



## **MINUTES**

### **HARBOR COMMISSION**

**Thursday, June 27, 2019  
Room B7, Lower Level  
2000 Main Street  
Huntington Beach, CA 92648**

**WILLIAM LARKIN, Chair  
MICHAEL VAN VOORHIS, Vice Chair  
ALFRED BALITZER, Board Member  
RENEE HUNTER, Board Member  
KIMBERLEY MILLIGAN, Board Member  
JOHN OCHS, Board Member  
CRAIG SCHAUPPNER, Board Member**

### **STAFF**

**ERIK PETERSON, Councilmember Liaison  
LYN SEMETA Councilmember Liaison  
MARIE KNIGHT, Community Services Director  
CHRIS SLAMA, Community Services Manager  
CARRIE GONZALES, Administrative Assistant**

**MEETING ASSISTANCE NOTICE:** In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information, or request assistance from the staff or Sergeant-at-Arms at the meeting.

**PUBLIC COMMENTS:** To address the legislative body on items of interest not scheduled for public hearing, *Request to Speak* forms will be made available at the meeting and are collected by the staff or Sergeant at Arms. Some legislative bodies may provide different *Request to Speak* forms for public hearing items.

**AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS:** City Council and Planning Commission meetings are televised live on HBTV-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

**CALLED TO ORDER – 5:00 PM****PLEDGE OF ALLEGIANCE****ROLL CALL**

Present: Balitzer, Hunter, Larkin, Milligan, Schauppner, Van Voorhis

Absent: Ochs

Staff Present: Slama, Gonzales, Herbel

**PUBLIC COMMENTS**

- 1) Chris Nielsen discussed bridge jumping off of the bridges in the harbor, staffing the beach with a lifeguard during May through October, post “no fishing” signs on the bridges and change the railings on the current bridges so they cannot climb or sit on them.
- 2) Doug Misterly discussed the pump out stations within the harbor. He stated two of the pumps are not working more than they are working. He asked that a sign be placed with the phone number of who to contact to report the outage. He also stated that the hose at the pump station at the Huntington Harbor Yacht Club has been cut in half and that the hose needs to be replaced.

**CONSENT ITEMS****A) Approval of Minutes**

A motion was made by Van Voorhis, seconded Milligan to approve the meeting minutes dated April 25, 2019.

The motion carried by the following vote:

AYES: Larkin, Milligan, Ochs, and Van Voorhis

NOES: None

ABSTAIN: Balitzer, Hunter, Schauppner

**INFORMATIONAL ITEMS****A) Municipal Codes**

Slama led the discussion on the Municipal Codes that pertain to the harbor. He stated that MC 2.65 Harbor Commission was discussed at our first meeting of March 28<sup>th</sup> and asked if there were any questions. He also discussed MC 13 Public Property, and the sections of this code which pertain to the Harbor:

- 13.32: Harbors – Generally (Authority, permits)
- 13.66: Boating Regulations (towing, speed limit, live aboard)
- 13.40: Swimming Rules (swimming zones, bridge jumping)
- 13.44: Harbor Sanitation (refuse and waste)

**B) Prioritization subjects**

Chair Larkin lead a discussion on prioritizing items for discussion. He stated that the goal of the Commission is to define priorities over the next year. The Commission also needs to look at issues, give recommendations to full Commission and bring to City Council the Commission’s recommendations. The Commission also should look at similar cities along the coast. He mentioned the Newport Harbor Commission has the same issues we are wrestling with. The Commission should tap into our public speakers comments and suggestions.

Balitzer asked if a data could be placed on pump stations on how often they are used. Herbel stated he will compile data for the commission.

**C) Potential Ad Hoc Committees to address issues and prioritize subjects**

Chair Larkin stated he met with Staff to discuss Bucket Issues/Topics to address and approve. They came up with a broad list and may include Safety, Water Quality and Infrastructure.

Chair Larkin discussed the potential Ad Hoc Committees that the Commission will begin to work on. These Ad Hoc Committees will meet on an as-needed basis to address issues and concerns related to the topic. The Ad Hoc Committee will bring forward potential recommendations to the full Commission. As a start, this is a broad list of the topics which could include:

- Waterway Safety
  - Mooring – use of public docks
  - Towing
  - Speed
  - Recreational uses
  - Enforcement
  - Resident education
  - Bridge jumping
  - Buoy's – lighting
- General Infrastructure
  - Bulkheads
  - Pierhead Lines
  - Dock permits – State
  - Docks – French and Davenport configuration
  - Use permits
  - Harbor reconfiguration
- Water Quality
  - Trash and debris collection
  - Urban runoff
  - Dredging
  - Vessel sewage and pump out procedures

Slama stated that Staff does not attend these Ad Hoc Committees, however if you need assistance or a meeting room, contact Staff. Remember, per the Brown Act, there can be no more than three Commission members per Ad Hoc Committee. He suggested getting public input at the meetings and reminded the Commissioners that the Ad Hoc Committee is comprised of only Commissioners and no public member.

Chair Larkin asked each member which Ad Hoc Committee they would be interested in. He mentioned Commission Ochs is absent and will be asked which Ad Hoc Committee he would like to sit on at the July meeting. The following is a list of Ad Hoc Committee members.

- Waterway Safety – Commissioners Milligan, Hunter & Van Voorhis
- General Infrastructure – Commissioners Schauppner & Larkin
- Water Quality – Commissioners Larkin & Balitzer

Chair Larkin asked if the Commissioners had any questions or comments.

Schauppner suggested some additional buckets which the Commission should consider 1) Inter & Intra liaisons with other commission, organizations and agencies and 2) community outreach and communication, need someone who is internet savvy to get the word out with speed. He also reminded the Commission members to keep in mind the Brown Act requirements.

Chair Larkin stated with the creation of this new Commission, we will be able to move items along to the City Council.

Van Voorhis asked how the Commission would advertise for input from the public and there is a need to get word out. Slama reminded the Commissioners that there is a Municipal Code which states that Boards and Commissions cannot have a social medial outlet.

Balitzer stated that the Commissioners should be looking for specific number of the public to add input, not open ended.

Herbel suggested that the Commission work with the Sunset Beach Committee and the Harbor HOA's. Each island has their own HOA.

Milligan asked that buoy lighting be added to the list of topics.

Hunter suggested the Commission start with this list and have Ad Hoc make changes.

Balitzer asked for a Risk Analyst on the harbor. He suggested the Seal Beach Naval Weapons Station needs better communication as it pertains to the tankers outside of our door.

#### **D) Future agenda items**

- July 27<sup>th</sup> – State Lands Commission will discuss their operation as it pertains to the Harbor

#### **STAFF COMMENTS – None**

#### **COMMISSIONER'S COMMENTS**

Balitzer asked if anyone has been attending Seal Beach Naval Weapons Station meetings.

Schauppner reached out to Seal Beach Naval Weapons Station public affairs officer Gregg Smith and the will be able to attend a meeting in August or September. He will work with Community Services Department to get Seal Beach Naval Weapons Station the August meeting.

Slama this is why the Commission was created. Start with these topics.

Legal to State Lands Commission

Balitzer stated bridge jumping needs to be addressed

Van Voorhis stated we need to discuss Live Aboard. Chair Larkin stated that Sunset Aquatics is not HB owned. Leased by State Lands owned by OC. It is an OC policy Sunset Aquatics would have to work with OC to have this changed.

Balitzer asked for data on pump out stations: how often used and install signs to call for problems.

Larkin asked Staff to add Ad Hoc Committee updates to future agendas.

**ADJOURNMENT** – At 5:43 pm to the next regularly scheduled meeting of the Harbor Commission on

Thursday, July 25, 2019, at 5:00 PM in meeting room B-7, lower lever of the Civic Center, Huntington Beach, California.

## Gonzales, Carrie

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**Subject:** FW: Harbor Commission-Bridge jumping.  
**Attachments:** City of Huntington Beach\_Agenda\_Bridge jumping.doc; ATT00001.htm; Bridge 14.JPG; ATT00002.htm; Bridge 17.JPG; ATT00003.htm; Bridge 25.JPG; ATT00004.htm; Bridge 27.jpeg; ATT00005.htm; Bridge damage 1.JPG; ATT00006.htm; North Beam western view\_LI.jpg; ATT00007.htm

**From:** Knight, Marie  
**Sent:** Thursday, June 20, 2019 1:06 PM  
**To:** chris nielsen  
**Cc:** Slama, Chris ; Gonzales, Carrie **Subject:** Fwd: Harbor Commission-Bridge jumping.

Good afternoon Mr. Nielsen, thank you for the information. This will be provided to the Harbor Commission as correspondence at their next meeting which will be Thursday, June 27th. You are also welcome to address the Commission at any of their meetings, they meet on the 4th Thursday of each month at City Hall at 5:00 p.m. in room B7.

Marie Knight, Director/Harbor Master  
Community Services  
Sent from my iPad

Begin forwarded message:

## Parks Make Life Better!

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**From:** Chris Nielsen  
**Sent:** Wednesday, June 19, 2019 2:40 PM  
**To:** Slama, Chris **Subject:** FW: Harbor Commission-Bridge jumping.

Hi Chris,

Attached is a letter and photos describing the problems of jumping and fishing from the harbor bridges. Please review and if possible forward to the Harbor Commission. The commission should visit the Davenport Bridge on a warm weekend afternoon and see what is taking place. I hope they can develop a solution to this problem and submit it to the city council to review and implement. Please let me know you received this email. Thank you!

Regards,

*Chris Nielsen*

# Huntington Beach Harbor Commission

Attn: Community Services Manager-Mr. Chris Slama.  
Email: CSLama

June 19, 2019

Re: Jumping off bridges in Huntington Harbor

For inclusion to the Harbor Commission-Safety Meeting Agenda

## Existing Codes:

Huntington Beach Code: 13.40.030 Diving or Jumping from Public Property.

*No person shall dive, jump or enter into the water from or immediately in front of any bridge, pier, wharf, dock, float, bulkhead, seawall, groin, jetty, natural rock formations or any other place, or object not specifically designated for the purpose of diving, jumping or entering into the water. (1430-9/68)*

Orange County Code: Sec. 2-5-249

[https://library.municode.com/ca/orange\\_county/codes/code\\_of\\_ordinances?nodeId=TIT2PUFA\\_DIV5PABEREAR\\_ART9PROWPA\\_S2-5-249DIJU](https://library.municode.com/ca/orange_county/codes/code_of_ordinances?nodeId=TIT2PUFA_DIV5PABEREAR_ART9PROWPA_S2-5-249DIJU)

*No person shall dive or jump into any body of water in a designated park from any pier, bridge, rock or precipice other than at those places designated and posted for diving.*

*These are misdemeanor crimes.*

1. Davenport, Humboldt, Admiralty and Trinidad Bridges are being used for jumping, diving and fishing by people visiting the adjacent beaches. With the increase in the popularity of kayaking, stand-up paddle boards and boating this has become year- round hazard. Please see the attached pictures and open the hyperlink to this video <https://youtu.be/cmMsTn5CzsQ>.

2. Safely driving across the bridge:

The number of people on the bridge, crisscrossing the bridge and fishing is an obstacle and distraction for automobile drivers and pedestrians. The bridge sidewalk is only 20" wide, many people stand in the street. One has to drive very slow to not hit someone.

3. Deterioration of the Bridge:

Enclosed are photos of the deterioration of the Davenport bridge sidewalk. The concrete has eroded and exposed the re-bar. This is due to the high number of bathers dripping salt water on the cement as they walk to their jump position.

4. Maintenance costs to Public works departments:

Daily a city employee sweeps the sand from the side walk along the beach. During the summer there is more sand deposited at the bridge due to people tracking sand from the beach. This requires additional time for shoveling and sweeping.

5. Liability to the city:

Even with the posted "no jumping" signs the city will be sued if someone is hurt. The costs to the city will be attorney time, most likely damages, and paying for a solution to solve the problem.

6. H.B. Police, Harbor Patrol and O.C. Sheriff Dept. water patrol action:

We do hear an occasional shout from a harbor patrol or O.C. Sheriff boat and the H.B. police department. I have seen written documents pass from a police office to perpetrators. Police Chief Rob Handy is keeping a tally of the citations and warnings.

Most of the time it is a verbal warning but as soon as the police leave it is right back to jumping and with more gusto, because they got away with it. It has become a cat and mouse game.

Conclusion: I hope the Harbor Commission can recommend to the city council solutions to correct this safety problem.

Please feel free to contact me with any questions, clarifications or need solutions.

Chris L. Nielsen

Enclosed: photos









