



# CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Wednesday, November 8, 2023 - 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, Administrative Support Specialist

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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 October 11, 2023 Harbor Commission Regular Meeting**

[10-11-2023 Harbor Commission Draft Meeting Minutes](#)

[10-11-2023 Harbor Commission Draft Minutes Chair Scully Comments](#)

[10-11-2023 Harbor Commission Draft Minutes Vice Chair Beer Comments](#)

**6) CURRENT BUSINESS**

**1. 2024 Harbor and Beaches Master Plan - Approve**

Staff will provide an overview of the 2024 Harbor and Beaches Master Plan. The Harbor Commission is requested to approve the plan so it can be forwarded to the Finance Committee in early 2024.

**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; and

2) Approve the 2024 Harbor and Beaches Master Plan and recommend staff forward to the Finance Committee for consideration.

[Staff Report](#)

[Harbor & Beaches Master Plan - Attachment A](#)

**2. Disband Ad Hoc Subcommittee on 2024 Harbor Commission Objectives**

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 time to settle in and learn about the Harbor Commission. At their July 2023 meeting the Commission voted to create an ad hoc committee to prepare the objectives for 2024. On October 11, 2023, the Harbor Commissioners agreed on recommended objectives for 2024. The recommended objectives will be forwarded to the City Council for review in the near future. Now that the recommended objectives have been agreed upon, the ad hoc subcommittee that developed the recommendations can be disbanded.

**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) Disband the ad hoc subcommittee convened to develop and recommend 2024 Harbor Commission Objectives.

[Staff Report](#)

**3. Ad Hoc 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 Current 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 current 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 current 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 Current Objectives](#)

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

**5. Harbormaster Update - October 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](#)

7) **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*

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

9) **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

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

11) **DATE AND TIME FOR NEXT MEETING: Wednesday, January 8, 2024 at 5 p.m. (December 2023 Meeting - Canceled)**

12) **ADJOURNMENT**