



CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Wednesday, August 10, 2022 - 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. **Minutes of the July 13, 2022 Harbor Commission Regular Meeting**

[07-13-2022 Harbor Commission Regular Meeting Draft Minutes](#)

[07-13-2022 Harbor Commission Draft Minutes Chair Scully Comments](#)

[07-13-2022 Harbor Commission Draft Minutes Vice Chair Beer Comments](#)

6) 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:

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](#)

2. Reassignment of Harbor Commission Current Objectives

The Harbor Commission periodically conducts a review and updates its Objectives. With Commissioner Kenney now termed out and the appointment of Commissioner Svrcek, there is an opportunity to reassign and adjust assignment of the objectives across the newly convened Commission.

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) Review and revise current Commission Objectives assignments.

[Staff Report](#)

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

3. Harbor Commission 2022 Objectives

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](#)

4. Harbormaster Update - July 2022 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](#)

[6.4 Additional Material Presented at Meeting Staff Presentation 08-10-2022](#)

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) **QUESTIONS AND ANSWERS WITH STAFF ON HARBOR RELATED ISSUES**

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, September 14, 2022 at 5 p.m.**

12) **ADJOURNMENT**