



# CITY OF NEWPORT BEACH WATER QUALITY/COASTAL TIDELANDS COMMITTEE AGENDA

Crystal Cove Conference Room

Thursday, May 5, 2022 - 3:00 PM

## *Water Quality/Coastal Tidelands Committee Members:*

**Council Member Duffy Duffield, Chair**  
**Council Member Noah Blom, Vice Chair**  
**Peter Belden, Member**  
**Curtis Black, Member**  
**Louis Denger, Member**  
**Charles Fancher, Member**  
**Lawrence Houston, Member**  
**Richard McNeil, Member**  
**George Robertson, Member**

## **Staff Members:**

**Jim Houlihan, Deputy Public Works Director/City Engineer**  
**John Kappeler, Senior Engineer**  
**Karen Gallagher, Administrative Assistant**

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The Water Quality/Coastal Tidelands Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Water Quality/Coastal Tidelands Committee 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 Committee and items not on the agenda but are within the subject matter jurisdiction of the Water Quality/Coastal Tidelands Committee. 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 John Kappeler, Water Quality Enforcement 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) 644-3218 or [jkappeler@newportbeachca.gov](mailto:jkappeler@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 Public Works Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL AND INTRODUCTIONS**
- 3) **PUBLIC COMMENTS ON AGENDA ITEMS (10 min)**

*Public comments are invited on agenda items. Speakers must limit comments to five minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on 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.*

- 4) **REVIEW AND APPROVAL OF MINUTES (5 min)**

[Water Quality Draft Minutes 03032022](#)

- 5) **CURRENT BUSINESS (55 min)**

(a) **Bacteriological Rapid Testing Methods (Steve Weisberg) (25 min) Review and update on bacteriological rapid testing methods.**

Recommendation: Committee Discussion

(b) **Committee Goals/Objectives (Bob Stein) (10 min) Review and status update on the committee's goals and objectives.**

Recommendation: Committee Discussion

(c) **City of Newport Refuse Update (Dave Webb) (20 min) Update on the City's refuse program.**

Recommendation: Committee Discussion

6) **ON-GOING BUSINESS (5 min)**

(a) **Bay and Ocean Bacteriological Test Results (John Kappeler) (5 min) Review and discussion of recent water quality test results within Newport Bay and along the ocean shoreline.**

Recommendation: Receive and File

7) **COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM) (5 min)**

(a) **City of Newport Beach Sustainability Plan (June 2022) - Objective 9**

(b) **Fecal Coliform Time Schedule Order (TSO) (June 2022)**

(c) **Trash Interceptor Public Outreach Plan (Summer 2022) - Objective 19**

(d) **NASA Study - Sea Level Rise (Summer 2022) - Objective 5**

(e) **Shellfish Monitoring (Summer 2022)**

(f) **Balboa Island Drainage Plan (Fall 2022) - Objective 12**

(g) **IRWD Siphon Reservoir Project (Fall 2022) - Objective 18**

(h) **City of Newport Beach Street Sweeping Program (Fall 2022) - Objective 3**

(i) **City of Newport Beach Foodware Service Ordinance (Winter 2022) - Objective 3**

8) **PUBLIC COMMENTS ON NON-AGENDA ITEMS (5 min)**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee 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.*

9) **SET NEXT MEETING DATE (5 min)**

Recommendation: June 2, 2022

10) ADJOURNMENT

**Date:** March 3, 2022  
**Time:** 3:00 p.m.  
**Location:** City of Newport Beach Utilities Department  
**Meeting Minutes prepared by:**

**1. Call meeting to order**

The meeting was called to order at 3:04 p.m. by Chair Duffield

**2. Roll Call and Introductions**

**Committee Members Present:**

Councilmember/Chair Duffy Duffield  
Peter Belden  
Curtis Black  
Louis Denger  
Charles Fancher  
Tom Houston  
George Robertson

**Committee Members Absent:**

Councilmember/Vice Chair Noah Blom  
Richard McNeil

**Guests Present:**

Jim Mosher, Resident  
Nancy Skinner, SPON  
Monica Mazur, Resident  
Nancy Scarbrough, SPON  
Charles Klobe, SPON

**Staff Present:**

John Kappeler, Senior Engineer  
Mark Vukojevic, Utilities Director  
Casey Parks, Utilities Superintendent  
Karen Gallagher, Administrative Assistant

**3. Public Comment on Agenda Items**

None

**4. Review and approval of minutes (5 min)**

Committee Member Louis Denger expressed concerns regarding the Committee Objectives and the Committee assignments. He inquired how much time staff was willing to be involved with these objectives and if they would be discussed at this meeting. Senior Engineer Kappeler advised they would be addressed at a later meeting when Assistant City Engineer Bob Stein was available.

Resident Jim Mosher pointed out that Monica Mazur's name had been misspelled in the minutes. Mr. Mosher advised that in the Public Comment on Agenda Items of the Draft Minutes for October 7, 2021, the word 'signed' was missing from Hoiyin Ip's reporting of the Assembly bills.

Committee Member George Robertson clarified he was present for the last meeting via telephone. He noted when referencing an oil spill, it should be 'fingerprinting' and not 'foot printing'.

Motion. Committee Member Houston moved to approve the minutes as amended; Committee Member Black seconded; motion approved unanimously.

## 5. Current Business (50 min)

- (a) Committee Goals/Objectives (Bob Stein) (5 min) Review and status update on the committee's goals and objectives.

**Recommendation: Committee Discussion**

Assistant City Engineer Bob Stein was not available to provide a status update on the committee's goals and objectives. Senior Engineer John Kappeler provided a brief update on the status of the Water Wheel/Trash Interceptor. He reported all permit applications have been submitted and are deemed complete. He hopes it will go before the Coastal Commission in April.

Committee Chair Duffield inquired if there were sufficient funds for the project. Senior Engineer Kappeler noted design is 95% complete but there is an Orange County Transportation Authority (OCTA) grant of \$500,000. He explained construction costs have increased significantly since the grant was approved, so the Ocean Protection Council (OPC) is willing to entertain additional grant money for the project.

There was no further action taken on this item.

- (b) City of Newport Beach Water Conservation Ordinance (Mark Vukojevic) (20 min) Update and presentation on City's water conservation ordinance.

**Recommendation: Committee Discussion**

Utilities Director Mark Vukojevic provided a brief overview of the City's Utilities Department and the Water Conservation Ordinance. He reported 75% of the City's water supply comes from groundwater.

Committee Member Chuck Fancher inquired about the premium paid after going over a certain level. Utilities Director Vukojevic advised once the City goes over 77% it is paying a premium for groundwater. He advised the average home uses 7500 gallons of water in a month. He provided a brief overview of the overall water system. He explained the guiding document for Utilities is the Water Master Plan and Capital Improvement Program (CIP).

Utilities Director Vukojevic provided an overview of the divisions within the Utilities Department. He advised the Water Production Division ensures water is being pumped, pressurized, and chlorinated. He noted the goal is to provide safe water to drink and use and provide enough pressure for fire suppression activities. He provided a brief overview of the Orange County Water District (OCWD) Groundwater Basin. He reported OCWD has a recycling system where wastewater is recycled and put back into the aquifer. He noted that also prevents seawater intrusion into the aquifer.

Utilities Director Vukojevic reported the Water Maintenance and Repair Division provides valve and fire hydrant maintenance and replacements, meter valve replacements, and is on-call 24-hour/7 for

emergency service. He advised the Water Meter Division fields customer service inquiries, services water meters and boxes, and meter readings. He reported the Utilities Department is in the process of converting all meters to digital water meters that can be read remotely and can help better identify leaks. He explained this division also protects the water utilities by marking underground utilities when other construction activities occur.

Committee Chair Duffield inquired when all the City's water meters would be digital. Utilities Director Vukojevic reported there have been delays due to supply chain issues but expects to have all the parts needed to continue installing digital meters in April.

Committee Member Peter Belden reported he already has the digital water meter at his business.

Committee Member Louis Denger inquired how many reservoirs the City is managing. Utilities Director Vukojevic reported the City manages three reservoirs that includes Big Canyon Water Reservoir, which is the largest, and two smaller reservoirs. He reported the City sold its interest in the San Joaquin Reservoir which is now owned and operated by Irvine Ranch Water District. He noted it is now recycled water and no longer freshwater.

Utilities Director Vukojevic reported the Wastewater Division handles sewer line cleaning, repairs mainlines and sewer laterals, and provides emergency response. He advised the Wastewater Division also inspects and maintains 21 pump stations. He noted customer service is also a huge component of their work and takes a proactive approach to help residents.

Committee Member Chuck Fancher inquired if assisting a resident takes away from the Wastewater Division's regular scheduled duties. Utilities Director Vukojevic noted staffing is handled in a way that takes into consideration coverage for a crew when they are called out.

Committee Member George Robertson inquired if the City is subsidizing the CCTV of private laterals. Utilities Director Vukojevic advised the City does not have such a program. Committee Member Robertson encouraged the City to consider that service for the benefit of residents. Utilities Director Vukojevic explained they maintain the laterals from the middle of the street to the property line.

Utilities Director Vukojevic provided a brief overview of the Storm Drain Division. He advised there are 87 miles of storm drains, channels, and v-ditches, 3,268 catch basins cleaned annually, and 300 tons of trash removed annually.

Utilities Director Vukojevic informed the committee about the recent sewer spills that occurred approximately one month ago involving the City sewer lines. He advised the crew quickly responded in about 10 minutes to take care of the problem. He thanked Monica Mazur for calling in the problem. He explained crews were cleaning further up the street and probably loosened something that caused the backup.

Committee Member Fancher inquired about what happens to the contaminated water that is collected. Utilities Director Vukojevic advised it is pumped back into the system. He encouraged residents to call in sewer problems to the Newport Beach Police Department general number at (949) 644-3717

Utilities Director Vukojevic reported a second sewer spill occurred on February 27th involving a restaurant on Pacific Coast Highway that had a high volume of sewage block. He advised there is a restaurant inspection program to assist businesses in maintaining their kitchen grease traps. He explained as a result of the spill, staff would be putting together a secondary public education

outreach for restaurants.

Committee Member Fancher inquired if restaurants failing to clean their grease traps causes any problems for the City. Utilities Director Vukojevic noted it will send more grease down the line.

Utilities Director Vukojevic provided a brief overview of the Tide Valve operations and advised there are 89 tide valves with 12 electronically operated that need to be opened and closed depending on the tides. He explained staff increase to 30 – 40 people when forecasted rain or a high tide event occurs.

Committee Chair Duffield inquired about the stormwater pump station at Balboa Island. Utilities Director Vukojevic advised staff is working on the design. He explained automated valves are not foolproof since they are dependent on electricity to operate. Committee Member Fancher inquired if this is a daily function. Utilities Director Vukojevic reported this happens approximately 20 days per month.

Utilities Director Vukojevic provided a brief overview of Street Sweeping operations and advised 5 street sweepers are operating every day and cover 700 miles a week and 3800 tons of trash picked up a year. He reported customer service receives many questions and requests for street sweeping services and noted 2/3 of the City does not have posted parking enforcement for street sweeping.

Nancy Scarbrough inquired if anything can be done to require construction vehicles to be moved for street sweeping. Committee Member Fancher suggested that construction site permits require the equipment to be moved during street sweeping times so the streets can be cleaned.

Committee Member Curt Black inquired if enforcement and ticketing cover the cost of the program. Utilities Director Vukojevic confirmed it does cover the cost of the program.

Committee Member Belden expressed concern regarding ticketing for parking after the street sweeper had been by. Utilities Director Vukojevic advised a vehicle will not be ticketed for parking on the street once the street sweeper has come through.

Committee Member Tom Houston noted there is not enough water being sprayed or the trucks are driving down the streets too fast. Utilities Director Vukojevic explained being a street sweeper is a tough job and noted the trucks are all equipped with GPS and there is information on how much water they are using. Utilities Director Vukojevic advised he was unable to determine why the City does street sweeping once per week as opposed to bi-weekly. Committee Member Denger inquired if weekly street sweeping has anything to do with fighting the bacteria regrowth.

Utilities Director Vukojevic provided a brief overview of Graffiti Removal operations and noted they operate 5 days per week. He advised there is a graffiti removal hotline and explained graffiti will be removed from private property if the graffiti is facing outwards towards the public streets. He noted every graffiti complaint is logged. Committee Member Houston commended the City for taking care of the graffiti so quickly.

Utilities Director Vukojevic provided a brief overview of Streetlight operations. He reported streetlights are now 95% LED. He advised there are two City staff electricians on staff plus contracted assistance as needed. He noted there is a quarterly night-time drive-by inspection of all city lights. Lastly, he advised the City has 30 City Emergency Generators.

Committee Chair Duffield inquired about the voltage for the LED. Utilities Director Vukojevic advised

the voltage stayed the same but there are still old-fashioned 5000-volt High Voltage circuits in the City which staff is trying to convert to a 240-volt standard.

Utilities Director Vukojevic provided a brief overview of Oil & Gas operations and noted the City owns and operates 16 oil wells which produce 19,000 barrels of oil per year. He advised the crude oil is sold and the natural gas is sent to Hoag Hospital with all proceeds going to the Tidelands Fund. He reported 4 oil wells are offline.

Committee Member Fancher inquired about the revenue from the wells and how much goes to Hoag. Utilities Director Vukojevic advised the City has received \$2 million in net revenue in good years in the past with the goal of \$1 million net per year.

Utilities Director Vukojevic reported the City maintains the Old City Landfill in the Newport Terrace Community and is under Newport Beach jurisdiction. He advised the City has maintenance responsibility for the site. Committee Member Black inquired if the homes are part of Newport Beach. Utilities Director Vukojevic confirmed the homes are in Newport Beach and the City shares 50/50 responsibility with the Homeowners Association (HOA).

Utilities Director Vukojevic provided a brief report on Drought Water Conservation. He advised the average water use in 2021 was 15,000 acre-feet below the previous year of 20,000 acre-feet. Committee Member Black inquired how much public education can be attributed to residents making better water decisions. Utilities Director Vukojevic believes there is an overall awareness by residents of their water use. He noted regional building codes have changed which helps in conservation.

Committee Chair Duffield noted he has heard from many of his neighbors that they are paying more for water and have inquired if it is drought related. Utilities Director Vukojevic explained there has not been a water increase in 7 years and there was recently a 7% increase in rates. He clarified the City's water rates are lower than the Mesa Water District rates and noted residents do not have water property tax assessments on their bills. He noted the City's Water Enterprise Funds are debt-free unlike the Mesa Water's.

Nancy Skinner inquired if the City is thinking about desalinated water. Utilities Director Vukojevic advised the City is staying neutral on that but it may be a discussion point in the future. Committee Member Belden inquired if desalinization was 4 times the cost. Utilities Director Vukojevic reported the City pays \$700 for an acre-foot of groundwater and \$1200 per acre-foot for river water. He believes desalinated water is \$2000 per an acre-foot and noted there are a lot of associated costs.

Utilities Director Vukojevic provided a brief overview of the Water Conservation Ordinance Prohibition Items. Committee Member George Robertson inquired about the definition of a rain event. Utilities Director Vukojevic advised it was in the code. Utilities Director Vukojevic discussed methods of allocating water during the drought. He advised there is the historical use based on prior water use during the billing period which is currently in place. He advised there is also the Water budget method that uses a calculated formula but is difficult to administer and takes time to understand. He explained staff is developing an online portal where residents can see their water use. Utilities Director Vukojevic advised he will be taking this to the City Council next month.

Committee Member Fancher inquired if it would be helpful if the Water Quality Committee embraced Utilities Director Vukojevic's report going to the City Council. Committee Chair Duffield commented he will do his best to encourage the City Council when he brings it up at the next meeting.

Committee Member Belden reported residents can easily determine if there is a water problem by



reviewing the layout of their bill. He inquired if the City would consider fixing a leaky faucet or shower for residents. Utilities Director Vukojevic advised staff are unable to fix issues on private property.

Committee Member Black inquired about housing budgets and if the City would consider providing dynamic pricing based on how much water is used. Utilities Director Vukojevic advised other cities are using tiered pricing for conservation.

Committee Member Robertson noted digital water meters will be useful and an important tool to help with water conservation. Utilities Director Vukojevic advised many people pay to make sure their landscaping is green.

Chair Duffield opened public comments.

Ms. Skinner inquired if customers could access their water bills without requiring a password. Utilities Director Vukojevic confirmed customers must use a password.

Jim Mosher advised he lives in a part of the City where his wastewater goes to the Costa Mesa Sanitary District (CMSD). He reported their inspection program offers a \$200 rebate for videotaping the lateral and will review it for the plumber. He reported the CSMD Board of Directors released the agenda for their March 8th Board of Directors Study Session where they will be studying a Statewide Sanitary Sewer System General Order which will change sewer spill reporting and inquired if the City is aware of it. Utilities Director Vukojevic advised he is unaware of the new order and will investigate.

Charles Klobe reported the City replaced all the asphalt alleys with concrete. He noted before that all of the sewer laterals were replaced, and clean-outs were installed. He inquired who owns and maintains that infrastructure. Utilities Director Vukojevic advised that is serviced by the Irvine Ranch Water District. He encouraged the Water Quality Committee to advance the use of the purple pipe water going forward and as a method of saving money in the long term. He advised the City has a poor purple pipe infrastructure. Utilities Director Vukojevic reported a purple pipe expansion is taking place as part of the Jamboree Road Paving Project and noted Public Works has it on their list of possibilities. He noted it is a balancing act. Mr. Klobe advised there are large users such as schoolyards, medians, golf courses who could start using purple pipe recycled water.

Committee Member Denger noted the City does not have enough access to reclaimed water to provide that service. Utilities Director Vukojevic agrees it should be reviewed and noted there are many projects the City wants to undertake.

Ms. Scarbrough advised the City has \$15 million in Surplus Funds this year and \$35 million from the previous year that could be used for the purple pipe. Utilities Director Vukojevic advised much of that funding is being reinvested back into infrastructure.

Ms. Skinner thanked Utilities Director Vukojevic for his department's hard work.

There was no further action taken on this item.

- (c) City of Newport Beach Utilities Yard Tour (Mark Vukojevic (20 min) Tour of the Utilities Yard.  
**Recommendation: Committee Discussion**

Committee members and interested parties ended the meeting by going on a walking tour of the Utilities facilities.

**6) On-Going Business (5 min)**

(a) No on-going business this meeting.

**Recommendation: Receive and File**

**7) Committee Announcements on Matters which Members would like placed on a future agenda for discussion, action or report (Non-Discussion Item) (5 min)**

- (a) City of Newport Beach Refuse Update (April 2022) – Objective 3
- (b) Bacteriological Rapid Testing Methods (April 2022) – Objective 4
- (c) City of Newport Beach Sustainability Plan (May 2022) – Objective 9
- (d) Fecal Coliform Time Schedule Order (TSO) (May 2022)
- (e) Trash Interceptor Public Outreach Plan (Summer 2022) – Objective 19
- (f) NASA Study – Sea Level Rise (Summer 2022) – Objective 5
- (g) Balboa Island Drainage Plan (Summer 2022) – Objective 12
- (h) Shellfish Monitoring (Summer 2022)
- (i) IRWD Siphon Reservoir Project (Fall 2022) – Objective 18
- (j) City of Newport Beach Street Sweeping Program (Fall 2022) – Objective 3
- (k) City of Newport Beach Foodware Service Ordinance (Fall 2022) – Objective 3

**8) Public Comments on Non-Agenda Items (10 min)**

None

**9) Set Next Meeting Date (5 min)**

Recommendation: April 7, 2022

**10) Adjournment**

The meeting was adjourned at 4:40 p.m.

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Chair / Duffy Duffield