

From: Diana Springer
To: [Kiff, Dave](mailto:Kiff_Dave); sjurjus@newportbeachca.gov
Cc: [Don Schmitz](#); [Peotter, Scott](#); [Nicole Farnoush](#); [Chris Deleau](#); [Pavan Bhatia](#); [Jonathan Mason](#)
Subject: FW: FW: Ex parte conversation
Date: Tuesday, March 06, 2018 1:26:50 PM

Please find below ex parte declaration from Don Schmitz with Commissioner Sundberg:

Diana Springer / Executive Assistant

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From: Don Schmitz
Sent: Monday, March 05, 2018 9:02 PM
To:
Cc: Don Schmitz <dons@schmitzandassociates.net>
Subject: Ex parte conversation

Good evening Commissioner Sundberg;

Thank you for the courtesy of your time on the phone today, whereupon we discussed the following items:

1. The city of Newport Beach is supporting a bill by assemblyman Harper (Coauthor: Senator Moorlach), to add Newport Beach to the list of Ports that can have a Port Master Plan under Section 30700 of the Coastal Act. As I stated on our call, should this bill pass the city would still have to draft the Port Master Plan (PMP), and it would be reviewed by the CCC who would make suggested modifications before it could become codified. The PMP would result in taking 80 to 90 CDP's off the workload for the CCC staff on an annual basis. This bill will be reported to the Commission this Wednesday under item 6. C.
2. We also discussed item 11. A., Appeal No. A-5-NPB-18-0006. I informed you that I am not representing the applicant, but rather the city of Newport Beach. I informed you that the CCC staff was recommending substantial issue, and planned to schedule the matter for a de novo hearing sometime in the future. I further informed you that the city would be sending a staff member to the hearing, and he would like to speak to the Commission for the allotted three minutes to inform the CCC of the city's actions in regards to this matter. As you know it will take three commissioners to hold up their hands affirming that the CCC should take public testimony, and it is our hope at the city that he will be allowed to testify.

I thank you again for your time, as I know how busy you are. As always, please don't hesitate to contact me directly should you require any additional information or materials regarding these matters.

Sincerely,

Don

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