



# CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Wednesday, May 8, 2019 - 6:30 PM

**Harbor Commission Members:**

David Girling, Chair  
Scott Cunningham, Vice Chair  
John Drayton, Secretary  
Ira Beer, Commissioner  
Paul Blank, Commissioner  
William Kenney, Jr., Commissioner  
Don Yahn, Commissioner

**Staff Members:**

Carol Jacobs, Assistant City Manager  
Kurt Borsting, 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 Carol Jacobs, Assistant City Manager, 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) 644-3001 or [cjacobs@newportbeachca.gov](mailto:cjacobs@newportbeachca.gov).

**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 agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Harbor Commission. 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 agenda or 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. **Minutes of March 13, 2019, Regular Meeting**

[Draft Minutes 03-13-2019 Harbor Commission Regular Meeting](#)

## 6) CURRENT BUSINESS

### 1. **California Environmental Quality Act (CEQA) Presentation**

The Harbor Commission is tasked with providing recommendations to the City Council on issues related to Newport Harbor. Every staff report received by the Harbor Commission for consideration has language in the recommendation relating to CEQA compliance. This presentation will provide background into the CEQA process and the Harbor Commission's role in approving a CEQA recommendation.

#### 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.

2) Receive and file.

[Staff Report](#)

[Attachment A – CEQA Process Flow Chart](#)

[6.1 Additional Material Presented at Meeting Staff Presentation](#)

### 2. **Eelgrass in Newport Harbor - Status Update**

Staff will present a current status update on eelgrass in Newport Harbor.

#### 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.

2) Receive and file.

[Staff Report](#)

[6.2 Additional Material Presented at Meeting Staff Presentation](#)

### 3. **Proposed Maximum Time Limit Zones - 15th Street Public Dock**

Public docks have been provided by the City at various locations throughout the Harbor, for the purpose of loading and unloading passengers, supplies, boating gear, short-term mooring and similar purposes. It is the policy of the City to maintain such facilities in a manner that will permit the greatest public use and avoid continuous occupancy, congestion or blocking thereof. Where necessary to achieve this objective, the Harbormaster is authorized and directed to post dock markings or signs limiting the time during which a vessel may be tied up or secured.

To advance this objective, the Harbor Department is recommending reassignment of approximately twenty-seven feet of linear dock space at the 15th Street Public Dock, currently designated for vessels secured up to a seventy-two (72) hour maximum to a proposed twenty-four (24) hour maximum.

**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.

2) Approve staff recommendation to reassign the proposed maximum allowable time period for a vessel to occupy this section of the 15th Street Public Dock from seventy-two (72) hours maximum to twenty-four (24) hours maximum as shown on Attachment A.

[Staff Report](#)

[Attachment A – 15th Street Public Dock Diagram with Proposed Changes in Markings](#)

[6.3 Additional Material Presented at Meeting Staff Report](#)

**4. Harbor Commission 2018 Objectives: Ad Hoc Committee Updates**

Each ad hoc committee studying their respective Functional Area within the Commission's 2018 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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

2) Receive and file.

[Staff Report](#)

[Attachment A – Harbor Commission 2018 Objectives](#)

**5. Harbormaster Update - March and April, 2019**

The Harbormaster is responsible for on-water management of the City's moorings, the Marina Park Marina and code enforcement on the water. This report will update the Commission on the Harbor Department's activities for March and April, 2019.

**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.

2) Receive and file.

[Staff Report](#)

[Attachment A – Marina Park Guest Slip Customer Survey Results for April 2019](#)

[Attachment B – Harbor Department Statistics, Fiscal Year through April, 2019](#)

[6.5 Additional Material Presented at Meeting\\_ Staff Presentation](#)

- 7) **COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)**
- 8) **QUESTIONS AND ANSWERS WITH STAFF ON HARBOR RELATED ISSUES**
- 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, June 12, 2019**
- 11) **ADJOURNMENT**