

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, February 12, 2025
5 p.m.

1. CALL MEETING TO ORDER

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

2. ROLL CALL

PRESENT: Scott Cunningham, Chair
Ira Beer, Vice Chair
Steve Scully, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner
Don Yahn, Commissioner

ABSENT: Marie Marston, Secretary

Staff Members: Paul Blank, Harbormaster
Jennifer Biddle, Administrative Assistant
Chris Miller, Public Works Administrative Manager
Cynthia Shintaku, Administrative Assistant

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Scully

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Cunningham opened public comments.

A procedural question was raised regarding whether public comment on Item 6.1 would be conducted separately. Chair Cunningham confirmed that public comment would be received when Item 6.1 was heard.

Chair Cunningham closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the November 13, 2024 Harbor Commission Regular Meeting

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

Vice Chair Beer moved to approve the November 13, 2024 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

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

6. CURRENT BUSINESS

1. Conceptual Public Dock at Promontory Bay

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, 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.
- 2) Receive and File

Commissioner Svrcek reported that the conceptual dock would be located in close proximity to the Bayside Retail Center, which includes three restaurants, the Bayside Restaurant, Saporì, and Java Bakery Café, a Pavilion's Grocery store, and a Rite Aid. He noted that there are numerous services and restaurants nearby, making it a convenient location. He presented a diagram showing five boats docked at the proposed location along with two boats at scale entering Promontory Bay demonstrating ample room for navigation. He advised that the channel width is 90 feet with a turning radius of approximately 110 feet.

Commissioner Svrcek reported that another proposed location is positioned slightly closer to Bayside Drive and has the same layout. He presented a detailed illustration showing the public sidewalk adjacent to the conceptual dock with five boats, along with one of the largest boats entering Promontory Bay, providing a sense of scale. He explained that at a 2.6-foot medium low tide, the height of a Duffy boat remains well below the patio of the adjacent apartments. He noted that at a five-foot tide, the boat remains approximately six feet below the apartment patio deck. Lastly, he advised that even at a seven-foot tide, the dock does not obstruct views from the apartments.

Commissioner Svrcek acknowledged that a letter was received expressing concerns regarding the safety of this location. He explained that in order to address these concerns, a review of similar channel widths and boat sizes was conducted using Google Maps. He noted that comparable locations include the eastern portion of Linda Isle across from Harbor Island Drive, the northern portion of Linda Isle across from the Sol restaurant, the Rhine Channel near the Cannery area, and Evening Star Lane in Dover Shores. He noted that each of these locations accommodates similar-sized boats within comparable channel widths.

Commissioner Scully inquired about the 90-foot channel width, specifically whether that measurement included only navigable water. He recalled that there were rocks along the seawall.

Commissioner Svrcek confirmed that there are rocks along the seawall that extend two to three feet at very low tide.

Commissioner Scully explained that the worst-case scenario must be considered in assessing navigable space. He noted that his observations indicate that boats in the area range in size, with some measuring 60 to 70 feet with beams of 18 to 20 feet. He sought clarification on how much space is truly available in the worst-case scenario, acknowledging concerns expressed by local homeowners.

Commissioner Svrcek referenced the Rhine Channel which provides a relevant comparison, as 100-foot boats frequently navigate through the area during the summer. He explained that the width of that channel suggests sufficient maneuverability.

Commissioner Yahn raised a related concern about the space taken up by the dock and the width of moored boats.

Commissioner Svrcek estimated that a four-foot dock plus a 19- or 20-foot-wide boat would take up about 20 feet of the 90-foot channel.

Commissioner Yahn acknowledged that the dock is intended to enhance public access and provide an amenity for visitors to the Bayside Center. He noted that pedestrians would have two options for access: a public walkway extending past the homes and connecting to Balboa Island and the Newport Beach

Yacht Club or a direct route to Bayside Drive. He reported that concerns were raised about jaywalking, as pedestrians might attempt to cross the street outside designated crosswalks.

Commissioner Svrcek noted that pedestrians going to Bayside Restaurant would use the Promontory Beach crosswalk, which is signalized, providing a safe crossing option.

Commissioner Williams inquired about the intent of the proposed dock, questioning whether the primary goal was to bring additional business to Bayside Shopping Center. He inquired if the dock was intended exclusively for Duffy boats as the renderings only illustrated the height of a Duffy.

Commissioner Svrcek clarified that limitations could be established as necessary. He noted that the illustration included Duffy's as well as two larger boats, a 26-footer, and a 30-footer, but restrictions could be imposed based on the commission's decision.

Commissioner Williams inquired about the origin of the request for the dock and whether it resulted from public outreach.

Commissioner Svrcek explained that the idea stemmed from his effort to identify locations for additional public docks. He noted that a public dock running from the bridge was considered, but after walking the area with staff, the current proposed location was identified as a suitable option.

Chair Cunningham explained that over eight years ago, there had been discussions about a similar public dock proposal. He recalled that Duffy Duffield had advocated for a public dock along the rocks near the jetty. He explained that this occurred before improvements were made to Bayside Drive, including the installation of a crosswalk and traffic light. He acknowledged the need to review prior efforts and determine why the project had not moved forward at that time. He expressed concern about Promontory Bay residents' willingness to accept a public dock in the area along with input from the Irvine Company regarding their perspective on the proposal. He acknowledged that this meeting is the initial step in presenting the idea to the public, inviting discussion on both the advantages and potential challenges.

Chair Cunningham opened public comments.

Adam Leverenz presented a diagram showing an expanded image of the area showing a potential alternative location that would minimize navigational impact. He explained that the updated layout suggested placing six slips in a side-tie configuration within a vacant area, potentially reducing obstruction to navigation while increasing available berthing space. He noted that such adjustments could help mitigate homeowner concerns.

Samantha McDonald, a live-aboard resident, expressed concern that fishing should be permitted on the dock, citing that a recently constructed public dock on Pacific Coast Highway prohibited fishing, despite other public docks allowing it. She emphasized that public docks should provide access to the water, not just access from the water. She noted that launching kayaks from public docks was often difficult due to the lack of nearby public parking or direct access points. She encouraged the commission to consider extending the parking limit beyond three hours, as it currently restricts visitors' ability to fully enjoy the amenities.

Chair Cunningham closed public comments.

Commissioner Yahn commended Commissioner Svrcek's proposal, emphasizing the commission's objective to increase amenities and access to the bay. He noted that opportunities to enhance access are limited and that this proposal presents a valuable opportunity for discussion. While the feasibility of the project remains to be seen, he expressed support for providing access to both Balboa Island and Bayside. He acknowledged that the project requires engineering, review, and public input but stated that good ideas begin by planting the seed and moving forward. He requested historical documentation on

previous attempts to establish a dock in the area, suggesting that reviewing past efforts could provide valuable insights.

Commissioner Williams echoed this sentiment, expressing appreciation for the historical background and indicating support for pursuing a dock in that area. However, he suggested that the secondary proposed location might be more appropriate and expressed interest in how the process unfolds.

Chair Cunningham recalled that the historical suggestion was for a dock along the rocks near the walking path on Bayside Drive, closer to the traffic signal. He expressed support for increasing dock access, noting that more docks and improved access benefit the public. He acknowledged that Promontory Bay residents and the Irvine Company were identified as key stakeholders whose feedback should be sought before formalizing the proposal. He noted that while the Irvine Company does not own Promontory Bay, it does own the businesses across the street, which would likely be affected by the dock's presence.

Commissioner Yahn expressed concern regarding potential parking impacts, noting that visitors might park in the Bayside Shopping Center lot and cross the street to access the dock.

Chair Cunningham acknowledged the existing parking issues in the area and recognized that this could be a concern for businesses. He noted that the shopping center already faces parking challenges due to its proximity to Balboa Island with security guards frequently hired to monitor parking.

Harbormaster Blank recommended that the commission provide further direction should be given to Commissioner Svrcek and supporting staff regarding the viability of the project.

Chair Cunningham suggested that a preliminary engineering be conducted to refine the proposal, though not at significant expense, and that public outreach be pursued.

Chair Svrcek agreed that public outreach was a priority and identified key groups for immediate feedback, including waterfront residents, Promontory Bay homeowners, Basin Marine, and the Irvine Company. He acknowledged that the proposal had not generated overwhelming public demand and acknowledged that additional input could shape the project's development. He anticipated some pushback from the local community.

Commissioner Svrcek inquired about the suggested engineering.

Chair Cunningham suggested that the project be refined to provide more detailed dimensions and layout information. He inquired if formal action was required to give direction to staff.

Harbormaster Blank reported that no formal action was required, only verbal direction.

Commissioner Scully emphasized the importance of considering public comments, past discussions, and historical context. He noted that if large vessels, such as 50- or 60-foot boats, were to dock late at night while the Harbor Department was closed, the commission would need to anticipate potential challenges. He referenced the public dock at the end of the Rhine Channel, where large boats frequently dock overnight. He noted that identifying the optimal location was a priority and that once that determination was made, preliminary engineering and public outreach should follow.

Chair Cunningham agreed that the commission could continue discussing the project and refining it on a monthly basis as it gains traction.

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

3. Ad Hoc Committee Updates

- 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)

Commissioner Scully reported that Joe Beek has made significant progress had been made in securing grant funding for the replacement of ferry boats. He noted that two specific grants were identified. He reported that the Carl Moyer Grant has been approved which is designed to decommission old engines and replace vessels. He noted that staff were also pursuing a joint grant from the California Air Resources Board and the South Coast Air Quality Management Grant which could provide approximately \$8 million in funding. He noted that discussions with Mr. Beek indicated strong progress, with verbal assurances that funding would be allocated specifically for the Newport Ferry. He advised that Mr. Beek has engaged a marine architect in San Diego who had previously worked on hybrid and electric ferries in San Francisco with the intent to construct new ferries identical in size and appearance to the current fleet. He acknowledged discussions with the City regarding the placement of power infrastructure for ferry charging and announced an agreement had been reached on the location of meters and larger power supplies. He noted that when the grants are finalized the project would proceed into the architectural and construction phases.

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

Commissioner Scully reported participation in a Zoom call on November 26, which was primarily focused on planning for a workshop held on December 5 at Marina Park. Commissioner Scully acknowledged Mr. Moser for notifying the ad hoc committee of the workshop dates and for providing supporting documentation.

Commissioner Scully reported he was unable to attend the workshop, he had offered to email the date, time, and location to a wide group of harbor users. He reported that a number of harbor stakeholders attended and participated. He explained that the workshop provided an overview of the general plan elements, including guiding values, ideas to support harbor planning, and land-use considerations for Newport Beach's future. He noted that he would forward a handout summarizing the workshop. He emphasized that the General Plan process had been complex, but the workshop materials offered a clear explanation of the current direction.

Public Dock Utilization Ad Hoc – Commissioners Beer, Svrcek, and Williams (04-10-2024)

No update.

Chair Cunningham opened public comments.

Harbormaster Blank announced that members of the public were misinformed about the time of the Harbor Commission meeting and wished to be heard on Item 6.1

Ken Rinker, a member of the Promontory Bay Homeowners Association (HOA) Board, stated his opposition to the proposed dock. He noted that many neighbors had already voiced strong objections. He emphasized that Promontory Bay accommodates boats up to 80 feet or more due to its side-tie docks, allowing multiple large vessels. He reported that the bay contains 61 homes, and after discussion at the HOA board level, members are unanimously opposed to the dock for several reasons. He noted that a primary concern is the sharp and blind curve in the channel. He reported that he frequently navigates the area at night for fishing trips, explained that the curve requires the use of the entire middle section of the channel for safe passage. He stressed that the channel is too narrow for two large boats to pass simultaneously, and the addition of a dock would exacerbate this issue. He noted the lack of nighttime enforcement would increase safety risks, as boats tied to the dock would further constrict the navigable space. He also raised concerns about the enforcement of vessel size limits. While restrictions might be

imposed, he stated that boats exceeding 14 feet frequently overstay their allowed time at public docks elsewhere in the harbor. He asserted that installing a dock in this location would negatively impact property values for the 61 homes in Promontory Bay, as potential buyers, most of whom own boats, would be deterred by the increased congestion and safety risks. He further mentioned that sheriff department vessels occasionally tie up along the seawall near the condos and apartments so that officers can go ashore for food. He suggested that this practice should not occur and offered to personally fund a monthly meal for officers if they refrained from docking there. He reiterated his strong opposition to the dock.

Chad Hall, President of the Promontory Bay HOA, concurred with Mr. Rinker's concerns, adding that the proposed dock could be misused for large boats docking while patrons visit restaurants or vice versa, parking at the restaurant and boarding a vessel. He stated that parking in the area is not intended for boat launching and that allowing a dock there would pose safety risks, particularly at night when people may be consuming alcohol. He questioned how much use the dock would receive given that the area primarily serves a single restaurant and a grocery store. He also pointed out that there is no designated crosswalk in the vicinity, further complicating pedestrian access.

A resident, who lives at 621 Bayside, stated that he owns a 50-foot boat and has lived in the area for 20 years. He reiterated that navigating the turn in the channel is already difficult, especially when encountering smaller Duffy boats, which are often difficult to maneuver. He expressed concern about the dock's potential depth and size, especially considering the need for ADA-compliant ramps, which could extend the dock by approximately 10 feet. He concluded that this would create a significant obstruction and reiterated his opposition to the project.

Chair Cunningham closed public comments.

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

3. Harbor Commission 2024 Objectives

- 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.

Commissioner Svrcek reported the recent Water Quality and Coastal Tidelands Committee meeting primarily focused on goals and objections.

Commissioner Scully reported no updates regarding the Safety Committee or review of the Harbor Department's responsibilities.

Commissioner Yahn reported on the annual review of Title 17, stating that ideas and potential updates were being collected for a future meeting. He reported on efforts to identify additional harbor services, including pump-out stations, dock space, shore boat service, and a boat launch ramp. He noted that despite a few unsuccessful attempts to establish a shoreboat service, the initiative remains under consideration.

Vice Chair Beer provided updates on the implementation of the mooring reconfiguration initiative. He reported that the Coastal Commission did not approve the Coastal Development Permit (CDP) the previous week. He advised that the ad hoc committee will reconvene in the next month to determine whether to amend the objective or take further action. He reported that the commission is awaiting a response from the California State Lands Commission regarding an update to the market rent for onshore and offshore moorings.

Commissioner Williams reported no updates.

Chair Cunningham provided updates on dredging efforts under Objective 10. He advised that the original Confined Aquatic Disposal (CAD) plan is no longer in effect, as an alternative disposal site has been identified in Long Beach. He reported that a memorandum of understanding (MOU) has been signed, and the project is expected to go out for bid within the next 30 to 60 days with the dredging anticipated to begin in 2025. He expressed hope that he would still be serving on the commission when dredging equipment arrives in the harbor. He discussed the biennial eelgrass survey, stating that the final results are being finalized and look promising. He noted that eelgrass is a crucial component of the harbor's ecosystem, and an update will be presented at an upcoming meeting. He recommended formally adding Commissioner Svrcek to Objective 5, which focuses on dock space and related matters, and inquired if a formal motion was required.

Harbormaster Blank advised that general concurrence would be sufficient.

Chair Cunningham confirmed that there was consensus among commissioners. Commissioner Svrcek was added to Objective 5.

Chair Cunningham opened to public comments.

Adam Leverenz inquired about outreach regarding Title 17. He directed his question to Commissioner Yahn, who had mentioned collecting ideas for potential updates. He inquired whether there had been any outreach to stakeholders to gather input and, if not, what the best method would be for stakeholders to provide suggestions.

Commissioner Yahn responded that a few years ago, the commission encountered numerous changes to Title 17, which led to the appointment of an individual responsible for logging updates as they arose throughout the year. He explained that the tracking process serves as the basis for ongoing revisions. He encouraged the public to submit ideas or feedback at any time.

Chair Cunningham echoed this statement, clarifying that while there is no formalized venue for public input, members of the public with recommendations or concerns about Title 17 are encouraged to reach out to the Harbor Department. He noted that the department collects these submissions and evaluates them on a case-by-case basis, primarily addressing issues related to harbor operations and enforcement. He noted that there is no comprehensive review plan in place, as a full review had been conducted previously. He explained that the commission is focused on refining specific aspects of Title 17 as needed.

Chair Cunningham closed public comments.

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

7. Harbormaster Update – November and December 2024 and January 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 provided updates on harbor cleanliness, safety, and operations. He reported that the Harbor Department conducted its first vessel arrest, a detailed process with the vessel remaining in custody pending a court-ordered auction in 45 days. He advised that the department successfully addressed multiple discharge and spill incidents and, in collaboration with the Utilities Department,

installed trash receptacles on all public docks after a 2.5-year approval process. Additionally, he noted that a visiting vessel failed its dye-tab test and was immediately ordered to leave the harbor.

Harbormaster Blank announced that the trash interceptor at San Diego Creek is now fully deployed and successfully captured debris during the season's first major rainstorm, preventing it from entering Newport Bay. He advised that the department also increased patrols and notifications in response to severe weather warnings and received praise from another agency for its notification system. He reported that the Harbor Department conducted a successful towing test with its new all-electric vessel, which towed a much larger boat for 2.5 hours while consuming less electricity than expected. Other maintenance efforts included servicing fire extinguishers, replacing cabinets at Marina Park, and responding to a notable rescue in which a runaway electric vessel was safely stopped after its operator jumped overboard to rescue a dog.

Harbormaster Blank reported that the department resolved various berthing issues, including a management plan at Peninsula Village and a lengthy permittee issue in the A-field. It also supported the annual Christmas Boat Parade, which occurred without major incidents. He advised that the coordination of conflicting harbor events for March highlighted the benefits of the permitting system. Lastly, he reported that three new burgees were installed in the Harbor Department office to create a more welcoming atmosphere.

Harbormaster Blank reported that the department exercised discretion in a case involving a dilapidated vessel. He explained that after determining the owner had passed away and the surviving spouse was unable to maintain it, additional time was granted for its sale, avoiding enforcement action. He noted that the vessel has since been removed from the harbor.

Harbormaster Blank reported that the department completed annual California Air Resource Board (CARB) reporting for its four patrol vessels and reported an average of 189 mooring assists per year. He noted that other updates included the Coastal Commission's rejection of the mooring reconfiguration pilot project and the completion of long-awaited safety videos for rental customers, which will be available online and to concession operators.

Harbormaster Blank reported that operational statistics for 2024 showed approximately 24,000 service calls, averaging 2,000 per month. A record 74 marine activity permits were issued, exceeding the previous year's total. He noted that anchorage activity was high in December but declined in January due to poor weather. He reported that the department's \$2.8 million operating budget remains largely allocated to code enforcement, which was not performed before the department's creation in 2017. He noted that revenue from mooring sub-permits and Marina Park slips slightly decreased to \$1.4 million but still reflects an annual revenue growth rate of 22% since the department's establishment. Lastly, he reported that the 2024 customer service survey results showed consistently high satisfaction, with all categories scoring between 4.5 and 5.0 out of 5.

Commissioner Scully commended Harbormaster Blank for the installation of trash receptacles on public docks, stating that it was a significant improvement. He suggested that rental companies be informed about the new receptacles so they could communicate this update to their customers, as much of the trash originates from rental areas. He inquired who was responsible for emptying the trash cans.

Harbormaster Blank reported that CR&R Environmental Services was contracted to empty the receptacles. He confirmed that the Harbor Department would maintain the exterior of the receptacles, addressing any misuse or dirt accumulation. Commissioner Scully expressed his appreciation for the addition.

Commissioner Yahn praised the communication efforts with rental agencies and the recently developed safety video. He referenced a previously implemented QR code system that provides information about restroom locations throughout the harbor. He asked whether that system remained in use and suggested that a similar feature be added to indicate the locations of trash receptacles.

Vice Chair Beer took a moment to commend Harbormaster Blank for a well-organized and smooth-running Christmas Boat Parade. He inquired about the drop in revenue from mooring sub-permits year-over-year.

Harbormaster Blank attributed the revenue decline to poor weather conditions in January, February, and March of 2024, which negatively impacted harbor activity. He clarified that the provided graph reflected annual revenue trends and reiterated that the early-year weather had significantly affected permit revenue.

Vice Chair Beer inquired about the process for a vessel that fails a dye-tab test and whether there were fines associated with noncompliance.

Harbormaster Blank explained that any vessel failing a dye test is required to leave the harbor for one year. He advised that a citation may be issued, carrying a \$1,000 fine, and the violation may also be referred to other agencies for potential further action. He noted that the specific vessel in question was a frequent visitor to the harbor and had a history of late payments on sub-permits. He advised that instead of issuing an administrative citation, the department required the owner to settle all outstanding balances before leaving. He reported that the vessel owner complied, and the vessel was barred from returning for one year, and before being permitted to return, it would be subject to another dye test.

Commissioner Williams commended Harbormaster Blank on his report and requested clarification regarding the number of service calls for mooring permit holders.

Harbormaster Blank explained that these calls were not limited to permit holders but also included sub-permittees. He clarified that these calls specifically involved assistance with securing a vessel to a mooring. He further explained that mooring assistance requests are logged as a separate line item in the department's statistics. He detailed the process for requesting assistance, which includes contacting the Harbor Department via the front desk or VHF Channel 17 during regular hours. He reported that while email requests are possible, phone or radio communication is preferred for faster response times. He explained that if an immediate response is not possible due to higher-priority tasks, such as emergency rescues, boaters are advised to wait at the free anchorage, a public dock, or Marina Park until assistance becomes available. He estimated that approximately two-thirds of mooring assistance requests come from permit holders, while one-third come from visiting boaters.

Vice Chair Beer inquired if a small number of individuals repeatedly requested assistance. Harbormaster Blank stated that there was no evidence of overuse by any specific permit holder.

Commissioner Svrcek referenced the slide displaying the trash interceptor's effectiveness. He noted that the captured debris appeared significant and inquired whether it had accumulated before any rainfall.

Harbormaster Blank clarified that the image was taken following the first rainfall in early January when the booms were deployed, effectively capturing debris before it could flow into the harbor. He emphasized the success of the interceptor in preventing large amounts of waste from entering the waterways.

Vice Chair Beer expressed concern about the potential for the interceptor to become overwhelmed by heavier rainfall, asking whether it was designed to break away under extreme conditions.

Harbormaster Blank stated that while the booms could be overwhelmed, he suspected that the Utilities Department, which oversees the interceptor's operation, would manually release the booms if necessary to prevent damage. He noted that the effectiveness of the system would be tested with an upcoming storm.

Chair Cunningham thanked Harbormaster Blank for his report and acknowledged the significant progress made in maintaining harbor cleanliness, safety, and public accessibility.

Chair Cunningham opened public comments.

A member of the public inquired about how information regarding assistance with mooring is provided to mooring permittees and harbor visitors, noting that they had never received such information.

Adam Leverenz addressed the commission again and referenced a statement from the Harbormaster's update. He quoted, "It came to light that the Harbor Department is only allowed to keep and maintain three vessels within the city's master vehicle plan. We submitted a program enhancement request to keep the fourth boat, which allows us to maintain 33% more visibility on the water among other benefits. We will know in June whether we can keep four vessels or we will have to sell off the oldest vessel in our fleet." He then recalled the procurement process for the electric boat, which was purchased using approximately \$300,000 in grant money. He noted that it had been presented as a replacement vessel. He cited an article in the Daily Pilot from August 31, 2024, in which the Harbormaster stated, "The Harbor Department has a fleet of work vessels, and we were overdue for the replacement of one of them in particular. So this boat made perfect sense in terms of a replacement." He emphasized that the Harbor Department operates with a significant financial deficit and noted that the Harbormaster's LinkedIn profile references budget reductions, fiscal responsibility, and staff reductions of up to 50%. He expressed concern that while the electric boat was initially presented as a replacement, the recent statement suggested an overall fleet expansion. He requested greater fiscal accountability in public spending.

Samantha McDonald, a live-aboard resident, commented on the mooring assistance program, stating that she appreciates the support provided by the department. However, she noted inconsistencies in the assistance received. She shared an experience in which she and her partner returned from Mexico after a cruising season and requested help securing their mooring lines. She noted that a staff member responded over the radio, instructing them to pull up to the dock and wait approximately 45 minutes for assistance. However, upon calling again, another staff member informed them that such assistance was not provided. Eventually, she noted they did receive help from a staff member who secured their mooring lines, but knots were tied incorrectly, creating an unsafe situation. She emphasized the need for improved staff training and clarity regarding mooring assistance policies. She recalled a previous return from sea, during which her partner encountered difficulties. She explained that after a 15-day upwind sail with a broken engine and autopilot, they were woken early in the morning by staff inquiring about their mooring duration, despite having a permit. She stressed the importance of better tracking moored vessels to avoid unnecessary disturbances.

Michael Spano reported that upon returning to his mooring, he was promptly billed as a mooring sub-permittee the following morning, despite being the official permit holder. He questioned the accuracy of the department's billing system. He expressed appreciation for the QR code system providing restroom locations and suggested expanding the initiative to include all public docks. He noted that many visitors, including fishermen and other harbor users, struggle to find restroom facilities. He recommended that QR codes be placed in additional public spaces to increase accessibility.

Chair Cunningham acknowledged the feedback and noted that restroom access had been a recurring topic of discussion in recent years.

Chair Cunningham 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. COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)

Commissioner Scully reported that he and Commissioner Svrcek participated in a tour of the Coast Guard vessel Narwhal, an event organized by the Balboa Yacht Club. He noted that the tour provided an opportunity to meet the personnel working on the vessel, who were described as highly professional and welcoming. He advised that the tour was informative, and although the living quarters were not particularly spacious, the experience was valuable. He expressed appreciation for the Coast Guard's presence in the harbor.

Commissioner Scully reported that he attended the California Coastal Commission meeting held on Wednesday, February 5th, regarding the Seafield Optimization Test. He explained that the meeting was the final approval for advancing the mooring optimization test in the sea field, a project that had been under development for several years. He noted that the California Coastal Commission ultimately rejected the proposal by a vote of 8 to 1.

Commissioner Scully expressed gratitude to Chair Cunningham and Vice Chair Beer for their extensive work on this subcommittee, noting that the objective required hundreds of hours of effort across multiple areas. Additionally, Chair Scully acknowledged Harbormaster Blank for his ongoing support and assistance, as well as the Harbor Commission and City Council for their time spent reviewing and working toward improvements in Newport Harbor.

Commissioner Scully remarked that, despite the commission's efforts, the presentation did not resonate with eight of the nine commissioners. He described the outcome as disappointing, given the potential benefits the optimization test could have provided to the more than 7 million individuals who utilize Newport Harbor.

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

None.

11. DATE AND TIME FOR NEXT MEETING:

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

12. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 6:15 p.m.