



HARBOUR COMMISSION MINUTES

**Thursday, July 25, 2024
Meeting Room B-8
2000 Main Street
Huntington Beach, CA 92648**

CRAIG SCHAUPPNER, Chair
KIMBERLEY MILLIGAN, Vice Chair
WILLIAM LARKIN, Board Member
CHRIS NIELSEN, Board Member
MICHAEL VANVOORHIS, Board Member
VAN VU, Board Member
DIANE WOOD, Board Member

COUNCIL LIAISON

PAT BURNS, Councilmember Liaison
GRACEY VAN DER MARK, Councilmember Liaison

STAFF

SCOTT HABERLE, Fire Chief
MARTY ORTIZ, Deputy Fire Chief
KEVIN JUSTEN, Senior Management Analyst

CALLED TO ORDER

Schauppner called the meeting to order at 5:00 PM.

PLEDGE OF ALLEGIANCE

Schauppner led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Larkin, Milligan, Nielsen, Schauppner, VanVoorhis, Wood

Commissioners Absent: Vu

Council Liaison Present: Burns

Staff Present: Haberle, Justen, Ortiz, West

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF MINUTES

Approval of Meeting Minutes – June 27, 2024

MOTION: A motion was made by Nielsen, seconded by VanVoorhis, to approve the June 27, 2024, meeting minutes.

The motion carried by the following vote, 6-0:

AYES: Larkin, Milligan, Nielsen, Schauppner, VanVoorhis, Wood

NOES: None

ADMINISTRATIVE ITEMS

1. *Election of Harbour Commission Chair and Vice Chair*

MOTION: A motion was made by Schauppner, seconded by VanVoorhis, to appoint Milligan Chair and Nielsen Vice Chair.

The motion carried by the following vote, 6-0:

AYES: Larkin, Milligan, Nielsen, Schauppner, VanVoorhis, Wood

NOES: None

2. *Harbour Commission Review of Municipal Code Chapter 13.32 Harbours-Generally*

Schauppner provided a handout and led a discussion on the revision of Chapter 13.32 of the Municipal Code and the Commission identified the following questions/issues for consideration:

- 13.32.010 – *Scope*: Should *marinas* be referenced in this section?
- 13.32.020 – *Definitions*: Should the definition of *commercial activity* include rental agencies?
- 13.32.030 – *Administrative Authority*: Responsibility for enforcement of this portion of the Municipal Code is assigned to the Director of Community Services. Should it be assigned to the Fire Chief?
- 13.32.040 – *Permit for Commercial Activities Required*: Paragraph *B. Exceptions* needs to be reviewed and possibly revised regarding permissible commercial fishing operations from the Harbour.
- 13.32.050 – *Application for Permit*: A requirement should be added that Duffy boat operators are required to view a *rules of the road* safety video and take a test afterward; the vendor should be required to identify the maximum number of rentals they will provide; the vendor should be required to provide a map of the Harbour to boat operators; Section *D* should specify that a drawing and photo of the boat will be provided.
- 13.32.060 – *Filling Fee*: No changes to this section are recommended.
- 13.32.070 – *Grounds for Issuance of Denial of a Permit*: Language should be added that says the failure of rental agencies to enter an agreement with the City for use of public beaches for staging equipment is grounds for denial of a permit.

- *13.32.080 – Permit-Denial-Appeal:* Consideration could be given to changing the body that would hear appeals from the City Council to the Harbour Commission. The Commission would review the request and make a recommendation to the City Council.
- *13.32.090 – Duration of Permit:* The duration of the permit should be revised from *valid unless such permit is suspended or revoked to valid for five (5) years*.
- *13.32.100 – Revocation or Suspension:* In addition to the reasons listed for revocation or suspension of a permit, vendor negligence should be referenced in regard to creation of unsafe conditions.
- *13.32.110 – Public Liability Insurance Requirement:* Whether insurance is transferrable should be addressed in this section.

3. *Harbour Commission Ad Hoc Committee Terms*

MOTION: A motion was made by Schauppner, seconded by Milligan, to appoint the following Harbour Commission ad hoc committees with the assignments referenced, each with a six (6) month term:

Policy Ad Hoc Committee: Commissioners Larkin, Nielson, Schauppner will continue with the review and identification of recommended revisions to Huntington Beach Municipal Code Chapter 13.32 Harbors-Generally.

Vessels and Watercraft Ad Hoc Committee: Commissioners Schauppner, VanVoorhis Vu will work on the narrative for a safety video to be viewed by people renting vessels, kayaks and paddle boards in the Harbour.

Water Quality Ad Hoc Committee: Commissioners Milligan, Vu, Wood will identify opportunities for outreach to water quality stakeholders and further efforts to improve Harbour and coastal water quality.

The motion carried by the following vote, 6-0:

AYES: Larkin, Milligan, Nielsen, Schauppner, VanVoorhis, Wood

NOES: None

COMMITTEE REPORTS

1. *Vessels and Watercraft Ad Hoc Committee*

VanVoorhis commented on unauthorized use of Harbour beaches by unpermitted rental companies.

2. *Water Quality Ad Hoc Committee*

Schauppner reported that he attended a meeting of the Great Pacific Garbage Patch Working Group, sponsored by Assemblymember Dixon. He said she wants to form a coalition to address debris in the waterways originating upstream. Additionally, he emphasized the importance of being timely with the Harbour Commission legislative proposal previously submitted to the Intergovernmental Relations Committee regarding revenue generated in the Harbour.

3. *Policy Ad Hoc Committee*

There was no report from the Policy Ad Hoc Committee.

4. *Infrastructure Ad Hoc Committee*

There was no report from the Infrastructure Ad Hoc Committee.

STAFF COMMENTS

Justen reminded Commissioners that the August 22, 2024 meeting will be held in Administrative conference room #2 due to remodel of meeting rooms B7 and B8. West said that there will be a Trump flotilla in the Harbour on Saturday, July 27, 2024 and Haberle added that it will be in support of the three Huntington Beach City Council candidates who are running as an elective slate (*HB3 campaign*). Milligan asked if there were any negative incidents associated with the Trump rally held the previous weekend and West said that there were none. Schauppner thanked staff for the Huntington Harbour statistics for July, which were provided in a handout.

MEMBER COMMENTS

Nielsen attended the Public Works town hall meeting held on Humbolt Island and said it was very informative regarding replacement of the wastewater lift station on the island. The project will be completed in September 2025. VanVoorhis said he viewed the wrecked boat from the accident in Alamitos Bay on July 3, 2024. He said that the boat that was involved is at Sunset Aquatic Boat Yard and recommended viewing it. Schauppner said that the lady in charge of the Seal Beach Wildlife Refuge in the Seal Beach Naval Weapons Station has received permission to hold a large clean up event on September 21, 2024 and asked if the City would help publicize it. Justen said if he is provided a flyer he will work with the City's Community Relations Manager to inform the public regarding the event. He asked if any Commissioners are interested in the August 8, 2024 tour of the Seven Oaks Dam offered by Mayor Pro Tem Burns. Commissioners Milligan, Schauppner and Wood expressed interest in participating in the tour.

ADJOURNMENT

MOTION: A motion was made by Wood, seconded by Schauppner, at 6:10 p.m. to adjourn to the August 22, 2024, meeting.

The motion carried by the following vote, 6-0:

AYES: Larkin, Milligan, Nielsen, Schauppner, VanVoorhis, Wood

NOES: None

The next regularly meeting of the Harbour Commission will be scheduled for August 22, 2024, at a time and location to be announced.

Huntington Beach Harbour Commission

Recommended Changes to Municipal Code:

Chapter 13.32 HARBORS—GENERALLY

§ 13.32.010 **Scope.**

BL:
KM:
CN:
CS: No change
MV:
VV:
DW:

§ 13.32.020 **Definitions.**

BL:
KM:
CN:
CS: Change definition of "Commercial Activity" to include rental agencies.
MV:
VV:
DW:

§ 13.32.030 **Administrative Authority.**

BL:
KM:
CN:
CS: No change
MV:
VV:

DW:

§ 13.32.040 Permit for Commercial Activities Required.

BL:

KM:

CN:

CS: Remove last sentence from paragraph B

MV:

VV:

DW:

§ 13.32.050 Application for Permit.

BL:

KM:

CN:

CS: Add requirement for rental agencies to provide rules of the road training to include a practical exam for Duffy Boat operators.

MV:

VV:

DW:

§ 13.32.060 Filing Fee.

BL:

KM:

CN:

CS: No change

MV:

VV:

DW:

§ 13.32.070 Grounds for Issuance or Denial of a Permit.

BL:

KM:

CN:

CS: Add failure of rental agencies to enter agreement with City to use public beaches for staging equipment as a ground for denial.

MV:

VV:

DW:

§ 13.32.080 **Permit—Denial—Appeal.**

BL:

KM:

CN:

CS: Change the hearing appeal venue from City Council to Harbour Commission.

Add Harbour Commission will adjudicate the appeal and make recommendation for City Council decision.

MV:

VV:

DW:

§ 13.32.090 **Duration of Permit.**

BL:

KM:

CN:

CS: Change to every two years.

MV:

VV:

DW:

§ 13.32.100 **Revocation or Suspension.**

BL:

KM:

CN:

CS: Add cause for revocation or suspension for rental agencies as follows:

“E. For rental agencies with three or more rules of the road violations, collisions with other boats or docks, excessive speed and/or warnings of poor seamanship exhibited by their clients.”

MV:

VV:

DW:

§ 13.32.110 Public Liability Insurance Requirement.

BL:

KM:

CN:

CS: No change

MV:

VV:

DW:

Huntington Harbor Statistics 7/1/24 - 7-22-24

- ❖ Aquatic Rescues: 23
- ❖ Boat Assists
 - Boat Tows: 5
 - Boat Other: 16
- ❖ Medical Aids: 15
- ❖ Enforcement:
 - Alcohol: 69
 - Dogs: 17
 - Bridge Jumping: 162
 - Private Dock: 10
 - Illegal Vending: 7
- ❖ Oil Sheen Investigation: 2

WATER QUALITY REPORT

- Currently no advisories or closures in effect
- OC Healthcare Agency
 - <https://ocbeachinfo.com/>
- Water quality testing
 - <https://ocbeachinfo.com/faq/>



