.

Recommendation:

a) 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

b) Receive and file.

[Staff Report](#)

[Attachment A - Harbor Commission 2024 Objectives](#)

3. **Harbormaster Update - June 2024 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:

a) 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

b) 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](#)

[Attachment E - Notice of Violation Example](#)

[Attachment F - Rhine Wharf Permit Application Welcome Page](#)

9) **MOTION FOR RECONSIDERATION**

A motion to reconsider the vote on any action taken by the Harbor Commission at either this meeting or the previous meeting may be made only by one of the Commission Members who voted with the prevailing side.

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

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

12) **DATE AND TIME FOR NEXT MEETING: Wednesday, August 14, 2024 at 5 p.m.**

13) **ADJOURNMENT**