

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
Council Chambers – 100 Civic Center Drive, Newport Beach CA
Wednesday, July 10, 2019
6:30 PM

1) CALL MEETING TO ORDER

The meeting was called to order at 6:33 p.m.

2) ROLL CALL

Commissioners: Scott Cunningham, Vice Chair
 Ira Beer, Commissioner
 Paul Blank, Commissioner
 William Kenney, Jr., Commissioner
 Marie Marston, Commissioner
 Steve Scully, Commissioner
 Don Yahn, Commissioner

Staff Members: Carol Jacobs, Assistant City Manager
 Kurt Borsting, Harbormaster
 Chris Miller, Public Works Manager
 Jennifer Biddle, Administrative Support Specialist

3) PLEDGE OF ALLEGIANCE – Commissioner Beer

Vice Chair Cunningham welcomed new Commissioners Marston and Scully.

Commissioners Marston and Scully introduced themselves.

4) PUBLIC COMMENTS

Pete Swift expressed concern regarding revisions to Policy H-1 resulting in more time and expense for homeowners to obtain permits for work on docks.

5) APPROVAL OF MINUTES

1. Minutes of June 12, 2019, Regular Meeting

Commissioner Beer corrected "The Policy will accommodate ..." in the paragraph at the top of page 4 to "The Policy should accommodate" He requested deletion of "Within the 78 rows, approximately 246 moorings potentially qualify for a mooring extension" within the same paragraph. In the next paragraph, "... Commissioner Beer explained ..." should be "... Commissioner Beer concurred and further explained" Within the fourth paragraph on page 4, the third and fourth sentences should be revised and combined as "Commissioner Beer indicated many rows can accommodate 5-foot extensions; however, in approximately 27 instances, vessels in a row exceed the recommended length."

Commissioner Blank requested the second paragraph on page 8 state "In reply to Commissioner Kenney's question regarding the Orange County Sheriff's Harbor Department facility, Commissioner Blank"

Commissioner Kenney revised Mr. Callin's comments on page 6 to "... the time limit would cause"

Commissioner Kenney moved to approve the Minutes of the June 12, 2019 meeting as amended. Commissioner Beer seconded the motion. The motion carried by the following roll call vote:

Ayes: Vice Chair Cunningham, Commissioner Beer, Commissioner Blank, Commissioner Kenney,
 Commissioner Yahn

Nays: None
Abstaining: Commissioner Marston, Commissioner Scully
Absent: None

6) CURRENT BUSINESS

1. Election of Officers

The Harbor Commission will elect officers for the 2019-20 year.

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) Elect Chair.
- 3) Elect Vice Chair.
- 4) Elect Secretary.

Commissioner Cunningham nominated Commissioner Blank for the office of Chair.

Commissioner Yahn moved to approve the nomination of Commissioner Blank as Chair of the Harbor Commission. Commissioner Kenney seconded the motion. The motion carried by the following roll call vote:

Ayes: Commissioner Cunningham, Commissioner Beer, Commissioner Kenney, Commissioner Marston, Commissioner Scully, Commissioner Yahn
Nays: None
Abstaining: Commissioner Blank
Absent: None

Commissioner Beer nominated Commissioner Cunningham for the office of Vice Chair.

Commissioner Beer moved to approve the nomination of Commissioner Cunningham as Vice Chair of the Harbor Commission. Commissioner Kenney seconded the motion. The motion carried by the following roll call vote:

Ayes: Chair Blank, Commissioner Beer, Commissioner Kenney, Commissioner Marston, Commissioner Scully, Commissioner Yahn
Nays: None
Abstaining: Commissioner Cunningham
Absent: None

Vice Chair Cunningham nominated Commissioner Beer for the office of Secretary.

Vice Chair Cunningham moved to approve the nomination of Commissioner Beer as Secretary of the Harbor Commission. Commissioner Kenney seconded the motion. The motion carried by the following roll call vote:

Ayes: Chair Blank, Vice Chair Cunningham, Commissioner Kenney, Commissioner Marston, Commissioner Scully, Commissioner Yahn
Nays: None
Abstaining: Commissioner Beer
Absent: None

The Harbor Commission recessed at 6:49 p.m. and reconvened at 6:52 p.m.

2. Council Policy H-1 – Harbor Commission Review

At the June 25, 2019 meeting, the City Council revised Council Policy H-1 to clarify the Policy's intent and process in order to assist staff and the Harbor Commission when considering future applications. The City Council also directed the Harbor Commission to review the recent changes and to make recommendations to the City Council regarding any proposed revisions thereto.

Recommendation:

- 1) Determine that the project 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, Chapter 3, because it will not result in a physical change to the environment, directly or indirectly.
- 2) Assign the review of Council Policy H-1 to the Harbor Commission subcommittee for functional area four dealing with harbor policies within the Harbor Commission Objectives, and return to the Commission with recommendations.

Public Works Administrative Manager Chris Miller reported Council Policy H-1 provides rules for staff, the Harbor Commission, and Council review and approval of dock projects that extend beyond the pierhead line. At its most recent meeting, the City Council revised Policy H-1 to clarify language in the Policy and referred Policy H-1 to the Harbor Commission for review and feedback. The Harbor Commission may wish to refer Policy H-1 to the subcommittee for moorings and request a recommendation from the subcommittee.

Chair Blank remarked that the action before the Harbor Commission is not discussion of Policy H-1 but referral of Policy H-1 to a subcommittee for review and recommendation.

Commissioner Kenney noted the subcommittee for Functional Area 4 submitted lengthy recommendations to the City Council. The City Council elected to reduce the recommendations to a five-page narrative. In response to Commissioner Kenney's question, Public Works Administrative Manager Miller felt the intent of the Council direction was for the Harbor Commission to review Policy H-1 as currently written. The Harbor Commission may decide the depth of its review of Policy H-1 and recommend changes, if any, to the City Council.

Chair Blank believed Policy H-1 should be referred to the subcommittee for Functional Area 4.

Jim Mosher commented that Policy H-1 now requires any pier exceeding the pierhead line to meet five conditions. The five conditions could be listed in the Harbor Code as findings.

Chair Blank stated the public will have an opportunity to comment regarding Policy H-1 when the subcommittee presents its recommendations to the Harbor Commission.

Commissioner Beer moved to refer Policy H-1 to the subcommittee for Functional Area 4 for review with the subcommittee to present its findings and recommendations to the Harbor Commission by the Harbor Commission's September meeting. Vice Chair Cunningham seconded the motion.

In reply to Commissioner Kenney's query, Chair Blank indicated Commissioners will have an opportunity to bid for subcommittees later in the meeting.

In response to Assistant City Manager Carol Jacobs' request, Commissioner Beer and Vice Chair Cunningham amended the motion to refer Policy H-1 to the subcommittee for Functional Area 4 for review with the subcommittee to present its findings and recommendations to the Harbor Commission by the Harbor Commission's October meeting

The amended motion carried by the following roll call vote:

Ayes: Chair Blank, Vice Chair Cunningham, Commissioner Beer, Commissioner Kenney, Commissioner Marston, Commissioner Scully, Commissioner Yahm
Nays: None

Abstaining: None
Absent: None

3. Newport Harbor Vessel Pumpout Program.

The City of Newport Beach offers a number of facilities and programs for the boating community to properly dispose of waste materials collected in vessel holding tanks. The Harbormaster will provide an informational presentation to the Harbor Commission, providing overview information about these facilities and programs.

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.

Harbormaster Kurt Borsting reported sewage can contain more than 100 different intestinal pathogens, viruses, and bacteria. Boating sewage has a far more concentrated quality than household waste because of reduced water usage aboard vessels. Sewage can have negative effects on plant species in waterways. Discharge from vessels into waterways can have many environmental effects on everything from shellfish beds to beach closures, oxygen depletion, algae blooms, and human health. The Clean Water Act imposes fines of up to \$2,000 per illegal discharge. State law also prohibits the dumping of any treated or untreated human waste into areas such as yacht harbors. Public pumpout facilities are provided in Newport Harbor at locations operated by the City, the Orange County Sheriff's Department, and private marinas. To encourage use of pumpout facilities, the facilities need to be accessible, operational, and clean. A third-party contractor, South Mooring, inspects equipment on Monday of each week and dispatches repairs as needed. On Wednesday or Thursday of each week, Harbor Department staff inspects the equipment a second time for operation and cleanliness. The second inspection allows repairs to be made before the weekend when recreational boaters use the Harbor. Staff ensures a robust inventory of parts is available by immediately reordering any part removed from inventory. At City pumpout facilities, signage provides clear instructions for use of the facilities and the Harbor Department's telephone number to report malfunctions. Staff has conducted outreach to individual audiences, primarily the live-aboard audience. Annually, live-aboards present their pumpout logs for staff review, and staff sets the expectation that live-aboards will utilize either pumpout facilities or a pumpout service. Smartphone apps are available that show public pumpout facilities and whether the facilities are operational. A recent check of one app showed a public pumpout facility at a local marina was not operational. Additional use of the app found the phone number for the marina was incorrect. Staff has worked with the marina to correct the telephone number. To further encourage use of pumpout facilities, instructional videos and campaign materials can be made available to the public through the website and social media. State grants are available for education, outreach, replacement equipment, operations, and maintenance. While the City's capital equipment budget contains funding to replace aging equipment, staff will pursue equipment grants to supplement the funding or reallocate City funding to other needs. The Bay Foundation, as a Division of Boating and Waterways contractor, conducts quarterly surveys of public pumpout locations and assigns usability scores. Based on information provided by South Mooring, rough calculations indicate between 400 and 800 vessels utilized City pumpout facilities in a calendar quarter. Staff will continue exploring smart ways to operationalize the Harbor Commission's commitment to keep the Harbor clean.

Vice Chair Cunningham recalled that pumpouts were a major issue throughout the Harbor two years earlier. Commissioner Beer recalled the same and that Commission meetings concerned the number of City-managed pumpout facilities that were operational. The live-aboards' logs of pumpouts are important. Commissioner Beer commended staff and Mr. South for their work to improve the situation.

Harbormaster Borsting clarified that staff could take credit for improving the inventory of parts, but Mr. South and his employee assigned to pumpout facilities are committed to maintaining pumpout equipment to high standards.

In answer to Commissioner Yahn's questions, Harbormaster Borsting understood private pumpout locations depicted on the map and the mobile app had received grants for equipment. However, the private owner is responsible for maintaining and repairing the equipment. As he understood the grants, both the private owners and the City could apply for maintenance grants through the Division of Boating and Waterways. Public Works Administrative Manager Miller advised that pumpouts were originally installed on private property because the Water Board had created standards for marinas with more than 50 boats to install pumpouts. Several years ago, the City with assistance from the Water Board enforced repair of pumpout equipment on private property. Perhaps, there could be some direction for the Harbor Department to inspect pumpout facilities on private property. Forcing marinas to repair pumpouts is challenging. Harbormaster Borsting added that staff will conduct some research into ways the Harbor Department can support and follow up with marinas to ensure pumpouts are operational. The Marina Park pumpout facility services the 23-slip guest marina, and staff operates the pumpout for guests. Guests typically utilize the Marina Park shower and restroom facilities rather than on-board facilities. Use of the Fernando Street pumpout is challenged by lower pressure than at other locations and the physical arrangement of the equipment. Boaters probably prefer other locations over the Fernando Street location.

In response to Commissioner Beer's inquiry, Harbormaster Borsting indicated the grants are offered by the State and funded by the purchase of vessel fuel. He agreed to review the grant documentation to determine whether it required repair of pumpout facilities funded by a grant.

Chair Blank noted the Water Board is the Santa Ana Regional Water Quality Board.

In reply to Commissioner Kenney's query, Public Works Administrative Manager Miller had not contemplated whether the new Swales Marina is required to install a pumpout facility; however, the City would not enforce compliance with the Water Board's Order. Chair Blank believed Swales Marina has only 47 slips.

Commissioner Kenney suggested the Harbor Commission study and recommend any retrofit, new, or expansion project for a public marina be required to include installation and maintenance of pumpout facilities. The Washington dock is challenging to use because it is narrow.

In answer to Commissioner Scully's questions, Public Works Administrative Manager Miller reported the County of Orange tests water quality within the Harbor at least weekly and provides reports to the City Council's Coastal/Bay Water Quality Committee. Low water quality is found in some areas, and beaches in those areas are posted accordingly. Chair Blank indicated the most consistently problematic area has been the Arches bridge because of faulty runoff and diversion from upland drainage ditches. A project within the past ten months has hopefully corrected the problem.

In response to Commissioner Marston's inquiries, Harbormaster Borsting assumed the acceptance of an equipment grant as well as the Water Board's requirement for marinas with 50 slips to install a pumpout facility obligated marinas to repair pumpout equipment. Public Works Administrative Manager Miller explained that a grant is good for seven years. During the seven-year time period, the pumpout facility has to be available to the public. The State pays 75 percent of the cost of installation and equipment, which can total \$20,000. A condition of the grant is for the recipient to maintain and repair the equipment for the public's use.

4. Harbor Commission 2018 Objectives: Review and Assign Committee Members to the Commission's Objectives – Update for FY 2019-20

This is the time in which the Harbor Commission will review their 2018 Objectives, update as necessary and assign new Harbor Commissioners to subcommittees. In addition, 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) Review Objectives for FY 2019-20 and make any necessary adjustments to subcommittee members.

Assistant City Manager Jacobs reported Objective 4.2 has been completed and can be removed. Policies H-1-5 have been completed; however, Policy H-1 has been referred for additional review. The Harbor Commission may wish to review Objectives and Commissioner assignments each July to coincide with Commissioners' terms.

Chair Blank suggested Commissioners refer to the Objectives as the "current Objectives as set in 2018" and revise the Objectives for the balance of the calendar year as he anticipated the Commission would establish new Objectives in early 2020 and submit them to the Council for ratification.

Vice Chair Cunningham wanted to move more quickly and establish or revise the Objectives during the calendar year.

Commissioner Kenney questioned whether Objective 2 should continue. Commissioner Beer advised that he has considered consolidating Objective 2 with Objective 3. Chair Blank indicated the Commission can discuss consolidation of the two Objectives when establishing Objectives later in the year.

Commissioner Kenney advised that Objective 5.2 is complete.

The following assignments were made:

Functional Area 1: Vice Chair Cunningham, Commissioner Marston

Functional Area 2: Commissioner Beer (Chair), Commissioner Yahn, Commissioner Scully

Functional Area 3: Commissioner Beer, Commissioner Yahn, Commissioner Scully

Functional Area 4: Commissioner Kenney, Chair Blank, Commissioner Yahn

Functional Area 5: Commissioner Yahn (Chair), Commissioner Kenney, Commissioner Marston

Functional Area 6: Chair Blank, Vice Chair Cunningham, Commissioner Scully

Commissioner Scully moved to approve the assignment of Commissioners to subcommittees for Functional Areas of the Harbor Objectives as noted above. Commissioner Marston seconded the motion.

Jim Mosher commented that the Harbor Commission can appoint subcommittees that meet publicly or privately. Subcommittees that meet privately may not be composed of a quorum of Commissioners and may serve as advisory bodies only to the Harbor Commission. The subcommittee for Functional Area 2 was tasked with presenting a report regarding Objective 2.1 in July 2019.

In response to Assistant City Manager Jacobs' inquiry, Commissioners Scully and Marston amended the motion to combine Functional Areas 2 and 3 with the assignment of Commissioners Beer, Yahn and Scully to the resulting subcommittee and to acknowledge Objectives 3.2, 4.2, and 5.2 are complete.

The motion carried by the following roll call vote:

Ayes: Chair Blank, Vice Chair Cunningham, Commissioner Beer, Commissioner Kenney,
Commissioner Marston, Commissioner Scully, Commissioner Yahn

Nays: None

Abstaining: None

Absent: None

Functional Area 1: Vice Chair Cunningham had no update to provide the Commission.

Functional Area 2/3: Commissioner Beer reported Objective 3.2 is complete, and the subcommittee will move to other objectives within the Functional Area. In reply to Chair Blank's query, Commissioner Beer agreed to contact former Commissioner Drayton regarding a report on Harbor operations.

Functional Area 4: Commissioner Kenney advised that the second stakeholder meeting was held June 24, and the public provided good feedback to proposed revisions. The subcommittee will meet the following Tuesday hopefully to finalize recommendations for presentation to the Harbor Commission in August. The subcommittee will next focus on revisions to Section 17.10, Marine Activities Permits. The goal is to present recommendations for all of Title 17 to the City Council by year end.

Functional Area 5: Commissioner Yahn indicated Commissioner Kenney attended a meeting with Hornblower, and he attended a meeting with Electra Cruises. The meetings concerned best practices for charter and commercial boat operations in the Harbor, marine sanitation for vessels, and berthing of vessels.

Functional Area 6: Chair Blank had no update.

In answer to Commissioner Beer's inquiry, Assistant City Manager Jacobs advised that a Commissioner not part of a subcommittee may not contact any of the Commissioners on the subcommittee regarding the business of the subcommittee under the Brown Act. A Commissioner may comment or ask questions of subcommittee members during a Commission hearing.

5. Harbormaster Update – June 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 June 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.

Harbormaster Borsting reported the Harbor Department held an abandoned vessel auction on June 5 and sold 15 of 33 vessels for a total of \$1,005. The Harbor Department held its auction simultaneously with the Orange County Sheriff's Department auction to share resources and potential bidders. Signs have been replaced at the Balboa Island bridge, and staff is actively searching for other signs that need replacing. In 2018, six sandline moorings were popular options for visiting boaters; however, vessels moored in the area extended into the navigational channel, and the public raised concerns about the moorings. A search for alternative locations was not successful. Five of the six sandline moorings have been removed, and the sixth mooring will be removed when the vessel on it is removed or the legal proceedings regarding the vessel are resolved. As an alternative, staff has reserved City moorings for visiting vessels and meets the vessels at the moorings to assist with tying the vessel to the two can system. In June, Harbormaster Borsting attended a regional meeting of the California Association of Harbormasters and Port Captains. At the meeting, he learned that many of the participants service moorings and dredge in-house. He will attend the group's annual conference in September. Staff received 15 responses to the Marina Park guest survey, 67 percent of whom were visitors, 26 percent were local boaters, and 6 percent were other. All responses were either strongly satisfied or satisfied with their stay. One respondent strongly disagreed with the statement that he received quality in value for the cost because of pricing. All respondents were satisfied with the appearance and condition of guest slips. Almost 100 percent of respondents strongly agreed with the statement regarding Harbor staff. All respondents indicated they utilized shower facilities. A low

percentage of respondents utilized the pumpout service and the washer/dryer amenity. All respondents either strongly agreed or agreed that they will return or tell their friends about Marina Park. Staff is following up regarding written comments about the condition of restrooms. During June, Marina Park had 106 reservations with a year-to-date total of more than 1,100 reservations. Almost 3,300 nights have been reserved at Marina Park over the prior year. Use of the mooring fields for short-term stays continues to be strong.

In answer to Commissioner Marston's query, Assistant City Manager Jacobs advised that the report of lifeguard statistics is compiled from the computer-aided dispatch (CAD) system. Lifeguards respond to after-hour calls regarding complaints and nuisances. A lifeguard takes a preventive action when he directs someone to take or cease a particular action in order to prevent potential harm. An assist is a lifeguard making physical contact with someone to provide assistance.

In reply to Commissioner Yahn's inquiries, Harbormaster Borsting explained that the year-to-date totals are based on the fiscal year of July 1 to June 30. Sub-permittee numbers are generally down because of the change in the rate structure. Marketing the different amenities and fees for Marina Park, the mooring fields, and the anchorages may increase usage. Harbormaster Borsting believed the new fee structure was effective January 1, 2019. Commissioner Yahn expressed interest in reviewing statistics regarding revenue generated by a high number of users at lower rates compared to a low number of users at higher rates.

In response to Commissioner Beer's question, Harbormaster Borsting reported staff has seen increased bridge jumping activity and is engaged in outreach. Public information elements such as the markers remain in place. Lifeguards are staffing some of the bridge areas. Assistant City Manager Jacobs added that the City Manager approved additional staffing for the Lido bridge. The Fire Department has reported bridge jumping begins soon after lifeguards leave the area. Consequently, the Fire Department is varying the hours staff is present at bridges in an effort to minimize activity.

Harbormaster Borsting felt the reports do not accurately reflect all of staff's field activities. Staff will review and change processes for collecting and reporting data.

In reply to Commissioner Yahn's question, Harbormaster Borsting indicated staff uses a software platform that is essentially a system for work orders. Items that are subject to follow up should be input into the software. Inputting items that are not subject to follow up is overly cumbersome, and a tally sheet would be more appropriate for collecting data for this type of task.

Chair Blank requested staff indent New Cases and Closed Cases under Code Enforcement in the Harbor Department Statistics to indicate the two are subsets of Code Enforcement. Harbormaster Borsting agreed to do so.

7) COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEM)

Vice Chair Cunningham and Commissioner Beer advised that they would not be present for the August meeting of the Harbor Commission. However, Commissioner Beer will attempt to participate remotely.

Chair Blank noted the Governor's Cup would begin the following Tuesday.

8) QUESTIONS AND ANSWERS WITH STAFF ON HARBOR-RELATED ISSUES

In response to Vice Chair Cunningham's inquiry, Assistant City Manager Jacobs reported the Arts Commission and the Library Board of Trustees meet at 5:00 p.m. The Water Quality Committee and the Finance Committee meet at 3:00 p.m. The Homeless Task Force meets at 4:00 p.m. Vice Chair Cunningham proposed the Harbor Commission consider meeting earlier in the day.

In reply to Chair Blank's question, Assistant City Manager Jacobs understood commercial charter vessels could not utilize public piers to pick up and drop off passengers. Commissioner Kenney indicated the prohibition could be found in Section 17.10 of the Code and the Marine Activities Permit.

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

Commissioner Kenney requested an item for the subcommittee's recommendations for Sections 17.40-17.70 of the Harbor Code.

Assistant City Manager Jacobs reported she would prepare an item for Title 17 revisions with the Legal Department's most recent comments and the subcommittee's recommendations for revisions to Sections 17.40-17.70 of Title 17. If the Harbor Commission approves recommendations in August, the recommendations could be presented to the Council on September 10 during a study session. Depending on Council and public comments, the first reading of an ordinance could occur on September 24 with a second and final reading on October 8.

Commissioner Kenney suggested the Harbor Commission review Sections 17.01-17.30 with respect to comments from the Legal Department as the Harbor Commission has approved recommendations for Sections 17.01-17.30. Separately, the Harbor Commission may consider the subcommittee's recommendations for Sections 17.40-17.70. Commissioner Kenney requested the first reading of an ordinance not occur on September 24 as he wanted to attend the first reading but would not be available on that date.

Chair Blank concurred with Commissioner Kenney's suggestion.

Commissioner Kenney clarified that subcommittee recommendations for Section 17.10 will not be ready for the August meeting.

10) **DATE AND TIME FOR NEXT MEETING: Wednesday, August 14, 2019**

11) **ADJOURNMENT**

There being no further business to come before the Harbor Commission, the meeting was adjourned at 8:28 p.m.