



VENTURA PORT DISTRICT BOARD OF PORT COMMISSIONERS

Chris Stephens, Chairman
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary
Everard Ashworth, Commissioner
Michael Blumenberg, Commissioner

Brian D. Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Andy Turner, Legal Counsel
Jessica Rauch, Clerk of the Board

PORT COMMISSION AGENDA

TELECONFERENCE

JULY 1, 2020

6 TELECONFERENCE LOCATIONS

VENTURA PORT DISTRICT OFFICE

1603 ANCHORS WAY DRIVE

VENTURA, CA 93001

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS, THE VENTURA PORT DISTRICT ADMINISTRATION BUILDING IS CLOSED TO THE PUBLIC. THIS MEETING IS BEING HELD IN ACCORDANCE WITH THE STATE EMERGENCY SERVICES ACT, THE GOVERNOR'S EMERGENCY DECLARATION, AND THE GOVERNOR'S EXECUTIVE ORDER NO. 25-20 ISSUED ON MARCH 12, 2020 TO ALLOW ATTENDANCE BY MEMBERS OF THE PORT COMMISSION BY TELECONFERENCE IN FULL COMPLIANCE WITH THE BROWN ACT.

PUBLIC PARTICIPATION OPTIONS

1. Join a Zoom meeting LIVE:
<https://us02web.zoom.us/j/83413500368>
Meeting ID: 834 1350 0368

1-669-900-6833
1-877-853-5257
2. If you do not wish to speak but would like to submit a written comment on a specific agenda item, do so via email by 4:00PM on the day of the meeting. Please submit your comment to the Clerk of the Board at jrauch@venturaharbor.com. When sending an email, please indicate in the Subject Line, the Agenda item. Your email will be read by the Clerk or attached to the minutes.
3. If you wish to speak on a specific agenda item when watching the live Zoom meeting, please email the Clerk of the Board at jrauch@venturaharbor.com by 4:00PM on the day of the meeting so you can participate appropriately.

Attendees can dial *9 or use the 'raise hand' function in Zoom if they would like to speak during public comment periods.

CLOSED SESSION – 5:30PM

CALL TO ORDER: *By Chairman Chris Stephens.*

ROLL CALL: *By the Clerk of the Board.*

PUBLIC COMMUNICATIONS (3 minutes)

*The Public Communications period is set aside to allow public testimony on items only on the Closed Session Agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair. Attendees can dial *9 or use the 'raise hand' function in Zoom if they would like to speak during public comment periods.*

CONVENE IN CLOSED SESSION – 5:35PM

CLOSED SESSION AGENDA (1 hour 25 minutes)

See Attachment to Agenda-Closed Session Conference with Legal Counsel.

OPEN SESSION – 7:00PM

CALL TO ORDER: *By Chairman Chris Stephens.*

PLEDGE OF ALLEGIANCE: *By Chairman Chris Stephens.*

ROLL CALL: *By the Clerk of the Board.*

ADOPTION OF AGENDA (3 minutes)

Consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item added to or removed/continued from the Port Commission's agenda. Administrative Reports relating to this agenda and materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the Port District's office located at 1603 Anchors Way Drive, Ventura, CA during business hours as well as on the District's website - www.venturaharbor.com.

APPROVAL OF MINUTES (3 minutes)

The Minutes of the June 17, 2020 Regular Meeting will be considered for approval.

PUBLIC COMMUNICATIONS (3 minutes)

*The Public Communications period is set aside to allow public testimony on items not on today's agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair. Attendees can dial *9 or use the 'raise hand' function in Zoom if they would like to speak during public comment periods.*

CLOSED SESSION REPORT (3 minutes)

Closed Sessions are not open to the public pursuant to the Brown Act. Any reportable actions taken by the Commission during Closed Session will be announced at this time.

BOARD COMMUNICATIONS (5 minutes)

Port Commissioner's may present brief reports on port issues, such as seminars, meetings and literature that would be of interest to the public and/or Commission, as a whole. Port Commissioner's must provide a brief summary and disclose any discussions he or she may have had with any Port District Tenants related to Port District business.

STAFF AND GENERAL MANAGER REPORTS (5 minutes)

Ventura Port District Staff and General Manager will give the Commission updates on important topics or items of general interest if needed.

LEGAL COUNSEL REPORT (5 minutes)

Legal Counsel will report on progress of District assignments and any legislative or judicial matters.

PROCLAMATION HONORING RICHARD PARSONS

CONSENT AGENDA: (5 minutes)

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by the Board at one time, without discussion, unless a member of the Board or the public requests an opportunity to address any given item. Approval by the Board of Consent Items means that the recommendation is approved along with the terms set forth in the applicable staff reports.

a) Approval of a Professional Services Agreement with Carpi & Clay, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with Federal Advocacy Services from July 1, 2020 to June 30, 2021.

b) Approval of a Professional Services Agreement with Swift Chip, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Swift Chip, Inc. not to exceed \$115,000 to provide Information Technology services from July 1, 2020 to June 30, 2021.

c) Termination of Current Lease Agreement and Approval of New Office Lease Agreement for Ken Caparoni dba State Farm Agent

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Approve the termination of a Lease Agreement, dated July 1, 2019, for the premises located at 1583 Spinnaker Drive #210, consisting of 637 square feet; and
- b) Approve a new Office Lease Agreement for the premises located at 1583 Spinnaker Drive #210, consisting of 787 square feet between the Ventura Port District dba Ventura Harbor Village and Ken Caparoni dba State Farm Agent for a three-year term with a three-year option with tenant improvements.

d) Approval of New Office Lease Agreement for Gabriella Navarro Busch

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Gabriella Navarro Busch for the premises located at 1575 Spinnaker Drive #204A&B consisting of a total of 1,686 square feet for a five (5) year term with a four (4) year option.

e) Approval of Notice of Completion for the Ventura Harbor Village Commercial Dock Replacement Project

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No.3393:

- a) Accepting the work of Bellingham Marine Industries (BMI) for the Ventura Harbor Village Commercial Dock Replacement Project.
- b) Authorizing the filing of a Notice of Completion with the Ventura County Recorder.

STANDARD AGENDA:

1) Draft Navigation Risk Assessment for the Proposed Ventura Shellfish Enterprise Project

Recommended Action: Informational.

That the Board of Port Commissioners receive an informational report on the draft Navigation Risk Assessment for the proposed aquaculture project referred to as the Ventura Shellfish Enterprise.

2) Adoption of Resolution No. 3394 Extending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3394 extending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program, which will allow for the abatement or deferment of all rental payments for those Harbor Master Tenants and Harbor Village Tenants who have been directly impacted by the COVID-19 Pandemic on a monthly basis for repayment of deferred rents within six months after all applicable government emergency orders are rescinded, no sooner than March 2021.

3) Approval of Portside Partners Loan Extension

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Approve a loan extension for the Portside Partners project; and
- b) Authorize the General Manager to execute such documents as may be necessary after review and approval by General Counsel.

4) Approval of the FY2020-2021 Final Budget and Five-Year Capital Improvement Plan

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3395, approving the Fiscal Year 2020-2021 Ventura Port District Budget and Five-Year Capital Improvement Plan;
- b) Adopt Resolution No. 3396, establishing the Salary Schedule for Non-represented Employees for the Fiscal Year 2020-2021.
- c) Implement a salary freeze and hiring freeze for FY20-21. The MOU with SEIU for Full-Time Harbor Patrol Officers will not be affected by the salary freeze.

ADJOURNMENT

This agenda was posted on Friday, June 26, 2020 by 5:00 p.m. at the Port District Office and online at www.venturaharbor.com - Port District Business - Meetings and Agendas.

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Ventura Port District at (805) 642-8538. Notification 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

**ATTACHMENT TO PORT COMMISSION AGENDA
CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL**

WEDNESDAY, JULY 1, 2020

1. Conference with Real Property Negotiators - Per Government Code Section 54956.8:

- a) Property: **1431 – 1691 Spinnaker Drive**
Negotiating Parties: Brian Pendleton, Todd Mitchell, Andy Turner
All Ventura Harbor Village Tenants
Under Negotiation: **COVID-19 Ventura Harbor Rental Abatement and Deferment Program**

- b) Property: **Parcels 10A, 4, 9, 7, 15, 16, 18, 2, 3, 1, 19, 3A1, 3A2, 3A4, 20, 17, 6**
Negotiating Parties: Brian Pendleton, Todd Mitchell, Andy Turner
All Master Tenants
Under Negotiation: **COVID-19 Ventura Harbor Rental Abatement and Deferment Program**

- c) Property: **1583 Spinnaker Drive #210**
Negotiating Parties: Brian Pendleton, Todd Mitchell, Andy Turner
Ken Caparoni dba State Farm Agent
Under Negotiation: **Termination of Current Office Lease Agreement and Terms of New Office Lease Agreement** (Verbal Report)

- d) Property: **1575 Spinnaker Drive #204A&B**
Negotiating Parties: Brian Pendleton, Todd Mitchell, Andy Turner
Gabriella Navarro Busch
Under Negotiation: **Terms of New Office Lease Agreement** (Verbal Report)

- e) Property: **Parcel 20**
Negotiating Parties: Brian Pendleton, Todd Mitchell, Andy Turner
Derecktor Marine Holdings LLC
Under Negotiation: **Terms of Approval of Assignment of Lease**



VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS

JULY 1, 2020

APPROVAL OF MINUTES

JUNE 17, 2020

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF JUNE 17, 2020



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Vice Chairman Brian Brennan at 5:32PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman via Teleconference
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary via Teleconference
Everard Ashworth via Teleconference
Michael Blumenberg via Teleconference

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner via Teleconference
Elsa Sham via Teleconference

PUBLIC COMMUNICATIONS: Sam Sadove, owner of Ventura Harbor Marine Associates, LLC., commented that Items 1(b) and in part 1(a) as presented violate the Brown Act. The way they are worded is confusing and the public would have no way of knowing what these items refer to since there is never a "reportable action."

CONVENED TO CLOSED SESSION AT 5:39PM.

ADJOURNMENT: Closed Session was adjourned at 6:48PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Vice Chairman Brian Brennan at 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Vice Chairman Brennan.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman via teleconference
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary via teleconference
Everard Ashworth via teleconference
Michael Blumenberg via teleconference

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
Gloria Adkins, Accounting Manager
Jennifer Talt Lundin, Marketing Manager
John Higgins, Harbormaster via teleconference
Joe Gonzalez, Facilities Manager via teleconference
Richard Parsons, Project Manager via teleconference
Dave Werneburg, Marina Manager via teleconference
Ruby Emery, Marketing and Events Coordinator via teleconference
Susan Bogue, Film/Event Liaison via teleconference

Legal Counsel:

Andy Turner via teleconference
Elsa Sham via teleconference

ADOPTION OF AGENDA

ACTION: Commissioner Blumenberg moved, seconded by Commissioner Brennan, and carried by a vote of 5-0 to adopt the June 17, 2020 agenda, moving Item 5 to be heard third on the agenda.

APPROVAL OF MINUTES

The Minutes of the June 3, 2020 Regular Meeting were considered as follows:

ACTION: Commissioner Gardina moved, seconded by Commissioner Stephens, and carried by a vote of 5-0 to approve the June 3, 2020 Regular Meeting Minutes.

PUBLIC COMMUNICATIONS: Jean Getchell had several questions and concerns about the CalMatters article about the Ventura Shellfish Enterprise Project and asked her comments be included in the minutes (attachment 1).

Sam Sadove, owner of Ventura Harbor Marine Associates, LLC., asked if the staff and the Board were intending to extend the rent abatement and deferment program. If so, he asked that notice be given to the tenants no later than June 24th. He also reported that significant damage was done by a boater to his haul-out dock, putting it out of service for two days. Thirdly, he recently learned that the Army Corps

terminated the application regarding the Shellfish project back in February. There was no reporting to the public on this and stated it would be best if this item was not limited to closed session.

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. On Item 1, the Board gave direction to staff as to the Rent Abatement Program. As to Items 2 and 3, the Board received a report from staff and Counsel and gave direction as how to proceed. No action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Blumenberg got an impromptu tour of Just 4 Dreamers and it was great to see the business recovering well.

STAFF AND GENERAL MANAGER REPORTS: None.

LEGAL COUNSEL REPORT: None.

STANDARD AGENDA:

1) Approval of Proposed Addition to the Ventura Port District Procurement and Purchasing Policy

Recommended Action: Roll Call Vote.

That the Board approve the proposed addition to the Ventura Port District Procurement and Purchasing Policy for use in situations where Federal funding is provided.

Report by Legal Counsel, Andy Turner.

ACTION: Commissioner Stephens moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve the proposed addition to the Ventura Port District Procurement and Purchasing Policy for use in situations where Federal funding is provided.

2) Appointment of New Audit Liaison

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners appoint an audit liaison to work with staff and White Nelson Diehl Evans LLP throughout the FY2019-2020 financial audit process.

Report by Accounting Manager, Gloria Adkins.

ACTION: Commissioner Stephens moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to appoint Michael Blumenberg as audit liaison to work with staff and White Nelson Diehl Evans LLP throughout the FY2019-2020 financial audit process.

3) Approval of the FY2020-2021 Harbor Village Leasing Strategy

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the FY2020-2021 Harbor Village Leasing Strategy.

Report by Business Operations Manager, Todd Mitchell.

ACTION: Commissioner Blumenberg moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to approve the FY2020-2021 Harbor Village Leasing Strategy.

4) Approval of the FY2020-2021 Harbor Village Marketing Strategy – Recovery and Visitation Plan

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the FY2020-2021 Harbor Village Marketing Strategy – Recovery and Visitation Plan.

Report by Marketing Manager, Jennifer Talt Lundin and Marketing and Events Coordinator, Ruby Emery.

ACTION: Commissioner Stephens moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve the FY2020-2021 Harbor Village Marketing Strategy – Recovery and Visitation Plan.

5) Approval of the FY2020-2021 Preliminary Budget and Five-Year Capital Improvement Plan

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners review, discuss and approve the Fiscal Year 2020–2021 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan.

This item was moved to be heard third on the agenda.

Report by General Manager, Brian Pendleton, Business Operations Manager, Todd Mitchell and Accounting Manager, Gloria Adkins.

Public Comment: Sam Sadove, owner of Ventura Harbor Marine Associates, LLC., stated that the projection of only a 5% decrease in revenues is optimistic. He also thinks the planning on deferment of various capital projects is prudent with some exceptions. He agrees with Commissioner Gardina that some prudent expenditures would be warranted to help maintain or increase business activity. He suggests reinstating the signage program and look at eliminating or reducing marketing consultants. Mike Lebecki is opposed to the idea of paid parking at Harbor Village and the beaches.

ACTION: Commissioner Blumenberg moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to approve the Fiscal Year 2020–2021 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan.

6) Ventura Port District Operations Update as it Relates to COVID-19

Recommended Action: Informational.

That the Board of Port Commissioners receive an update on:

- a) The COVID-19 Ventura Harbor Rental Abatement and Deferment Program; and
- b) Status of Ventura Port District operations.

Report by General Manager, Brian Pendleton.

ACTION: The Board of Port Commissioners received an update on the COVID-19 Ventura Harbor Rental Abatement and Deferment Program and status of Ventura Port District operations.

ADJOURNMENT: The meeting was adjourned at 10:28PM.

The next meeting is Wednesday, July 1, 2020.

Jackie Gardina, Secretary

ATTACHMENT 1

Jean A. Getchell
1743 Santa Ynez Street
Ventura, CA 93001
(831) 392-6596

June 16, 2020

Board of Port Commissioners
Ventura Port District
1601 Anchors Way Drive
Ventura, CA 93001

Sent Electronically
to All Recipients.
Signed Original
Personally Delivered
to Clerk of the Board.

SUBJECT: STATUS OF PERMIT APPLICATION WITH U.S. ARMY CORPS OF
ENGINEERS FOR USE OF FEDERAL SEA BOTTOM, VIOLATION OF THE
BROWN ACT, AND ASSOCIATED ISSUES

Chairman Stephens and Commissioners:

Status of Permit Application with U.S. Army Corps of Engineers (USACE) for Siting 2,000
Acres of Aquaculture in Federal Waters: *Withdrawn*

Given the amount of work and expenditures made on this project, as well as the stated intent to sub-lease twenty (20), one-hundred acre (100 ac) parcels for shellfish farming, I wondered if the USACE had granted approval for the District to sub-lease acreage to other entities. Without authorization to sub-lease, any permit approval would limit the Port District, itself, to entering into the shellfish business. I am not aware that the District has announced its interest in entering directly into the shellfish business or if it has demonstrated the financial wherewithal to develop the capital assets or provide the operating capital. If the District has developed such plans, please provide details.

To determine the status of my question, on May 26 I contacted Dr. Aaron Allen, Chief, North Coast Branch of the Regulatory Division of the Los Angeles District of the USACE. I asked him to confirm the status of the District's request for USACE approval to sub-lease twenty (20) one-hundred acre (100 ac) parcels of the Federal Authorized Sea Bottom. He replied as follows:

As indicated in our letter dated February 18, 2020, the application is currently withdrawn pending the receipt of the requested additional information. The additional information was requested in our letter dated January 15, 2020. When we receive the requested information, we will continue processing the application. (Underlining added for emphasis.)

Information Required from the District to Allow USACE Permit Application Review to Proceed
As the January 15 letter specified, the USACE will consider the District's permit application as "withdrawn" until it receives two items:

- 1) A draft navigational risk assessment, and
- 2) Resolution of issues raised by LAFCO, which could be achieved by State legislation or the State Attorney General.

I trust that District Counsel has informed your Commission that resolution of the second item will not be possible by an Advisory Opinion of the California Attorney General. In accord with Government §12519, these opinions are available to specific California constitutional officers and others, but it does not include a Special District. Ventura County Counsel is entitled to request an opinion. However, he argued at the public hearing on October 16, 2019, which was held to consider the District's project, that other provisions of the Government Code prohibited a special district from activities outside California. As a result, only special legislation would exempt the District's shellfish project from prohibitions against operating outside California.

Inasmuch as legislation is not enacted until signed by the Governor or overridden by a 2/3 vote of the Legislature, the USACE may not reactivate and begin to review the District's permit application for quite some time, likely more than a year from now.

For your reference, I have attached the January 15 and February 18, 2020 letters Dr. Allen sent to District General Manager, Brian Pendleton. After I received these letters through a FOIA request from the Los Angeles District, Dr. Allen clarified on June 10 that:

The Port District has requested the ability to sub-lease to other entities as part of their application. We have informed the Port District that there are several potential issues associated with the proposed sub-leasing component of their project. However, we will not make a final decision regarding the proposed sub-leasing until we complete our decision document for the proposed project.

What are the Potential Issues?

With the financial shortfall that is being experienced by the District and the anticipated lengthy delay in providing a complete application to the USACE, why hasn't the Port District disclosed the potential issues? What additional resources might be required to address these issues? What risk do these issues pose to the project objectives?

Government Code §54956.8: No Basis to Discuss the Shellfish Project in Closed Session

The Commission invokes Government Code §54956.8 to authorize discussion of the District's shellfish project in Closed Session. That section serves an important purpose by keeping negotiations regarding the purchase, sale, exchange or lease of real property confidential and undiscoverable by others, notably the other party to the transaction or a competing bidder.

Government Code §54956.8

Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

The shellfish project involves no purchase, sale, exchange or lease of real property. In addition, no price and terms of payment are being negotiated by the District. Had the Legislature intended to authorize discussion of another item like a permit application in Closed Session, it would have included the term in the legislation. Even if a “permit application” were authorized to be discussed, which it is not, the USACE has withdrawn the District’s permit application as a result of the District’s failure to provide required information. There isn’t an active permit application to discuss.

Years of Brown Act Violations and Seven Violations Since Dr. Allen’s February 18, 2020 Letter that Notified the District that Its Application Had Been Withdrawn

Instead, Section 54956.8 has been used as a ruse to keep the harbor businesses, other governmental agencies and the public from knowing the facts about the shellfish project, the uncertainty of the project being implemented, and its continued financial burden on the Port District and its revenue sources. To correct this pattern and practice, the Commission should give notice to the public that until the Governor signs the special legislation required to site the shellfish project in Federal Waters, the project cannot be implemented. Without enactment of the special legislation, the USACE will not review the District’s permit application. Until the USACE issues the required permit, there will be no project. In addition, the District should explain why any additional work (other than the Navigational Risk Study required by the USACE) should be undertaken until the USACE permit is issued.

Project Alternative(s) If USACE Approval to Sub-Lease Is Denied

While there is no certainty that the USACE permit application will ever include the required information for the Federal Government to consider approval of the basic permit, the permit may eventually be issued. However, the “several potential issues associated with the proposed sub-leasing” cited by Dr. Allen pose an additional regulatory hurdle. What plan, if any, has the Port District developed in the event sub-leasing is not approved?

Project Alternatives Developed for Review by NOAA, USACE and the California Coastal Commission

Has the District addressed the comments made by Diane Windham of NOAA, the USACE and the Coastal Commission, which were specified in the May 13 CalMatters article published in the *Ventura County Star*? The article quoted their serious concerns about an offshore project, and NOAA specified that it would prefer a small project that could be evaluated and monitored to ensure that significant impacts to the environment did not develop. To that end, has the District developed a project alternative that the regulatory agencies might more likely approve, a project that could reflect, for example, phased development? Otherwise, is the District prepared for project denial and the loss of six years of work and great cost to other District activities that have funded the shellfish project?

ATTACHMENT 1

I hope the Commission is listening to the regulators' concerns. It should insist that the project be one that can obtain project approval and be overseen to ensure protection of the environment. The regulators' concerns cited in the CalMatters article do not bode well for a two-thousand acre offshore project. If the Commission submits only a two-thousand acre project for approval, denial should be no surprise.

Sincerely,

A handwritten signature in black ink, appearing to be 'JAG' with a long horizontal stroke extending to the right.

cc: Dr. Aaron Allen, Ph.D.

Enclosures: January 15, 2020 Letter to Ventura Port District
February 18, 2020 Letter to Ventura Port District

ATTACHMENT 1



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT
60 SOUTH CALIFORNIA STREET, SUITE 201
VENTURA, CALIFORNIA 93001-2598

January 15, 2020

SUBJECT: Request for Resolution to Continue Processing Permit Application

Brian Pendleton
Ventura Port District
Ventura, California 93001

Dear Mr. Pendleton:

This letter concerns your Department of the Army Permit application (Corps File No. SPL-2017-00093-BLR) which proposes to construct a 2,000 acre aquaculture facility in navigable waters outside state boundaries (in Federal waters) in association with the Ventura Shellfish Enterprise Project. The project would be located offshore from the Ventura Harbor, near the city and county of Ventura, CA (latitude: 34.241891, longitude: -119.292983).

In response to our 30 day public notice (dated August 27, 2019) the Corps received a letter from the Ventura County Local Agency Formation Commission (LAFCO) dated September 16, 2019. You provided a response to all the substantive public notice comment letters on November 15, 2019. Within the combined response you included a general response (response B2-1) as well as a separate letter addressing LAFCO's concerns from your special counsel (DeeAnne Gillick, letter dated November 15, 2019). The Corps Regulatory Division Chief (David Castanon), the Ventura team lead (Antal Szijj) and the senior project manager (Theresa Stevens) also met with you, your special counsel (Robert Smith), and your consultant (Laurie Monarres) on November 19, 2019 to discuss the proposed project, remaining issues, and a potential path forward. Prior to this meeting, Dr. Stevens had discussed concerns about issues raised by LAFCO with Ms. Monarres, and stated that review of the matter by Corps Office of Counsel would be requested. Also prior to this meeting, Mr. Smith conducted a phone conference with Corps Staff Counsel (Tiffany Troxel) on October 28, 2019. During this phone conference it was acknowledged that resolution of this matter via the state legislature or state Attorney General may be required.

In response to our public notice, the Corps also received a letter from the U.S. Coast Guard (USCG) dated November 1, 2019, which requested that a navigational risk assessment be completed prior to the Corps final action on the project. Due to the Corps statutory authority under section 10 of the Rivers and Harbors Act (33 U.S.C. 403) to evaluate impacts on navigation associated with structures and work in navigable waters and the recognized expertise of the USCG on navigation issues, the Corps needs at least a draft navigational risk assessment to be completed and submitted to the U.S. Coast Guard. Without this important information documenting the potential impacts to navigation, we cannot complete our required public interest evaluation. Because navigation is central to our review of your application, it would not be a

-2-

good use of our limited staff resources to continue processing your application without at least a draft of the navigational risk assessment.

Although you have provided to us the letters, legal opinions and legal citations regarding the claims made by LAFCO, it remains unclear whether the Ventura Port District has the authority under state law to construct permanent structures in navigable waters outside state boundaries as would be required for the proposed Ventura Shellfish Enterprise project.

Therefore, I have made a preliminary determination that in order to continue processing your permit application, the above draft navigational risk assessment and documented resolution of your dispute with LAFCO must be provided. Documentation from LAFCO, the LAFCO Board or a higher level state entity that the dispute has been resolved would be sufficient for the Corps to continue processing your application.

The Corps respectfully requests resolution of these matters in the next 30 days. If the requested information cannot be submitted within 30 days, the Corps will withdraw your permit application. When you do provide the requested information, the Corps will resume review of your previously submitted permit application.

If you have any questions, you may contact me at (805) 585-2148 or aaron.o.allen@usace.army.mil or Theresa Stevens, Ph.D. at (805) 585-2146 or via e-mail at theresa.stevens@usace.army.mil.

Sincerely,

ALLEN.AARON.
O.1232270795

Digitally signed by
ALLEN.AARON.O.1232270795
Date: 2020.01.15 07:44:28
-08'00'

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

Cc: Kai Luoma, Executive Director, Ventura County Local Agency Formation Commission
Lieutenant Commander Isaac Mahar, U.S. Coast Guard District 11 Waterways Management,
Los Angeles-Long Beach



ATTACHMENT 1

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT
60 SOUTH CALIFORNIA STREET, SUITE 201
VENTURA, CALIFORNIA 93001-2598

February 18, 2020

SUBJECT: Withdrawal of Permit Application

Brian Pendleton
Ventura Port District
Ventura, California 93001

Dear Mr. Pendleton:

I am responding to your application (File No. SPL-2017-00093) for a Department of the Army permit to install structures or conduct work in, over, under or affecting navigable waters of the U.S., in association with the Ventura Shellfish Enterprise project in the Pacific Ocean near the city of Ventura, Ventura County, California.

Our files indicate you have not provided the additional information we requested in our letter dated January 15, 2020 to continue processing your application. Therefore, your application is considered withdrawn. If you wish to re-establish evaluation of your project, please submit the items described in our January 15, 2020 letter.

Thank you for participating in our Regulatory Program. If you have any questions, please contact Theresa Stevens, Ph.D. at (805) 585-2146 or via e-mail at theresa.stevens@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

ALLEN.AARON
O.1232270795
Digitally signed by
ALLEN.AARON.O.1232270
795
Date: 2020.02.13 11:33:19
-08'00'

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

Jean A. Getchell
1743 Santa Ynez Street
Ventura, CA 93001
(831) 392-6596

June 17, 2020

Board of Port Commissioners
Ventura Port District
1601 Anchors Way Drive
Ventura, CA 93001

Sent Electronically
to All Recipients.
Signed Original
Personally Delivered
to Clerk of the Board.

SUBJECT: ADDENDUM: STATUS OF PERMIT APPLICATION WITH U.S. ARMY
CORPS OF ENGINEERS FOR USE OF FEDERAL SEA BOTTOM,
VIOLATION OF THE BROWN ACT, AND ASSOCIATED ISSUES

Chairman Stephens and Commissioners:

Violation of Government Code §54954.5, Closed Session Item Description

In addition to what I submitted in my letter of June 16 regarding Government Code §54956.8, which specifies what real property transactions may be discussed by a local agency's legislative body with its negotiator in Closed Session, please note that the District has also failed to comply with Government Code §54954.5 (b). Its requirements include:

GOVERNMENT CODE

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]

(Division 2 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 9. Meetings [54950 - 54963]

(Chapter 9 added by Stats. 1953, Ch. 1588.)

54954.5.

For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

Inasmuch as "price, terms of payment, or both" have never been specified by the District when providing public notice of the District's intent to discuss its shellfish project in Closed Session (because price and terms of payment have never been involved in these Closed Session discussions), the District has never complied with this requirements of the Brown Act. Until the U.S. Army Corps of Engineers requires negotiation of price or terms of payment or both for a lease or sale of its Federal Sea Bottom to the District and the District complies with the requirements of Sections 54954.5 and 54956.8, the District may not discuss its shellfish project in Closed Session.

Because neither the National Oceanic and Atmospheric Administration nor the California Coastal Commission is likely to enter into a purchase, sale, exchange or lease of real property with the District, Section 54956.8 could not be invoked to justify any discussion in Closed Session of their concerns about the District's shellfish project.

Thank you for the opportunity to provide this Public Comment.

Sincerely,

A handwritten signature in black ink, appearing to be "JAS" followed by a horizontal line.

cc: Dr. Aaron Allen, Ph.D.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

CONSENT AGENDA ITEM A

APPROVAL OF A PROFESSIONAL SERVICES
AGREEMENT WITH CARPI & CLAY, INC.

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Approval of a Professional Services Agreement with Carpi & Clay, Inc.

RECOMMENDATION:

That the Board of Port Commissioners approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with Federal Advocacy Services from July 1, 2020 to June 30, 2021.

SUMMARY:

In October 2012, the District retained Carpi & Clay to provide federal advocacy and lobbying services to the District in advocating for federal government funding of dredging of the Harbor entrance. The firm has demonstrated they have an excellent working relationship with the California Congressional delegation, including Senators Feinstein and Harris and have enabled one-on-one meetings between District personnel and federal legislators. Additionally, their relationship with the Corps of Engineers has been cooperative and successful to the benefit of the District.

BACKGROUND:

Carpi & Clay's core business is focused primarily on representing, advancing and protecting the financial, legislative and regulatory interests of California local governments, public agencies and not-for-profit institutions. In the last six months they have been instrumental in assisting the District with inclusion of dredging the Harbor entrance channel in both the President's and Congressional budgets for 2021. As federal funding becomes even more constrained, an effective advocacy and lobbying firm is essential to the District. Other duties they perform for the District are:

- Assist the Ventura Port District with securing annual appropriations for the maintenance dredging of the federal Ventura Harbor entrance channel area by the US Army Corps of Engineers.
- Provide advocacy documents, Congressional testimony, and any materials necessary to promote the interest of the Ventura Port District.
- Provide strategic planning and serve as technical resources to help ensure project requests are being submitted in the most favorable light.
- As directed, attend hearings, Congressional events, and industry meetings in order to provide personalized assessments and more formal legislation briefing reports via email, phone, and written reports.
- As required, meet with Members of the California Congressional delegation, and work closely with the offices of Senators Feinstein and Harris on both funding issues and policy legislation. This will help to facilitate more productive relationships and support for initiatives.

- Organize strategic Congressional lobbying trips that support the Ventura Port District's goals, purpose, and intended results. When Ventura Harbor officials or staff are in Washington, D.C. Carpi & Clay provide direct support to include office space, meeting arrangements, and full staff support. Once completed, Carpi & Clay would ensure follow-up discussions to learn about the successes of the trip and determine next steps.
- Carpi & Clay will respect the Harbor's reporting structure and requirements to ensure a transparent flow of information, dialogue, and ideas. This would include meeting with Port Commissioners, the General Manager, and staff as appropriate, to advance Ventura Harbor interests.
- Carpi & Clay will interact with all relevant government agencies, and specifically the U.S. Army Corps of Engineers, at all relevant levels to enable a full and cooperative approach and a successful outcome.
- Provide support for issues impacting or benefiting the Harbor as they arise.

FISCAL IMPACT:

The fiscal impact of this service agreement is \$5,000 per month. Any additional expenses such as travel must be approved by the General Manager in advance. Any adjustment to the monthly fee must be approved by the Board of Port Commissioners. The proposed monthly rate has remained unchanged since 2012.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

CONSENT AGENDA ITEM B

APPROVAL OF A PROFESSIONAL SERVICES
AGREEMENT WITH SWIFT CHIP, INC.

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Approval of Professional Services Agreement with Swift Chip, Inc.

RECOMMENDATION:

That the Board of Port Commissioners approve a Professional Services Agreement with Swift Chip, Inc. not to exceed \$115,000 to provide Information Technology services from July 1, 2020 to June 30, 2021.

SUMMARY:

Swift Chip, Inc. will continue to provide Information Technology (IT) services to the District for its on-going operations. Swift Chip provided an analysis of existing hardware and software capabilities with prioritized recommendations and cost related estimates to the District for implementation beginning in FY2019-2020. With the implementation of new equipment and software, the monthly rate will decrease.

The completed priorities from FY2019-2020 include:

- 1 new server
- Additional ram for existing server
- Server backups with storage, licensing, and maintenance
- 9 new workstations

There are still two priorities that are outstanding:

- Office 365 Update (includes most recent Microsoft office software and email storage on the cloud)
- 2 firewalls

Swift Chip cannot proceed with the firewall project until the Office 365 update is complete. Staff is also continuing the replacement/upgrade of employee workstations as the budget allows.

BACKGROUND:

Swift Chip, Inc. is a Ventura-based company that provides IT services to more than 400 organizations in Los Angeles and Ventura counties. They provide innovative and custom-designed services and solutions designed to provide operational efficiency, increase staff productivity, and reduce IT costs. The District has coordinated with CEO Kenneth May.

Mr. May has a Master's Degree from SBCOM, a Bachelors in Liberal Arts from Thomas Aquinas College and has written 3 books and numerous articles. He has been Voted Top Channel Influencer of the SMBnation 150, and carries numerous certifications from HP, Microsoft, Cisco, SANS, Symantec, Dell and more. Recently, he was chosen by his peers to be elected to the CompTIA Managed IT Services Community Executive Council, where he will directly influence the education and guidance of their international IT community. Ken is also a Commissioner for the City of Ventura, CA, where he works to help promote the Arts in his community and a Board member for the Ventura Visitors and Convention Bureau.

The PSA will provide for daily IT services for District operations and include the following areas of responsibility:

- Computers

- Printers
- Servers
- Security Cameras
- Vendor Coordination (e.g. Telecommunications, Internet Services)
- Technology Solution Design

FISCAL IMPACTS:

For FY19-20, the District came in under budget at \$112,966. Starting July 1, 2020, the monthly fee will decrease from \$8,665 to \$8,525 during the months the remaining priorities will be implemented (3 months). Once implementation is complete, the monthly fee will decrease again to \$8,350 per month.

The District, however, will incur new monthly costs for two of its priorities: 1) the server backup cloud storage, licensing, and maintenance and 2) the Office 365 update with email cloud storage. This will add an additional \$1,060 per month. These fees are third party vendor fees, not Swift Chip fees.

The new equipment that was purchased at a one-time cost under the computer equipment budget has been completed.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

CONSENT AGENDA ITEM C

TERMINATION OF CURRENT LEASE
AGREEMENT AND APPROVAL OF NEW
OFFICE LEASE AGREEMENT FOR KEN
CAPARONI DBA STATE FARM AGENT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM C
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Termination of Current Lease Agreement and Approval of New Office Lease Agreement for Ken Caparoni dba State Farm Agent; 1583 Spinnaker Drive #210

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Approve the termination of a lease agreement, dated July 1, 2019, for the premises located at 1583 Spinnaker Drive #210, consisting of 637 square feet; and
- b) Approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #210, consisting of 787 square feet between the Ventura Port District dba Ventura Harbor Village and Ken Caparoni dba State Farm Agent for a three-year term with a three-year option with tenant improvements.

SUMMARY:

Mr. Caparoni's current three-year lease ends in 2022. He anticipates his business to continue to flourish and loves his office space. He sees his business increasing and has requested additional office space of 150sf added to his current floorplan. He looks forward to a continued profitable connection with the Ventura Harbor Village.

BACKGROUND:

Mr. Caparoni has been a tenant since June 2017 and a State Farm Agent since 2013. His business provides auto, home, life, health, and commercial insurance.

FISCAL IMPACT:

This new lease reflects current market rental rates for office space in the complex. The lease will have a yearly step increase and the lease option will have annual increases tied to the Consumer Price Index (CPI).

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

CONSENT AGENDA ITEM D

APPROVAL OF NEW OFFICE LEASE
AGREEMENT FOR GABRIELLA NAVARRO
BUSCH

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM D
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Approval of New Office Lease Agreement for Gabriella Navarro Busch
1575 Spinnaker Drive #204A&B

RECOMMENDATION:

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Gabriella Navarro Busch for the premises located at 1575 Spinnaker Drive #204A&B consisting of a total of 1,686 square feet for a five (5) year term with a four (4) year option.

SUMMARY:

Staff has re-negotiated with this tenant who will now be signing a five (5) year term with a four (4) year option. No tenant improvements are required.

BACKGROUND:

Ms. Busch has been a tenant with us since 2007. Her practice is a family-based immigration law and deportation defense. She also handles cases involving immigrant crime victims and victims of domestic violence. She looks forward to many more years at Ventura Harbor Village.

FISCAL IMPACT:

This new lease reflects current market rental rates for office space in the complex. The lease will have a yearly step increase over the five (5) year term and has one four (4) year option which is tied to the Consumer Price Index (CPI).

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

CONSENT AGENDA ITEM E

APPROVAL OF NOTICE OF COMPLETION
FOR THE VENTURA HARBOR VILLAGE
COMMERCIAL DOCK REPLACEMENT
PROJECT

VENTURA PORT DISTRICT
BOARD COMMUNICATION

CONSENT AGENDA ITEM E
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Todd Mitchell, Business Operations Manager
SUBJECT: Approval of Notice of Completion for the Ventura Harbor Village Commercial Dock Replacement Project

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No.3393:

- a) Accepting the work of Bellingham Marine Industries (BMI) for the Ventura Harbor Village Commercial Dock Replacement Project.
- b) Authorizing the filing of a Notice of Completion with the Ventura County Recorder.

SUMMARY:

On September 26, 2018, the Board of Port Commissioners awarded a contract in the amount of \$4,317,967 for the subject project to BMI. The work is now complete and the final contract amount including five change orders is \$4,475,904.

BACKGROUND:

Upon the Port District assumption of the ownership of the Harbor Village improvements in the late 1990s, it was apparent that the existing wooden dock system was in poor condition. The District was able to replace the most seriously deteriorated docks in 2005/2006. Finally, in 2018 with the securing of a \$4,610,000 loan from the City National Bank, the District was able to proceed with replacing Docks C, D, G and H.

A contract was awarded to BMI for that work on September 26, 2018. Due to permitting delays BMI was not given Notice to Proceed until December 28, 2018. The initial contract was essentially completed in September 2019, but the District then decided to have 40 electrical pedestals on docks E, F and I replaced. That effort was not part of the original contract and was thus authorized by a \$119,986 change order entered into in December 2019.

All contract work has now been satisfactorily completed.

FISCAL IMPACT:

The dock replacement contract was financed by the \$4,610,000 loan secured from City National Bank.

ATTACHMENTS:

Attachment 1 – Resolution No. 3393
Attachment 2 – Notice of Completion



RESOLUTION NO. 3393

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT
ACCEPTING THE WORK OF BELLINGHAM MARINE INDUSTRIES FOR THE
VENTURA HARBOR VILLAGE COMMERCIAL DOCK REPLACEMENT PROJECT**

WHEREAS, Brian D. Pendleton, General Manager of the Ventura Port District, advised the Board of Port Commissioners of said District that the work of Bellingham Marine Industries, on the project entitled "Ventura Harbor Village Commercial Dock Replacement Project" described in the Agreement between Bellingham Marine Industries and the Ventura Port District, hereinafter referred to as "District", dated September 27, 2018 has been completed and recommends that said work be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners DETERMINES and ORDERS as follows:

1. Said work is hereby accepted.
2. Pursuant to the conditions and specifications of the Agreement and upon the recommendation of the General Manager, Bellingham Marine Industries is released from the obligations under said contract, except as to the conditions of the performance bond, required guarantees and correction of faulty work after payment.
3. The General Manager of the District is hereby directed to execute on behalf of the District, or cause to be executed on behalf of the District and be recorded in the office of the Ventura County Recorder a Notice of Completion of said work.
4. The General Manager is hereby directed to send a copy of this Resolution to Bellingham Marine Industries as the District's Notice of Acceptance of said work.

PASSED, APPROVED and ADOPTED this 1st day of July 2020.

Chris Stephens, Chairman

Attest:

Jackie Gardina, Secretary

ATTACHMENT 1

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Jackie Gardina, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3393 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 1st day of July 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 1st day of July 2020.

Jackie Gardina, Secretary

RECORDING REQUESTED BY:
Ventura Port District

AND WHEN RECORDED MAIL TO:
Ventura Port District
1603 Anchors Way Drive
Ventura, CA 93001-4229

NOTICE OF COMPLETION

(Notice pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an agent of the owner of the interest stated below.
2. The full name of the owner is Ventura Port District, a public benefit corporation and independent special district organized and existing under the laws of the State of California.
3. The full address of the owner is 1603 Anchors Way Drive, Ventura, CA 93001-4229.
4. The nature of the interest or estate is: fee simple.
5. The full name and full addresses of all co-owners who hold any title or interest with the above-named owner in the property are: Not applicable; there are no co-owners.
6. A work of improvement on the property hereinafter described was completed on June 29, 2020.
7. The work accomplished consisted of the replacement of Ventura Harbor Village Marina Docks C, D, G and H.
8. The name of the contractor for the Ventura Harbor Village Commercial Dock Replacement Project is Bellingham Marine Industries pursuant to the Agreement, dated September 27, 2018.
9. The property on which said work of improvement was completed is in the City of San Buenaventura, County of Ventura, State of California, and is described as Ventura Harbor Village Docks C, D, G and H.

Ventura Port District

Date: _____

By: _____
Brian D. Pendleton, General Manager

VERIFICATION

I, the undersigned, say that I am the General Manager of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at Ventura, California.

Brian D. Pendleton, General Manager



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

STANDARD AGENDA ITEM 1

DRAFT NAVIGATION RISK ASSESSMENT FOR THE PROPOSED VENTURA SHELLFISH ENTERPRISE PROJECT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Draft Navigation Risk Assessment for the Proposed Ventura Shellfish Enterprise Project

RECOMMENDATION:

That the Board of Port Commissioners receive an informational report on the draft Navigation Risk Assessment for the proposed aquaculture project referred to as the Ventura Shellfish Enterprise (VSE).

SUMMARY:

The Ventura Port District (Port District) filed an application with the U.S. Army Corps of Engineers (Corps) for a permit to establish an aquaculture farm in federal waters near Ventura Harbor (Blocks 664 and 665). In response to the Corps' public notice concerning the project, the U.S. Coast Guard (USCG) requested preparation of a Navigation Risk Assessment. As a result, the Corps required the Port District to prepare and submit a Navigation Risk Assessment.

It is the goal of this meeting to present the draft Navigation Risk Assessment prepared by consultant COWI on the Port District's behalf, receive and consider stakeholder comment, and return to the July 15, 2020 meeting with the final Navigation Risk Assessment for submission to the Corps and USCG.

BACKGROUND:

The Port District submitted the permit application to the Corps and application for a Coastal Consistency Determination to the California Coastal Commission (Coastal Commission) in October 2018. The project's origins, goals and project funding are extensively discussed in a project status report to the Board on July 17, 2019.

Since receiving the permit application, the Corps conducted its required public comment process, and received comments from the USCG and the Ventura Local Agency Formation Commission (LAFCo). On January 15, 2020, the Corps sent a letter to the Port District requesting a Navigation Risk Assessment, as requested by the USCG, and resolution of a jurisdictional issue raised in the LAFCo letter. As stated in the Corps' letter: "If the requested information cannot be submitted within 30 days, the Corps will withdraw your permit application. When you do provide the requested information, the Corps will resume review of your previously submitted permit application." On February 18, 2020, the Corps notified the Port District that its application had been administratively withdrawn, again stating that it would resume processing the application once the Port District provides the information requested in the January 15 letter. The Port District is working cooperatively with the Ventura LAFCo to resolve their differences and an update on this issue will be discussed in a separate project status report to the Board.

COWI prepared the Navigation Risk Assessment in a manner that took into consideration the unique aspects of the planned aquaculture project, while also ensuring that the Navigation Risk Assessment remains independent and impartial. The approach to this study is as follows:

- Provide a review of USCG procedures for studying navigation risk, and provide a basis for the scope of this study;

- Provide information on the vessel type and waterway use near the proposed aquaculture locations, including;
 - Type, size and drafts of vessel;
 - Vessel routes;
 - Traffic density;
 - Seasonal vessel traffic variances;
 - Notable marine events;
- Present waterway characteristics, including prevailing weather conditions and bathymetry;
- Discuss the risk of collision as a result of the aquaculture project, including;
 - Likelihood of collision between vessel and aquaculture;
 - Likelihood of vessels propeller/rudder getting entangled in 'non-fixed' aquaculture lines;
 - Increased likelihood of collision between vessels;
- Discuss additional navigation considerations such as:
 - Increased waterway constraints;
 - Impact on vessel anchoring;
 - Effects of aquaculture on vessel radar and communications;
 - Marine navigational markings;
- Review the consequences of collision, both on the vessel and the aquaculture;
- Discuss potential mitigation measures, if required.

COWI performed this analysis based upon objective and verifiable data from the National Ocean and Atmospheric Administration, the California Department of Fish and Wildlife, the Ventura Port Harbormaster, and USCG. The draft report concludes that “upon incorporation of project design features, all the identified and realistic risks as a result of the project were already mitigated to a level where the risk were low or negligible.” However, the report identifies some additional low-cost mitigation measures that could further reduce the risk of collision or accident.

FISCAL IMPACT:

On March 4, 2020 the Board approved a contract with COWI to prepare the Navigation Risk Assessment in the amount of \$64,040.

ATTACHMENTS:

Attachment 1 - COWI Navigation Risk Assessment

Attachment 2 - Corps letter(s), dated January 15, 2020 and February 18, 2020

JUNE 2020
VENTURA PORT DISTRICT

AQUACULTURE NAVIGATION RISK ASSESSMENT

VENTURA SHELLFISH ENTERPRISE, VENTURA, CA

PREPARED FOR:



PREPARED BY:

COWI

ATTACHMENT 1

ADDRESS COWI North America Inc.
1300 Clay St.
7th Floor
Oakland, CA 94612
USA

TEL +1 510 839 8972

FAX +1 510 839 9715

WWW cowi.com

JUNE 2020
VENTURA PORT DISTRICT

NAVIGATION RISK ASSESSMENT

VENTURA SHELLFISH ENTERPRISE, VENTURA, CA

PREPARED FOR:



PREPARED BY:

COWI

PROJECT NO.	DOCUMENT NO.
A133628	001

VERSION	DATE OF ISSUE	DESCRIPTION	PREPARED	CHECKED	APPROVED
001	06/25/2020	Draft Report	MGNN	CHTM, IBK	CHTM

ATTACHMENT 1

Picture Source: Ventura Shellfish Enterprise



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ATTACHMENT 1

Picture Source: Ventura Shellfish Enterprise



1 Executive Summary

A Navigation Safety Risk Assessment has been conducted for the Ventura Shellfish Enterprise (VSE) Aquaculture Farm project. The planned aquaculture farm, located approximately 3.5 nautical miles from the shore, will be near Ventura Harbor with all regular service and support vessels expected to be located within the harbor.

The navigation risk assessment identifies navigation risks associated with the project, evaluates those risks and provides suggestions and recommendations for additional mitigation measures if deemed necessary. It serves as a key decision support document in the process of determining if the navigation risk associated with the project is acceptable and if navigation safety will be maintained after the installation of the aquaculture farm.

The navigation risk assessment includes vessel and environmental data from a number of sources, including 2017 AIS data; commercial and recreational fishing data from the California Department of Fish and Wildlife (CDFW); vessel traffic patterns and detailed information about vessel size, draft etc., from the National Oceanic and Atmospheric (NOAA); and information from the Ventura Harbor Harbormaster and environmental conditions such as wind, current, visibility.

A number of risks were identified within the three main categories:

- 1 Vessel entanglement during normal aquaculture farm operation
- 2 Detached aquaculture elements/lines
- 3 Collision and grounding

Within each of these main categories, a number of different risk scenarios were identified. Each of the risks were subsequently evaluated qualitatively using information from the vessel traffic analysis and identified mitigation measures that have been incorporated into the project design by the project team.

Generally, the available data shows that the location of the aquaculture farm has limited impact to existing vessel traffic patterns, including commercial and recreational fishing. While the data shows that fishing occurs in the vicinity of the project area, there does not appear to be a high level of fishing activity and the project would not result in a significant increase in navigation risk related to fishing vessels.

One of the overarching identified risks was the potential for a local third-party vessel to become entangled with the farm equipment, with a potential worst-case scenario of capsizing of the vessel and casualties. As further described in the assessment, this risk has been adequately mitigated through the following measures:

- > The farm will be marked on the navigation chart and all major equipment associated with the project, other than surface buoys and U.S. Coast Guard navigational and safety buoys, will be submerged at least 15ft below the waterline. The surface buoys will be in tension throughout all tidal and marine conditions and therefore no slack lines will be on the surface. The surface buoys will also provide visual identification of the area. No additional mooring equipment for services vessels is required at the aquaculture farm, and therefore no surface pick uplines will be required.
- > The project permit design has been engineered to withstand 100-year storm conditions, thus minimizing the risk of broken lines or elements that would pose a risk of vessel entanglement.
- > Sinking ropes will be used to connect to surface buoys as well as other elements that may be slack under certain conditions or not able to withstand a 100-year storm. Thus, in the event that any of these elements breaks loose during a storm or from an accidental impact, they will not float to the surface. Any sinking ropes that break loose will be retrieved as part of the project's gear maintenance program.

Operational procedures such as frequent maintenance and immediate repairs will also contribute to mitigate the risk of entanglement, and this will be a requirement of any commercial operator associated with the VSE project area.

The project also proposes speed restrictions for vessels near and within the project site to further reduce both the likelihood and consequence of vessel collisions. Although not currently proposed, an exclusion zone could be considered to prohibit third-party vessel traffic through the project site.

The assessment also considers the increased risk of vessel to vessel collisions resulting from harvest and maintenance vessels (project vessels) going to and from the farm and Ventura Harbor on a daily basis. It is expected that, for a fully developed project, 8-16 vessels servicing the project will travel to and from the project site daily. This is not considered to be a significant increase of the volume of traffic entering and leaving Ventura Harbor. In addition, project vessels will normally only operate during daylight when visibility is best. During transit to the farm from Ventura Harbor the amount of third-party vessel traffic crossing the navigation route is very limited, thus reducing the likelihood of vessel to vessel encounters with the potential for collision.

While the risk of collisions is considered low, it is still recommended that project vessels be equipped with AIS. In addition, the local maritime community should be informed about the project and the anticipated increase in vessel traffic.

2 Introduction

The Ventura Port District (VPD) has submitted an application to the U.S. Army Corps of Engineers (USACE) for an aquaculture project to grow Mediterranean mussels in federal waters off the Santa Barbara Channel, approximately 3.5 miles from the shore, northwest of Ventura Harbor (see Figure 2-1). The project will consist of 20 aquaculture plots, each 100 acres in size, for a total of 2,000 acres. All product harvested from the project site is proposed to be landed in Ventura Harbor, which is approximately 4 miles from the nearest aquaculture plot. The installation of the 2,000 acres will be phased such that 500 acres per year will be installed, on condition that the project meets certain environmental requirements as established by regulatory agencies as part of approval of project permits and monitoring plans.

During their review of VPD's application, USACE and U.S. Coast Guard (USCG) requested a formal Navigation Safety Risk Assessment (NSRA) to be completed as part of the Project's permit application review process to evaluate potential impacts to vessel safety. To comply with this request, VPD commissioned COWI to undertake this navigation risk assessment in line with recommended USCG procedures.



Figure 2-1 Location of VSE Aquaculture Project

2.1 Objective

The objective of this study is to identify, analyze and evaluate navigation risks and impacts associated with the VSE project. Navigation impacts to both commercial and recreational fishing, as well as other vessels, are considered. Based on the evaluated risk level, additional mitigation measures are proposed herein to reduce the navigation risk even further.

2.2 Scope and outline

This NSRA will consist of five Stages as outlined below:

- > Stage 1: Vessel Traffic Analysis and Existing Environmental Conditions
- > Stage 2: Hazard Identification
- > Stage 3: Risk Evaluation
- > Stage 4: Additional Mitigation Measures
- > Stage 5: Public Review

Stage 1 includes a description the existing environmental conditions in the area near the project site, including wind, current, tidal conditions etc. Following this, the vessel traffic analysis identifies waterways and waterway characteristics together with vessel quantities, types and sizes.

Stage 2 includes identification of potential hazards based on the vessel traffic analysis, previous studies considering navigation risks related to this project, and general risks associated with vessel traffic and offshore installations. This stage includes identification and description of risk reducing measures and best management practices that have already been incorporated into the project plans.

In Stage 3 involves a qualitative or semi-quantitative evaluation of the risks to determine the risk level and discussion of the potential consequences.

Stage 4 involves identification of additional mitigation measures based upon the risk evaluation additional mitigation measures and discussion on how these measures will reduce the risk.

Finally, in Stage 5, The Navigation Risk Assessment will be shared for public review and comment. The results of the study will be presented at the VPD Board of Commissioners at a public meeting and relevant input and comments will be incorporated into the final Navigation Risk Assessment.

3 Site description

The VSE project is located in Southern California approximately 3.5 nm out from shore and 4 nm from Ventura Harbor. The project, at full build-out, will consist of 20 distinct farm plots of 100 acres each, organized in a grid as shown in Figure 3-1. The overall dimensions of the project site will be 1.5 nm x 1.5 nm. Each plot will be approximately 2300 ft long and 1900 ft wide and accommodate up to 24 long-lines in 12 rows. There will be a 50-foot separation distance at the end of each line between the screw anchors, and parallel lines will be spaced 150 feet apart. A 125-foot separation distance between the last line and the edge of the farm parcel will be required, giving a total of 250 feet between the lines of adjacent parcels. A navigation corridor, 600 ft wide, is located in the center of the farm to allow for individual access to each plot. The corridor is not designed for third party vessels unrelated to the project to transit through the site.

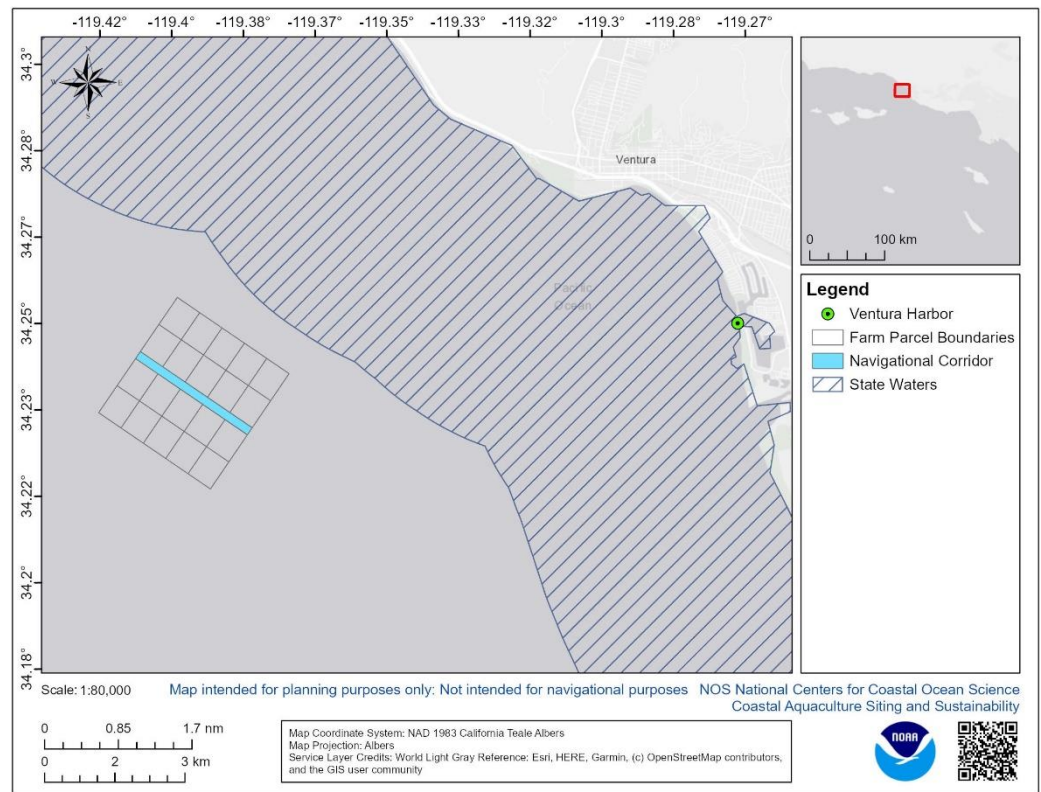


Figure 3-1 Aquaculture farm – grid structure

3.1 Aquaculture farm design principles

Figure 3-2 shows the proposed design of the longline array. The longlines will be submerged between 15-45 ft and anchored in each end using mooring lines and sand screw anchors. Based upon a permit level engineering analysis commissioned by VSE the mooring lines, longlines, and anchors have been designed to withstand a 100-year storm.

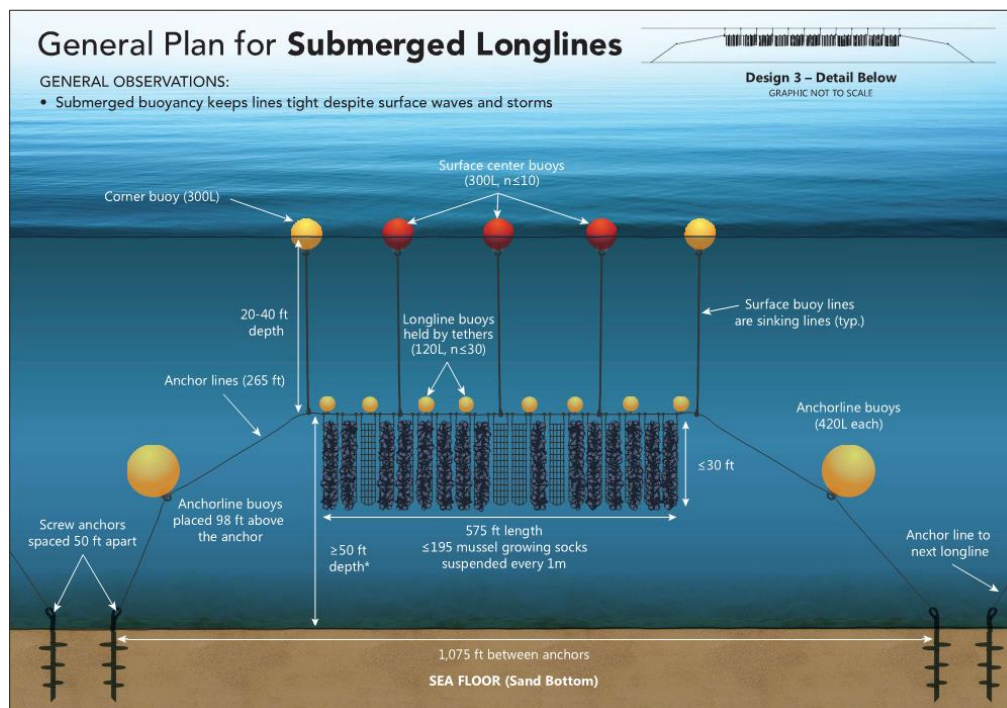


Figure 3-2 General plan for submerged longlines

Operators will be required to use sinking rope for any ropes or lines associated with the aquaculture system that have the potential to be slack under certain design storm conditions, thereby significantly reducing the risk of any slack lines being present on the water surface. Growers will be required to recover any broken or damaged ropes or lines as part of the project's gear maintenance program.

Submerged buoys will provide support and stability for the system. Surface buoys will mark each end of the longline. The surface buoys are designed to always be in tension. To further minimize entanglement potential, a 1,100 pound breakaway link will be installed between the surface buoys and vertical lines. The attachment line from the backbone to the surface buoy will be required to be made from sinking rope to ensure that the rope does not float on the surface in the event that a surface buoy becomes disconnected from its attachment line. Instead, it is intended that the rope should sink below the connection point with the longline and be at least 15 ft below the water surface.

Each individual farm plot will be marked by USCG-approved navigation marking in each corner with the appropriate lighting, radar reflectors, markings, AIS etc. As the project will be a phased development project, individual users will have to mark their own areas as part of the operational requirements.

3.2 Operation and Maintenance

While VPD will acquire and hold the permits for the VSE project, the operations will be conducted by different shellfish growers. For the purposes of this analysis, it is expected that growers will use regular maintenance and harvesting vessels 25-40 ft in length with fuel capacity of 100-500 gallons, and that all vessels operating in the project site will have a draft assumed to be less than 15 ft. This assumption is

based upon the Project teams understanding of the west coast aquaculture service vessel fleet and, although not a requirement of the operations manual, would mean there will be minimal risk of entanglement with the subsurface aquaculture equipment.

It is expected that 20-40 different vessels will operate to and from the farm. Because VPD will require all vessels to land product harvested from the project area be landed in Ventura Harbor, the assumption is that almost all, if not all, vessels will port in Ventura Harbor for efficiency. Further, this assumption provides a more conservative analysis, as it results in the most frequent and dense vessel traffic pattern to evaluate potential impacts, as compared to a different model wherein some vessels would travel to other ports. Vessels are expected to travel to the project site a few days per week with some variation.

For the purpose of the navigation risk assessment, which will consider a fully developed project site, it is estimated that there will be approximately 3,000-6,000 trips to and from the farm every year, corresponding to an average of 8-16 vessels going to and from the farm every day.

A gear maintenance plan has been incorporated into the project design, which will require bi-monthly (twice per month) maintenance and inspection of longlines, anchor ropes, anchors, and connecting ropes. Any damage must be repaired immediately and reported to VPD and other relevant regulatory agencies. The VSE project also requires shellfish growers to submit a decommissioning plan in the event that their authorization expires or is terminated.

3.3 Ventura Harbor

Ventura Harbor is administered by the VPD and is under the control of a harbormaster [1]. It is a small-craft harbor primarily used by the pleasure craft and recreational and commercial fishing vessels. It has existing berthing facilities for about 1,500 boats. Commercial fish processing facilities, including fish landing docks and quayside services, are available in the Harbor. The entrance to Ventura Harbor is between two jetties protected by a 1,800-foot detached breakwater. The buoys in the entrance channel and harbor are frequently relocated due to changing conditions. Mariners that use Ventura Harbor are advised to exercise caution and to contact the harbormaster for the latest channel and Harbor conditions prior to entering.

4 Environmental conditions and vessel traffic analysis

The NOAA National Centers for Coastal Ocean Science (NCCOS) Coastal Aquaculture Siting and Sustainability (CASS) team has provided the input data used in this navigation risk assessment, including meteorological and oceanographic data, vessel traffic data, accident data and other relevant information, to inform the hazard identification and risk evaluation presented in Chapter 5¹.

4.1 Environmental conditions

Buoys, weather stations, and oceanographic models were examined and the best available or most representative data for each environmental variable was chosen as it relates to the VSE project site. Figure 4-1 displays the various locations that were used to extract existing environmental information. During evaluation of environmental variables, the proximity of the data's source location as compared to the location of the VSE site should be considered.

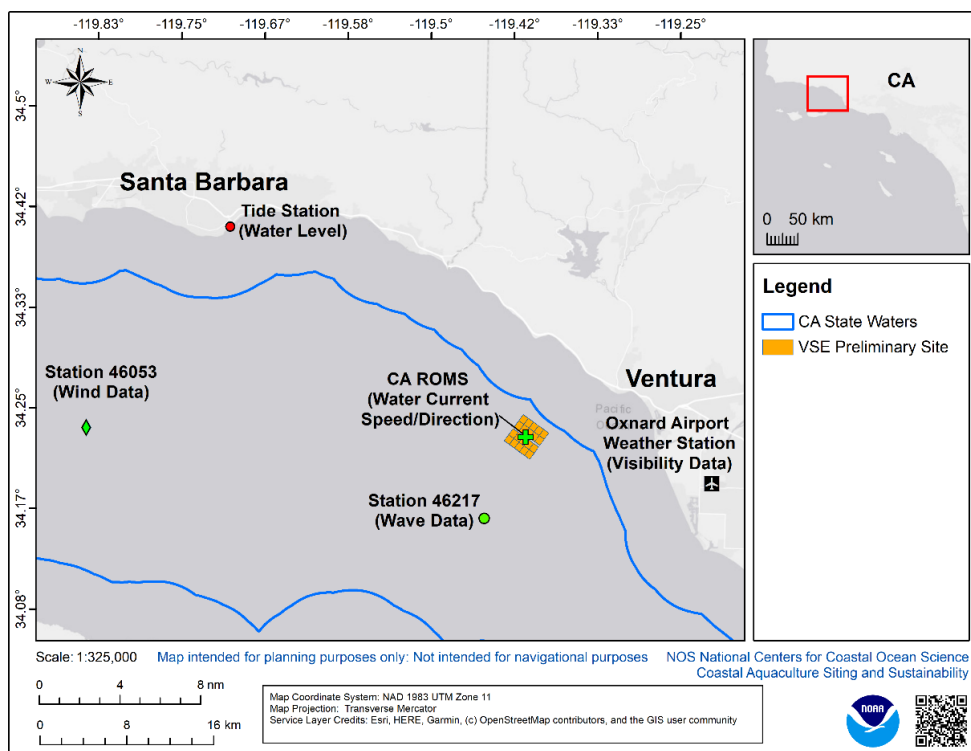


Figure 4-1 The VSE project site is shown with the locations of different data sets that were collected and used for the analysis.

4.1.1 Wind

The nearest available open ocean wind data located was located 20 nm west of the project site, from the East Santa Barbara Data Buoy (National Data Buoy Center

¹ NOAA NCCOS make no warranties to the accuracy or completeness of the data presented here, and NOAA will not be responsible for any adverse result based upon users' reliance on the application or the data presented. Users are advised to exercise due diligence and independently confirm the accuracy and currentness of the data provided.

(NDBC) Station 46053) [2]. Hourly wind data from 1994 to 2019 is summarized in a percent occurrence table by wind speed and direction, Table 4-1. The wind generally blows from the South-West to West-Northwest, with the highest percentage coming from the West as marked in orange in Table 4-1.

Table 4-1 The percent occurrence of wind speed and direction from National Data buoy Center Station 46053 is displayed for the direction the wind is coming from, with the largest percent of wind coming from the West.

Wind Speed (m/s)	Direction Wind is Coming From															
	S	SSW	SW	WSW	W	WNW	NW	NNW	N	NNE	NE	ENE	E	ESE	SE	SSE
0.0 - 1.0	0.8%	0.5%	0.6%	0.7%	0.7%	0.6%	0.6%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.4%	0.4%
1.0 - 2.0	0.6%	0.9%	1.4%	1.7%	1.7%	1.2%	0.9%	0.7%	0.7%	0.6%	0.8%	0.8%	0.8%	0.7%	0.5%	0.5%
2.0 - 3.0	0.4%	0.9%	2.0%	2.7%	2.4%	1.3%	0.7%	0.4%	0.4%	0.4%	0.5%	0.7%	0.8%	0.6%	0.4%	0.3%
3.0 - 4.0	0.2%	0.7%	2.1%	3.2%	2.9%	1.1%	0.4%	0.2%	0.1%	0.2%	0.2%	0.4%	0.6%	0.5%	0.3%	0.1%
4.0 - 5.0	0.2%	0.5%	1.8%	3.1%	3.2%	0.9%	0.3%	0.1%	0.1%	0.0%	0.1%	0.2%	0.4%	0.4%	0.2%	0.1%
5.0 - 10.0	0.2%	0.6%	2.6%	7.5%	11.2%	4.9%	1.2%	0.1%	0.1%	0.0%	0.0%	0.2%	0.9%	1.2%	0.4%	0.1%
10.0 - 15.0	0.0%	0.0%	0.0%	0.1%	2.0%	2.3%	0.5%	0.0%	0.0%		0.0%	0.0%	0.2%	0.2%	0.1%	0.0%
> 15.0					0.0%	0.0%	0.0%					0.0%	0.0%	0.0%	0.0%	

The wind speed and direction are also displayed as a wind rose in Figure 4-2. The most prevalent wind condition is the wind coming from the West at 5 to 10 m/s or 10 to 20 knots.

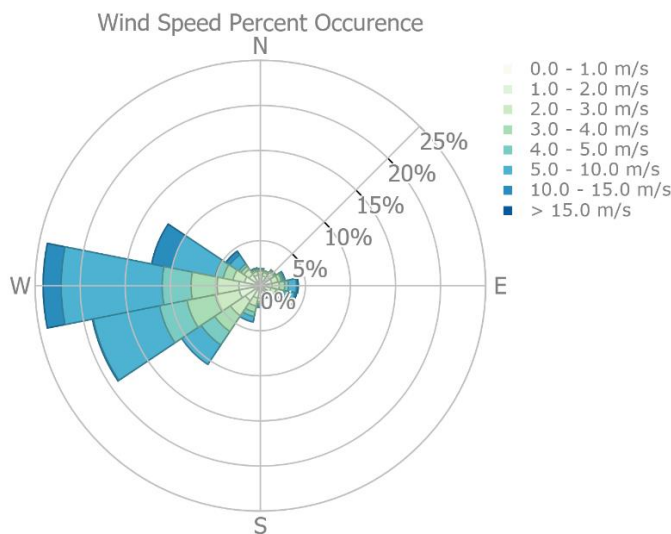


Figure 4-2 Wind speed and direction percent occurrence from National Data buoy Center Station 46053 is displayed in the wind rose as direction the wind is coming from with corresponding percent of speed.

4.1.2 Current

The current speed and direction at the water surface was extracted from the California Regional Ocean Modeling System (ROMS) at the VSE project site from 2012 to 2019 at 6-hour time intervals [3]. The data was summarized and categorized by the speed and direction of the current. The current speeds at the VSE project site were generally less than 0.2 m/s and primarily going to the Southeast or Northwest with some variation, see Table 4-2 and Figure 4-3.

Table 4-2 The percent occurrence of current speed and direction from the California ROMS at 6 hour intervals from 2012 to 2019 is displayed by speed and direction category.

Current Speed (m/s)	Direction Current is Going To															
	N	NNE	NE	ENE	E	ESE	SE	SSE	S	SSW	SW	WSW	W	WNW	NW	NNW
0.0 - 0.1	2.08%	1.81%	1.85%	1.91%	2.71%	2.69%	2.72%	2.71%	2.27%	2.19%	1.73%	2.37%	2.42%	2.42%	2.89%	2.39%
0.1 - 0.2	1.84%	1.37%	1.63%	2.19%	2.98%	4.99%	5.33%	3.57%	1.72%	1.13%	1.07%	1.39%	2.96%	4.42%	5.47%	3.15%
0.2 - 0.3	0.43%	0.45%	0.15%	0.12%	0.92%	2.09%	3.01%	1.34%	0.28%	0.07%	0.04%	0.11%	0.46%	1.92%	2.46%	0.95%
0.3 - 0.4	0.07%	0.02%			0.05%	0.57%	0.79%	0.13%					0.02%	0.24%	0.40%	0.12%
0.4 - 0.5					0.01%	0.07%	0.15%							0.01%	0.04%	0.01%
0.5 - 0.6						0.02%	0.06%								0.02%	
0.6 - 0.7							0.01%									0.01%

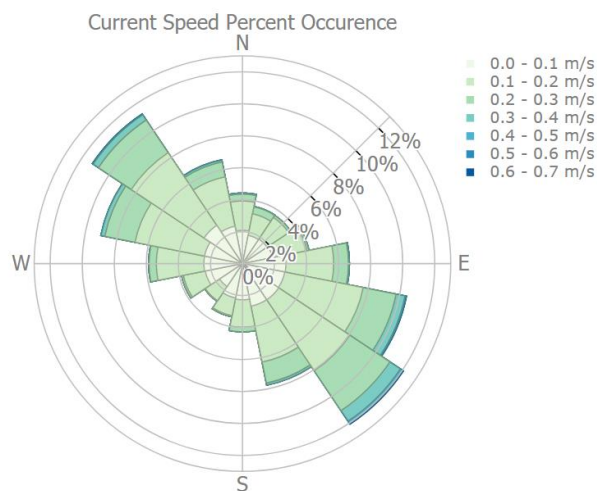


Figure 4-3 The percent occurrence of current speed and direction from the California ROMS at 6 hour intervals from 2012 to 2019 is displayed on the current rose by direction category and percent speed.

4.1.3 Visibility Data (Fog, Haze, etc.)

Hourly visibility data were acquired from the Oxnard Airport, station ID: WBAN: 93110, approximately 10 miles southeast of the proposed site. Hourly observations for a 10-year period from Jan. 1, 2010 through Dec. 31, 2019 were acquired from the NOAA National Climatic Data Center (NCDC) Local Climatological Data portal [4]. Data were filtered to include observations of fog by hour. The 10 years of data contained a total of 1,083 hours of fog observations with associated average visibility of 0.32 nm. Visibility less than 0.5 nm is considered very poor and requires careful navigation [5].

Fog data was tabulated and graphed in Table 4-3 and Figure 4-4, showing a monthly average of 9 hours of fog. There was significant variation between months and years, with some months of 0 hours of fog and others with up to 60 hours of fog reported.

In Southern California, there are two main periods of the year with increased fog, late winter/ early spring (Feb - Mar), and mid to late summer (Aug - Sep). This trend is also seen in Figure 4-4. Other factors can reduce visibility on the water. In recent years, there have been increased occurrences of wildfires in the area, and the 2017-2018 Thomas fire was the second-largest wildfire in modern California history, burning nearly 300,000 acres. Smoke from large wildfires can reduce

visibility nearshore as winds shift from predominantly onshore winds to offshore winds, sending smoke plumes over the ocean.

Table 4-3 Oxnard Airport, California. Hourly fog reported 2010 – 2019

Month	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Average hr/ Month
Jan	11	5	17	6	3	12	3	11	31	11	11
Feb	5	0	4	5	9	13	6	46	12	0	10
Mar	6	9	16	39	0	19	12	56	22	8	18.7
Apr	8	1	1	3	27	0	7	9	5	1	6.2
May	0	2	0	3	0	2	0	5	1	0	1.3
Jun	0	7	0	0	1	5	20	5	2	6	4.6
Jul	2	3	9	9	0	0	4	0	3	9	3.9
Aug	39	4	3	17	4	1	2	6	2	39	11.7
Sep	60	14	17	5	0	1	10	3	7	13	13
Oct	12	32	11	8	9	4	0	5	17	1	9.9
Nov	3	0	36	10	5	0	5	0	5	2	6.6
Dec	15	9	20	2	16	0	38	0	11	3	11.4

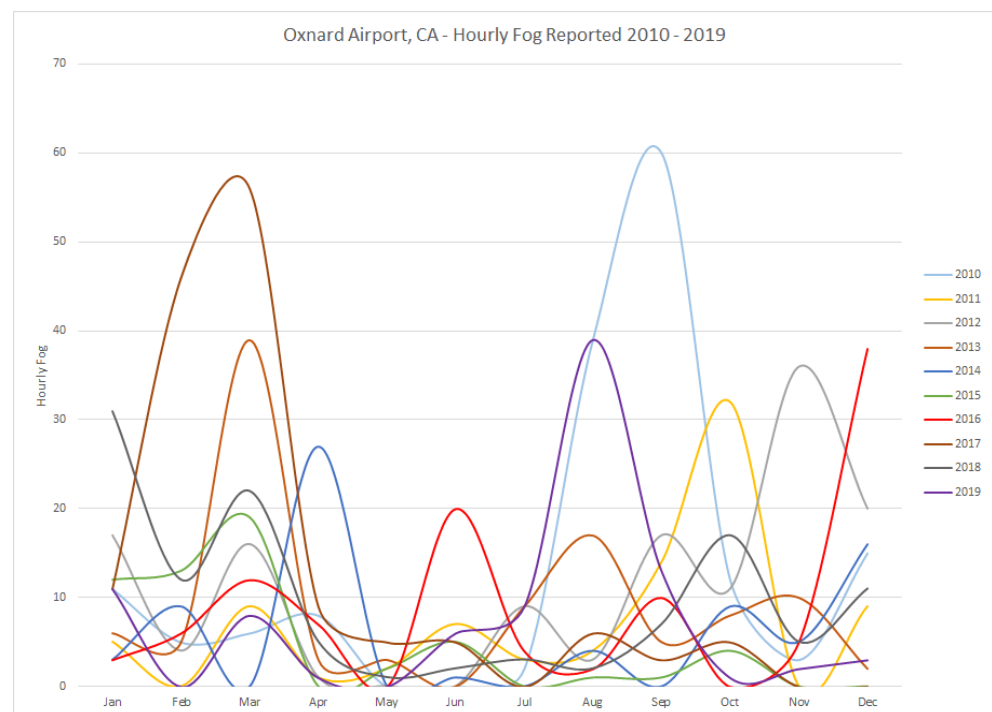


Figure 4-4 Oxnard Airport, California. Hourly fog reported 2010 - 2019

4.1.4 Water depth

Bathymetry data from the Santa Barbara, California 1/3 arc-second MHW Coastal Digital Elevation Model was examined [6]. The VSE project site ranges from 25 to 40 meters in depth, with no hazards shallower than 10 or 15 m in close proximity. The only locations, other than the nearshore zone, with depths shallower than 10 m are within the Channel Islands National Park (see Figure 4-5).

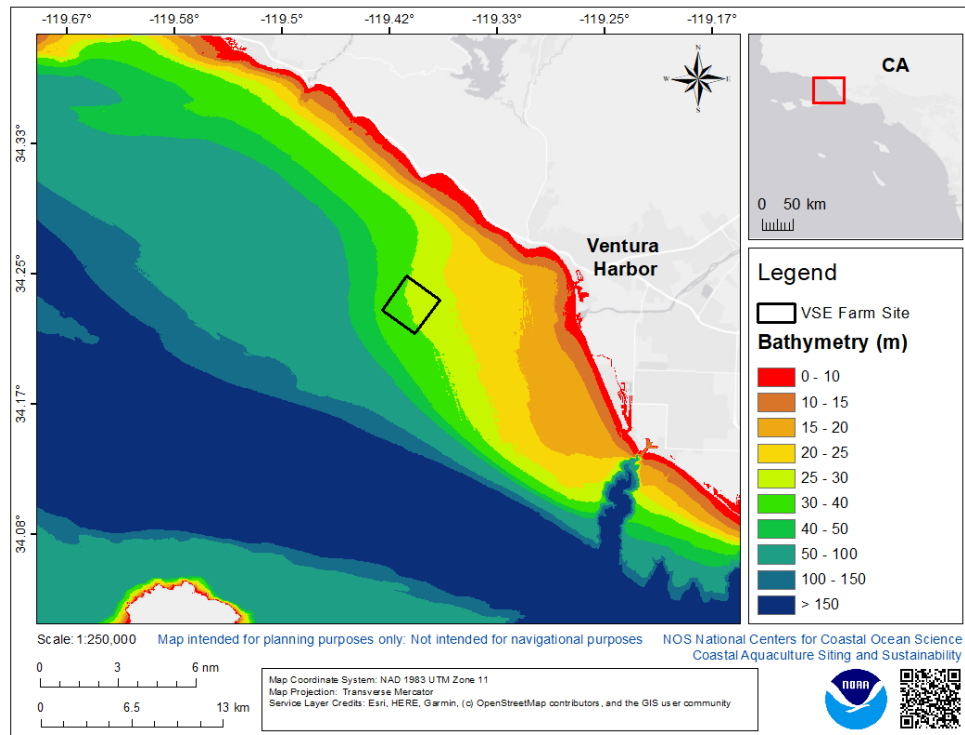


Figure 4-5 Bathymetry data from the Santa Barbara, California 1/3 arc-second MHW Coastal Digital Elevation Model with the VSE farm site displayed.

4.1.5 Tidal variation

Tide Station data from Santa Barbara station 9411340 [7] shows the variation in the water level over the course of year 2019, see Figure 4-6. The Southern California coast exhibits a mixed semidiurnal tidal regime, which means two high and low tides occur daily but differ in size, see Figure 4-7. The tidal variation water level is observed to be approximately 2 m relative to the Mean Lower Low Water level (MLLW).

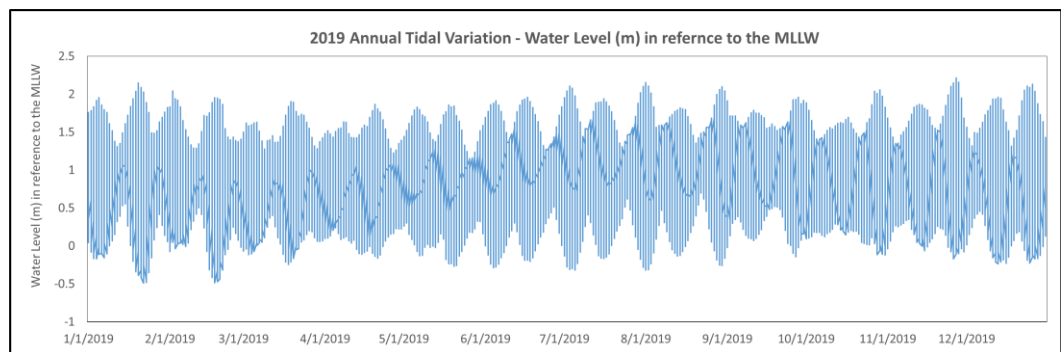


Figure 4-6 Hourly water level heights (m) in reference to the Mean Lower Low Water (MLLW) mark for the Santa Barbara Station 9411340

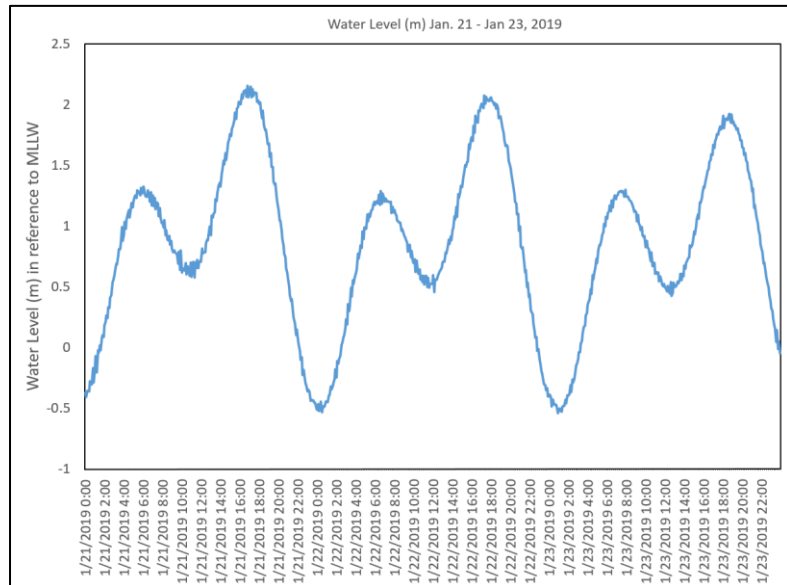


Figure 4-7 Water level height at 6 minute intervals from Station 9411340 from 1/21/2019 to 1/23/2019, showing a mixed semi-diurnal tidal cycle.

4.2 Accident statistics

Accident statistics for the area near and around the project site was obtained from [8] for the years 2001 to 2015. The locations of the accidents are shown in red in Figure 4-8. A review of the accidents within a few nautical miles from the project site shows only a handful of accidents, that were not specifically related to or caused by the specific area.

Considering the area within the Ventura Harbor, a higher number of accidents were registered. A total of 69 records were found representing 50 different accident activities. This represent an average of 3.3 incidents per year. This was supported by the Ventura Harbormaster, who confirmed that accidents occasionally happen, up to a maximum of five per year, typically caused by inattentive or sleeping crew.

The recorded accidents generally involved recreational vessels and commercial fishing vessels. The vast majority of these events were classified with environmental impact in the form of oil discharge. The remaining were either registered as allisions, collisions, grounding, material failure or sinking. Accidents were registered evenly throughout the year with no seasonal trend despite the increased vessel traffic in the summer peak months.

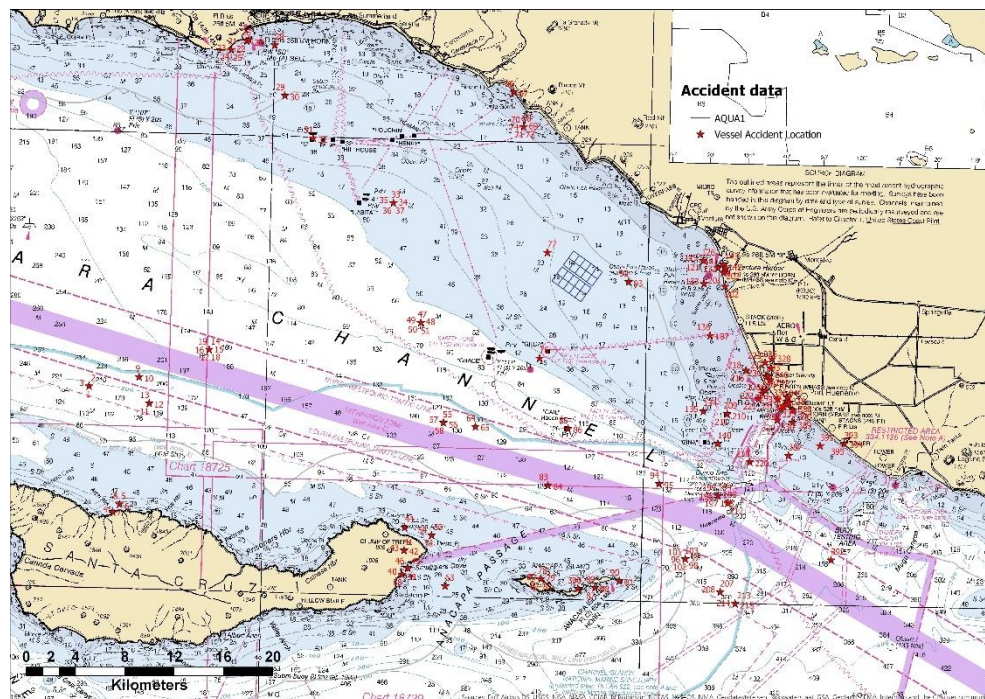


Figure 4-8 Recorded accidents from 2001 to 2015

In addition to the local accident data, one navigation accident related to another aquaculture project should be highlighted. The aquaculture farm Catalina Sea Ranch (CSR), which was located approximately 70 nm south of Ventura, had a tragic accident in 2019 which resulted in one fatality. As described in the Orange County Sheriff's Department report [9], a small recreational fishing boat travelling through the area became entangled with "the approximate 400' section of broken coiled line" associated with the CSR project, which was floating and poorly fastened, and capsized. As concluded by the investigation, the boats "excessive speed through the CSR exacerbated the accident", although the primary cause was the buoyancy and unseen hazard created by the "line tied off to an adjacent line in an attempt to keep it out of the way".

4.3 Vessel traffic survey

Various data sources have been analyzed and evaluated to understand vessel traffic near the VSE project site, including information obtained from the VSE project team, including the Ventura Harbor Harbormaster, and outreach to stakeholders. The primary data sources are the following:

- > Automatic Identification System (AIS) data
- > Recreational fishing data from CDFW
- > Commercial fishing data from CDFW
- > Information regarding marine events (sailboat races)

AIS data is the primary data source used for the commercial vessel traffic survey presented in this Chapter [10]. Additional information for recreational and

commercial fishing vessel traffic data is used to provide information on smaller vessels that do not typically carry AIS, see Chapter 4.3.9 and 4.3.10.

4.3.1 AIS data

AIS is generally required for commercial vessels greater than 1600 gross tons or with a length of 65 ft or more, in addition to other specific USCG requirements, see Table 4-4. Larger recreational vessels, such as pleasure craft or sailing vessels, sometimes choose to carry an AIS transponder, even though it is not mandatory.

Table 4-4 Vessels generally required by the United States Coast Guard to carry Automatic Identification Systems (AIS). Additional rules and restrictions apply.

USCG Vessels Required to Carry Automatic Identification System (AIS)
A self-propelled vessel of 1600 or more gross tons
A self-propelled vessel of 65 feet or more in length, engaged in commercial service.
A towing vessel of 26 feet or more in length and more than 600 horsepower, engaged in commercial service.
A self-propelled vessel that is certified to carry more than 150 passengers.
A self-propelled vessel engaged in dredging operations in or near a commercial channel or shipping fairway in a manner likely to restrict or affect navigation of other vessels.
A self-propelled vessel engaged in the movement of certain dangerous cargo
A self-propelled vessel engaged in the movement of flammable or combustible liquid cargo in bulk
A self-propelled fishing industry vessel

AIS transmissions are collected by the USCG via a number of land based stations [11]. NOAA's Office of Coastal Management (OCM), in conjunction with the Bureau of Ocean Energy Management (BOEM), takes the raw data from the USCG and performs a number of operations to improve the quality and completeness of the data, and makes the final product available to the public [12]. AIS data from 2017 was used for this project, as the 2018 and 2019 AIS data was not available at the time of processing. AIS data from 2013 and 2015 were also examined in relation to 2017 to evaluate temporal trends in the vessel traffic. The processed AIS transmissions from <https://marinecadastre.gov/ais/> were downloaded, and point shapefiles were created. The time fields within the point shapefiles were used to create vessel transits, see Figure 4-9 [13].

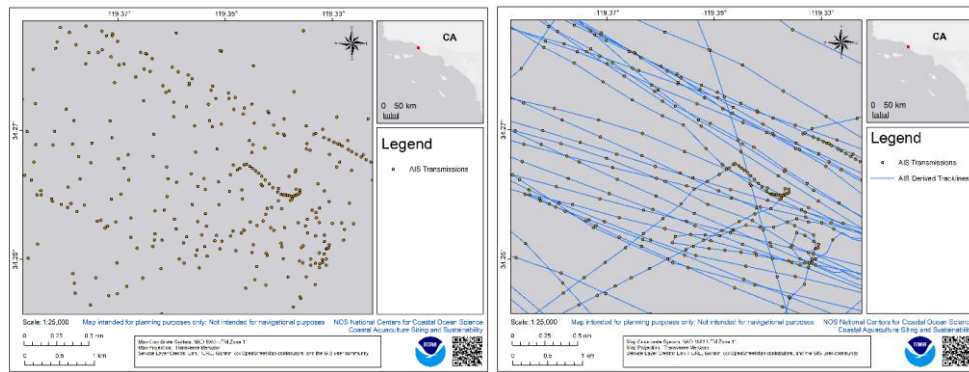


Figure 4-9 (Left) AIS transmissions plotted as point data. (Right) derived tracklines based on time field and vessel ID in the AIS transmission points.

4.3.2 Traffic density

Vessel density maps were created to identify commonly used routes and areas where there is a high density of vessel traffic. Vessel density surfaces were created from the AIS vessel tracklines using tools developed by NOAA [14]. These tools take the AIS tracklines and calculate the density or sum per grid cell for a user defined area. The density maps created use a cell size of 100 m by 100 m, with the color representing the number of vessels that passed through that cell during one year, in this case 2017. The vessel traffic density map from 2017 is shown in Figure 4-10.

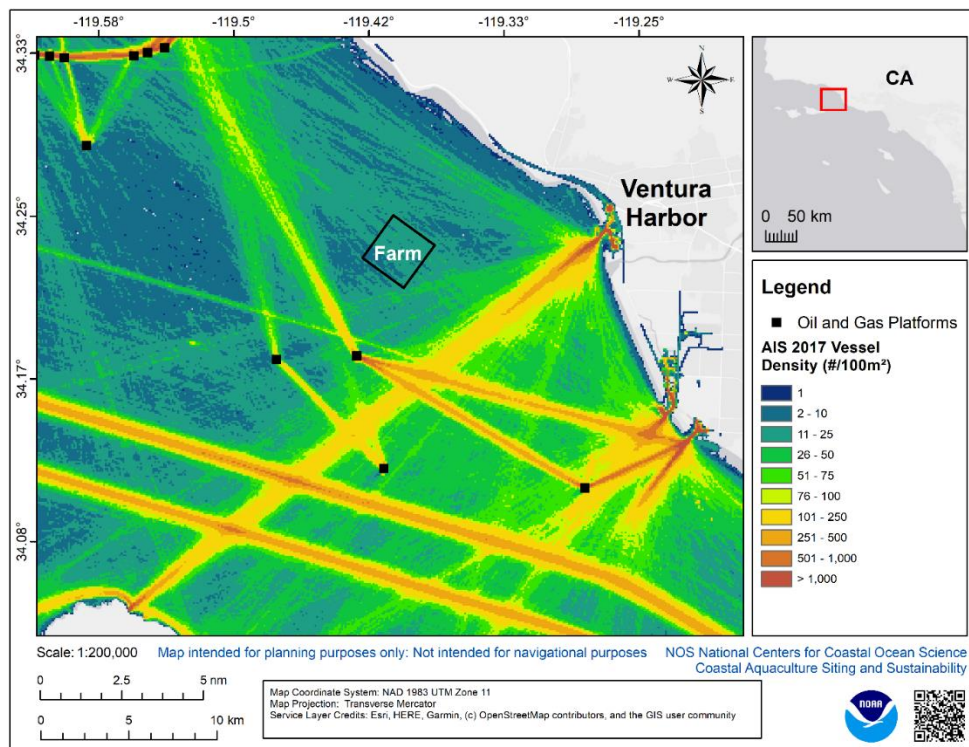


Figure 4-10 AIS vessel density where each cell has the total number of vessels that transited through it during 2017.

4.3.3 Typical routes

Examination of the vessel density allowed for the identification of the typical routes vessels in the area use. In addition, the area around the project site was also examined, even though the vessel traffic is more scattered in this area without clear routes. In total 13 areas and routes were delineated, see Figure 4-11. Routes such as the Santa Barbara Channel Traffic Separation Scheme (TSS) (10-1 and 10-2) are official shipping lanes and will have larger vessels, while routes 6, 7, 8, and 9 are mainly vessels in transit to the offshore oil and gas platforms from Port Hueneme, Channel Islands Harbor, and Santa Barbara Harbor, see Figure 4-10. Route 5 has the highest density of vessel traffic transiting to and from Ventura Harbor and Channel Islands National Park. Routes 1, 2, 3, 4, and the project site have relatively lower traffic.

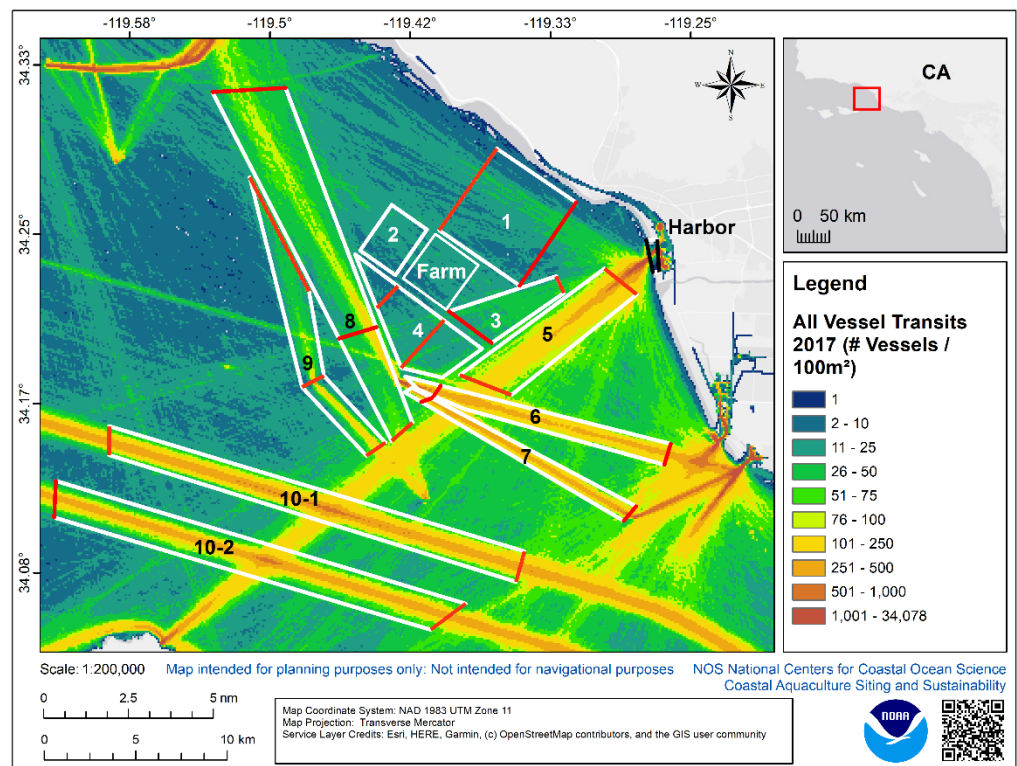


Figure 4-11 Examination of vessel transit density in proximity to the farm yielded 13 areas/routes (including the Farm and Ventura Harbor). Area/Route Start and End, and in the case of 8 and 9, a Middle line, are shown in red.

Start and end crosslines were defined as geographical lines that vessels may have crossed, and only tracks that intersect with the start and end lines are included in the summary tables, see Figure 4-12. For Route 8 and 9 there is a middle crossline, so as long as a vessel track intersected with the start – end, start – mid, or mid – end crosslines that track was included. For the project site and Area 2, all vessels that entered were considered, with no start, middle, or end crosslines defined. Once the vessel transits were identified, transmission points that overlap with the vessel transits are extracted and speed data calculated for individual vessels.

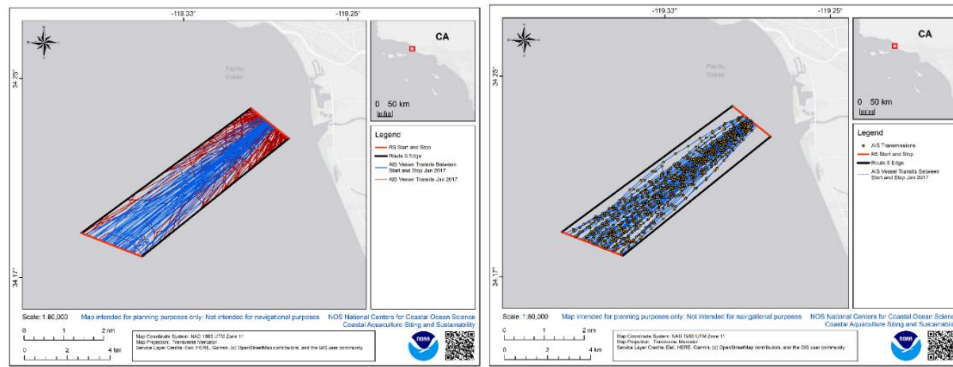


Figure 4-12 (Left) All the transits are clipped to the route, and only those transits that intersect with both the Start and End crosslines are extracted for the summary table. (Right) The AIS transmissions that overlap with the transits that went between the start and end crossline are used to extract the vessel speed, which is the vessels current speed at the point of transmission. Summary tables of each route and area are created, and include information about the number of vessels, the speed of the vessels, the length, the draft, and seasonal patterns.

The Maritime Mobile Service Identity (MMSI) is used to identify each vessel, and the max and mean speed of vessels is calculated using the transmitted speed from the vessel. Any speeds < 1 knot were removed as the vessel could be anchored, moored, or drifting. The speed data is summarized for each unique vessel, and a max and mean speed for each individual vessel is recorded. The summarized max speed is the fastest speed recorded by all vessels of a certain type and classification. The summarized mean speed is the mean speed of all individual vessels (n =the number of vessels), as this ensures each vessel is represented equally.

Vessel length and draft summary tables were also created for each of the routes and areas and utilize the same definition of a vessel transit as above. In the case of missing length or draft information from the AIS transmissions, three methods were used:

1. Vessels with missing length and draft values were manually looked up using the vessel-specific MMSI through online databases (fleetmon.com, marinetraffic.com, and fcc.gov).
2. Vessels with known lengths but missing draft data, had the drafts calculated based on a linear equation from a database created for the AIS data in Southern California, which contained 3,300 vessels of known vessel length, width, and draft, see Figure 4-13.
3. Vessel data was also indexed and cross-referenced from values previously looked up or interpolated using methods 1 and 2.

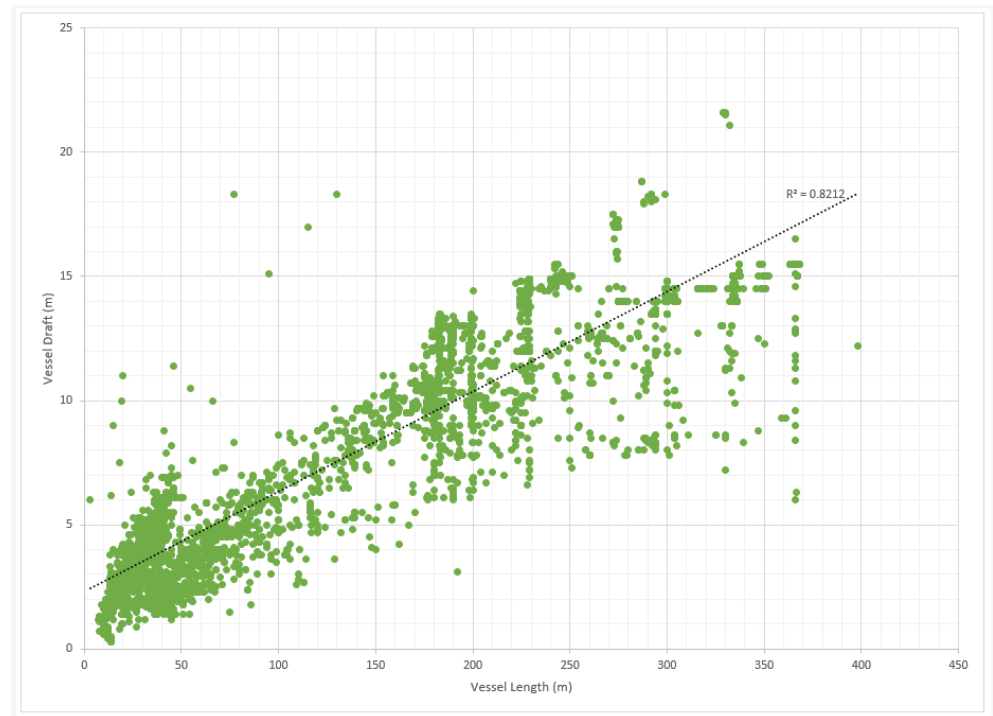


Figure 4-13 Scatter plot of 3,300 individual vessels by vessel length and vessel draft with a linear line fit to the data, of which the equation of the line was used to calculate the vessel draft of vessels with no reported draft based on the length of that vessel.

4.3.4 Vessel traffic areas

Five areas are defined to better summarize and analyze the vessel traffic that was observed from the AIS data, see Figure 4-14. The areas are defined based on their proximity to the VSE project site.

Area A is the proposed project site, Area B is the area around the project site, Area C is the vessel traffic going to and from Ventura Harbor, Area D contains the other routes nearby, and Area E is the TSS route.

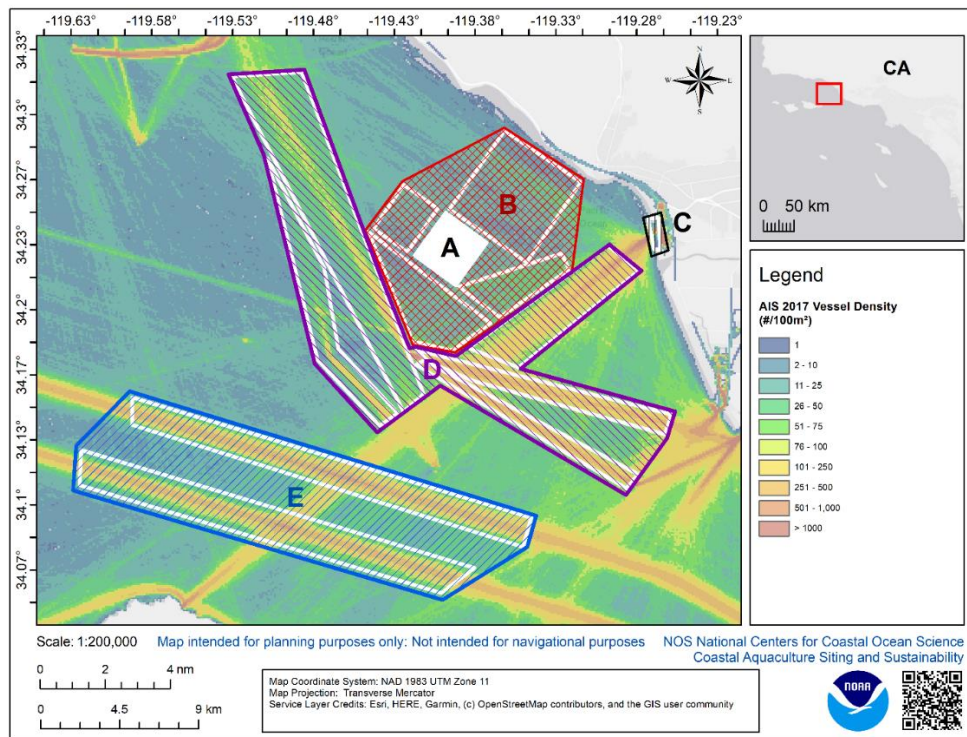


Figure 4-14 Five areas A-E were created based on their relationship to the project site, and used to summarize the vessel traffic from the routes and locations contained within.

Area A

In 2017, there were 151 unique vessels that made 382 transits through the project site using their AIS transponder. Passenger vessels and recreational pleasure craft made the greatest amount of transits through the area (63%), and generally traveled the fastest through the area with mean speeds between 10 and 13 knots. 19 commercial fishing vessels transited the area a total of 35 times during 2017. Vessel lengths were predominantly between 50 to 100 feet, with some larger vessels making occasional passages. Nearly all vessel drafts were less than 15 ft, with only 6 vessel transits having drafts greater than 15 ft, see Table 4-5 to Table 4-9.

Area B

The areas around the farm site had 344 unique vessels make 1026 transits during 2017. Recreational pleasure craft and passenger vessels were also dominating in this area, together with a number of offshore supply vessels, oil recovery vessels, and commercial fishing vessels, see Appendix A. Passenger and pleasure craft had the fastest recorded speeds through this area with an average of 10-12 knots. Most vessels that transited through this area had lengths less than 100 ft and the vast majority of the vessel transits had drafts less than 15 ft, see Table 4-5 to Table 4-9.

Area C

Ventura Harbor (Area C) had 228 unique vessels that made 5306 AIS recorded transits in and out of the Harbor during 2017. About half of all transits were from passenger vessels, with recreational pleasure craft and commercial fishing passages being the next highest. Area C had the slowest vessel speeds with all average speeds less than 6 knots. Slower speeds are expected given the entry/exit into the harbor. All vessels that entered the harbor were less than 200 ft in length, with only 1.7% of transits estimated to having a draft deeper than 15 ft, see Table 4-5 to Table 4-9.

Area D

The surrounding area consists of well-defined vessel routes and the lowest number of unique vessels, with only 84 vessels making 3909 transits. 3672 voyages were from passenger vessels, either in-route to the offshore islands or offshore oil and gas platforms. Passenger and pleasure craft generally had the fastest recorded speeds through this area with both around 28 knots and averages between 8-16 knots. All vessels were less than 200 ft long, with nearly all transits having drafts less than 15 ft, see Table 4-5 to Table 4-9.

Area E

As to be expected, the TSS area had the largest number of cargo and tanker vessels, with 1715 unique vessels making 3591 transits through this area during 2017. The vast majority of these vessels were cargo vessels, with 2892 freight ship transits. Cargo, passenger, tanker, and pleasure craft had the fastest speeds while transiting this area ranging from an average between 12-13.5 knots. Additionally, this area had the longest vessels with the deepest drafts, with 93% of transits having vessels longer than 500 feet and 96.7% of vessel transits having drafts greater than 15 ft, see Table 4-5 to Table 4-9.

Table 4-5 Total number of unique vessels in 2017 from all routes within each area by vessel category.

Vessel Category	Area				
	A	B	C	D	E
Cargo					1265
Fishing	19	46	35	14	5
Not Available	1	4	2	1	
Other	33	83	58	20	95
Passenger	16	47	26	19	23
Pleasure Craft/Sailing	79	160	104	29	28
Tanker					265

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Tug Tow	3	4	3	1	34
Total	151	344	228	84	1715

Table 4-6 Total number of voyages in 2017 from all routes within each area by vessel category.

Vessel Category	Area				
	A	B	C	D	E
Cargo					2934
Fishing	35	107	611	32	5
Not Available	33	38	38	1	
Other	72	345	1170	122	150
Passenger	131	287	2575	3672	39
Pleasure Craft/Sailing	108	245	905	81	28
Tanker					332
Tug Tow	3	4	7	1	103
Total	382	1026	5306	3909	3591

Table 4-7 AIS 2017 mean vessel speed (knots) by vessel category for each area.

Vessel Category	Mean Vessel Speed (knots) by Area				
	A	B	C	D	E
Cargo					13.5
Fishing	9.2	8.3	5.75	7.7	9.1
Not Available	6	8.7	4.7	3.7	
Other	11.6	12.5	5.6	13	11.4
Passenger	12.9	12.3	5.5	15.9	13.4
Pleasure Craft/Sailing	10.1	10	4.9	8.2	12.7
Tanker					12
Tug Tow	7.6	6.2	4.3	5.4	7.9

Table 4-8 AIS 2017 total number of voyages by vessel length for each area.

Areas	Vessel Lengths (ft)								
	Unknown	1-50	50 - 100	100- 200	200- 300	300- 400	400- 500	500- 1000	> 1000
A		90	225	61	6				
B	22	251	582	169	2				
C	93	1275	3766	172					
D	15	105	2979	810					
E	4	1	30	116	31	11	53	2382	963
Total	134	1722	7582	1328	39	11	53	2382	963

Table 4-9 AIS 2017 total number of voyages by vessel draft for each area.

	Vessel Draft (ft)							
Area	Unknown	1-10	10-15	15-20	20-30	30-40	40-50	>50
A	3	183	190	6				
B	17	581	426	2				
C	90	4139	1075		2			
D	6	1455	2448					
E	2	30	89	69	286	773	2026	316
Total	118	6388	4228	77	288	773	2026	316

4.3.5 Seasonal traffic variances

Analysis of the monthly vessel transits through the different Areas reveals that Areas A and B have the lowest number of transits, with the months of July through September having elevated vessel traffic. Area C, the vessel traffic in and out of the Ventura Harbor, and Area D, have the strongest seasonal changes with low traffic in January and February, and then a gradual increase peaking during July and August. Area E, the TSS, has relatively low seasonal variation, see Table 4-10 and Figure 4-15.

Table 4-10 AIS 2017 total number of vessel voyages during each month from each of the areas

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
A	31	17	27	29	29	25	54	44	55	34	16	21

B	68	43	51	79	80	72	114	120	123	103	89	84
C	257	251	366	431	441	445	624	532	461	489	518	491
D	270	212	228	228	306	352	438	536	417	304	327	291
E	301	260	295	285	330	300	306	318	307	287	293	309
Total	927	783	967	1052	1186	1194	1536	1550	1363	1217	1243	1196

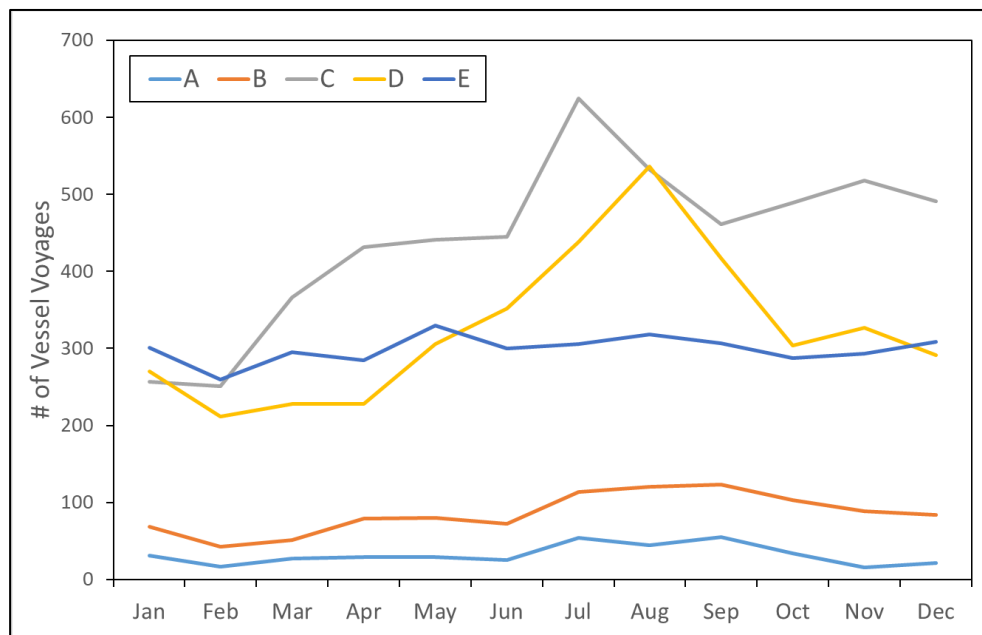


Figure 4-15 AIS 2017 total number of vessel voyages during a month from each of the areas.

4.3.6 Long Term Trends in Traffic

Generally, the number of voyages that occurred within each area during 2013, 2015, and 2017 has increased when considering AIS data alone. Areas A, B, and D displayed slight increases in the number of voyages, while Area C (Ventura Harbor) and Area E (TSS) witnessed the greatest increases, with a 64% and 60% increase, respectively, detected using AIS from 2013 through 2017.

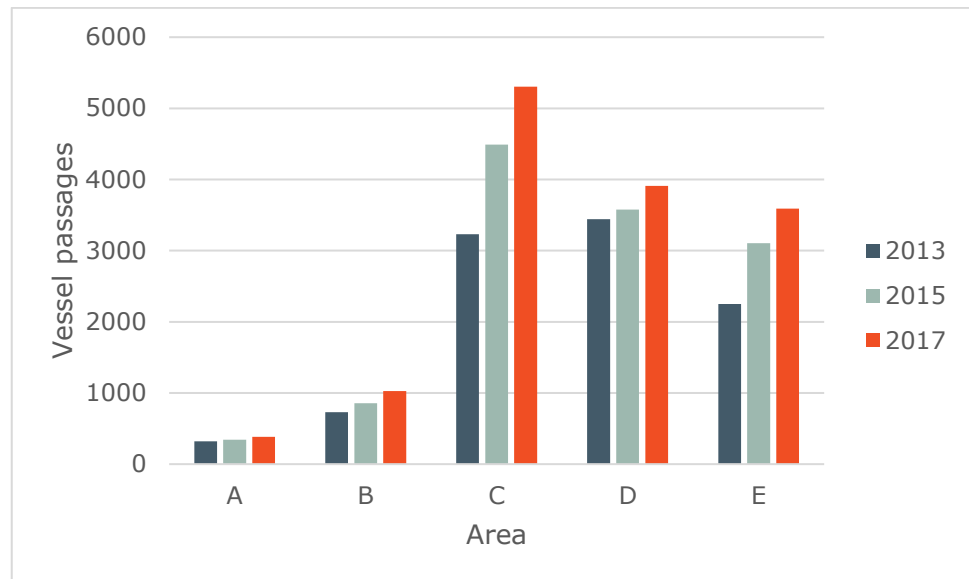


Figure 4-16 Historic trends in vessel traffic within different areas

Table 4-11 Annual Trends in AIS Vessel Traffic by each Area with total voyages occurring within each area in 2013, 2015, and 2017.

Area	2013	2015	2017	Average annual percent increase
A	319	344	382	5%
B	731	857	1026	9%
C	3232	4491	5306	14%
D	3444	3576	3909	3%
E	2251	3104	3591	13%

4.3.7 Harbor and port origin for vessel traffic through the project site

To better assess how the farm may impact vessels from certain ports, the origin and ports visited were assessed. This was performed by extracting all voyages made by a vessel that transited through the VSE project site, and then examining which ports were the origin/destination of the vessels.

Chapter 4.3.4 and Table 4-6, show that the majority of the traffic through the project site was recreational pleasure craft and passenger vessels. In addition, a limited number of fishing vessels were recorded from the AIS data.

Some passenger vessel transits from Ventura Harbor did transit the project site; however, most were in transit to the Channel Islands, with the majority of passenger vessel transits originating from Port Hueneme. Vessels from Port Hueneme made numerous trips to offshore oil and gas platforms in the area, see Figure 4-17. Few pleasure and sailing vessels from Ventura Harbor transited through the project site, with most transits occurring from vessels going between Santa Barbara Harbor and Channel Island Harbor and vice versa, see Figure 4-18. The AIS 2017 fishing vessel transits were predominantly from Ventura Harbor, which indicates that some local fishing traffic from the Ventura Harbor would be transiting through the project site, see Figure 4-19. A mix of other vessels transiting from all four harbors made transits through the project site during 2017, see Figure 4-20. These were local fishing traffic, as well as non-local pleasure/sailing traffic and passenger vessel traffic.

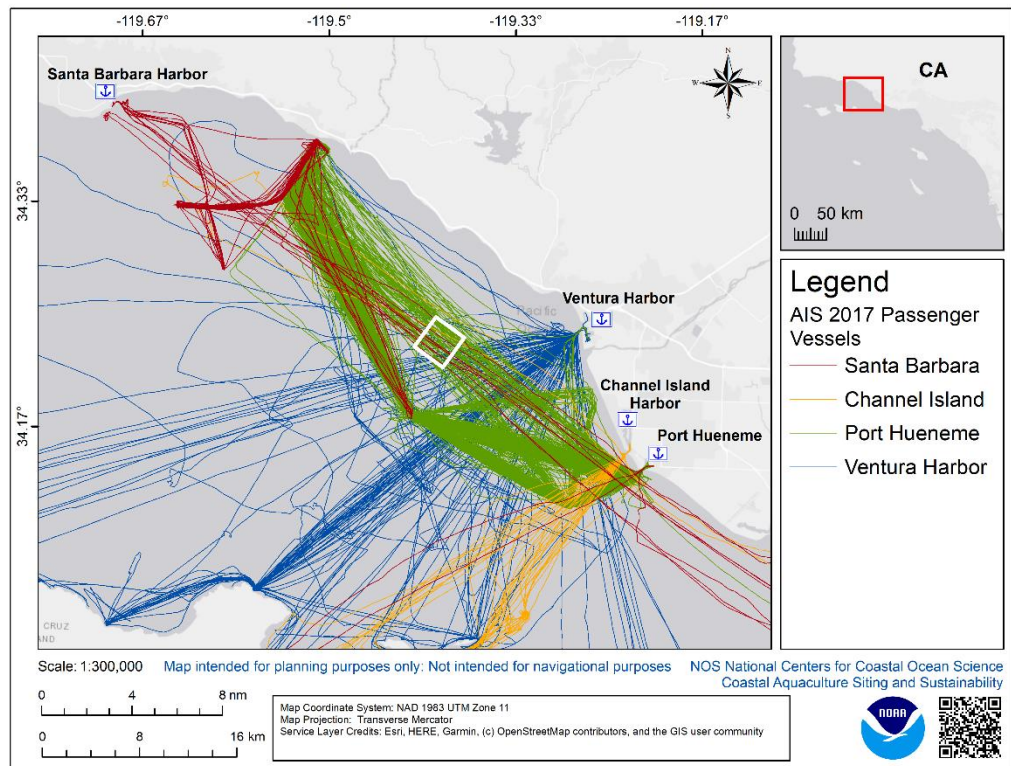


Figure 4-17 Passenger vessel transits from Ventura Harbor and Port Hueneme made up the majority of all transits made by passenger vessels in 2017 through the project site (outlined in white).

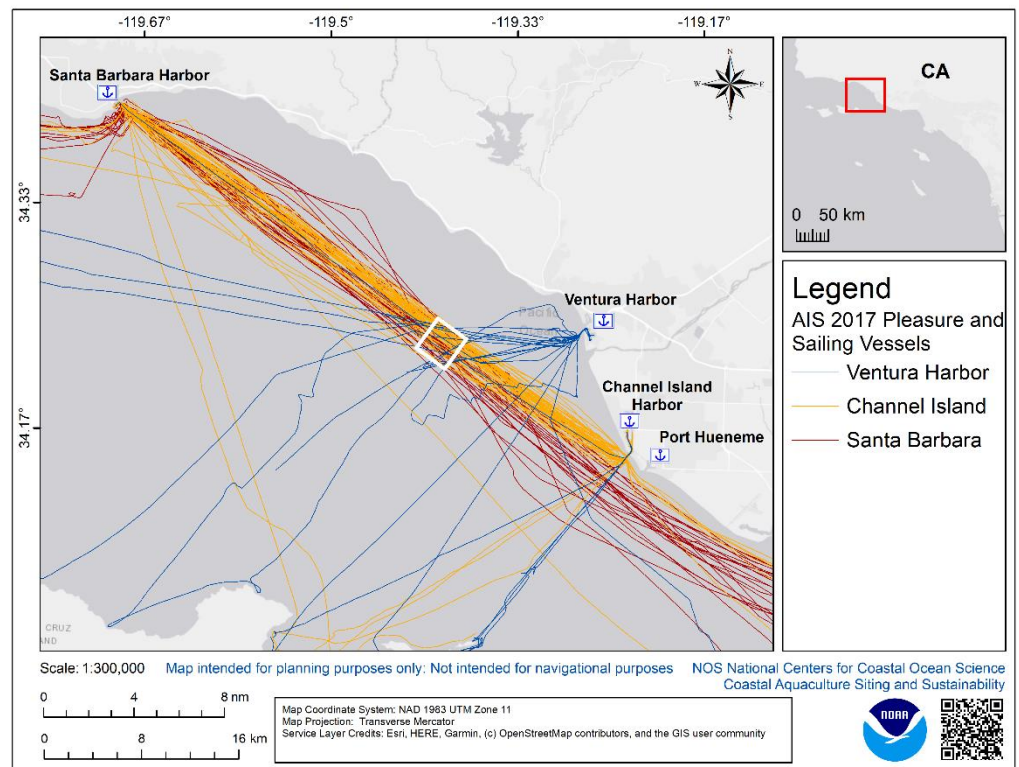


Figure 4-18 *Pleasure and sailing vessels transiting from Santa Barbara Harbor to the Channel Island Harbor and vice versa made the majority of all transits during 2017 through the project site (outlined in white).*

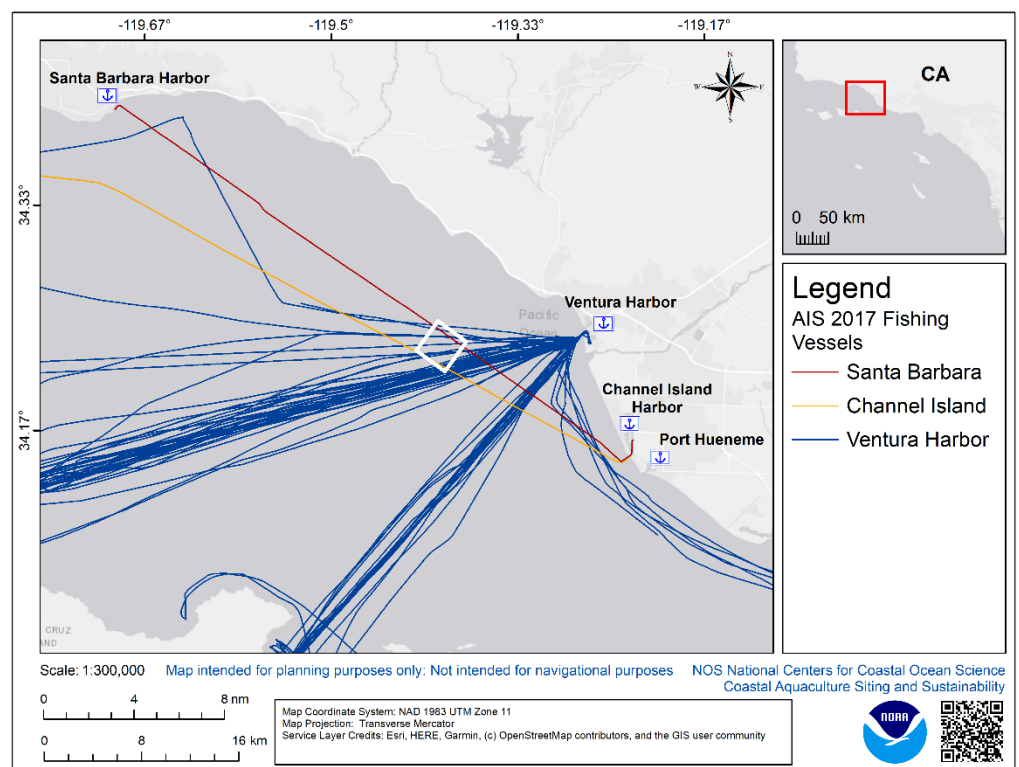


Figure 4-19 *Fishing vessel transits from Ventura Harbor made up the vast majority of all transits made by fishing vessels in 2017 through the project site (outlined in white).*

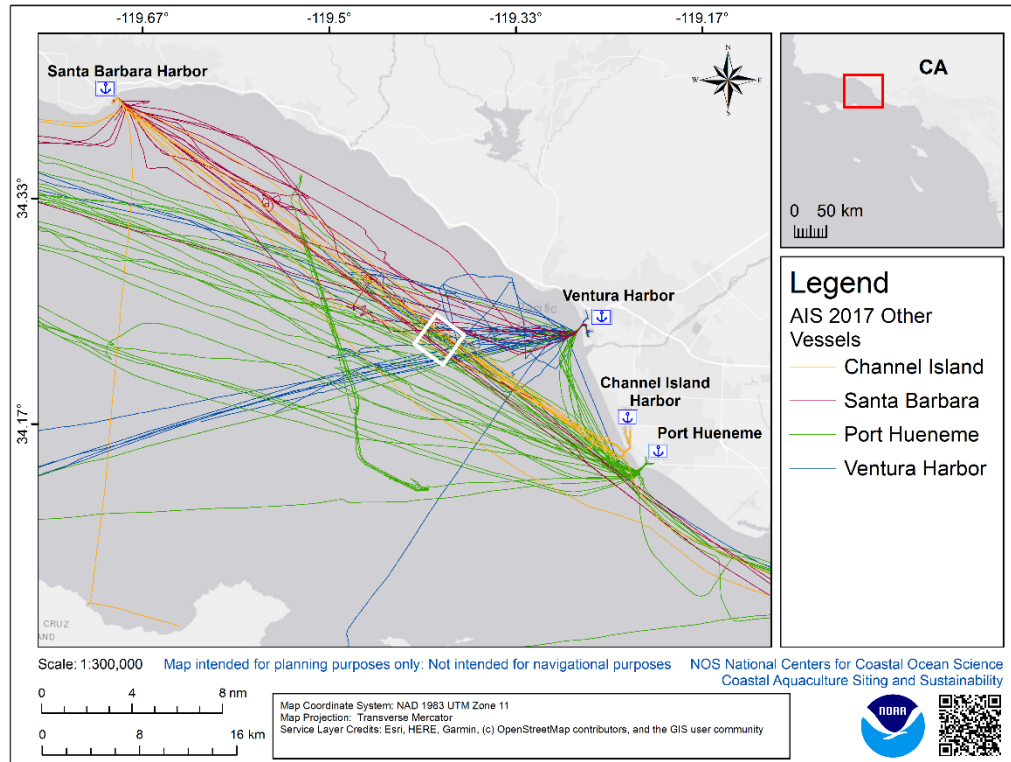


Figure 4-20 A mix of other vessels transiting from all four harbors (Santa Barbara Harbor, Ventura Harbor, Channel Island Harbor, and Port Hueneme) made transits through the project site (outlined in white) during 2017.

4.3.8 Marine events in the area

Figure 4-21 contains a point layer of sailing race markers offshore of Ventura. Points were created using the description, latitude, and longitude for each of the marks. Individual races would use a combination of these marks to create a sailing course depending on various factors including weather conditions and number of vessels in a race. In 2019, the Association of Santa Barbara Channel Island Yacht Clubs (ASBCYC) listed a total of 127 sailing events in the area. These events include both long distance races around the neighboring Channel Islands and nearshore sailing events.

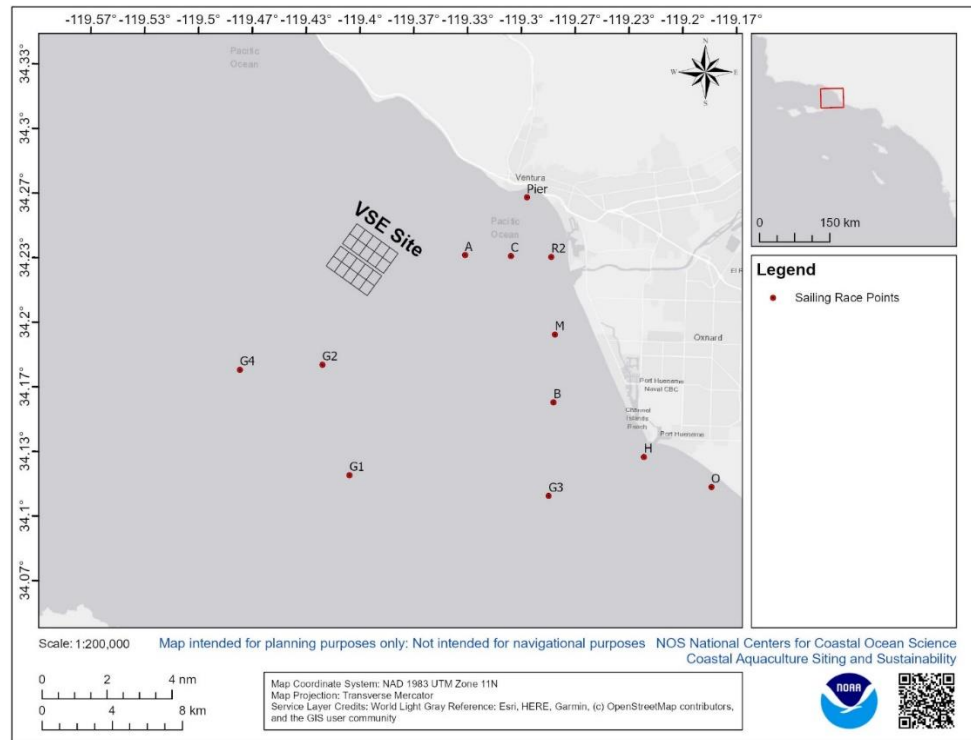


Figure 4-21 Ventura nearshore race course marks.

4.3.9 Vessels without AIS

While some vessels voluntarily decide to use AIS even when not required, not all vessels send and transmit AIS. Additionally, a number of vessels carry only an AIS receiver in order to safely pass through the TSS on route to the Channel Islands.

There is no official data concerning the number of vessels that enter and exit Ventura Harbor; however, the Ventura Harbor Harbormaster has provided information based upon his experience concerning the overall vessel traffic in Ventura Harbor and to what extent AIS is used.

Generally, vessels without AIS are often recreational in nature whereas larger commercial vessels tend to use AIS. AIS use varies on commercial fishing boats, where some do not use AIS.

Generally, there is a much higher degree of seasonality when it comes to recreational vessels as compared to commercial vessels. Based upon AIS data, there is approximately four times as many recreational vessels in the summer months compared to the winter, whereas there is approximately twice as many commercial vessels in Areas A, B and C during the same timeframe.

Based upon AIS data, there are approximately 20 vessels registered as entering and leaving Ventura Harbor per day in the peak summer season. Based upon information from the Harbormaster, for all vessels (including those without AIS), the total number of vessels entering and leaving can (under the most exceptional peak conditions) be as high as 450 per day, but typically is between 100 and 200 vessels per day.

The general observation from the Harbormaster is that the majority of vessels without AIS do not travel far from shore and are therefore unlikely to pass near the project site. Vessels that may go near the project site without AIS are generally limited to a few smaller recreational or commercial fishing vessels.

4.3.10 Fishing

Commercial Fishing

There are various commercial fisheries that operate in the Santa Barbara Channel. Figure 4-22 below shows the estimated average commercial catch in millions of tons for 2012 – 2017. Data is displayed by CDFW block at a 10 nautical mile resolution. The project site has been located to avoid the most popular areas for commercial fishing. The areas southeast of the farm and southwest near Channel Islands are expected to have significantly more commercial fishing activity compared to the area near the project site.

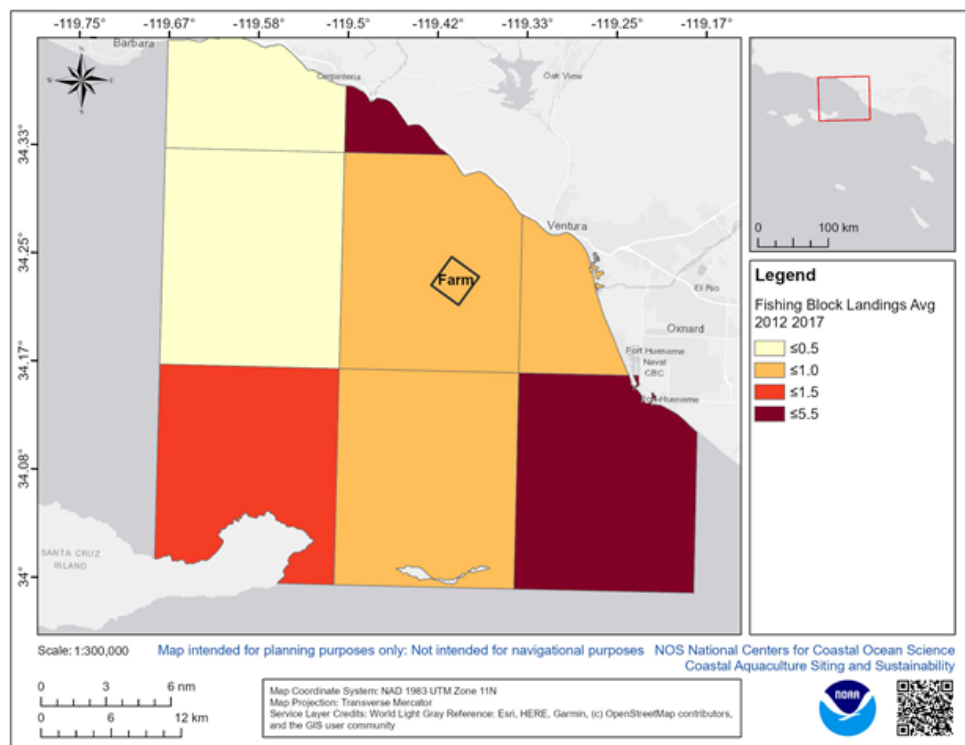


Figure 4-22 Estimated catch by CDFW fishing block data (10 nm) showing average landings per year from 2012 – 2017 in millions of pounds.

The commercial squid fishery that operates in California is highly variable per year by location and total catch. The fishery operates year round with a limited entry permit of 55 vessels per year with a total permitted catch for the fishery of 118,000 short tons. The squid fishery is unique in using light as bait to attract squid such that fishing can occur at any spot within the larger fishery area. Figure 4-23 below shows the average catch in short tons per CDFW microblock at a 1 nautical mile resolution. The most popular areas are near Channel Islands and off the coast of

Port Hueneme. The area at the northern perimeter of the project site has also been subject to squid fishing in the past.

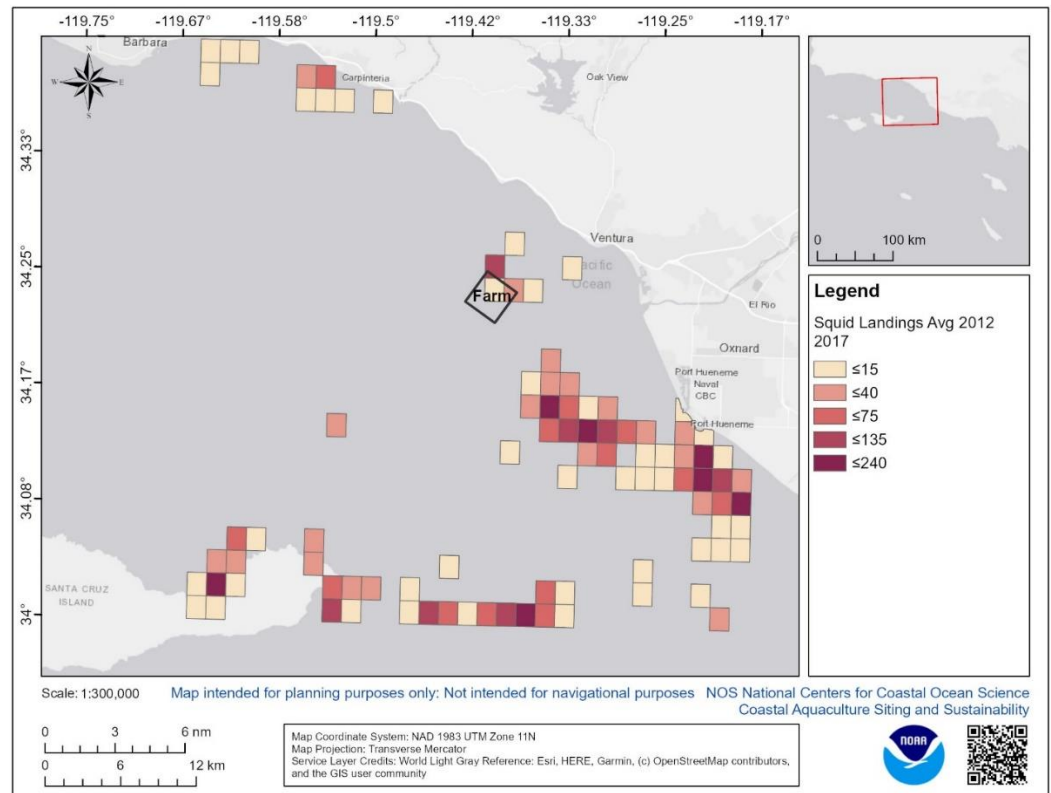


Figure 4-23 Estimated catch by CDFW squid microblock (1 nm) showing average landings per year from 2012 – 2017 in short tons.

The trawl fishery operates within the CDFW trawl grounds which extend from 1-3 nautical miles from shore and North to South from Point Conception to Point Magu. This fishery operates from June to March with a seasonal closure to protect spawning fish species. Figure 4-24 below was created by mapping the total trawl density lines based on a start and end points derived from the CDFW trawl fishing Vessel Monitoring Systems (VMS) dataset from 2010 – 2016, with typical trawling speeds being in the order of 2 to 5 knots. Trawling is observed throughout most of the area including the project site, and the most visited area for trawling appears to be approximately 10 nm northwest of the project site. Figure 4-25 shows AIS data from fishing vessels from 2017, which shows a high density of fishing vessel traffic from Santa Barbara, Ventura, and Port Hueneme towards the Channel Islands and relatively few fishing vessel transit lines in and around the project site.

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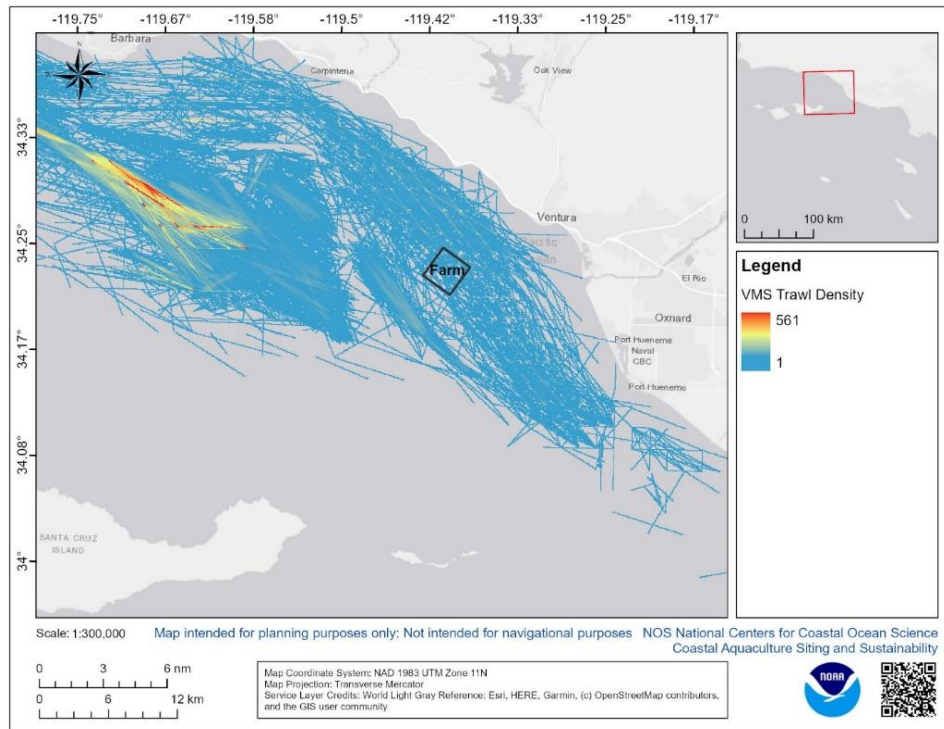


Figure 4-24 Vessel Monitoring System (VMS) density for trawl fishery, showing trawl tracks from 2010 – 2016.

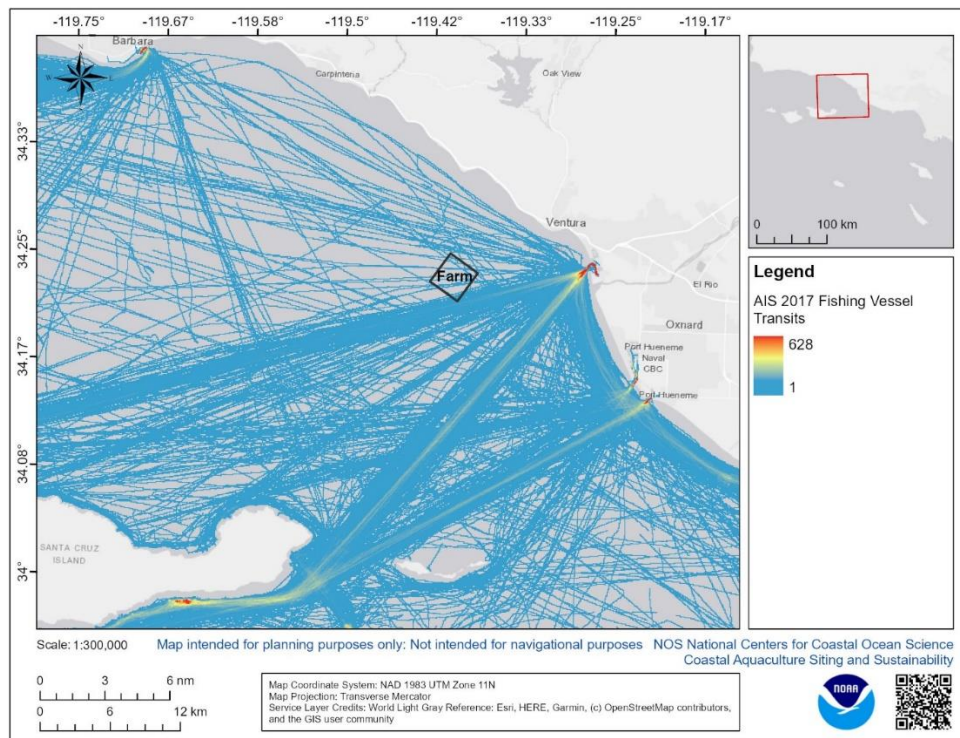


Figure 4-25 AIS fishing vessel category for 2017, showing density of transits.

Recreational Fishing

CDFW Commercial Passenger Fishing Vessel (CPFV) data comprised of GPS points from 2010 – 2019 was aggregated to microblock (1 nm) resolution. Figure 4-26 below was created from the count of unique vessels per block per day, shown as the average number of vessels per year per microblock. As shown by this data, no significant recreational CPFV fishing activity has occurred near the project site.

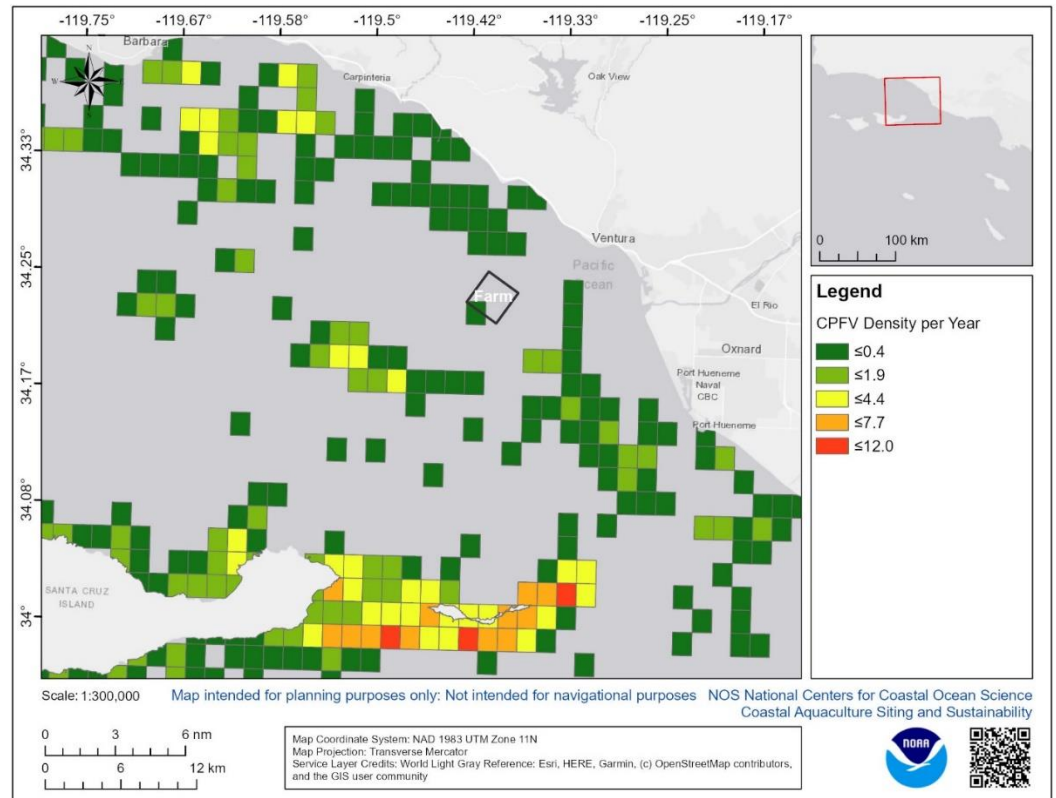


Figure 4-26 CPFV vessel average density per year 2010 – 2019.

CDFW California Recreational Fisheries Survey (CRFS) private vessel data comprised of dockside surveys recorded at the microblock (1 nm) and block (10 nm) resolution. The surveys represent a subsection of the total recreational fishing effort are conducted at the public docks and by phone to licensed anglers to provide an overall representation of recreational fishing activity, where the respondents are presented with a map of the area and asked where they fished. All microblock data was extracted to create a total count per month for each microblock. Figure 4-27 below shows average number of vessels per year per 1 nm microblock. The area near Channel Island has the highest concentration of recreational fishing. There is no significant activity recorded near the project site.

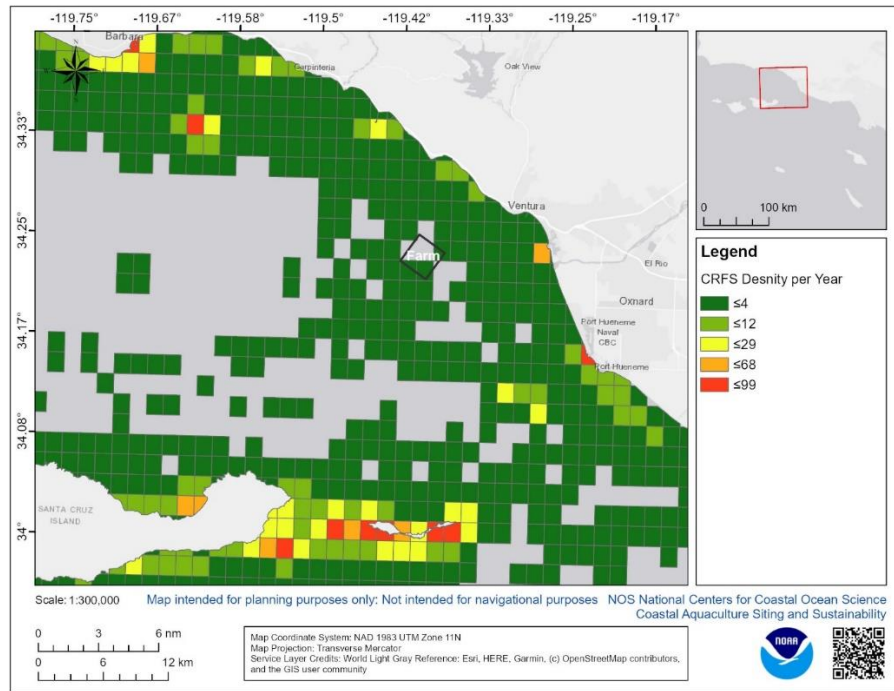


Figure 4-27 CRFS average number of vessels per year per 1 nm microblock 2010 – 2019.

5 Navigation Risk

5.1 Framework and process

The purpose of the Navigation Safety Risk Assessment (NSRA) is to identify navigation risks associated with the presence of the VSE project. This is followed by an evaluation of the risk considering risk reducing measures already in place. Risks will be evaluated qualitatively with a ranking of "Low", "Medium" or "High" based on the combined consideration of likelihood and consequence. Finally, additional risk reducing measures may be suggested if it is considered necessary or relevant to reduce the risk further.

Prior to initiating this study, the NOAA CASS team performed a siting analysis to determine the optimal location of the VSE project [15]. Navigation risks were considered, as well as other impacts such as marine life, naval and oil/gas interference, see Appendix A Figure 7-1. Overall, the location was chosen to minimize the impacts within the boundaries of a 20,000 acre area that had been initially designated as potentially suitable for aquaculture.

Commercial vessel traffic that passes through the TSS has, in this study, been distinguished from traffic that navigates outside the TSS, which is more local in character. There will be inherent differences in vessel types, sizes and drafts for the two groups that impact the risk evaluation. Vessels associated with the project site (harvest and maintenance) are also identified separately. These categories are defined as follows:

- > Local third party traffic: Vessel traffic not inside the TSS (excluding vessels related to the VSE project)
- > Commercial traffic in TSS: All vessels following the TSS
- > Project vessel: Any vessel associated with the VSE project such as harvest and maintenance

5.2 Hazard Identification

Identification of hazards is based on information and outreach from the VPD and VSE consultants and volunteers, public comments received during project outreach and the USACE permitting process, and experience from other offshore aquaculture and wind projects. Hazards were discussed with the project team including the Ventura Harbor Harbormaster on March 7, 2020 as well as presented to USCG on April 13, 2020.

The following hazard categories have been identified:

- > Vessel entanglement during normal aquaculture farm operation
- > Vessel entanglement with disrupted aquaculture farm
- > Vessel Collision & Grounding
- > Other impacts

Specific hazards and risk reducing measures that are already planned or in place are identified for each hazard category.

5.2.1 Vessel entanglement during normal aquaculture farm operation

The hazards identified under this category focus on entanglement scenarios where the aquaculture farm and associated gear are operating normally without any broken lines, connections, or improper anchoring. The identified risks along with risk reducing design features already incorporated into the project are described in Table 5-1.

Table 5-1 Hazard identification for entanglement scenarios without equipment failure

Risk No	Hazard	Potential consequence	Risk reducing measures in place	Risk level
1.1	Local third party vessel <u>intentionally</u> entering the project site becomes entangled with aquaculture equipment	Casualties/ equipment damage	<ul style="list-style-type: none"> > System submerged 15ft below surface and vessel draft generally < 15ft > Trawling and fishing below 15ft prohibited inside farm > Surface buoys in tension and reflectors on corner buoys > Notice to mariners during construction activity 	See Chapter 5.3.1
1.2	Local Third party vessel becomes entangled when <u>unintentionally</u> entering the project site	Casualties/ equipment damage	<ul style="list-style-type: none"> > System submerged 15ft below surface and vessel draft generally < 15ft > Limited traffic in vicinity of the farm. > Aids to Navigation (updated navigation chart, corner buoys with radar and AIS) 	See Chapter 5.3.1
1.3	Commercial vessels from TSS drift into farm and becomes entangled with aquaculture equipment	Equipment or boat damage	<ul style="list-style-type: none"> > Distance from TSS route to site is 6nm > Current direction is favorable > Aids to Navigation (updated navigation chart, corner buoys with radar and AIS) 	See Chapter 5.3.1

The risk level for each of the identified hazard is evaluated in further detail in Chapter 5.3.

5.2.2 Detached aquaculture farm elements

This chapter covers hazards identified in the situation where aquaculture equipment detaches partially or fully. This could range from a buoy being disconnected from its rope to an event where entire longlines or anchor lines break loose and drift or anchors become unmoored. It is important to distinguish between equipment is fully detached and able to drift away and where it is only partially detached and still connected to the longlines or seabed. The consequences of vessel entanglement are also expected to be largely dependent by the vessel size and speed. The identified scenarios are listed in Table 5-2, together with potential consequences and risk reducing design features already incorporated into the project.

Table 5-2 Entanglement hazards with detached aquaculture equipment

Risk No	Hazard	Consequence	Risk reducing measures in place	Risk level
2.1	Vessel entanglement with partially detached aquaculture equipment (lines, ropes etc.)	Worst case capsizing with casualties Vessel damage Aquaculture farm damage	<ul style="list-style-type: none"> > Aquaculture system permit design engineered to withstand 100-year storm > Sinking ropes to be used for surface buoy lines and other lines where rope slack may occur > Gear management plan, which includes monitoring equipment twice a month with immediate repairs > Routine patrol by Ventura Harbor Patrol to ensure aquaculture farms properly maintained > Decommissioning plan requiring removal of all aquaculture gear upon termination or expiration of authorization 	See Chapter 5.3.2
2.2	Vessel entanglement from fully detached and drifting aquaculture equipment (lines, ropes etc.)	Aquaculture farm damage Limited vessel damage (propeller)	<ul style="list-style-type: none"> > Aquaculture system permit design engineered to withstand 100-year storm > Sinking ropes to be used for surface buoy lines 	See Chapter 5.3.2

		Potential loss of steering power	<ul style="list-style-type: none"> > Gear management plan, which includes monitoring equipment twice a month with immediate repairs > Routine patrol by Ventura Harbor Patrol to ensure aquaculture farms properly maintained > Decommissioning plan requiring removal of all aquaculture gear upon termination or expiration of authorization 	
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Both hazards are discussed further in Chapter 5.3.

5.2.3 Collision & Grounding

Collision between two vessels may occur as an indirect consequence of the presence of the VSE project. In addition, new vessel traffic associated with harvest and maintenance vessels (referred to as project vessels) will start when the farm is installed. Hazards related to collisions involving third party vessels and/or project vessels are identified in Table 5-3.

Table 5-3 Hazards related to collisions and grounding

Risk No	Hazard	Consequence	Risk reducing measures in place	Risk level
3.1	Project Vessel Collision with third party vessel	Vessel damage, environmental impact (oil spill)	> Project vessels will generally only operate at daylight	See Chapter 5.3.3
3.2	Project vessel collision with project vessel	Vessel damage, environmental impact (oil spill)	> Project vessels will generally only operate at daylight	See Chapter 5.3.3
3.3	Collision between two third party vessels	Vessel damage, environmental impact (oil spill)	<ul style="list-style-type: none"> > Limited vessel traffic near farm > Limited rerouting necessary > Updated navigation charts 	See Chapter 5.3.3

3.4	Vessel groundings caused by aquaculture farm	Vessel damage, environmental impact (oil spill)	<p>> Aquaculture farm located with limited impact to existing vessel traffic.</p> <p>> Sufficient water depth for vessels going around the farm</p>	<u>Not considered further</u>
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Risk 3.1-3.3 are discussed and evaluated further in Chapter 5.3. The risk of groundings caused by the presence of the project (Risk No 3.4) is not considered relevant for this project. There is sufficient water depth around the project site and no significant vessel traffic routes travel through the site. Nearly all vessels in the area have drafts less than 15ft, which make it possible to pass on either side of the farm without grounding. Finally, the historical accident data review presented in Chapter 4.2 showed no incident of groundings near the farm.

5.2.4 Other navigation impacts or hazards

Other navigation impacts or hazards are identified based on input from the VSE project consultants and volunteers, project outreach, and experience from other offshore aquaculture and wind farm projects. These impacts include:

- > Radar interference
- > Impact to fishing areas

A typical concern for offshore installations is the potential for radar interference. This can be a concern when the physical extent of the structure creates the possibility of a shadowing effect or the number of physical structures can create a clutter or saturation effect on the radar images. However, the only visible object at the project site are surface buoys with a 16-inch diameter. Corner buoys are equipped with radar reflectors and AIS transmitter but are generally not expected to cause shadowing or other significant adverse radar interference.

A general overview of fishing activities is discussed in Chapter 4.3.10. Generally, while some commercial fishing occurs in the area, the amount of fishing near the project site is not significant as compared to other areas in the region, with the exception of one area used for market squid fishing near the northern boundary of the project area.

Navigation risks related to fishing vessels is covered in previous chapters where fishing vessels are considered part of "third party vessels" similar to passenger vessels and recreational vessels. The extent to which fishing areas will be affected without posing a navigational risk is not part of the scope for this navigation risk assessment.

5.3 Risk Evaluation

The following chapter evaluates the risks identified in the previous chapter based on information presented in Chapter 4 and the mitigation measures incorporated into the project plans and permit design.

5.3.1 Vessel entanglement during normal aquaculture farm operation

Three different entanglement hazards are identified. Each of these are evaluated below.

Risk No 1.1

Local third party vessel intentionally entering the project site becomes entangled with aquaculture equipment

Description

The VSE project currently does not propose to prohibit vessels from being inside the boundaries of the project site. There is therefore a risk that a vessel, which intentionally enters the project site area, becomes entangled in ropes or equipment associated with the aquaculture farm. This scenario considers the situation where the farm is operating normally with all lines, equipment, and anchors properly attached. The alternate scenario where gear has detached or broken loose is discussed in the following chapter.

Evaluation

Almost all vessel traffic that currently navigates in the area near the farm has a draft less than 15ft. Further, with proper location identification of the farm on navigational charts and PATON buoys, which are already proposed as part of the project, it is considered unlikely that vessels with a draft of 15 ft or more will intentionally enter the project site. In 2017, only 382 vessel transits with AIS data were made through the project site. AIS data is likely to be fairly representative of the overall vessel traffic near the project site because it is several miles from shore and most vessels passing near the project site are likely in transit to a location further offshore, in which case the most would be expected to carry AIS. A few additional fishing vessels without AIS may also visit the area. Vessels transiting in a north/south direction may in the future choose to navigate around the project site. The detour would add a maximum of 1-2 nm to the trip and may be simpler and safer than navigation through the surface buoys located approx. 150 ft apart (see Figure 3-2).

The VSE project has been designed so that the vast majority of the aquaculture equipment will be submerged at least 15ft below the water surface at all times, see Chapter 3.1. Only the surface buoys and the ropes connecting the buoys to the longlines will not be submerged. However, the permit design of the surface buoys keeps them in tension during normal operations throughout all tidal variation. To further minimize entanglement potential, a 1,100 pound breakaway link will be installed between the surface buoys and vertical lines. Finally, the physical extent of the surface buoys, 16 inches in diameter, combined with the tension in the ropes, will likely provide a shielding effect from entanglement and vessels will likely glance off instead. The impact of the surface buoys alone will likely present no greater navigation challenges to vessel that a typical trap fishery, where surface buoys are used.

In certain extreme storm conditions, anchor lines may become slack with the potential to drift upwards and be less than 15 ft submerged. To mitigate this situation, shellfish growers will be required to use sinking rope for all anchor lines avoid lines floating to the surface. This design feature will prevent slack lines from surfacing under extreme storm conditions. Based upon communications with the project team, it is also expected that the project's gear monitoring and management plan will identify any slack lines or lines that have broken loose, to further reduce the risk of entanglement.

Risk level Based on the available information, the risk of entanglement to vessels that intentionally enter the farm the risk is evaluated as *low*. This conclusion is based on the assumption that vessels with a draft of 15 ft or more will not intentionally enter the farm and the project design requirements reduce the likelihood and consequence of entanglement.

Risk No 1.2 Local third party vessels become entangled when unintentionally entering the project site

Description Based upon AIS data, there is a low amount of vessel traffic both around and through the project site. If a vessel enters the project site unintentionally due to meteorological conditions, mechanical and/or human error, there is a risk of entanglement. This could lead to equipment damage, vessel damage and, in a worst-case scenario, casualty.

Evaluation The traffic volume near the project site was 1026 passages in 2017 based upon AIS data. The majority of the vessel traffic was located west of the project site and consisted mostly of passenger vessels, pleasure craft, fishing and offshore supply vessels. These vessels are generally small with a length of less than 100 ft and a draft less than 15 ft. Thus, if they unintentionally enter the farm, they should be able to pass or drift over the aquaculture farm without entanglement with the longlines and anchor lines. As mentioned for Risk 1.1, the surface buoys and rope connections to the longlines are designed to be in tension during all tidal variations. This will make entanglement less likely and lead to vessels glancing off the buoys instead. To further minimize entanglement potential, a 1,100 pound breakaway link will be installed between the surface buoys and vertical lines. The scenario of detached lines is considered separately under Risk 2.1 and 2.2.

Entanglement with the surface buoys could happen both from drifting vessels and power-driven vessels. The project site will be marked on the navigation chart and each farm area will be marked by navigational buoys marking each corner with appropriate lighting, radar reflectors, AIS, etc. The probability of power-driven vessels unintentionally entering the farm is therefore considered low.

A few specific offshore supply vessels were identified with a draft of more than 15 ft, regularly passing a few miles west of the farm. Additionally, as per Figure 4-24, trawling activity identified by VMS data shows a relatively small amount of activity in the vicinity of the project site. Overall, very few vessels are considered to pose a threat for entanglement with the majority of aquaculture gear designed to be located below 15 ft water depth. Vessels with a draft above 15 ft generally travel a

few miles away from the project site and should naturally steer clear of the farm and not be enter inside the perimeter.

The consequence of entanglement is expected to be largely dependent on the size of the vessel and the vessel speed. In drifting situations, entanglement could lead to damage to the aquaculture farm or ship but the worst-case consequence of the vessel capsizing is mostly if not fully mitigated by the low drifting speed.

Risk level Considering both the low likelihood of vessels unintentionally drifting or navigating into the farm area as well as the consequence that are largely mitigated by submerging the aquaculture farm and having the surface buoys in tension, the overall risk level for this scenario is considered low.

Risk No 1.3 Commercial vessels from TSS drift into farm

Description While the TSS is located far from the project site, there is a risk that vessels can, in the case of engine blackout, drift towards the project area without being able to regain engine power and/or steering.

Evaluation Vessels navigating along the TSS are at least 6 nm from the project site and the TSS is not oriented towards the project area. Thus, the project should not affect safe navigation of vessels along the TSS.

As described in, Chapter 4.3 Table 4-6, roughly 3600 vessels pass along the TSS every year. The majority of these vessels are large, above 500 ft in length with a typical draft between 30-50 ft.

The likelihood of vessels drifting into the project site can be roughly estimated based on published literature regarding vessel blackouts and drifting vessels as applied to local conditions and vessel traffic. The likelihood of a blackout is assumed to be $2.5E-4$ per hour [16]. Based upon a 10 nm stretch of the TSS and a conservative low speed of 10 knots, and 3591 yearly passages (Area E) in the considered area, it is estimated that there would be one blackout annually.

The direction that a vessel will drift in case of a blackout is determined primarily by its original course and the wind and current direction. The wind and current directions are described in chapter 4.1. The prevailing wind direction comes from the west and the current being along the direction of the TSS in a Southeastern or Northwestern direction. This means that in some situations a drifting vessel may drift towards the project site in the eastern direction.

In an inertia stop, a vessel will reach a drifting speed at a distance of approximately $34L$, where L is the length of the ship [17]. This means that during a blackout situation a vessel, with a length between 500 – 1000 ft, the vessel will reach a drifting speed after a distance of approx. 2.75 – 5.5 nm. Based on this, it would take approx. one hour for a vessel to slow down and reach a drifting speed of maximum 2 knots. Using the above assumptions, a drifting vessel would take approximately 2 hours to reach to project area. Studies have shown that the probability of no repair during blackout follow the exponential curve depicted in Figure 5-1 below [16]. After 2 hours there is approximately 30% chance of no

repair and consequently 70% chance of repair. Similarly, there is also a significant chance that the vessel is able to anchor before reaching the area to avoid collision with aquaculture equipment.

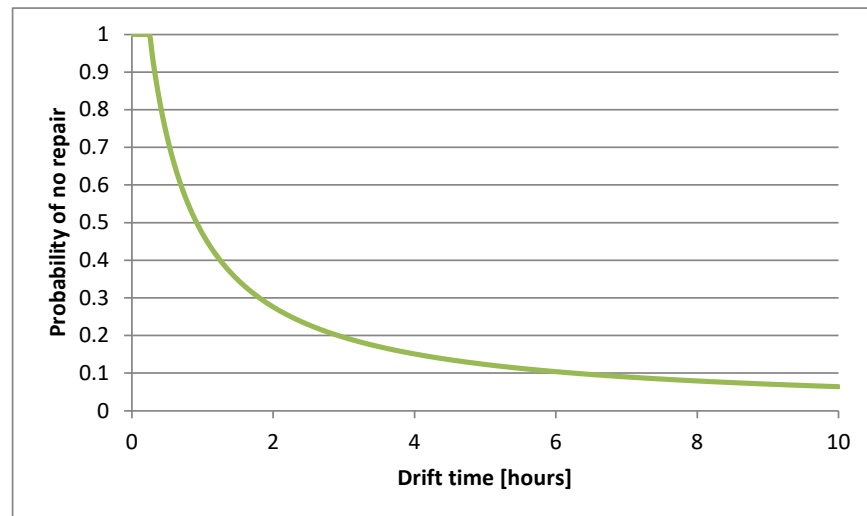


Figure 5-1 Probability of repair vs drifting time [16]

Combining all the above factors, including frequency of blackouts, distance, speed, and possibility of repair, the probability of a drifting vessel reaching the project site is expected to be in the order of magnitude of 1 every 100 years.

The consequence of such an event on the project would likely be most severe as the vessel strength and energy would be able to break lines and pull up anchors. The consequence for these larger vessels is likely to be minimal, as the drifting vessel will likely not be interrupted by collision with the aquaculture equipment, and therefore this is primarily seen as a risk to the project rather than a risk for the general public.

Risk level	Based on a consideration of the both likelihood and consequence (to third parties) of vessels drifting from the TSS into the project site, the overall risk is considered <i>low</i> and, given the very low probability of occurrence, additional mitigation measures are not considered necessary to reduce this risk further.
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5.3.2 Detached aquaculture farm elements

Risk 2.1 Vessel entanglement with partially detached aquaculture equipment

Description:	If a rope partially detaches or a buoy breaks, leaving exposed slack rope that is still connected to the longlines or anchor lines, there is a risk of entanglement. In a worst-case scenario, this could lead to vessel capsizing with casualties.
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Evaluation	The project permit design has been engineered to withstand a 100-year storm condition. This reduces the likelihood of broken connections and loose rope significantly, and the combined likelihood of damage to equipment and a vessel entering the project site during a 100-year storm together is even less likely.
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However, accidental impact from marine life or vessels may damage the aquaculture farm elements and lead to a dangerous situation.

The risk of entanglement associated with broken connections at the surface buoys is mitigated using sinking ropes that will drop towards the seabed instead of regular ropes that would float to the surface. The sinking rope will sink below the connection point with the longline and therefore be at least 15 ft below the water surface. As part of the project's proposed gear management plan, aquaculture equipment will be inspected twice per month and any identified damage must be repaired immediately. The plan also requires inspections after a large storm event once conditions become safe.

When comparing the permit design and planned operational procedures for the VSE aquaculture farm to the actual operations at the CSR project, there are significant differences in the approach that would mitigate against and prevent an accident like that which occurred at the CSR facility (see Chapter 4.2). Mitigation factors that VSE have undertaken or committed to undertake that would seek to prevent such an accident are well described through this report. While entanglement risk cannot be completely eliminated, the risk reducing measures incorporated into the project design provide a robust design to minimize these risks.

Risk level Based on the operational requirements discussed above, the risk of entanglement from detached buoys or loose ropes is mitigated to a degree where the risk of entanglement with severe consequence is considered *low*. Additional mitigation measures recommended to reduce the risk even further are presented in Chapter 5.5.

Risk No 2.2 ***Vessel entanglement from fully detached and drifting aquaculture equipment***

Description: If sections of ropes or longlines accidentally break loose and start to drift away from the project site there is a risk of entanglement with vessels passing outside the project site.

Evaluation: As described in Chapter 3, the aquaculture farm permit design has been engineered to withstand a 100-year storm. This means that it is very unlikely that environmental conditions will cause anchor-lines and longlines to break loose and drift away. Similar to the previous risk, accidental impact from marine life or vessels may also cause aquaculture equipment to break loose. The consequence will depend on what equipment breaks loose.

The surface buoys are in themselves not considered a danger to any passing vessel. Since the buoy connection will use sinking ropes, they will drop to the seabed and be outside any immediate risk and will be collected as part of routine gear maintenance. The anchor ropes and longlines are not required to be sinking and they can potentially drift if detached from the anchors; however, they will be weighed down by the growing mussel socks to which they are connected, meaning that they will likely sink to the bottom. In the event that lines or ropes are

disconnected, they may become entangled with vessels but because the ropes are loose, the consequence would likely be limited to vessel and propeller damage and would not represent an immediate risk of capsizing or casualties. In the event of propeller damage to a third party vessel away from the project site, the vessel would be in a similar circumstance to any other vessel that becomes immobilized while on the water due to other reasons, such as engine failure, fuel depletion etc. Ventura Harbor Patrol and USCG can respond to distress or emergency calls in this circumstance.

The risk of aquaculture equipment breaking free and escaping the project site has been minimized through the same project design features discussed under Risk 2.1 above.

Risk Level Based on the operational requirements discussed above, the risk from entanglement with fully detached and drifting aquaculture farm elements is considered *low*.

5.3.3 Collision & Grounding

Risk No 3.1

Project vessel collision with third party vessel

Description Project vessels are expected to travel to and from Ventura Harbor and the project site on a daily basis once the project has been installed. Thus, there is a risk of collision between third party vessels and the project vessels either at the entry/exit at Ventura Harbor or in the corridor between the Harbor and the project site. In the event of a collision, consequences may include material damage to the vessels with the potential of an oil spill.

Evaluation Once the project is fully installed and operational it is expected that an average of 8-16 project vessels will travel to and from the site each day, resulting in approximately 3,000-6,000 round trips per year, as described in Chapter 3.2. Project vessels will generally only travel to and from the project site during daylight hours, which means that the vessels are likely able to maintain a proper look-out as compared to navigating during night.

A limited number of local third party vessels navigate east of the project site in a corridor between the project site and the shoreline; see Route 1 in Chapter 4.3.3. The width of this corridor between the project site and the shoreline is about 3.5 nm. Based on 2017 AIS data, there were 447 voyages through this corridor, with the majority of the voyages being small passenger and recreational vessels, followed by oil recovery and offshore supply vessels. In addition, a significant number of vessels enter/exit Ventura Harbor every day. While 5306 vessel entries or exits were recorded from AIS data in 2017, a substantial amount of vessels entered and exited the Harbor without AIS, as further outlined in Chapter 4.3.9.

The risk of collision between a project vessel and a third party vessel is evaluated considering the likelihood that two vessels meet or cross outside the Harbor and that at least one vessel fails to take an effective action to avoid collision. The

likelihood of this occurring is estimated using the combination of the following input parameters:

- > Causation probability: it is the probability of a vessel being aberrant or failing to correct to a safe course when on a collision course with another vessel. Various studies provide estimates for the causation probability – often in relation to ship-ship collision or ship allisions with bridges. Frequently used referenced studies are published by Fujii et al. and by Macduff, which document a causation probability ranging between 1.0 to 6.3×10^{-4} per vessel passage [18].
- > Total number of yearly voyages of the third party vessels through the specified navigation corridor
- > Yearly trips of project vessels to/from project site
- > Project and third party vessels dimensions and speed
- > Geometrical probability of a project vessel and a third party vessel being on a collision course

Using the conservative estimates for the above mentioned parameters, the risk of collision between the between third party vessels and project vessels is evaluated to be in the order of magnitude between 1 in every 100 to 1000 years.

The risk related to project vessels entering and leaving Ventura Harbor was addressed previously in a letter to USACE. The total passages in or out of Ventura Harbor can be as high as to 450 per day during exceptional peak season conditions and 100 per day during off-peak season. The 8-16 additional vessel passages from project vessels does not constitute a very large increase to existing vessel traffic. Thus, Ventura Harbor can likely accommodate this vessel increase without compromising navigation safety into and out of the Harbor.

Risk level Given the small volume of vessel traffic navigating in the corridor that project vessels will use, the likelihood of collision is considered *low*. However, cost efficient mitigation measures may be considered to reduce the risk even further; see Chapter 5.5.

Risk No 3.2 Project vessel collision with project vessel

Description Multiple project vessels will navigate daily to and from the project site and Ventura Harbor, a distance of approximately 4-5nm. Thus, there is a risk that two project vessels may collide with each other when navigating towards each other.

Evaluation Project vessels are expected to conduct an average 8-16 total daily visits to the project site (16-32 one-way trips). On a yearly basis, this would result in approximately 3,000-6,000 return trips to and from the farm. Project vessels are expected to have a length of approximately 25 to 40 feet.

When evaluating the risk level of collision, the following factors are considered:

- > It will take approximately half an hour for project vessels to reach to the project site, with an average speed of 10 knots. Therefore, the time that each vessel will navigate between the project time and the Harbor is short.

- > The likelihood of two project vessels using the same route at the same time is low, particularly when navigating on a reciprocal course.
- > Project vessels are expected to visit the farm only during the daytime when vessels are likely able to maintain proper lookout as compared to navigating during the night time.

Risk level The likelihood of collision between two project vessels is considered *low* primarily based on the limited traffic, the short distance to the project site, and project operations being limited to daytime hours. Similar to Risk 3.1, additional risk reducing measures may still be considered and are presented in Chapter 5.5

Risk No 3.3 Collision between two third party vessels

Description Collisions between two vessels are a known phenomenon. The likelihood of such collisions may be affected when introducing a new object, such as the project, in a navigable waterway. This may cause vessels to be rerouted to other paths and thereby increase the vessel density and the likelihood of collision.

Evaluation Based upon the vessel traffic analysis, approximately 151 vessels passed through the project site in 2017. These were generally passenger boats, recreational boats and fishing. When the project is installed, some of these vessels might decide to pass around the project site instead of going through. This marginally increases the likelihood of ship to ship collisions. However, with the limited traffic near the project site, this marginal increase is not considered to result in an overall increase to the risk of collisions in the area. Based upon 2017 AIS data, one vessel will currently transit through the project site every 2.4 days and therefore the chance of two vessels making the same course alteration at the same time is extremely small. That is not to say that collisions of third party vessels in the vicinity of the project site is not possible, but that the chance that they are caused by the presence of the project is negligible.

Risk Level Because the amount of potentially rerouted vessels and the traffic around the project site is already very limited, any slight increase in ship to ship collisions is considered *negligible*.

5.4 Risk Summary

A summary of the risk evaluation for the hazards presented in Chapter 5.2 is presented in Table 5-4. All risks are evaluated as being either "low" or "negligible".

Table 5-4 Summary of risk evaluation for the identified hazards.

Risk No	Hazard	Risk level
1.1	Local third party vessel <i>intentionally</i> entering the project site becomes entangled with aquaculture equipment	Low

1.2	Local third party vessels become entangled when unintentionally entering the project site	Low
1.3	Commercial vessels from TSS drift into farm	Low
2.1	Vessel entanglement with partially detached aquaculture equipment (lines, ropes etc.)	Low
2.2	Vessel entanglement from fully detached and drifting aquaculture equipment (lines, ropes etc.)	Low
3.1	Collision between project vessel and third party vessel	Low
3.2	Project vessel collision with third party vessel	Low
3.3	Project vessel collision with project vessel	Negligible
3.4	Collision between two third party vessels	Negligible

5.5 Additional mitigation measures

It was found that, upon incorporation of risk reducing measures and project design features, all the identified risks as a result of the project are already mitigated to a level where the risk were low or negligible. However, in certain situations, simple cost-efficient mitigation may be considered to further reduce the risks. These are generally recommended. Risk reducing measures to be considered are:

- > **Speed restriction:** One way to lower the potential consequence from entanglement (see risks 1.1, 1.2 and 2.1) is by imposing a speed restriction for vessels who are inside project site. A reduced speed would presumably reduce the likelihood of capsizing in case of entanglement with the ropes.
- > **Exclusion Zone:** A more extensive measure that would further reduce the risk of entanglement from vessels intentionally entering the project site (risk 1.1) is to prohibit third party vessel traffic unrelated to project construction and operation inside the project site. However, these conditions will not eliminate the risk of entanglement from vessels unintentionally entering the project site. Implementation of these restrictions should be determined in coordination with the USCG.
- > **AIS on project vessels:** It is recommended that VSE project vessels be equipped with AIS transponders that are able to both relay and receive information. This would reduce the likelihood of collisions even further, see Risk 3.1 and 3.2.

- > **Communication to the local maritime community:** It is highly recommended that the Ventura Harbor Patrol and local mariners be informed about the project and associated operational activities so that everyone navigating in the area is fully aware of the fact that they might encounter vessels associated with the project. This process has already started through the outreach program, but it is important to continue sharing relevant information that may affect navigation in the area.

6 Conclusions

With the introduction on any offshore installation, that being a wind farm, oil platform or aquaculture, a certain increase in navigation risk is inevitable. However, based on the evaluation of the identified risks for this project, it was determined that the navigation risk level associated with the VSE project is low.

The historic accident statistics from the area document several incidents per year of varying severity. The increase in risk of accidents caused by the presence of project is not expected to be significant.

Considering all the identified risks, there were two general topics that were of most concern:

- > Vessel entanglement with aquaculture equipment (risk 1.1, 1.2, 1.3, 2.1 and 2.2)
- > Ship to ship collisions involving project vessels (risk 3.1 and 3.2).

Subchapters 6.1 and 6.2 below outlines the conclusions for each of the above risks, along with any additional risk reducing measures to be considered.

6.1 Vessel Entanglement with aquaculture ropes

The risk of a local third party vessel entangling with the aquaculture equipment can, in a worst-case scenario, result in capsizing and potential casualties. It was concluded that this risk has been mitigated to a large extent through the following measures:

- > The farm will be marked on the navigation chart and all major equipment associated with the aquaculture will be submerged at least 15ft below the waterline, with the surface buoys being the only exception. The surface buoys will be in tension throughout all tidal and marine conditions and therefore no slack lines shall be on the surface. The surface buoys shall also provide visual identification of the area. To further minimize entanglement potential, a 1,100 pound breakaway link will be installed between the surface buoys and vertical lines.
- > The project permit design has been engineered to withstand a 100-year storm, thus minimizing the risk of broken lines or equipment that would pose a risk of entanglement.
- > Sinking ropes shall be used for the connection to the surface buoys as well as other equipment that may be slack under certain conditions or not able to withstand a 100-year storm. In the event that any of the equipment breaks loose during a storm or from an accidental impact, it is unlikely that it will float to the surface.
- > The project has incorporated an aquaculture gear monitoring and management plan that requires inspections of aquaculture gear twice per month with immediate repair or replacement to any damaged equipment.

The risk can be mitigated further by introducing additional measures. A speed restriction for vessels inside the project site, if deemed practical, is recommended, as it will reduce the consequence in the unlikely event that any entanglement does occur. More extreme measures that could be considered would be the introduction of an exclusion zone, prohibiting third party vessels from being within the project site. This type of restriction is often adopted for other offshore installations such as oil platforms and wind farms. The decision regarding such a measure and how to enforce it should be agreed upon between VPD and the USCG.

6.2 Ship-ship collisions involving project vessels

Risks relating to ship to ship collisions focuses on the potential increased risk resulting from introducing harvest and maintenance vessels (project vessels) going to and from the project site and Ventura Harbor on a daily basis. The increase in vessel traffic in and out of Ventura Harbor has already been addressed in a response to USACE and is generally not considered to constitute a significant increase risk beyond what can be safely handled by the Harbor.

In addition, the risk of collisions during transit to the project site, either between two project vessels or a project vessel and a third party vessel, was found to be low, considering the limited traffic in the area and the short transit time. Furthermore, project vessels will normally only operate during daylight when visibility is best.

In order to further reduce the risk of collisions involving project vessels, it is recommended that all project vessels be required to be equipped with AIS transponders. Finally, it is recommended that the local maritime community in Ventura Harbor and nearby harbors continue to be informed about the project development, installation and operation, as well as any increased awareness this might require when passing near the project site.

7 References

- [1] NOAA, "US Coast Pilot 7, Pacific Coast: California, Oregon, Washington, Hawaii and Pacific Islands".
- [2] "National Data Buoy Center," [Online]. Available: https://www.ndbc.noaa.gov/station_history.php?station=46053.
- [3] "Southern California Coastal Ocean Observing System, ROMS Model Output," [Online]. Available: <https://sccoos.org/roms-model-output/>.
- [4] NOAA, "Data Tools: Local Climatological Data (LCD)," [Online]. Available: <https://www.ncdc.noaa.gov/cdo-web/datatools/lcd>.
- [5] NOAA, "National Weather Services, Boating in Fog," [Online]. Available: <https://www.weather.gov/safety/fog-boating>.
- [6] NOAA, "Santa Barbara, California 1/3 arc-second MHW Coastal Digital Elevation Model," [Online]. Available: <https://www.ncei.noaa.gov/metadata/geoportal/rest/metadata/item/gov.noaa.ngdc.mgg.dem:603/html>.
- [7] NOAA, "Santa Barbara, CA - Station ID: 9411340," [Online]. Available: <https://tidesandcurrents.noaa.gov/stationhome.html?id=9411340>.
- [8] USCG, "Marine Information for Safety and Law Enforcement (MISLE)," U.S. Coast Guard.
- [9] O. C. S. Department, "Vessel Accident Report 19-000290," 2019.
- [10] United States Coast Guard, "AIS REQUIREMENTS," [Online]. Available: <https://www.navcen.uscg.gov/?pageName=AISRequirementsRev>.
- [11] United States Coast Guard, "U.S. COAST GUARD NAVIGATION CENTER," [Online]. Available: <https://www.navcen.uscg.gov/>.
- [12] MarineCadastre.gov, "Vessel Traffic Data," [Online]. Available: <https://marinecadastre.gov/ais/>.
- [13] NOAA, "Tutorial: AIS Track Builder," [Online]. Available: <https://coast.noaa.gov/data/marinecadastre/ais/TrackBuilderTutorial.pdf>.
- [14] NOAA, "Tutorial: How to build Vessel Density Maps with AIS," [Online]. Available: https://coast.noaa.gov/data/marinecadastre/ais/Tutorial_How_to_Build_Vessel_Density_Maps_with_AIS_OCM508.pdf.
- [15] NOAA, "Ventura Shellfish Enterprise: Aquaculture Siting Analysis Results," National Oceanic and Atmospheric Administration, NOAA, 2018.
- [16] Germanischer Lloyd, "Offshore Windparks – Parameter für Risikoanalysen im Genehmigungsverfahren und Wirksamkeit kollisionsverhindernder Maßnahmen, Rapportnummer SO-ER 2010.095, Version 1.0.," 2010.
- [17] ShipsNow, "Measures and Criteria of Manoeuvrability," [Online]. Available: <https://shipsnow.com/wiki/measures-and-criteria-of-manoeuvrability/>.
- [18] "O.D. Larsen, Ship collision with bridges,, IABSE , 1993.

Appendix A Detailed vessel traffic information

Table 7-1 Total Number of voyages in 2017 from all routes within each area by vessel category and classification.

Vessel Category	Vessel Classification	Area				
		A	B	C	D	E
Cargo	Cargo, all ships of this type					19
	Cargo, hazardous category A					10
	Cargo, no additional information					3
	Freight Barge					2
	Freight Ship					2892
	Public Freight					8
Fishing	Commercial Fishing Vessel	35	103	590	23	5
	Fishing		4	21	9	
Not Available	Not available or no ship, default	33	38	38	1	
Other	Industrial Vessel	5	14	279	72	1
	null	28	83	379	16	105
	Offshore Supply Vessel	16	106	108		4
	Oil Recovery	8	115	176	3	1
	Public Vessel, Unclassified	6	11	129	21	31
	Research Vessel	9	15	97	10	4
	School Ship			2		4
	Wing in ground (WIG), hazardous category C		1			
Passenger	Passenger (Inspected)	131	285	2570	3672	38
	Passenger (Uninspected)		2	2		1
	Passenger Barge (Inspected)			3		

ATTACHMENT 1

Pleasure Craft/Sailing	Pleasure Craft		1	1		2
	Recreational	108	244	904	81	26
Tanker	Tank Ship					329
	Tanker, no additional information					3
Tug Tow	Towing Vessel	3	4	7	1	102
	Towing: length > 200m or breadth > 25m					1
	Total	382	1026	5306	3909	3591

Table 7-2 AIS 2017 max vessel speed (knots) for vessels within the vessel category by each area.

Vessel Category	Max Vessel Speed (knots) by Area				
	A	B	C	D	E
Cargo					24.1
Fishing	20.6	20.7	9.9	19.5	10.5
Not Available	10.1	10.2	9.3	9.2	
Other	32.6	31.8	24.7	28	33.5
Passenger	22.2	23.1	20.5	28.3	24
Pleasure Craft/Sailing	39.6	41	17	28	30.8
Tanker					19.2
Tug Tow	11.3	8.1	7.5	8.3	11.9

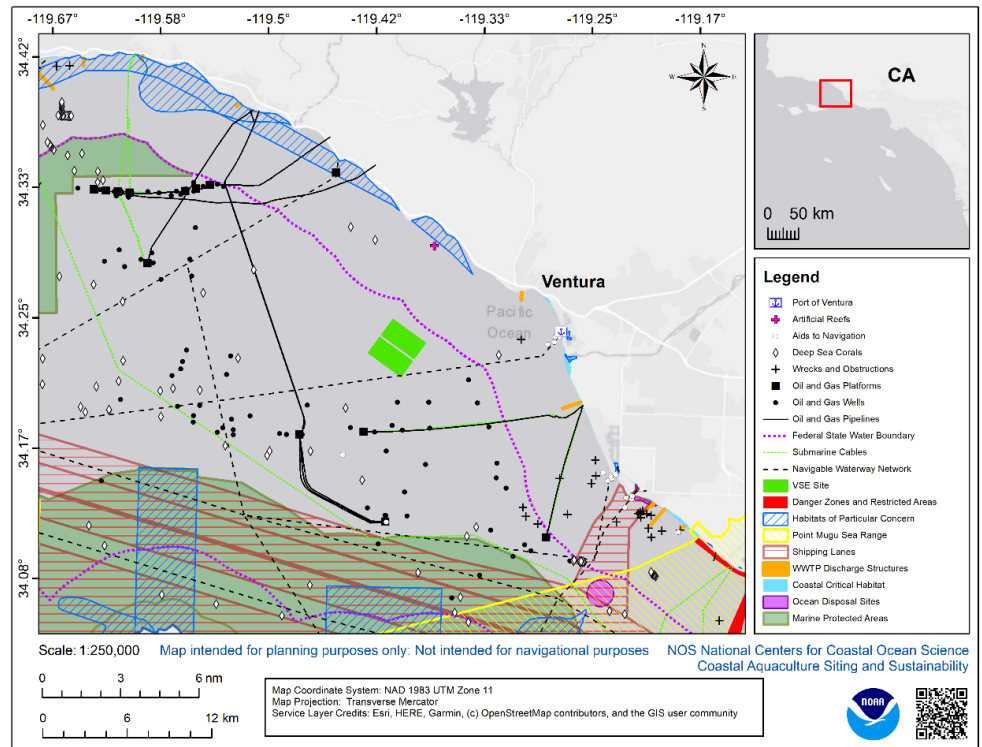


Figure 7-1 Location of aquaculture farm relative to navigation channel, oil and gas platforms, offshore cables and other impacts identified during siting analysis

ATTACHMENT 2



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT
60 SOUTH CALIFORNIA STREET, SUITE 201
VENTURA, CALIFORNIA 93001-2598

January 15, 2020

SUBJECT: Request for Resolution to Continue Processing Permit Application

Brian Pendleton
Ventura Port District
Ventura, California 93001

Dear Mr. Pendleton:

This letter concerns your Department of the Army Permit application (Corps File No. SPL-2017-00093-BLR) which proposes to construct a 2,000 acre aquaculture facility in navigable waters outside state boundaries (in Federal waters) in association with the Ventura Shellfish Enterprise Project. The project would be located offshore from the Ventura Harbor, near the city and county of Ventura, CA (latitude: 34.241891, longitude: -119.292983).

In response to our 30 day public notice (dated August 27, 2019) the Corps received a letter from the Ventura County Local Agency Formation Commission (LAFCO) dated September 16, 2019. You provided a response to all the substantive public notice comment letters on November 15, 2019. Within the combined response you included a general response (response B2-1) as well as a separate letter addressing LAFCO's concerns from your special counsel (DeeAnne Gillick, letter dated November 15, 2019). The Corps Regulatory Division Chief (David Castanon), the Ventura team lead (Antal Szijj) and the senior project manager (Theresa Stevens) also met with you, your special counsel (Robert Smith), and your consultant (Laurie Monarres) on November 19, 2019 to discuss the proposed project, remaining issues, and a potential path forward. Prior to this meeting, Dr. Stevens had discussed concerns about issues raised by LAFCO with Ms. Monarres, and stated that review of the matter by Corps Office of Counsel would be requested. Also prior to this meeting, Mr. Smith conducted a phone conference with Corps Staff Counsel (Tiffany Troxel) on October 28, 2019. During this phone conference it was acknowledged that resolution of this matter via the state legislature or state Attorney General may be required.

In response to our public notice, the Corps also received a letter from the U.S. Coast Guard (USCG) dated November 1, 2019, which requested that a navigational risk assessment be completed prior to the Corps final action on the project. Due to the Corps statutory authority under section 10 of the Rivers and Harbors Act (33 U.S.C. 403) to evaluate impacts on navigation associated with structures and work in navigable waters and the recognized expertise of the USCG on navigation issues, the Corps needs at least a draft navigational risk assessment to be completed and submitted to the U.S. Coast Guard. Without this important information documenting the potential impacts to navigation, we cannot complete our required public interest evaluation. Because navigation is central to our review of your application, it would not be a

ATTACHMENT 2

-2-

good use of our limited staff resources to continue processing your application without at least a draft of the navigational risk assessment.

Although you have provided to us the letters, legal opinions and legal citations regarding the claims made by LAFCO, it remains unclear whether the Ventura Port District has the authority under state law to construct permanent structures in navigable waters outside state boundaries as would be required for the proposed Ventura Shellfish Enterprise project.

Therefore, I have made a preliminary determination that in order to continue processing your permit application, the above draft navigational risk assessment and documented resolution of your dispute with LAFCO must be provided. Documentation from LAFCO, the LAFCO Board or a higher level state entity that the dispute has been resolved would be sufficient for the Corps to continue processing your application.

The Corps respectfully requests resolution of these matters in the next 30 days. If the requested information cannot be submitted within 30 days, the Corps will withdraw your permit application. When you do provide the requested information, the Corps will resume review of your previously submitted permit application.

If you have any questions, you may contact me at (805) 585-2148 or aaron.o.allen@usace.army.mil or Theresa Stevens, Ph.D. at (805) 585-2146 or via e-mail at theresa.stevens@usace.army.mil.

Sincerely,

ALLEN.AARON.
O.1232270795

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ALLEN.AARON.O.1232270795
Date: 2020.01.15 07:44:28
-08'00'

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

Cc: Kai Luoma, Executive Director, Ventura County Local Agency Formation Commission
Lieutenant Commander Isaac Mahar, U.S. Coast Guard District 11 Waterways Management,
Los Angeles-Long Beach



ATTACHMENT 2

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT
60 SOUTH CALIFORNIA STREET, SUITE 201
VENTURA, CALIFORNIA 93001-2598

February 18, 2020

SUBJECT: Withdrawal of Permit Application

Brian Pendleton
Ventura Port District
Ventura, California 93001

Dear Mr. Pendleton:

I am responding to your application (File No. SPL-2017-00093) for a Department of the Army permit to install structures or conduct work in, over, under or affecting navigable waters of the U.S., in association with the Ventura Shellfish Enterprise project in the Pacific Ocean near the city of Ventura, Ventura County, California.

Our files indicate you have not provided the additional information we requested in our letter dated January 15, 2020 to continue processing your application. Therefore, your application is considered withdrawn. If you wish to re-establish evaluation of your project, please submit the items described in our January 15, 2020 letter.

Thank you for participating in our Regulatory Program. If you have any questions, please contact Theresa Stevens, Ph.D. at (805) 585-2146 or via e-mail at theresa.stevens@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

ALLEN.AARON
O.1232270795
Digitally signed by
ALLEN.AARON.O.1232270
795
Date: 2020.02.13 11:33:19
-08'00'

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

STANDARD AGENDA ITEM 2

ADOPTION OF RESOLUTION No. 3394 EXTENDING THE COVID-19 VENTURA HARBOR RENTAL ABATEMENT AND DEFERMENT PROGRAM

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 2

Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Gloria Adkins, Accounting Manager
SUBJECT: Adoption of Resolution No. 3394 Extending COVID-19 Ventura Harbor Rental Abatement and Deferment Program

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3394 extending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program, which will allow for the abatement or deferment of all rental payments for those Harbor Master Tenants and Harbor Village Tenants who have been directly impacted by the COVID-19 Pandemic on a monthly basis for repayment of deferred rents within six months after all applicable government emergency orders are rescinded, no sooner than March 2021.

SUMMARY

Ventura Harbor has been severely impacted by the COVID-19 Pandemic. Many Harbor businesses have been closed by Governmental Order or in response to lost business resulting from the COVID-19 Pandemic. This may lead to the permanent closure of businesses, loss of employment and loss of rental revenue to the District, which is its primary source of operating revenue. Because of the symbiotic relationship of the businesses and the District, in order to help owners avoid permanent business closures, further loss of employment and long-term impacts to the Port District, staff recommends extension of the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

BACKGROUND

COVID-19 Ventura Harbor Rental Abatement and Deferment Program

The Port District will abate or defer all rental payments for those Harbor Master Tenants and Harbor Village Tenants who have been directly impacted by the COVID-19 Pandemic on a monthly basis for a period of six months. At this time, the City of Ventura's Ordinance 2020-014 ("Temporary Eviction Moratorium") would define the end of the repayment period as six months after the expiration of the City's Declaration of Local Health Emergency, currently set at September 13, 2020 via Resolution 2020-021. Therefore, abatements and deferments for the monthly rental amounts due from April through the end of September 2020 would be due for repayment no sooner than March 13, 2021.

COVID-19 Ventura Harbor Rental Abatement and Deferment Program Qualifications:

April through June 2020 (Initial Period)

- Master Tenant or Harbor Village Tenant (i.e. direct commercial tenant of VPD);
- And:
 - Business is closed by Government Order; or
 - Business has lost 50% or more of typical monthly revenue pre-COVID-19.

July through September 2020 (Extended Period)

- Master Tenant or Harbor Village Tenant (i.e. direct commercial tenant of VPD);
- And:
 - Business is closed due to Government Order; or

- Business has reopened but has lost 20% or more of typical monthly revenue pre-COVID-19; or
- Business has been open for less than 1 year but certifies it has lost 20% or more of projected monthly revenue pre-COVID.

Conditions:

- All Tenants must abide by the orders of the City, County, and State business practices in response to the COVID-19 pandemic.
- All Master, Village, and Village Marina Charter Tenants must notify the Leasing Manager by the 10th of each month of their need to continue with the program.
 - Master Tenants, Village Tenants, and Village Marina Charter Tenants who report sales, will continue to report sales as currently required, to determine the total deferred rental amount, even if these sales are \$0 due to closure.
 - Tenants are not required to provide sales reports to the District must provide demonstration of loss as part of their notification.
- Master Tenants who qualify must provide the same monthly deferment to all sub-tenants.
- Harbor Village Tenants and Village Marina Charter Tenants who qualify, and who also pay the District a promotional fee for marketing, shall have the promotional fee waived for each month rent is deferred.
- Harbor Village Tenants and Village Marina Charter Tenants who qualify, and who also pay the District a common area maintenance (CAM) fee, shall have one-half the CAM fee waived for each month rent is deferred.
- Master Tenants and Village Tenants will seek COVID-19 federal or other governmental business assistance (if eligible) and pursue business interruption insurance (if eligible). Deferments for May through September 2020 will require demonstration of pursuit of both or documentation of ineligibility.
- Repayment of all deferred rent (base rents, one-half CAM fees, percentage rent, etc.) shall occur within six months after all applicable government emergency orders are rescinded, no sooner than March 2021. No interest or late fees will apply to the deferred rent during this time period but shall be applicable as per the lease terms if not paid in full by this date.
- Any outstanding rent owed by Master Tenants and Village Tenants to the District, prior to April 2020, is not eligible for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

The General Manager will have the authority to implement the Program, receive applications and approve documentation of the qualifications and conditions above to ensure timely processing and approval of monthly rental abatements and deferments. Approval for Program participation will be on a monthly basis during the 3-month extension period.

Tenants who do not qualify for the Program may be eligible for rental deferment as provided by in the City of Ventura Emergency Ordinance #2020-014 "Temporary Eviction Moratorium". Tenants may consult a District leasing team representative for additional information.

FISCAL IMPACT

It is estimated that the direct fiscal impact to the Port District due to the COVID-19 Pandemic for the 4th Quarter of FY19-20 is a reduction of earned revenues of estimated to be \$380,000, with an additional \$400,000 deferred.

Staff estimates that the direct fiscal impact to the Port District due to the COVID-19 Pandemic for the 1st Quarter of FY20-21 is a projected reduction of \$135,000 per month (\$405,000 for three months) with an additional \$110,000 per month (\$330,000 for three months) likely deferred based on comparing the trends of April and May revenue between 2019 and 2020.

The Port District anticipates recovery of the deferred portions of rents by June 30, 2021, which is the end of FY20-21. The fiscal impact to the District in terms of total lost earnings is projected at \$785,000 from the onset of the pandemic through September 30, 2020. Staff expects earned revenue reductions to continue past the end of the pandemic for some business categories.

The General Manager began implementing reductions in expenditures to partially offset revenue losses for promotional and CAM fees beginning in April. Fiscal impacts caused by COVID-19 has required further evaluation of Port District operational, capital and tenant improvement expenses as demonstrated in the proposed FY20-21 Budget.

ATTACHMENTS:

Attachment 1 – Resolution No. 3394

Attachment 2 – City of Ventura Ordinance 2020-014



RESOLUTION NO. 3394

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT EXTENDING THE COVID-19
VENTURA HARBOR RENTAL ABATEMENT AND DEFERMENT PROGRAM**

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19;

WHEREAS, on March 12, 2020, the County of Ventura declared a State of Emergency to exist in Ventura County as a result of the threat of COVID-19.

WHEREAS, on March 17, 2020, the County of Ventura Health Officer issued an Order for the control of COVID-19 directing vulnerable individuals to shelter at their place of residence and issued restrictions of certain businesses.

WHEREAS, on March 19, 2020, Governor Gavin Newsom issued Executive Order N-33-20 for the preservation of public health and safety throughout the entire State of California to head the State public health directives from the Department of Public Health that, in order to protect public health, all individuals living in California must stay in their home or place of residence unless needed to maintain continuity of operations of critical infrastructure sectors.

WHEREAS, Executive Order N-33-20 identified 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered to be essential. All other businesses were directed to close.

WHEREAS, on March 20, 2020, the County of Ventura Health Officer issued an Order directing persons living in Ventura County to stay in their place of residence and restricting non-essential activities in response to COVID-19. Essential activities include only activities and tasks essential to health and safety of themselves, family, or household members, to obtain services or supplies, outdoor activities, to perform work for an essential business, or to care for a family member or pet in another household.

WHEREAS, on April 7, 2020, the City of Ventura passed and adopted Ordinance No. 2020-014, an emergency ordinance amending Section 6.1020.020 "Temporary Eviction Moratorium" for the City of Ventura which provides city residents and businesses impacted by COVID-19 the ability to defer rent payment up to six months after the expiration of the City's Declaration of Local Health Emergency.

WHEREAS, on April 28, 2020, Governor Gavin Newsom announced four "Resilience Roadmap Stages" that California would use to guide its gradual reopening process. The four

stages are: Stage 1- Safety and Preparedness; Stage 2- Lower Risk Workplaces; Stage 3- Higher Risk Workplaces; and Stage 4- End of Stay at Home Order. California has been in Stage 1 since the statewide Stay at Home Order, which took effect on March 16, 2020. California is currently in early Stage 2, which began on May 8, 2020.

WHEREAS, on June 11, 2020, the County of Ventura Health Officer issued an Order for the control of COVID-19 directing businesses to establish, implement and enforce COVID-19 prevention plans and observe other capacity restrictions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners, by adoption of this Resolution No. 3394 hereby authorizes the extension of the COVID-19 Ventura Harbor Rental Abatement and Deferment Program, as follows:

The Ventura Port District hereby extends the COVID-19 Ventura Harbor Rental Abatement and Deferment Program ("Program") that will defer all rental payments for those Harbor Master Tenants and Harbor Village Business Tenants who have been directly impacted by the COVID-19 Pandemic on a monthly basis for a period up to six months (April through September 2020);

From April through June 2020, the COVID-19 Ventura Harbor Rental Abatement and Deferment Program qualifications are:

- Businesses must be a Master Tenant, Harbor Village Tenant (i.e. direct commercial tenant of the Ventura Port District), or a Village Marina Recreational Charter Business;
- And:
 - Business is closed by Government Order; or
 - Business has lost 50% or more of typical monthly revenue in the month prior to rent due

From July through September 2020 (Extended Period), the COVID-19 Ventura Harbor Rental Abatement and Deferment Program qualifications are:

- Businesses must be a Master Tenant, Harbor Village Tenant (i.e. direct commercial tenant of VPD), or a Village Marina Recreational Charter Business;
- And:
 - Business is closed due to Government Order; or
 - Business has reopened but has lost 20% or more of typical monthly revenue pre-COVID-19; or
 - Business has been open for less than 1 year but certifies it has lost 20% or more of projected monthly revenue pre-COVID.

The conditions of the COVID-19 Ventura Harbor Rental Deferment Program are:

- Tenants must abide by the orders of the City, County, and State business practices in response to the COVID-19 pandemic.
- Master Tenants who qualify must provide the same monthly deferment to all sub-tenants.
- Harbor Village Tenants and Village Marina Recreational Charter Businesses who qualify and who also pay the District a promotional fee for marketing, shall have the promotional fee waived for each month rent is deferred.

ATTACHMENT 1

- Harbor Village Tenants and Village Marina Recreational Charter Businesses who qualify, and who also pay the District a common area maintenance (CAM) fee, shall have one-half the CAM fee waived for each month rent is deferred.
- Master Tenants, Village Tenants, and Village Marina Recreational Charter Businesses who report sales, will continue to report sales as currently required, even if these sales are \$0.
- Master Tenants, Village Tenants, and Village Marina Recreational Charter Businesses will seek COVID-19 federal or other governmental business assistance (if eligible) and pursue business interruption insurance (if eligible). Deferments for May through September 2020 will require demonstration of pursuit of both or documentation of ineligibility.
- Repayment of all deferred rent (base rents, one-half CAM fees, percentage rent, etc.) shall occur within six months after government emergency orders are rescinded, no sooner than March 2021, or commensurate with prevailing government orders, whichever is later. No interest or late fees will apply to the deferred rent during this time period but shall be applicable as per the lease terms if not paid in full by the conclusion of the repayment period.
- Any outstanding rent owed by Master Tenants, Village Tenants, and Village Marina Recreational Charter Businesses to the District, prior to April 2020, is not eligible for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.
- All other terms, obligations, and requirements in both Master Tenant, Village Tenant, and Village Marina Recreational Charter Business lease agreements remain in full force and effect.

BE IT FURTHER RESOLVED that the Board of Port Commissioners, by adoption of this Resolution hereby authorizes General Manager, Brian D. Pendleton, to have the authority to extend the program, receive applications and approve documentation of the qualifications and conditions to ensure timely processing and approval of monthly rental abatements and deferments.

PASSED, APPROVED AND ADOPTED by the Board of Port Commissioners, this 1st day of July 2020.

Chris Stephens, Chairman

ATTEST:

Jackie Gardina, Secretary

ATTACHMENT 1

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Jackie Gardina, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3394 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 1st day of July 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 1st day of July 2020.

Jackie Gardina, Secretary

ORDINANCE NO. 2020-014

**AN EMERGENCY ORDINANCE OF THE
CITY COUNCIL OF THE CITY OF SAN
BUENAVENTURA, CALIFORNIA,
AMENDING SECTION 6.1020.020,
“TEMPORARY EVICTION MORATORIUM,”
OF THE SAN BUENAVENTURA MUNICIPAL
CODE AND DECLARING THE URGENCY
THEREOF**

WHEREAS, Section 706(c) of the Charter of the City of San Buenaventura authorizes the City Council to adopt emergency ordinances which become effective immediately upon adoption when the City Council determines the same is necessary to preserve the public peace, health, or safety, and the emergency ordinance contains the reasons for its urgency; and,

WHEREAS, International, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”); and,

WHEREAS, On March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and,

WHEREAS, On March 12, 2020, the Ventura County Board of Supervisors and Public Health Department declared a local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and,

WHEREAS, On March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and

addressing the effects of COVID-19; and,

WHEREAS, On March 15, 2020, the City Manager, acting as the Director of Disaster Services under Chapter 2.370 of the San Buenaventura Municipal Code, proclaimed the existence of a local emergency to ensure the availability of mutual aid and an effective response to COVID-19 and this declaration was confirmed by Resolution of the City Council on March 17, 2020; and,

WHEREAS, On March 16, 2020, the Governor of the State of California issued Executive Order N-28-20 reconfirming the State of Emergency in California as a result of the threat of COVID-19, the additional economic impact the virus is causing to businesses and housing matters, and the need for local jurisdictions to determine, based on their particular needs, additional measures to promote housing security as well as assist commercial tenancies; and,

WHEREAS, The Governor's Executive Order N-29-20 suspends any state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions in circumstances where the basis for the eviction is nonpayment of rent or a foreclosure arising out of a substantial decrease in household or business income caused by the COVID-19 pandemic or by any federal, state, or local government response to COVID-19; and,

WHEREAS, On March 19, 2020, the Governor issued Executive Order N-33-20, ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of sixteen critical infrastructure sectors; and,

WHEREAS, As a result of the public health emergency and Executive Order N-33-20, many residential and commercial tenants in the City have experienced or expect soon to experience sudden and unexpected income and/or revenue loss; and,

WHEREAS, The Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to

report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and,

WHEREAS, Further economic impacts are anticipated, leaving tenants vulnerable to eviction; and,

WHEREAS, During this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, and to prevent housed individuals from falling into homelessness; and,

WHEREAS, During this local emergency, and in the interest of protecting the public peace and safety, it is essential to protect small business owners from losing commercial spaces along with the business itself and to avoid unnecessary displacement of commercial businesses; and,

WHEREAS, In light of this local emergency, on March 30, 2020, the City Council adopted Chapter 6.1020, "Temporary Eviction Moratorium," of the San Buenaventura Municipal Code; and

WHEREAS, The City Council found that the documentation and notification requirements established Chapter 6.1020 were impracticable given the difficulty in obtaining certain documents from employers that are closed due to COVID-19; and

WHEREAS, Additional time is required to allow tenants to gather documentation to provide financial impacts related to COVID-19; and

WHEREAS, Without emergency action by the City Council, residential and commercial tenants will not be able to satisfy the documentation requirements, placing tenants at further risk of eviction; and

WHEREAS, The City Council finds that this Emergency Ordinance is necessary to protect the public peace, health and safety of the City during the emergency caused by the spread of COVID-19.

The Council of the City of San Buenaventura does ordain as follows:

SECTION 1. **AMENDMENT TO CODE.** Section 6.1020.020, "Temporary Eviction Moratorium" of Chapter 6.1020, "Temporary Eviction Moratorium," of the San Buenaventura Municipal Code is hereby amended as follows:

Sec. 6.1020.020. Temporary Eviction Moratorium.

A. **Eviction Prohibited.** During the period of the Local Emergency, no Landlord shall endeavor to evict a Tenant from any Rental Unit in either of the following situations: (1) for nonpayment of Rent during the Local Emergency if the Tenant demonstrates that the Tenant is unable to pay Rent due to Financial Impacts Related to COVID-19 or (2) for a No-Fault Eviction unless necessary for the health and safety of Tenants, neighbors, or the Landlord.

A Landlord who knows that a Tenant cannot pay some or all of the Rent temporarily for the reasons set forth above shall not serve a notice pursuant to CCP 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of Rent.

B. **Tenant's Obligations to Notify Landlord.** A Landlord knows of a Tenant's inability to pay Rent within the meaning of this Chapter if

the Tenant, within seven days after the date rent is due, notifies the Landlord In Writing of lost income and inability to pay full Rent due to Financial Impacts Related to COVID-19. Tenant shall provide documentation to support the claim within 30 days after the date rent is due. Documentation may include an employer's letter, doctor's note, paystubs, bank statements or any other documentation the landlord deems sufficient. Any medical or financial information provided to the Landlord shall be held in confidence, and only used for evaluating the Tenant's claim.

C. **Obligation to Pay Rent.** The Tenant shall pay partial rent to the extent the Tenant is able. Nothing in this Chapter shall relieve the Tenant of liability for the unpaid Rent, which the Landlord may seek after expiration of the Local Emergency, and the Tenant must pay within six months of the expiration of the Local Emergency.

D. **Late Fees Prohibited.** A Landlord may not charge or collect a late fee for Rent that is delayed for the reasons stated in this Chapter; nor may a Landlord seek Rent that is delayed or the reasons stated in this Chapter through the eviction process."

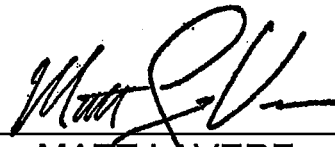
SECTION 2. EFFECTIVE DATE. This Ordinance is an Emergency Ordinance pursuant to City Charter Section 706(c) shall be in full force and effect immediately upon its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Emergency Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Emergency

Ordinance. The City Council hereby declares that it would have adopted this Emergency Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Emergency Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

PASSED and ADOPTED this 7th day of April, 2020.



MATT LAVERE
Mayor

ATTEST:



ANTOINETTE M. MANN, MMC, CRM
CITY CLERK

APPROVED AS TO FORM
Gregory G. Diaz, City Attorney

By: 
Megan Lorenzen
Assistant City Attorney

4/5/20

Date

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)

I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Ordinance No. 2020-014 that was introduced and adopted by said City Council at a special meeting held April 7, 2020, by the following vote:

AYES: Councilmembers Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

NOES: None

ABSENT: Councilmember Nasarenko

I further certify that said Ordinance No. 2020-014 was published as required by law in the VENTURA COUNTY STAR, a newspaper of general circulation printed and published in said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.

Antoinette Mann
Antoinette M. Mann, MMC, CRM
City Clerk
City of San Buenaventura, California

April 7, 2020
Date Attested





BOARD OF PORT COMMISSIONERS

JULY 1, 2020

STANDARD AGENDA ITEM 3

APPROVAL OF PORTSIDE PARTNERS LOAN EXTENSION

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 3

Meeting Date: July 1, 2020

TO: Board of Port Commissioners
FROM: Andy Turner, Legal Counsel (Lagerlof, LLP)
SUBJECT: Approval of Portside Partners Loan Extension

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Approve a loan extension for the Portside Partners project; and
- b) Authorize the General Manager to execute such documents as may be necessary after review and approval by General Counsel.

SUMMARY:

Portside Partners has requested that the District cooperate with an extension of the construction loan due date for the project.

BACKGROUND:

The construction loan for the Portside Partners project is nearing its due date. In order to accommodate delays experienced due to COVID-19 and other factors, the lender has agreed to extend the due date on the loan. Counsel for the lender is currently reviewing the documentation necessary to implement the extension, after which Counsel for the District will review the documentation. Similar extensions have been approved in the past.

FISCAL IMPACT:

None.



BOARD OF PORT COMMISSIONERS

JULY 1, 2020

STANDARD AGENDA ITEM 4

APPROVAL OF THE FY2020-2021
FINAL BUDGET AND FIVE-YEAR
CAPITAL IMPROVEMENT PLAN

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 4
Meeting Date: July 1, 2020

To: Board of Port Commissioners
From: Brian D. Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Gloria Adkins, Accounting Manager
Subject: Approval of the FY2020-2021 Final Budget and Five-Year Capital Improvement Plan

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3395, approving the Fiscal Year 2020-2021 Ventura Port District Budget and Five-Year Capital Improvement Plan (CIP);
- b) Adopt Resolution No. 3396, establishing the Salary Schedule for Non-represented Employees for the Fiscal Year 2020-2021.
- c) Implement a salary freeze and hiring freeze for FY20-21. The MOU with SEIU for Full-Time Harbor Patrol Officers will not be affected by the salary freeze.

SUMMARY:

The COVID-19 pandemic has brought unexpected impacts and an unprecedented level of uncertainty affecting the FY20-21 budgeting process. Forty-one of the businesses in Ventura Harbor needed to defer rent as part of the Board approved Ventura Port District COVID-19 Rental Abatement and Deferment Program with a significant impact to cash receipts for the District. Although many businesses have reopened successfully, the duration and severity of revenue impacts remains uncertain with infection rates throughout the region and the nation rising. Further, several businesses may experience prolonged fiscal impacts. In particular, the Portside development, hotels, charters and commercial fishing have been particularly hard hit. Therefore, District management anticipates a significant revenue impact for FY20-21 compared to previous forecasts for the year.

BACKGROUND:

The budget process began in April at the conclusion of the Midyear Budget review and the onset of the COVID-19 pandemic. At the direction of the General Manager, Department Managers began preparing budgets anticipating the need for significant cost reductions in operating expenses and identifying possible deferments of capital improvements, Village tenant improvements and other discretionary spending. Concurrently, the management team has been actively discussing revenue projections with master tenants, and forecasting Village, Village Marina, charters, dry storage, and commercial fishing revenues.

The revenue forecast of \$7,937,500 reflects a 5% decrease in operating revenue as compared to the current FY19-20 estimated/actual of \$8,328,600 (see Chart 1). The expense forecast of \$6,135,300 is a decrease of 6% in operating expenses as compared to the current FY19-20 estimated/actual of \$6,457,136 (see Chart 2).

Chart 1 – Operating Revenues (Budgeted vs Forecasted)

Fiscal Year	Revenues	% +/-
FY16-17	\$9,193,063	13%
FY17-18*	\$8,514,086	<7%>
FY18-19	\$8,969,830	5%
FY19-20**	\$8,328,600	<7%>
FY20-21***	\$7,937,500	<5%>

- * FY17-18 actual revenues were down 7% due to a one-time lease commencement fee paid by Portside Partners in the amount of \$1,200,000 in FY16-17.
- ** Current year estimated/actual (actuals as of May 1).
- *** FY20-21 forecasted.

Chart 2 – Operating Expenses (Budgeted vs Forecasted)

Fiscal Year	Expenses	% +/-
FY16-17	\$4,918,723	<1%>
FY17-18	\$5,788,472	18%
FY18-19	\$6,214,715	7%
FY19-20*	\$6,457,136	4%
FY20-21**	\$6,135,300	<5%>

- * Current year estimated/actual (actuals as May 1).
- ** FY20-21 forecasted.

As an enterprise, the District generates approximately 86% of its total revenues from all of the real estate transactions in the harbor. In other words, the District receives a minimum rent and/or a percentage of a tenant's gross sales from all of the business operations in the harbor (excluding the Channel Islands National Park). The other 14% of non-operating revenues are derived from the Port District's share of property taxes within the City of Ventura and dedicated to public safety through Harbor Patrol. Every public agency in the City receives a percentage of these property taxes.

REVENUE ASSUMPTIONS

Management staff has prepared the preliminary budget with the following assumptions on incoming revenue during the coming Fiscal Year. It is important to note that a key assumption is that the Ventura Port District Rental Abatement and Deferment Program will be extended for a period of three months with modified terms of participation. In addition, all deferred rent repaid during the coming fiscal year will be paid towards revenue accrued during the current fiscal year. Therefore, rent repayment will be used to correct cash receivables outstanding and will not be recognized as positive revenue income in FY20-21. At the time of this report, staff anticipates that a few businesses may still be closed by government order into the coming FY20-21 and continued deferment may be required for some businesses as described above.

In conversation with master and village tenants, staff anticipates that the impacts to District income from the COVID-19 pandemic will continue for many businesses that are open.

Staff have made the following general assumptions when projecting revenue:

Revenue Source	Pre-COVID Estimate FY20-21*	COVID Impacted Estimate FY20-21*	% Change
Parcel Lease Income	\$3,580,000	\$3,108,000	<13.1%>
Portside Partners Lease Rent	\$1,400,000	\$527,000	<62.4%>
Recreational Boating Income**	\$167,500	\$157,500	<6.0%>
Investment Income	\$200,000	\$180,000	<10.0%>
Harbor Village: Retail	\$557,000	\$450,000	<19.2%>
Harbor Village: Restaurant	\$1,080,000	\$980,000	<9.3%>
Harbor Village: Office	\$725,000	\$722,000	<0.4%>
Harbor Village: Charters	\$400,000	\$275,000	<31.3%>
Commercial Fishing Premises***	\$1,045,000	\$1,045,000	0%
Booth/vendor Income	\$6,000	\$3,500	<41.7%>
Sponsorships/Co-Op Advertising	\$14,500	\$1,000	<93.0%>
Harbor Event Permit Fees	\$35,000	\$30,000	<14.3%>
CAM Income	\$355,000	\$318,000	<10.4%>
Merchants Promotion Dues	\$124,000	\$92,000	<25.8%>
Miscellaneous Sales & Income****	\$48,500	\$48,500	0%

* Comparison of Staff estimates of revenue before the impact of COVID and based on current understanding of COVID pandemic impacts.

** Includes: Dry storage, launch ramp parking income, boat washdown, commercial ID's.

*** Includes: Commercial fish offloading, commercial fish premises, commercial fishermen' storage, and marina slip rentals.

**** Includes miscellaneous sales, rentals, vending machines, and tenant late fees.

EXPENSE ASSUMPTIONS

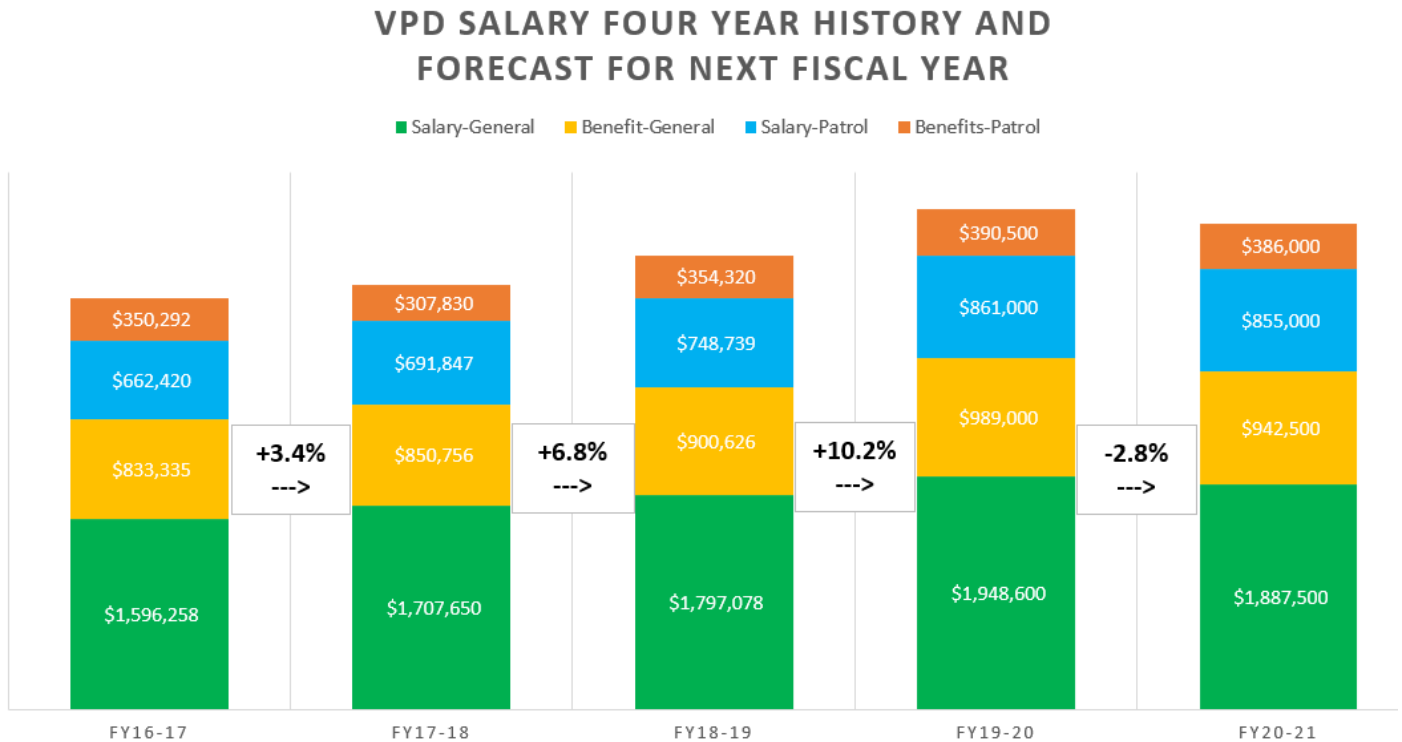
As previously discussed, the General Manager directed Department Managers to prepare their budgets anticipating the need for significant cost reductions in operating expenses.

In response to the COVID-19 pandemic and its anticipated fiscal impacts, the Board has instructed staff to implement a salary freeze and a hiring freeze for the FY20-21 and not to implement any changes to the salary ranges. The MOU with SEIU for Full-Time Harbor Patrol Officers will not be affected by the salary freeze.

Chart 3 below compares the actual salary and benefit expenses over the last three fiscal years, the estimated/actual expense for FY19-20, and reflects the preliminary budget for FY20-21. The preliminary forecasted salary and benefits amount (\$4,071,000) reflects a 2.8% decrease over the previous year. This amount includes:

1. Current MOU labor contract for the Harbor Patrol;
2. Transition of the Business Operations Manager position;
3. Elimination of the part-time dredging project manager position; and,
4. Reduction in the PERS Unfunded Annual Liability due to the paying off of the 'sidefund' for the Classic Miscellaneous employee group as discussed by Bartel & Assoc. in our previous board meeting.

Chart 3 - Salary and Benefits Comparison



CAPITAL & TENANT IMPROVEMENTS:

Implementing and executing a robust Capital Improvement Plan (CIP) over five years has been a consistent priority to the District. Some of the priorities over recent years have included:

- Accessibility Improvements at Harbor Village;
- ADA improvements to the restrooms at Harbor Village;
- Various roof replacements at Harbor Village;
- Painting of Harbor Village buildings;
- Replacement of Harbor Village Marina Docks C, D, G, & H;
- Fish Pier crane replacement; and,
- Building improvements to increase lease value and to continue to attract tenants

The District's expenditures on Capital Improvement Projects has averaged approximately \$2M per year over the past 7 years exclusive of the several key projects including the Village Marina Dock Replacement Project of \$4.4M, Village tenant improvements and an additional \$400k per year over the past 5 years on ADA improvements primarily at the Village.

Given the reduced revenue and impact to cash receipts anticipated, Staff believes the previously budgeted \$1,650,000 in Capital Improvements and \$531,000 in Tenant Improvements are not practical for the coming Fiscal Year.

Capital Improvements: Deferrals/Adjustments

In order to achieve a more fiscally conservative budget that preserves more available cash in the short term, Staff has identified the following Capital Improvement projects that the Board might consider deferring until the following fiscal year. Note that project deferral has the consequence of also moving several CIP items planned after the coming Fiscal Year further into the future (rather than removal of those improvements).

Capital Improvements: Strategic Investment

At the direction of the Board during the Budget Study Session, Staff have identified two key areas of Capital Improvements that have been deemed valuable to advance in order to increase revenue potential. The first item is increased initial spending on the Village Wayfinding and Signage program. This change will increase FY20-21 spending to \$100,000 but not change the budget cut proposed for the Study Session of \$300,000 to \$200,000 that was approved as part of the preliminary budget on June 17, 2020.

The second item proposed is the investment to implement a paid parking program at Ventura Harbor Village and the beach parking lots. During the parking assessment study performed by Associated Transportation Engineers in 2017, it was identified that paid parking could result in improvement Harbor parking management and significant revenue to the District. Staff has requested an update on the estimated costs identified in the 2017 study and, with Board approval, will work to identify revenue potential. For the preliminary budget, Staff has assumed that project development and spending would take place over FY20-21 with implementation beginning the second half of the following year. For the purposes of the final budget, net revenue for FY21-22 is estimated at \$150,000 and at \$300,000 per year in following years. Development of the parking management program, including paid parking and related fees, will be the subject of future Board meetings with stakeholder participation during FY20-21.

Capital Improvement Project	Original Budgeted Cost	Revised Budget for FY20-21	Total Project Budget Change*	Comment
1567 Elevator Refurbishment	\$120,000	\$0	\$0	Delay 2 years
1567 Roof replacement	\$855,000	\$300,000**	\$0	Spread over 3 yrs
1691 HVAC System replacement	\$50,000	\$0	\$0	Delay 1 year
Village signage/awnings	\$300,000	\$100,000***	<\$100,000>	Spread over 3 yrs
1603 District HVAC condenser	\$20,000	\$0	\$0	Delay 1 year
1603 Emergency generator	\$85,000	\$0	\$0	Delay 3 years
1567 Lighthouse building improv.	\$600,000	\$0	\$0	Delay 1 year
Proposed Paid Parking Project	\$0	\$300,000	\$300,000	Strategic investment

* Does not account for possible inflation due to delay

** Instead of completing all three 1567 buildings in one year, completing one building per year for three years. Overall, this extends the roof replacements of two additional buildings to five years until completion.

*** Instead of completing entire \$300k program in one year, budget reduced to \$200k and spread out over 3 years (\$100k in FY20-21 and 50k per year for the following two fiscal years)

Future CIP items (scheduled beyond FY20-21) affected include delaying:

- Harbor Patrol Boat replacement
- Harbor Village Entrance Feature
- Harbor Cove & Surfer's Knoll Brick wall replacement
- Fish Pier resurfacing

These adjustments to the CIP program will result in a Capital Improvement Program budget of \$1,398,600 for FY20-21, rather than the previously estimated \$1,650,000, but generate sufficient revenue to maintain Unrestricted Reserves above 40% for the next 5 years. A summary of the CIP is shown in Attachment 2.

Tenant Improvement: Adjustments

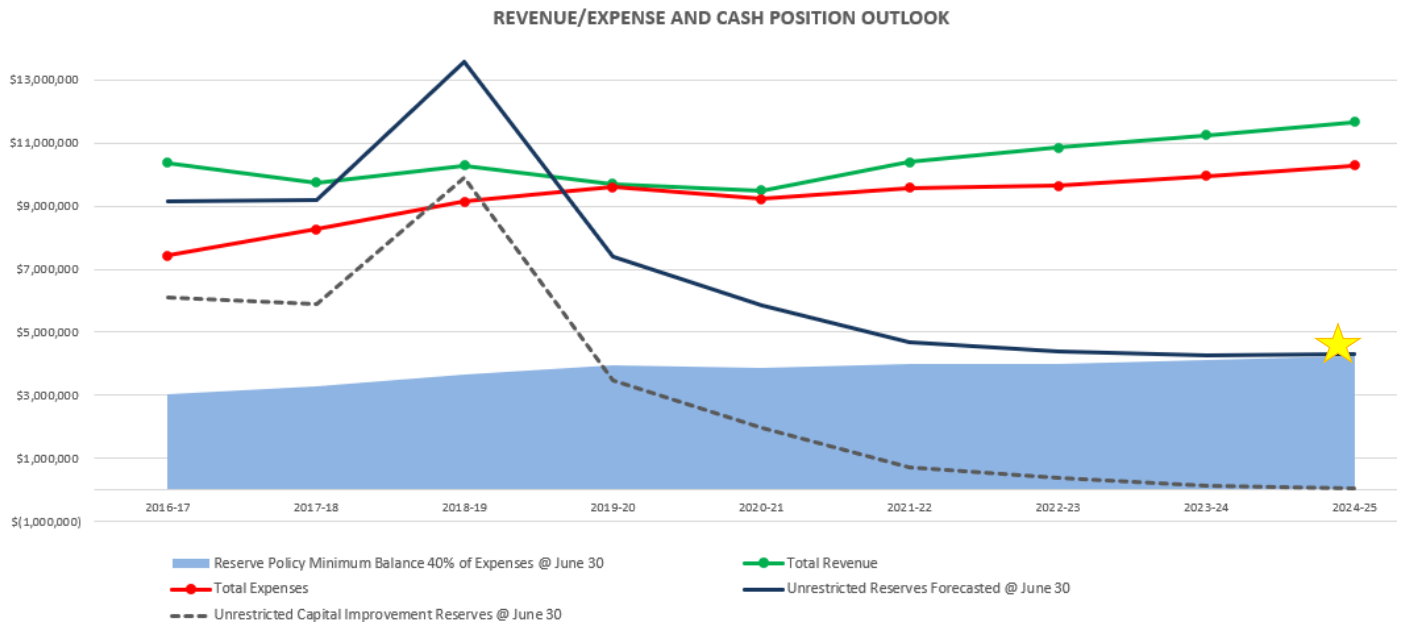
Beginning with this Fiscal Year, Staff are using lease expiration dates, probabilities, and anticipated costs for suite remodeling to estimate a comprehensive budget for District costs associated with addressing tenant turnover. FY20-21 currently has one notable large tenant improvement expense required, which are the necessary improvements to the 1591 building, suites #114 and #115 (formerly Blackbeard's) in order to make the space suitable for leasing (valued at \$200k). In addition, Staff is recommending deferral of remodeling of the Courtesy Patrol office for an additional year as well as conservative investment in other tenant improvements in the coming year. The approved leasing strategy will also include additional emphasis on tenant retention. The adjustments would provide funding in the amount of \$415,000 for FY20-21, rather than the previously planned \$531,000. A summary is provided in Attachment 4.

FISCAL IMPACT:

Below is a summary of the forecasted revenues and expenditures for the FY20-21:

Budget Summary

Operating Income	\$7,937,500
Non-operating Income (Property Tax)	<u>1,370,000</u>
Total Income	\$9,307,500
Operating Expenses	\$6,135,300
Non-operating Expenses (Debt Service)	1,640,000
Harbor Patrol / Safety / Launch Ramp	<u>1,502,600</u>
Total Expenditures	\$9,277,900
Cash Flow before Capital Improvement	\$29,600
Capital, ADA, & Tenant Improvements (net of Conservancy Grant)	<u>\$1,594,000</u>
Cash Flow after Capital Improvements	<u><u>\$(1,564,400)</u></u>



*** Unrestricted Capital Improvement Reserves are reserves in excess of District policy to preserve 40% annual operating costs (i.e. Unrestricted Reserves)**

The proposed FY20-21 budget reflects a positive cash flow of \$29,600 from normal operations before improvement expenditures of \$1,594,000. \$1,564,400 of this expense will need to be funded using Unrestricted Reserves.

ATTACHMENTS:

- Attachment 1 – Budget FY2020-2021
- Attachment 2 – Summary of Five-Year Capital Improvement Plan
- Attachment 3 – Budget by Department - FY2020-2021
- Attachment 4 – Authorized Positions by Department (FTE) & Organization Chart
- Attachment 5 – Tenant Improvement Budget – FY2020-2021
- Attachment 6 – Projections Forecasted FY2020-2021
- Attachment 7 – Resolution No. 3395 to adopt the FY2020-2021 Budget
- Attachment 8 – Resolution No. 3396 Salary Range for the Non-represented Employees

ATTACHMENT 1

VENTURA PORT DISTRICT BUDGET FOR FISCAL YEAR 2020-21 Effective 7/01/2020

Line item adjustments shown in Blue

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
OPERATING REVENUE								
Parcel Lease Income	3,371,906	3,290,000	3,508,795	3,495,000	3,442,000	3,550,000	3,108,000	
Portside Partners Lease	300,000	300,000	300,000	300,000	300,000	300,000	527,000	
Lease appreciation & signing rents	-	-	135,000	-	100,000	-	-	
Dry Storage Income	102,075	120,000	1,800	22,000	41,500	40,000	95,000	
Commercial Fishermen's Storage	73,669	74,000	75,557	76,000	81,700	82,000	82,000	Sub lease Dupuy - Fisherman's Storage
Parking Income	52,365	72,000	53,482	55,000	47,000	55,000	50,000	
Misc. Income/Rentals	207,356	96,000	500,125	494,000	334,500	409,000	237,500	
Harbor Village Lease Income								
Retail	524,559	485,000	509,484	540,000	493,000	532,000	450,000	
Restaurant	1,083,081	1,100,000	1,167,513	1,124,000	1,100,000	1,175,000	980,000	
Offices	647,010	625,000	697,427	700,000	700,000	713,500	722,000	
Charters	387,828	370,000	398,696	380,000	340,000	328,000	275,000	
Commercial Fishing Premises	177,775	150,000	166,526	165,000	185,000	185,000	193,000	
Fish Offloading	175,556	190,000	88,809	110,000	37,000	30,000	40,000	
Harbor Village Misc. Income	8,179	5,500	10,488	5,500	3,500	6,000	3,500	
Booth/Vendor Income	6,133	7,500	10,072	5,000	6,400	8,000	3,500	
Sponsorships	13,720	14,000	15,490	14,000	15,000	14,500	1,000	
Harbor Event Permits	29,535	29,000	27,220	30,000	22,000	35,000	30,000	
Harbor Village Marina Slip Rentals	915,416	890,000	842,388	860,000	689,000	692,000	730,000	
Harbor Village CAM Income	335,366	335,000	352,482	357,000	307,000	361,500	318,000	
Harbor Village Merchants Promo Dues	102,557	105,000	108,476	117,000	84,000	113,500	92,000	
TOTAL OPERATING REVENUE	8,514,086	8,258,000	8,969,830	8,849,500	8,328,600	8,630,000	7,937,500	
% change from previous years actual	-7%	-10%	5%	7%	-7%	-2%	-5%	
% change before special revenues	7%	3%	4%	4%	-7%			

ATTACHMENT 1

FY20-21 Budget Continued, 7/01/2020

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
OPERATING EXPENDITURES								
<u>Personnel Expenses</u>								
Total Wages	1,707,650	1,707,500	1,797,078	1,856,500	1,948,600	1,896,500	1,887,500	
<u>Other Personnel Expenses</u>								
Payroll Taxes & Unemployment	29,267	35,000	28,654	33,100	35,500	32,000	31,000	
Workers Comp Insurance	58,812	69,000	56,159	48,500	71,500	71,500	100,000	
Medical & Life Insurance	228,817	233,000	235,189	248,000	245,000	258,000	244,500	
Optional Benefit Plans	169,139	179,000	177,933	200,500	202,000	204,000	202,000	
Retirement Contributions	364,721	361,500	402,691	394,000	435,000	444,000	365,000	Includes educational and bilingual incentives PERS Unfunded Annual Liab-reduction Classic Misc
Totals Other Personnel Expenses	850,756	877,500	900,626	924,100	989,000	1,009,500	942,500	
Total Personnel Expenses	2,558,406	2,585,000	2,697,704	2,780,600	2,937,600	2,906,000	2,830,000	
% change from previous years actual	5%	6%	5%	8%	9%	5%	-4%	
<u>General Expenses</u>								
Advertising (Public notices)	7,192	7,000	6,266	7,500	11,000	12,500	12,500	
Leasing / Real Estate	19,454	20,000	24,578	25,000	20,000	31,000	21,000	
Port District Open House	4,500	4,000	4,319	4,000	4,500	4,500	-	
Auto Mileage & Allowance	13,200	14,000	12,600	14,000	10,500	13,000	11,000	
Auto Equipment & Maintenance.	19,109	23,000	26,423	23,000	23,000	28,500	26,500	
Bad Debt	(5,258)	18,000	50,399	10,000	2,000	10,000	10,000	
Bank Fees & Other Miscellaneous	9,210	15,000	257,833	15,000	10,000	12,000	11,000	
Building Maintenance	400,658	401,000	537,037	389,000	409,000	409,500	192,500	
Communications	36,750	45,000	40,217	41,500	36,000	41,500	37,000	
Conferences, Meetings & Training	18,903	42,500	25,848	32,500	26,500	38,800	33,000	
Dock & Fish Pier Maint. & Repairs	28,347	44,500	29,447	44,500	21,500	61,500	144,250	Major repairs to Village Marina I Dock
Equipment Rental	16,417	19,500	18,830	17,500	18,000	18,000	17,500	
General Harbor Maintenance	1,803	4,000	2,234	4,000	4,000	4,000	4,000	
General Liability Insurance	249,161	266,000	240,989	256,000	270,000	272,000	277,000	
Grounds Maintenance	164,886	186,000	176,876	124,000	155,000	175,000	196,500	
Grounds Maintenance-Special	385,808	400,000	-	-	-	-	-	
Janitorial Supplies	54,124	61,000	49,225	61,000	64,000	64,000	70,000	
Land/Building Rental Expense	73,675	74,000	76,394	76,000	81,700	82,000	82,000	Approved ground lease with Hobson, Vance
Memberships & Subscriptions	23,124	21,500	25,657	27,000	25,000	25,500	25,000	
Office Computer Equipment & Related	39,597	49,000	38,644	49,000	43,036	51,000	25,000	

ATTACHMENT 1

FY20-21 Budget Continued, 7/01/2020

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
<u>General Expenses Continued</u>								
Office Supplies & Equipment	23,092	31,500	26,757	30,500	26,500	27,500	26,500	
Operating Supplies	26,954	26,500	29,924	28,000	27,100	28,500	36,900	
Other Equipment & Repairs	38,793	45,500	45,325	46,000	47,000	53,000	49,500	
Professional Serv. - Auditing	19,700	35,000	20,500	35,000	25,000	25,000	26,000	
Professional Serv. - Legal	248,443	265,000	367,576	280,000	450,000	450,000	450,000	Real estate, litigation, personnel matters
								Robt Smith-\$75k; Dudek-\$75k; Alluminus
Professional Serv. - Shellfish	62,755	117,000	37,823	90,000	273,300	273,300	175,000	Consulting \$7,500; Meetings & Misc. expenses \$17,500. These expenses are not recovered by the grant
Professional/Outside Services	345,220	348,000	393,863	408,500	445,400	488,600	441,450	
360 Leadership Review	-	-	-	-	11,000	11,000	-	
Board Goal Setting Workshop	-	-	-	-	13,100	11,000	-	
Prof. Serv/Customer Count Study Survey/leased equip	25,000	35,000	10,446	33,000	10,500	10,500	-	
Prof. Serv/Downtown Trolley Partnership	24,000	25,000	12,000	19,500	-	-	-	
Web Site Hosting/ADA & General Maint.	-	-	3,912	13,000	5,000	13,000	13,000	
Uniforms & Tool Allowances	14,539	16,500	13,873	17,500	18,000	18,600	19,500	
Utilities and Trash	360,649	401,500	377,030	408,500	436,500	428,000	434,000	
Dredging Related Expenses	208,895	244,500	258,281	248,500	216,700	248,500	174,000	
Total General Expenses	2,958,700	3,306,000	3,241,126	2,878,500	3,239,836	3,440,800	3,041,600	
% change from previous years actual	33%	49%	10%	-13%	0%	20%	-6%	
<u>Marketing & Promotional Expenses</u>								
Advertising & Marketing	129,346	140,000	142,667	150,000	150,000	160,000	136,900	
Ad Production/Graphic Design	22,960	20,000	19,741	20,000	20,000	20,000	19,200	
Marketing Conversion Study	5,000	5,000	-	-	-	-	-	
Street Event Banners	1,208	2,500	1,571	2,500	1,600	1,200	1,200	
Village Maps/Promotional Materials	13,107	15,000	10,865	15,000	15,800	15,800	11,500	
Certified Rack	2,530	2,500	2,581	2,500	2,700	2,700	2,300	
Tourism Outreach, FAM Tours & Meetings	5,658	9,500	8,158	9,000	7,000	12,900	9,200	
Entertainment & Music	19,508	20,000	23,852	27,000	23,000	25,900	22,100	
Brand Build/Promotions/Campaigns/Events	52,705	50,000	50,409	54,500	40,000	58,000	40,000	
Content/Web/Paid Social Media	19,175	24,000	15,829	16,500	19,500	19,500	21,300	
Miscellaneous	169	500	212	500	100	-	-	
Total Marketing & Promotional Expenses	271,366	289,000	275,885	297,500	279,700	316,000	263,700	
% change from previous years actual	0%	7%	2%	3%	1%	6%	-6%	
TOTAL OPERATING EXPENDITURES	5,788,472	6,180,000	6,214,715	5,956,600	6,457,136	6,662,800	6,135,300	
% change from previous years actual	18%	26%	7%	-4%	4%	12%	-5%	
Operating Cash Flows In (Out)	2,725,614	2,078,000	2,755,115	2,892,900	1,871,464	1,967,200	1,802,200	
% change from previous years actual	-36%	-51%	1%	39%	-32%	-32%	-4%	

ATTACHMENT 1

FY20-21 Budget Continued, 7/01/2020

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
NON-OPERATING and OTHER EXPENDITURES								
Harbor Patrol expenses not funded by property taxes	(8,851)	194,000	25,126	249,000	129,000	254,000	132,600	Remaining Patrol expenditures are funded from Operating Revenues
Conservancy Grant - Fisherman's Storage	-	-	-	-	-	-	-	
COP's Interest Payment	425,094	440,000	397,690	410,000	390,000	390,000	355,000	
Principle Payments on bonds/loans	829,100	830,000	854,100	855,000	884,000	890,000	910,000	
2018 Dock Project Financing Cost Issuance	-	-	54,166	64,000	-	-	-	
2018 Dock Project Debt Interest Payment	-	-	201,278	120,000	225,000	225,000	215,000	
2018 Dock Project Debt Principle Payment	-	-	67,785	67,000	146,000	150,000	160,000	
TOTAL NON-OPER. EXPENDITURES	1,245,343	1,464,000	1,600,145	1,765,000	1,774,000	1,909,000	1,772,600	
% change from previous years actual	-7%	10%	28%	21%	11%	8%	0%	
Annual Cash Flows In (Out) from normal operations before any Improvements	1,480,271	614,000	1,154,970	1,127,900	97,464	58,200	29,600	
% change from previous years actual	-50%	-79%	-22%	84%	-92%	-95%	-70%	
Building Tenant Improvements	-	392,000	23,195	832,500	280,000	363,300	415,000	See Attached Schedule
Accessibility Improvements	341,610	565,000	-	190,000	75,000	335,000	110,000	See Attached Schedule
Capital Improvements Projects	994,645	2,318,000	1,747,592	3,773,000	5,900,000	6,333,000	1,288,600	See Attached Schedule
Conservancy Grant Income - Fisherman's Storage & Hoist							(219,600)	See Attached Schedule
Annual Cash Flows In(out) after Improvements	144,016	(2,661,000)	(615,817)	(3,667,600)	(6,157,536)	(6,973,100)	(1,564,400)	
Improvements funded through Unrestricted Improvement Reserve Fund	(144,016)	2,661,000	615,817	3,667,600	6,157,536	6,973,100	1,564,400	
Projected Unrestricted Reserve Balance	\$ 9,208,000	\$ 6,475,000	\$ 9,130,000	\$ 5,540,400	\$ 7,417,464	\$ 6,588,900	\$ 5,853,064	
City National Bank funding for Village Marina Dock Renovations			\$ 4,445,000	\$ 4,660,000	\$ -	\$ -	\$ -	
Dredging Reserve Fund	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 2,800,000	\$ 2,780,000	

ATTACHMENT 1

FY20-21 Budget Continued, 7/01/2020

Harbor Patrol Department Expenses funded from Property Taxes and Assessments collected by the County of Ventura

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
Property Taxes and Assessments from County	1,243,004	1,160,000	1,319,632	1,250,000	1,370,000	1,300,000	1,370,000	
	7%	0%	6%	8%	4%	4%	0%	
<u>Harbor Patrol Personnel Expenses</u>								
Total Wages	691,847	703,000	748,739	830,000	854,000	861,000	855,000	
Payroll Taxes & Unemployment	13,180	16,000	14,238	18,000	16,000	17,000	13,000	
Workers Comp Insurance	63,078	103,000	74,019	92,000	77,500	77,500	55,000	
Medical & Life Insurance	60,541	62,000	64,304	77,000	75,000	82,000	82,000	
Optional Benefit Plans	47,786	51,000	51,292	61,000	70,000	64,000	70,000	Includes educational Incentive
Retirement Contributions	123,245	116,000	150,467	132,000	145,000	150,000	166,000	
Total Harbor Patrol Personnel Expenses	999,677	1,051,000	1,103,059	1,210,000	1,237,500	1,251,500	1,241,000	
% change from previous year actual	-1%	4%	10%	15%	12%	3%	0%	
<u>Harbor Patrol Other Expenses</u>								
Uniforms	14,556	13,000	17,813	18,000	18,000	18,000	14,400	
Oil & Fuel Expense	22,534	34,000	26,372	25,000	35,000	31,500	25,200	
Operating Supplies & Expense	20,531	35,000	26,657	30,000	30,000	30,000	24,000	
Boat Maintenance	100,526	120,000	83,979	120,000	65,000	100,000	80,000	
Auto Equip & Maint.	6,519	8,500	5,968	5,000	6,500	5,000	4,000	
Conferences & Training	7,671	7,500	9,943	8,000	15,000	15,000	16,000	
Vessel Salvage Expense	-	-	-	-	-	10,000	-	
Summer Lifeguard Services	60,276	80,000	68,726	80,000	88,000	88,000	93,000	
Professional Services	1,863	5,000	2,241	3,000	4,000	5,000	5,000	
Total Harbor Patrol Other Expenses	234,476	303,000	241,699	289,000	261,500	302,500	261,600	
% change from previous year actual	12%	44%	3%	-5%	8%	5%	0%	
Total Harbor Patrol Expenses	1,234,153	1,354,000	1,344,758	1,499,000	1,499,000	1,554,000	1,502,600	
% change from previous year actual	1%	11%	9%	11%	11%	4%	0%	
Expenditures remaining after Property Tax Revenues were applied are funded from Operating Revenues	8,851	(194,000)	(25,126)	(249,000)	(129,000)	(254,000)	(132,600)	Remaining Patrol expenditures are funded from Operating Revenues

ATTACHMENT 1

FY20-21 Budget Continued, 7/01/2020

Expenditures funded by Grants and Special Funding

	<u>Actual 2017-18</u>	<u>Budget 2017-18</u>	<u>Actual 2018-19</u>	<u>Budget 2018-19</u>	<u>Est/Act 2019-20</u>	<u>Budget 2019-20</u>	<u>Budget 2020-21</u>	<u>Comments</u>
<u>Grants and Special Funding</u>								
NOAA Grant-Shellfish Aquaculture-2018	109,590	150,000	175,942	207,000	96,800	96,800	40,109	
Dredging Reserve Fund	-	-	-	-	-	200,000	225,000	City of Ventura will reimburse their pro-rata share of the dredging expense. The dredging fund will be reimbursed in FY21-22
DBAW Grants-abandon vessel & vessel turn-in	3,000	5,000	4,272	3,000	-	-	-	
DBAW Grants-Boat Equipment	-	15,000	-	-	-	-	-	
DBAW Grant-Training Expense Reimbursement	-	10,000	-	-	-	-	-	
TOTAL GRANTS & SPECIAL FUNDING	112,590	180,000	180,214	210,000	96,800	296,800	265,109	

Projects, Equipment and Training Expenses

NOAA Grant-Shellfish Aquaculture-2018	109,590	150,000	175,942	207,000	96,800	96,800	40,109	
Dredging of Inner Harbor at entrance of Keys	-	-	-	-	-	200,000	225,000	City of Ventura will reimburse their pro-rata share of the dredging expense. The dredging fund will be reimbursed in FY21-22
Vessel Salvage-Abandoned and Turn-in	3,000	5,000	4,272	3,000	-	-	-	
Boat Engines & Equipment for new boat	-	15,000	-	-	-	-	-	
Harbor Patrol Training	-	10,000	-	-	-	-	-	
TOTAL PROJECTS & EQUIPMENT	112,590	180,000	180,214	210,000	96,800	296,800	265,109	

ATTACHMENT 2

Capital Improvements and ADA Improvements Plan Summary of Five Year Projection

Line item adjustments shown in Blue

Item #	Project Location/Description	Fiscal Yr 20-21	Fiscal Yr 21-22	Fiscal Yr 22-23	Fiscal Yr 23-24	Fiscal Yr 24-25
1	Harbor Village Bldgs.-replace/repair roofs/tiles/gutters - Bldg. 1567 (3), 1583, 1575. (1431 and 1591 in FY25-26)	300,000	250,000	250,000	875,000	650,000
2	Paid Parking Infrastructure	300,000				
3	Fisherman Storage at Ventura Harbor Storage premises	200,000				
4	Harbor Village Trash Enclosures	180,000		180,000		180,000
5	Fish Pier Crane #1 - replace aging crane - 30% deposit on crane paid June 2019	150,000				
6	Village Signage, Awnings, Trellis to complement paint project	100,000	50,000	50,000		
7	Harbor Village and Beach Restroom Usage Monitoring System	33,600				
8	Harbor Camera Security System Improvement	25,000				
9	1567 Spinnaker #100 - Building Improvements		600,000			
10	National Park Service Bldg. - Elevator/Modifications - 1431 Spinnaker Drive Building		400,000			
11	Seismic evaluation with plans/specs for GSA buildings - 1431 Spinnaker and 1691 Spinnaker		300,000			
12	Vehicle Replacement - Harbor Patrol Dept.		65,000			
13	National Park Service Bldg. - 1691 Bldg. - HVAC systems - Project split into two years based on the lease with NPS		50,000	50,000		
14	District Headquarters - replace HVAC condenser unit system		20,000			
15	District Headquarters - emergency generator - plans & specs followed by purchase and installation		15,000		85,000	
16	Harbor Cove & Surfers Knoll - Brick wall replacement - Expense deferred to FY22-23			500,000		
17	Boat Replacement - Harbor Patrol Dept. Grant funding will be sought			300,000		
18	Harbor Village Bldgs. - refurbish elevator at 1591 Spinnaker (last of the 5 elevators in the Village to be refurbished)			120,000		
19	Harbor Village Entrance Feature Revitalization & Wayfinding			50,000	125,000	
20	Village Paseo Improvement Project				250,000	
21	Resurface Launch Ramp and Parking Lot				50,000	
22	Resurface Parking Lots (Harbor Village & Beach Lots)					450,000
23	Fish Pier - resurface as needed (FY25-26)					
24	Vehicle Replacement - Maintenance Dept. (FY25-26)					
ADA-25	Harbor Village - ADA Restroom Improvements 1559 (FY 20-21) 1567,1575,1691 (FY 25-26)	110,000				
Total Capital Improvement Plan		1,288,600	1,750,000	1,500,000	1,385,000	1,280,000
Total ADA Improvement Plan		110,000	-	-		
TOTAL CAPITAL IMPROVEMENTS & ADA IMPROVEMENTS		1,398,600	1,750,000	1,500,000	1,385,000	1,280,000
Special Funding for Fish Pier Crane (#8 above)		150,000				
Special Funding for Fishermens' Storage (#20 above)		69,600				
TOTAL CAPITAL IMPROVEMENTS & ADA IMPROVEMENTS WITH FUNDING		1,179,000	1,750,000	1,500,000	1,385,000	1,280,000

ATTACHMENT 3

VENTURA PORT DISTRICT BUDGET BY DEPARTMENT FISCAL YEAR 2020-21

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
OPERATING REVENUE								
Parcel Lease Income	3,371,906	3,290,000	3,508,795	3,495,000	3,442,000	3,550,000	3,108,000	
Portside Partners Lease Rent	300,000	300,000	300,000	300,000	300,000	300,000	527,000	
Lease appreciation/signing rent/option fee	-	-	135,000	-	100,000	-	-	
Dry Storage Income	102,075	120,000	1,800	22,000	41,500	40,000	95,000	
Commercial Fishermen's Storage	73,669	74,000	75,557	76,000	81,700	82,000	82,000	Sub lease Dupuy - Fisherman's Storage
Boat Wash-down Income	4,970	4,000	3,662	5,000	2,500	5,000	3,500	
Commercial ID's Income	10,475	7,000	9,955	9,000	9,000	9,000	9,000	
Parking Income	52,365	72,000	53,482	55,000	47,000	55,000	50,000	
Sales of Services & Supplies	7,877	5,000	9,118	5,000	5,000	5,000	5,000	
Misc. Rentals	27,520	30,000	37,600	192,000	38,000	40,000	40,000	
Investment Income	156,514	50,000	439,790	283,000	280,000	350,000	180,000	Less reserves/lower interest rates
Harbor Village Lease Income								
Retail	524,559	485,000	509,484	540,000	493,000	532,000	450,000	
Restaurant	1,083,081	1,100,000	1,167,513	1,124,000	1,100,000	1,175,000	980,000	
Offices	647,010	625,000	697,427	700,000	700,000	713,500	722,000	
Charters	387,828	370,000	398,696	380,000	340,000	328,000	275,000	
Commercial Fish Premises	177,775	150,000	166,526	165,000	185,000	185,000	193,000	
Fish Offloading	175,556	190,000	88,809	110,000	37,000	30,000	40,000	
Tenant Late Charges	2,922	500	7,032	500	1,000	1,000	1,000	
Vending Machines/Misc. Sales	5,257	5,000	3,456	5,000	2,500	5,000	2,500	
Booth/vendor income	6,133	7,500	10,072	5,000	6,400	8,000	3,500	
Sponsorships/Co-Op Advertising	13,720	14,000	15,490	14,000	15,000	14,500	1,000	
Harbor Event Permit Fees	29,535	29,000	27,220	30,000	22,000	35,000	30,000	
Marina Slip Rentals	898,425	865,000	832,141	850,000	674,000	674,000	720,000	
Marina Electrical Income	16,991	25,000	10,247	10,000	15,000	18,000	10,000	
CAM Income	335,366	335,000	352,482	357,000	307,000	361,500	318,000	
Merchants Promotion Dues	102,557	105,000	108,476	117,000	84,000	113,500	92,000	
TOTAL OPERATING REVENUE	8,514,086	8,258,000	8,969,830	8,849,500	8,328,600	8,630,000	7,937,500	
Increase / -Decrease over previous year	-7%	-10%	5%	7%	-7%	-2%	-5%	
% change before special revenues	7%	3%	4%	7%	-7%			

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
OPERATING EXPENDITURES BY DEPARTMENT								
<u>Maintenance Personnel Expenses</u>								
Regular Salaries	317,735	287,000	344,082	305,000	345,000	351,000	354,000	Not due to wage increases
Overtime Pay	3,845	5,000	4,821	5,000	5,500	5,000	5,000	
Holiday Pay	886	2,500	1,530	2,000	2,500	2,000	2,000	
Payroll Taxes & Unemployment	5,674	11,500	4,728	6,000	5,000	5,500	5,500	
Workers Comp Insurance	21,396	22,000	20,627	16,000	26,500	26,500	37,500	
Medical & Life Insurance	41,341	42,000	39,422	44,000	50,000	51,000	52,000	
Employee Optional Benefits	28,500	30,000	30,331	29,000	35,000	36,000	35,000	Includes bilingual incentive
Retirement Contributions	66,653	67,000	69,699	74,000	93,000	95,000	79,000	PERS Unfunded Annual Liab-reduction
Total Maintenance Personnel Expenses	486,030	467,000	515,240	481,000	562,500	572,000	570,000	
Increase / -Decrease over previous year	4%	0%	6%	3%	9%	19%	1%	
<u>Maintenance Other Expenses</u>								
Uniforms	4,075	6,500	3,695	7,000	6,000	7,100	7,000	
Oil & Fuel Expense	5,644	6,000	4,825	7,000	6,000	8,000	7,000	
Operating Supplies	22,372	21,000	24,489	21,000	21,000	21,000	22,000	
Janitorial Supplies	17,267	17,500	15,609	20,000	20,000	20,000	22,000	
Equipment Rental	3,090	6,000	7,627	6,000	6,500	6,500	6,000	
Auto Maintenance	5,629	7,000	11,745	7,000	8,000	10,000	9,000	
Building Maintenance	386,582	337,000	479,285	335,000	392,000	392,000	170,000	Unanticipated TI's are now reflected in TI Schedule
Building Maintenance-Special	-	35,000	35,000	35,000	-	-	-	
Grounds Maintenance	132,108	139,000	115,630	82,000	65,000	95,500	111,500	
Grounds Maintenance-Pavement repair/slurry coating/s	385,808	400,000	-	-	-	-	-	
Seasonal Decorations	25,570	25,000	25,931	26,000	60,000	60,000	65,000	
Harbor Maintenance	1,803	4,000	2,234	4,000	4,000	4,000	4,000	
Docks Maint. & Repairs	6,700	6,500	1,719	6,500	1,500	6,500	13,000	
Equipment & Repairs	36,168	40,000	40,381	40,000	44,000	47,000	44,000	
Conferences & Training	4,057	5,500	3,817	5,500	4,000	8,000	6,500	
Utilities-Electrical	44,171	60,000	41,552	50,000	55,000	55,000	56,000	Clean Power Alliance participation
Utilities-Gas	2,091	6,000	3,783	5,000	5,500	5,000	6,000	
Utilities-Water	45,265	40,000	48,121	45,000	45,000	45,000	45,000	
Trash Disposal	14,776	25,000	19,066	25,000	20,000	25,000	25,000	
Outside Services	59,998	90,000	59,157	65,500	100,000	126,000	94,000	
Total Maintenance Other Expense	1,203,174	1,277,000	943,666	792,500	863,500	941,600	713,000	
Increase / -Decrease over previous year	92%	103%	-22%	-38%	-8%	19%	-17%	
Total Maintenance	1,689,204	1,744,000	1,458,906	1,273,500	1,426,000	1,513,600	1,283,000	
Increase / -Decrease over previous year	54%	59%	-14%	-27%	-2%	19%	-10%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Administration & General Personnel Expense								
Regular Salaries	682,706	674,000	752,644	795,000	774,000	774,000	775,000	
Part-time Pay	-	-	-	-	70,000	-	-	Parsons-Agreement ends 6/30/20
Overtime Pay	364	1,000	1,855	1,000	5,000	1,000	1,000	
Holiday Pay	1,102	1,000	650	1,000	1,000	1,000	1,000	
Payroll Taxes	11,692	10,000	11,836	13,500	17,500	12,000	12,000	
Workers Comp Insurance	2,858	4,500	4,217	3,500	1,500	1,500	4,500	
Medical & Life Insurance	57,439	58,000	64,433	69,000	65,000	75,000	63,000	
OPEB Benefits	12,000	12,000	9,276	12,000	10,000	12,000	10,500	
Employee Optional Benefits	56,912	59,000	64,712	83,500	81,000	82,000	82,000	Includes educational incentive
Retirement Contributions	157,554	155,500	194,033	183,000	185,000	191,000	147,000	PERS Unfunded Annual Liab-reduction
Total Admin. & General Personnel Expense	982,627	975,000	1,103,656	1,161,500	1,210,000	1,149,500	1,096,000	
Increase / -Decrease over previous year	5%	4%	12%	19%	10%	-1%	-9%	
General & Administration Other Expenses								
Advertising & Tenant Promotions	7,192	7,000	6,266	7,500	11,000	12,500	12,500	
Leasing / Real Estate	19,454	20,000	24,578	25,000	20,000	31,000	21,000	
Port District Open House	4,500	4,000	4,319	4,000	4,500	4,500	-	
Telephone/WiFi Communications	36,750	45,000	40,217	41,500	36,000	41,500	37,000	
Rental Expense-Fishermen's Storage	73,675	74,000	76,394	76,000	81,700	82,000	82,000	Approved ground lease with Hobson, Vance
General Insurance	119,189	127,500	115,367	121,000	128,000	130,000	132,000	
Memberships	15,873	14,000	17,237	17,000	17,200	15,700	17,600	
Memberships-LAFCO Contribution.	5,382	5,500	6,095	6,000	6,800	6,800	6,400	Per LAFCO's FY2021 Proposed Budget
Subscriptions	1,869	2,000	2,325	4,000	1,000	3,000	1,000	
Office Supplies & Equipment	20,046	26,500	24,251	26,500	22,500	22,500	22,500	
Office Computer Equipment	37,973	41,000	32,600	41,000	43,000	43,000	25,000	
Security cameras/installs/maintenance	1,624	8,000	6,044	8,000	36	8,000	-	
Postage & Express	3,046	5,000	2,506	4,000	4,000	5,000	4,000	
Equipment Rental	13,327	13,500	11,203	11,500	11,500	11,500	11,500	
Auto Mileage & Allowance	13,200	14,000	12,600	14,000	10,500	13,000	11,000	
Conferences & Meetings	14,798	34,500	21,798	25,000	22,000	27,800	25,000	
Professional Services - Auditing & Accounting	19,700	35,000	20,500	35,000	25,000	25,000	26,000	
Professional Services - Legal	248,443	265,000	367,576	280,000	450,000	450,000	450,000	
Professional Services - Shellfish Other (VSE)	62,755	117,000	37,823	90,000	273,300	273,300	175,000	Robt Smith-\$75k; Dudek-\$75k; Alluminus Consulting \$7,500; Meetings & Misc. expenses \$17,500. These expenses are not recovered by the grant
Professional Services - All others	135,099	154,000	238,926	238,000	230,400	247,600	243,700	
360 Leadership Review	-	-	-	-	11,000	11,000	-	
Board Goal Setting Workshop	-	-	-	-	13,100	11,000	-	
VHV Customer Count Study/Lease Equipment	25,000	35,000	10,446	33,000	10,500	10,500	-	
Trolley services to stop in Harbor	24,000	25,000	12,000	19,500	-	-	-	
Web Site Hosting/ADA & General Maint.	-	-	3,912	13,000	5,000	13,000	13,000	
Bad Debt/Uncollectable accounts	(5,258)	18,000	50,399	10,000	2,000	10,000	10,000	
Bank Fees & Other Misc.	9,210	15,000	257,833	15,000	10,000	12,000	11,000	
Total Admin. & General Other Expenses	906,847	1,105,500	1,403,215	1,165,500	1,450,036	1,521,200	1,337,200	
Increase / -Decrease over previous year	18%	44%	55%	5%	3%	31%	-8%	
Total Admin & General Expense	1,889,474	2,080,500	2,506,871	2,327,000	2,660,036	2,670,700	2,433,200	
Increase / -Decrease over previous year	11%	22%	33%	12%	6%	15%	-9%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Harbor Village Marina Personnel Expenses								
Regular Salaries	232,330	249,000	257,132	233,000	255,000	272,000	271,000	
Part-time Pay	1,200	4,000	-	8,000	-	-	-	
Overtime Pay	6,493	6,000	6,412	6,000	6,000	6,000	6,000	
Holiday Pay	6,512	7,000	6,024	7,000	7,500	7,500	7,500	
Payroll Taxes	3,563	4,500	3,806	4,000	4,000	5,000	5,000	
Workers Comp Insurance	15,582	19,500	15,595	12,000	19,500	19,500	28,500	
Group Medical Insurance	47,379	48,000	48,913	46,000	49,000	49,000	50,000	
Employee Optional Benefits	34,200	36,000	35,070	32,000	36,000	36,000	36,000	Includes educational incentive
Retirement Contributions	63,452	59,000	58,900	56,000	73,000	74,000	64,000	PERS Unfunded Annual Liab-reduction
Total Marina Expenses Personnel	410,711	433,000	431,852	404,000	450,000	469,000	468,000	
Increase / -Decrease over previous year	3%	9%	5%	-7%	4%	16%	4%	
Harbor Village Marina Other Expenses								
Uniforms	6,497	5,000	6,245	5,500	7,000	6,500	6,500	
Fuel expense	414	1,000	1,591	1,000	1,500	1,500	1,500	
General Insurance	34,446	35,000	34,446	35,000	35,000	35,000	41,000	
Operating Supplies	3,409	2,500	5,426	4,000	4,500	4,500	11,900	Includes new Marina software
Janitorial Supplies	12,653	13,500	11,540	14,000	14,000	14,000	15,000	
Other Equipment Repairs	348	1,000	1,224	1,500	1,000	1,500	1,500	
Building Maintenance	1,134	4,000	99	4,000	2,000	2,500	2,500	
Grounds Maintenance	2,789	12,000	13,243	6,000	10,000	6,000	10,000	
Dock Maint. & Repairs	18,131	28,000	15,661	28,000	10,000	25,000	108,750	Village I dock repairs/sealing
Fish Pier Repairs	3,516	10,000	12,067	10,000	10,000	30,000	22,500	
Conferences & Training	48	2,500	233	2,000	500	3,000	1,500	
Utilities-Electrical	61,588	70,000	64,099	70,000	85,000	77,000	80,000	Clean Power Alliance participation
Utilities-Gas	4,118	6,000	5,663	6,000	6,000	6,000	6,000	
Utilities-Water	38,574	45,000	45,750	45,000	45,000	45,000	45,000	
Trash Disposal	22,985	17,000	22,742	20,000	26,000	23,000	23,000	
Professional/Outside Services	95,463	45,000	43,263	45,000	60,000	55,000	44,750	
Misc. Expense	-	500	-	500	100	500	500	
Total Marina Other Expenses	306,113	298,000	283,292	297,500	317,600	336,000	421,900	
Increase / -Decrease over previous year	12%	9%	-7%	0%	12%	13%	33%	
Total Marina Expenses	716,824	731,000	715,144	701,500	767,600	805,000	889,900	
Increase / -Decrease over previous year	7%	9%	0%	-4%	7%	15%	16%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Harbor Village Common Area Maintenance (CAM) Personnel Expenses								
Regular Salaries	272,094	287,000	227,631	300,000	285,000	268,000	264,000	
Part-time Pay	-	-	-	-	-	-	-	
Overtime Pay	9,734	8,000	12,209	8,000	7,000	9,500	9,500	
Holiday Pay	4,754	6,000	4,298	6,000	6,000	6,000	6,000	
Payroll Taxes	4,035	4,500	3,616	4,600	4,500	4,500	4,000	
Workers Comp Insurance	18,305	22,000	14,762	16,000	22,500	22,500	28,500	
Group Medical Insurance	53,782	56,000	55,606	59,000	53,000	53,000	51,000	
Employee Optional Benefits	38,576	42,000	34,020	42,000	36,000	36,000	35,000	Includes bilingual incentive
Retirement Contributions	53,556	55,500	53,878	55,000	53,000	53,000	47,000	PERS Unfunded Annual Liab-reduction
Total C.A.M. Personnel Expenses	454,836	481,000	406,020	490,600	467,000	452,500	445,000	
Increase / -Decrease over previous year	4%	10%	-11%	2%	15%	-8%	-5%	
Harbor Village Common Area Maintenance (CAM) Other Expenses								
Uniforms	3,967	5,000	3,933	5,000	5,000	5,000	6,000	
Oil & Fuel Expense	7,422	9,000	8,262	8,000	7,500	9,000	9,000	
General Insurance	95,526	103,500	91,176	100,000	107,000	107,000	104,000	
Operating Supplies	1,173	2,500	9	2,500	1,500	2,500	2,500	
Janitorial Supplies	24,204	30,000	22,076	27,000	30,000	30,000	33,000	
Building Maintenance	12,942	25,000	22,653	15,000	15,000	15,000	20,000	
Grounds Maintenance	4,419	10,000	22,072	10,000	20,000	13,500	10,000	
Equipment & Repairs	2,277	4,500	3,720	4,500	2,000	4,500	4,000	
Utilities-Electrical	35,297	42,500	33,959	42,500	41,000	47,000	48,000	Clean Power Alliance participation
Utilities-Water	57,180	60,000	53,071	60,000	62,000	60,000	60,000	
Trash Collection	34,604	30,000	39,224	40,000	46,000	40,000	40,000	
Professional/Outside Services	54,660	59,000	52,517	60,000	55,000	60,000	59,000	
Total C.A.M. Other Expenses	333,671	381,000	352,672	374,500	392,000	393,500	395,500	
Increase / -Decrease over previous year	1%	15%	6%	-2%	11%	5%	1%	
Total CAM Expenses	788,507	862,000	758,692	865,100	859,000	846,000	840,500	
Increase / -Decrease over previous year	3%	12%	-4%	0%	13%	-2%	-2%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Harbor Marketing Personnel Expenses								
Regular Salaries	136,180	136,000	143,098	140,000	146,600	148,000	147,000	
Part-time Pay	29,256	30,000	32,721	37,000	30,000	43,000	36,000	
Overtime Pay	2,459	3,000	1,971	2,000	2,000	2,000	2,000	
Holiday Pay	-	1,000	-	500	500	500	500	
Payroll Taxes	4,303	4,500	4,668	5,000	4,500	5,000	4,500	
Workers Comp Insurance	671	1,000	958	1,000	1,500	1,500	1,000	
Medical & Life Insurance	16,876	17,000	17,539	18,000	18,000	18,000	18,000	
Employee Optional Benefits	10,951	12,000	13,800	14,000	14,000	14,000	14,000	Includes educational incentive
Retirement Contributions	23,506	24,500	26,181	26,000	31,000	31,000	28,000	PERS Unfunded Annual Liab-reduction
Total Marketing Personnel Expenses	224,202	229,000	240,936	243,500	248,100	263,000	251,000	
Increase / -Decrease over previous year	18%	20%	7%	6%	3%	8%	1%	
Harbor Marketing Other Expenses								
Advertising & Marketing	129,346	140,000	142,667	150,000	150,000	160,000	136,900	
Ad Production/Graphic Design	22,960	20,000	19,741	20,000	20,000	20,000	19,200	
Marketing Conversion Study	5,000	5,000	-	-	-	-	-	
Street Event Banners	1,208	2,500	1,571	2,500	1,600	1,200	1,200	
Village Maps/Promotional Materials	13,107	15,000	10,865	15,000	15,800	15,800	11,500	
Certified Rack	2,530	2,500	2,581	2,500	2,700	2,700	2,300	
Tourism Outreach, FAM Tours & Meetings	5,658	9,500	8,158	9,000	7,000	12,900	9,200	
Entertainment & Music	19,508	20,000	23,852	27,000	23,000	25,900	22,100	
Brand Build/Promotions/Campaigns/Events	52,705	50,000	50,409	54,500	40,000	58,000	40,000	
Web Content Development & Analytical Tools	19,175	24,000	15,829	16,500	19,500	19,500	21,300	
Miscellaneous	169	500	212	500	100	-	-	
Total Marketing Other Expenses	271,366	289,000	275,885	297,500	279,700	316,000	263,700	
Increase / -Decrease over previous year	0%	7%	2%	3%	1%	6%	-6%	
Total Marketing Expenses	495,568	518,000	516,821	541,000	527,800	579,000	514,700	
Increase / -Decrease over previous year	8%	12%	4%	4%	2%	7%	-2.5%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Total Operating Exp. Before Dredging	5,579,577	5,935,500	5,956,434	5,708,100	6,240,436	6,414,300	5,961,300	
Increase / -Decrease over previous year	19%	26%	7%	-4%	5%	12%	-4%	
<u>Harbor Dredging and Related Expenses</u>								
Dredging Professional Services	113,208	120,000	123,542	124,000	75,000	124,000	50,000	
Washington Lobbyist Prof Services	60,000	60,000	60,000	60,000	60,000	60,000	60,000	
Dredging. Regulatory Require.	32,349	55,000	69,990	55,000	75,000	55,000	55,000	
Dredging Conferences	3,188	8,500	4,110	8,500	5,700	8,500	8,000	
Dredging Misc. Expenses	150	1,000	639	1,000	1,000	1,000	1,000	
Total Harbor Dredging Expenses	208,895	244,500	258,281	248,500	216,700	248,500	174,000	
Increase / -Decrease over previous year	-5%	12%	24%	2%	-16%	0%	-20%	
 TOTAL OPERATING EXPENDITURES	 5,788,472	 6,180,000	 6,214,715	 5,956,600	 6,457,136	 6,662,800	 6,135,300	
Increase / -Decrease over previous year	18%	26%	7%	-4%	4%	12%	-5%	
 Operating Cash Flows In (Out)	 2,725,614	 2,078,000	 2,755,115	 2,892,900	 1,871,464	 1,967,200	 1,802,200	
Increase / -Decrease over previous year	-36%	-51%	1%	39%	-32%	-32%	-4%	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
NON-OPERATING and OTHER EXPENDITURES								
Harbor Patrol exp. not funded by prop. taxes	(8,851)	194,000	25,126	249,000	129,000	254,000	132,600	Remaining Patrol expenditures are funded from Operating Revenues
COP's Interest Payment	425,094	440,000	397,690	410,000	390,000	390,000	355,000	
Principle Payments on ALL bonds	829,100	830,000	854,100	855,000	884,000	890,000	910,000	
2018 Dock Project Financing Cost Issuance	-	-	54,166	64,000	-	-	-	
2018 Dock Project Debt Interest Payment	-	-	201,278	120,000	225,000	225,000	215,000	
2018 Dock Project Debt Principle Payment	-	-	67,785	67,000	146,000	150,000	160,000	
TOTAL NON-OPER. EXPENDITURES	1,245,343	1,464,000	1,600,145	1,765,000	1,774,000	1,909,000	1,772,600	
Increase / -Decrease over previous year	-7%	10%	28%	21%	11%	8%	0%	
Annual Cash Flows In (Out) from normal operations before any Improvements	1,480,271	614,000	1,154,970	1,127,900	97,464	58,200	29,600	
Increase / -Decrease over previous year	-50%	-79%	-22%	84%	-92%	-95%	-70%	
Building Tenant Improvement's	-	392,000	23,195	832,500	280,000	363,300	415,000	See attached Tenant Improvement Schedule
Accessibility Improvements	341,610	565,000	-	190,000	75,000	335,000	110,000	See attached Capital Improvement and ADA Accessibility Improvement Plan
Capital Improvement Projects	994,645	2,318,000	1,747,592	3,773,000	5,900,000	6,333,000	1,288,600	See attached Capital Improvement and ADA Accessibility Improvement Plan
Conservancy Grant Income - Fisherman's Storage & Hoist							(219,600)	See attached Capital Improvement and ADA Accessibility Improvement Plan
Annual Cash Flows In (Out) after Improvements	144,016	(2,661,000)	(615,817)	(3,667,600)	(6,157,536)	(6,973,100)	(1,564,400)	To be funded from unrestricted reserves
Unrestricted Reserve Balance	9,208,000	6,475,000	9,130,000	5,540,400	7,417,464	6,588,900	5,853,064	
City National Bank funding for Village Marina Dock Renovations (remaining)			4,445,000	4,660,000	-	-	-	
Dredging Reserve Fund	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	2,800,000	2,775,000	

ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Harbor Patrol Department Expenses funded from Property								
Property Taxes & Assessments Revenue	1,243,004	1,160,000	1,319,632	1,250,000	1,370,000	1,300,000	1,370,000	
Increase / -Decrease over previous year	7%	0%	6%	8%	4%	4%	0%	
Harbor Patrol Personnel Expenses								
Regular Salaries	555,167	560,000	602,183	672,000	713,000	713,000	707,000	
Part-time Pay	40,181	40,000	86,029	77,500	45,000	80,000	80,000	
Overtime Pay	76,397	75,000	39,510	52,500	56,000	40,000	40,000	
Holiday Pay	20,102	28,000	21,017	28,000	40,000	28,000	28,000	
Payroll Taxes & Unemployment	13,180	16,000	14,238	18,000	16,000	17,000	13,000	
Workers Comp Insurance	63,078	103,000	74,019	92,000	77,500	77,500	55,000	
Medical & Life Insurance	60,541	62,000	64,304	77,000	75,000	82,000	82,000	
Employee Optional Benefits	47,786	51,000	51,292	61,000	70,000	64,000	70,000	Includes educational incentive
Retirement Contributions	123,245	116,000	150,467	132,000	145,000	150,000	166,000	
Total Harbor Patrol Personnel Expense	999,677	1,051,000	1,103,059	1,210,000	1,237,500	1,251,500	1,241,000	
Increase / -Decrease over previous year	-1%	4%	10%	15%	12%	3%	0%	
Harbor Patrol Other Expenses								
Uniforms	14,556	13,000	17,813	18,000	18,000	18,000	14,400	
Oil & Fuel Expense	22,534	34,000	26,372	25,000	35,000	31,500	25,200	
Operating Supplies & Expense	20,531	35,000	26,657	30,000	30,000	30,000	24,000	
Boat Maintenance	100,526	120,000	83,979	120,000	65,000	100,000	80,000	
Auto Equip & Maintenance	6,519	8,500	5,968	5,000	6,500	5,000	4,000	
Conferences & Training	7,671	7,500	9,943	8,000	15,000	15,000	16,000	Training required for new MSO position
Vessel Salvage Expense	-	-	-	-	-	10,000	-	
Summer Lifeguard Services	60,276	80,000	68,726	80,000	88,000	88,000	93,000	As per 2020 Summer Life Guard agreement
Professional Services	1,863	5,000	2,241	3,000	4,000	5,000	5,000	
Total Harbor Patrol Other Expenses	234,476	303,000	241,699	289,000	261,500	302,500	261,600	
Increase / -Decrease over previous year	12%	44%	3%	-5%	8%	5%	0%	
Total Harbor Patrol Expenses	1,234,153	1,354,000	1,344,758	1,499,000	1,499,000	1,554,000	1,502,600	
Increase / -Decrease over previous year	1%	11%	9%	11%	11%	4%	0%	
Expenditures remaining after Property Tax Revenues were applied	8,851	(194,000)	(25,126)	(249,000)	(129,000)	(254,000)	(132,600)	Remaining Patrol expenditures are funded from Operating Revenues

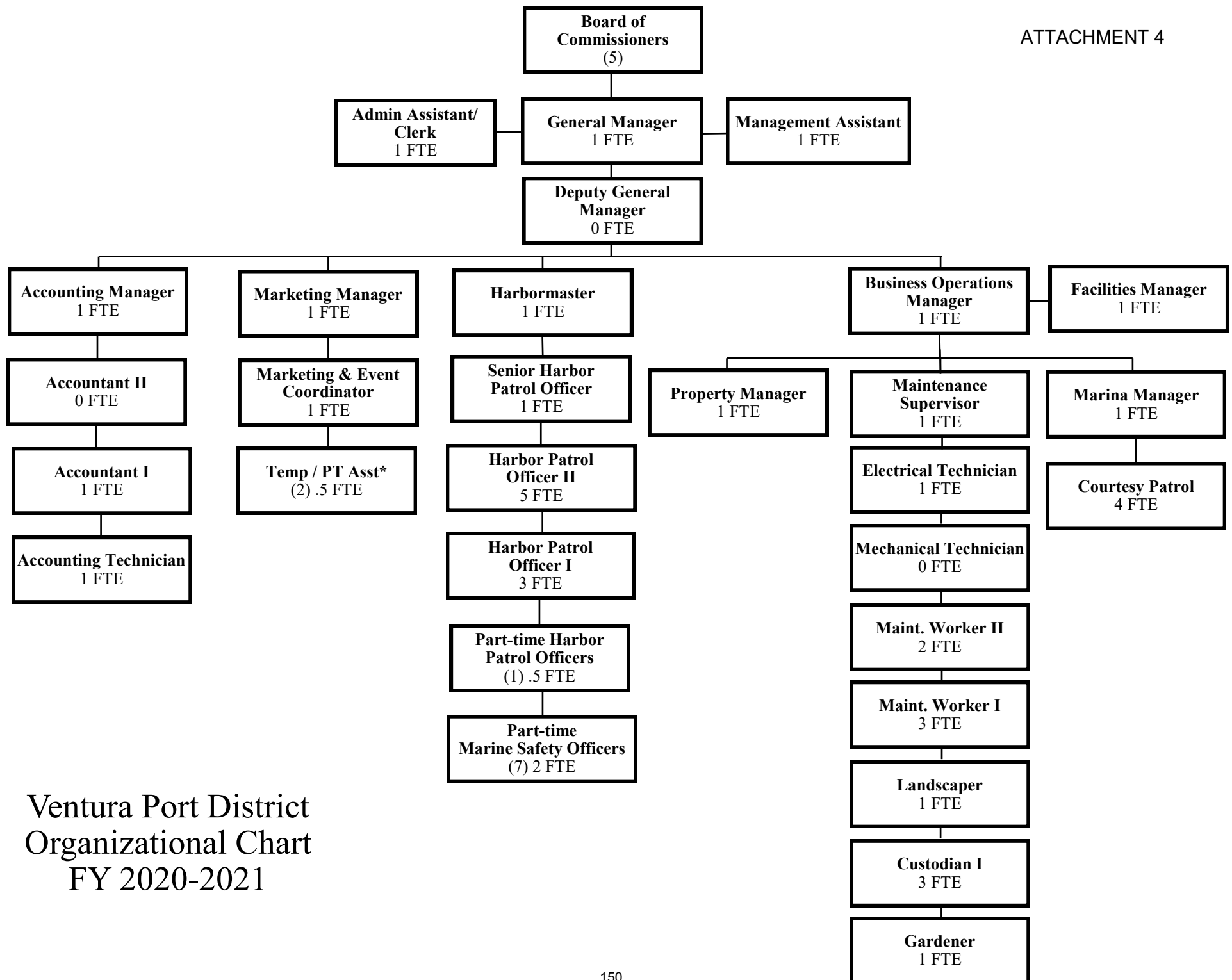
ATTACHMENT 3

	Actual 2017-18	Budget 2017-18	Actual 2018-19	Budget 2018-19	Est/Act 2019-20	Budget 2019-20	Budget 2020-21	Comments
Expenditures funded by Grants and Special Funding								
<u>Grants and Special Funding</u>								
NOAA Grant-Shellfish Aquaculture 2015 & 2018	109,590	150,000	175,942	207,000	96,800	96,800	40,109	2018 Grant grant Task 6 \$18,077; Task 7 \$22,032
Dredging Reserve Fund	-	-	-	-	-	200,000	225,000	City of Ventura will reimburse their pro-rata share of the dredging expense. The dredging fund will be reimbursed in FY21-22
DBAW Grants-abandon vessel & vessel turn-in	3,000	5,000	4,272	3,000	-	-	-	
DBAW Grants-Boating Equipment	-	15,000	-	-	-	-	-	
DBAW Grant-Training Expense Reimb	-	10,000	-	-	-	-	-	
TOTAL GRANTS & SPECIAL FUNDING	112,590	180,000	180,214	210,000	96,800	296,800	265,109	
<u>Projects, Equipment and Training Expenses</u>								
NOAA Grant-Shellfish Aquaculture 2015 & 2018	109,590	150,000	175,942	207,000	96,800	96,800	40,109	2018 Grant grant Task 6 \$18,077; Task 7 \$22,032
Dredging of Inner Harbor at entrance of Keys	-	-	-	-	-	200,000	225,000	City of Ventura will reimburse their pro-rata share of the dredging expense. The dredging fund will be reimbursed in FY21-22
Vessel Salvage-Abandoned and Turn-in	3,000	5,000	4,272	3,000	-	-	-	
Boat Equipment	-	15,000	-	-	-	-	-	
Harbor Patrol Training	-	10,000	-	-	-	-	-	
TOTAL PROJECTS & EQUIPMENT	112,590	180,000	180,214	210,000	96,800	296,800	265,109	

ATTACHMENT 4

Ventura Port District
Proposed FY20-21 Budget
Authorized Positions by Department (Full Time Equivalents)

Position Name	FY19-20 Proposed Positions	FY20-21 Proposed Positions	Proposed Change
<u>Maintenance Department</u>			
Facilities Manager	1.00	1.00	-
Maintenance Supervisor	1.00	1.00	-
Electrical Technician	1.00	1.00	-
Maintenance Technician	-	-	-
Maintenance Worker II	2.00	2.00	-
Maintenance Worker I	3.00	3.00	-
Landscaper	1.00	1.00	-
Gardener	1.00	1.00	-
Custodian	3.00	3.00	-
Maintenance Department Total	13.00	13.00	-
<u>Administration Department</u>			
General Manager	1.00	1.00	-
Deputy General Manager	-	-	-
Business Operations Manager	1.00	1.00	-
Administrative Assistant/Clerk of Board	1.00	1.00	-
Management Assistant	1.00	1.00	-
Accounting Manager	1.00	1.00	-
Accountant II	-	-	-
Accountant I	1.00	1.00	-
Accounting Technician	1.00	1.00	-
Property Manager	1.00	1.00	-
Administration Department Total	8.00	8.00	-
<u>Harbor Village Marina Department</u>			
Marina Manager	1.00	1.00	-
Courtesy Patrol	4.00	4.00	-
Harbor Village Marina Department Total	5.00	5.00	-
<u>Marketing Department</u>			
Marketing Manager	1.00	1.00	-
Marketing & Events Coordinator	1.00	1.00	-
Part-Time Marketing Assistants	1.00	1.00	-
Marketing Department Total	3.00	3.00	-
<u>Harbor Patrol Department</u>			
Harbormaster	1.00	1.00	-
Senior Harbor Patrol Officer	1.00	1.00	-
Harbor Patrol Officer II	5.00	4.00	(1.00)
Harbor Patrol Officer I	3.00	4.00	1.00
Part-time Harbor Patrol Officer	0.50	0.50	-
Marine Safety Officer	2.00	2.00	-
Harbor Patrol Department Total	12.50	12.50	-
Total All Full Time Equivalent Positions	41.50	41.50	-



ATTACHMENT 5

FY20-21 Building Tenant Improvements

Budgeted Items		
Scheduled Improvements	Budgeted District Contribution to Building Tenant Improvements	\$ 255,000.00
Unscheduled Improvements	Renovations due to possible Tenant turnover at lease expiration	\$ 96,000.00
Contingency	Renovations due to unscheduled Tenant turnover (early termination)	\$ 64,000.00
		\$ 415,000

ATTACHMENT 6

VENTURA PORT DISTRICT HISTORICAL & PROJECTED REVENUE AND EXPENSE CASH FLOWS Minimum Unrestricted Reserves at 40% of Operating Expenses

	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Est/Act	2020-21 forecasted	2021-22 forecasted	2022-23 forecasted	2023-24 forecasted	2024-25 forecasted
Cash Flows In (Out) from normal operations before any Improvements	\$ 2,940,000	\$ 1,480,000	\$ 1,154,970	\$ 97,464	\$ 29,600	\$ 843,000	\$ 1,435,000	\$ 1,510,000	\$ 1,585,000
Significant Assumptions -									
Cash Flow Out - Tenant Improvements	(157,000)	-	(23,195)	(280,000)	(415,000)	(250,000)	(250,000)	(250,000)	(250,000)
Cash Flow Out - Accessibility Enhancements	(1,546,000)	(341,000)	-	(75,000)	(110,000)	-	-	-	-
Cash Flow Out - Capital Improvements as per 5-Year Plan Projection	(508,000)	(995,000)	(1,747,590)	(5,900,000)	(1,288,600)	(1,750,000)	(1,500,000)	(1,385,000)	(1,280,000)
Conservancy Grant Income - Fisherman's Storage & Hoist					219,600				
Improvements that will need to be funded through Unrestricted Improvement Reserves	-	-	(615,815)	(6,157,536)	(1,564,400)	(1,157,000)	(315,000)	(125,000)	-
Cash Flow In after Improvements are completed	729,000	144,000							55,000
Forecasted Unrestricted Reserve Balances									
Forecasted Reserves at beginning of each fiscal year	8,003,000	9,061,000	9,745,815	13,575,000	7,417,464	5,853,064	4,696,064	4,381,064	4,256,064
Improvements funded from Improvement Reserves	-	-	(615,815)	(6,157,536)	(1,564,400)	(1,157,000)	(315,000)	(125,000)	-
Cash Flow In after Improvements are completed/Debt funding received	729,000	144,000	4,445,000	-	-	-	-	-	55,000
Cash Flow In from Grant fund reimbursements	87,000	3,000	-	-	-	-	-	-	-
Forecasted Unrestricted Reserves at end of year	8,819,000	9,208,000	13,575,000	7,417,464	5,853,064	4,696,064	4,381,064	4,256,064	4,311,064
Total All Unrestricted Reserves Forecasted at June 30 each year	8,819,000	9,208,000	13,575,000	7,417,464	5,853,064	4,696,064	4,381,064	4,256,064	4,311,064

As outlined below, with the proposed expenditures the 40% reserve balance is maintained and the unrestricted Improvement balance remains favorable.

	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Est/Act	2020-21 forecasted	2021-22 forecasted	2022-23 forecasted	2023-24 forecasted	2024-25 forecasted
TOTAL Unrestricted Reserves Forecasted at June 30 each year	9,136,000	9,208,000	13,575,000	7,417,464	5,853,064	4,696,064	4,381,064	4,256,064	4,311,064
Reserve Policy Minimum Balance 40% of Expenses at June 30 each year	3,030,000	3,310,000	3,660,000	3,950,000	3,880,000	3,990,000	4,000,000	4,130,000	4,270,000
Unrestricted Capital Improvement Reserves at June 30 each year	6,106,000	5,898,000	9,915,000	3,467,464	1,973,064	706,064	381,064	126,064	41,064

ATTACHMENT 6

VENTURA PORT DISTRICT HISTORICAL & PROJECTED CASH FLOWS Minimum Unrestricted Reserves at 40% of Operating Expenses

	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Est/Act	2020-21 forecasted	2021-22 forecasted	2022-23 forecasted	2023-24 forecasted	2024-25 forecasted
Revenue									
Operating Revenue	7,754,000	8,214,000	8,534,830	7,928,600	7,410,500	7,707,000	8,015,000	8,336,000	8,669,000
% Increase / -Decrease Forecasted	3.8%	5.9%	3.9%	-7.1%	-6.5%	4.0%	4.0%	4.0%	4.0%
Portside Partners Forecast	240,000	300,000	300,000	300,000	527,000	1,320,000	1,455,000	1,505,000	1,556,000
Parking Revenue Forecast (Village & Beaches)						150,000	300,000	300,000	300,000
Onetime-Tenant Fees	1,200,000		135,000	100,000					
Total Operating Revenues	9,194,000	8,514,000	8,969,830	8,328,600	7,937,500	9,177,000	9,770,000	10,141,000	10,525,000
% Increase / -Decrease Forecasted	12.7%	-7.4%	5.4%	-7.1%	-4.7%	15.6%	6.5%	3.8%	3.8%
Non-Operating Revenue (Includes prop taxes)	1,165,000	1,235,000	1,319,630	1,370,000	1,370,000	1,397,000	1,425,000	1,454,000	1,483,000
% Increase / -Decrease Forecasted	6.8%	6.0%	6.9%	3.8%	0.0%	2.0%	2.0%	2.0%	2.0%
Total All Revenue	10,359,000	9,749,000	10,289,460	9,698,600	9,307,500	10,574,000	11,195,000	11,595,000	12,008,000
% Increase / -Decrease Forecasted	12.0%	-5.9%	5.5%	-5.7%	-4.0%	13.6%	5.9%	3.6%	3.6%
Expenses									
Operating Expenses (excludes Harbor Patrol)	4,700,000	5,572,000	5,956,430	6,240,436	5,961,300	6,155,000	6,370,000	6,625,000	6,890,000
% Increase / -Decrease Forecasted	1.5%	18.6%	6.9%	4.8%	-4.5%	3.2%	3.5%	4.0%	4.0%
Harbor dredging & related expense	219,000	209,000	258,280	216,700	174,000	385,000	145,000	151,000	157,000
% Increase / -Decrease Forecasted	-32.4%	-4.6%	23.6%	-16.1%	-19.7%	121.3%	-62.3%	4.1%	4.0%
Sub-Total Operating Expenses (excludes Harbor Patrol)	4,919,000	5,781,000	6,214,710	6,457,136	6,135,300	6,540,000	6,515,000	6,776,000	7,047,000
% Increase / -Decrease Forecasted	-0.7%	17.5%	7.5%	3.9%	-5.0%	6.6%	-0.4%	4.0%	4.0%
Harbor Patrol Expenses	1,223,000	1,234,000	1,344,760	1,499,000	1,502,600	1,551,000	1,605,000	1,669,000	1,736,000
% Increase / -Decrease Forecasted	3.6%	0.9%	9.0%	11.5%	0.2%	3.2%	3.5%	4.0%	4.0%
Total Operating Expenses	6,142,000	7,015,000	7,559,470	7,956,136	7,637,900	8,091,000	8,120,000	8,445,000	8,783,000
% Increase / -Decrease Forecasted	0.1%	14.2%	7.8%	5.2%	-4.0%	5.9%	0.4%	4.0%	4.0%
Non-operating and Other Expenses									
Principle/Interest & deferred refunding	1,277,000	1,254,000	1,251,790	1,274,000	1,265,000	1,265,000	1,265,000	1,265,000	1,265,000
Principle/Interest/Fees - 2018 Vlg Marina Dock Renovations			323,230	371,000	375,000	375,000	375,000	375,000	375,000
Total Non-operating expenses	1,277,000	1,254,000	1,575,020	1,645,000	1,640,000	1,640,000	1,640,000	1,640,000	1,640,000
% Increase / -Decrease Forecasted	0.7%	-1.8%	25.6%	4.4%	-0.3%	0.0%	0.0%	0.0%	0.0%
Total All Expenses	7,419,000	8,269,000	9,134,490	9,601,136	9,277,900	9,731,000	9,760,000	10,085,000	10,423,000
% Increase / -Decrease Forecasted	0.2%	11.5%	10.5%	5.1%	-3.4%	4.9%	0.3%	3.3%	3.4%
Cash Flows In (Out) from normal operations before any Improvements	\$ 2,940,000	\$ 1,480,000	\$ 1,154,970	\$ 97,464	\$ 29,600	\$ 843,000	\$ 1,435,000	\$ 1,510,000	\$ 1,585,000

Note: Revenues generated from grants are not included in the Revenue category



RESOLUTION NO. 3395

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT ADOPTING THE
2019-2020 FISCAL YEAR BUDGET**

WHEREAS, it is necessary and appropriate for the Board of Port Commissioners of the Ventura Port District to adopt a Budget for Fiscal Year 2020-2021; and

WHEREAS, a Preliminary Budget was presented to and reviewed by the Board of Port Commissioners on June 17, 2020; and

WHEREAS, the Preliminary Budget was deemed appropriate and approved by the Board of Port Commissioners on June 17, 2020; and

WHEREAS, the Board of Port Commissioners has determined that the appropriations specified in the Final Budget are necessary for the efficient maintenance and operation of the Ventura Port District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the Ventura Port District that the District Fiscal Year 2020-2021 Budget is hereby approved.

PASSED and ADOPTED this 1st day of July 2020.

Attest:

Chris Stephens, Chairman

Jackie Gardina, Secretary

ATTACHMENT 7

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Jackie Gardina, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3395 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 1st day of July 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 1st day of July 2020.

Secretary



RESOLUTION NO. 3396

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT ESTABLISHING THE SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES OF THE DISTRICT FOR THE FISCAL YEAR 2020-2021

WHEREAS, on June 19, 2019, the Board of Port Commissioners (the "Board") passed, approved, and adopted at a regular meeting of the Board, Resolution No. 3375, wherein the Board established a salary schedule for non-represented employees for Fiscal Year 2019-2020;

WHEREAS, the Board has determined that in response to the COVID-19 pandemic and its anticipated fiscal impacts, it is in the best interest of the District to implement a salary freeze and a hiring freeze for the Fiscal Year 2020-2021 and not to implement any changes to the salary ranges; and

WHEREAS, the Board has determined that it is in the best interest of the District to include the non-represented Marina Safety Officer's part-time classification which was inadvertently omitted on the prior resolution; and

WHEREAS, as a result of such amendments, the Board finds it desirable and in the best interest of the District to rescind Resolution No. 3375 and to adopt the revised Resolution No.3396 in the manner set forth herein; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Port Commissioners of the Ventura Port District that the Salary Schedules set forth below shall become effective July 1, 2020:

Classification	Monthly Range
Accountant I	\$4,348 - \$6,086
Accountant II	\$4,831 - \$6,763
Accounting Manager*	\$6,239 - \$9,549
Accounting Technician	\$3,653 - \$5,590
Administrative Assistant/Clerk*	\$4,297 - \$6,575

ATTACHMENT 8

Business Operations Manager*	\$8,826 - \$11,494
Custodian I	\$2,656 - \$4,066
Deputy General Manager*	\$10,221 - \$13,778
Electrical Technician	\$4,073 - \$6,231
Facilities Manager*	\$6,113 - \$8,908
Gardener	\$2,923 - \$4,473
Harbormaster	\$6,009 - \$9,197
Landscaper	\$3,505 - \$5,367
Maintenance Supervisor*	\$5,198 - \$7,956
Maintenance Worker I	\$2,923 - \$4,473
Maintenance Worker II	\$3,505 - \$5,367
Management Assistant	\$2,978 - \$4,556
Marina Manager*	\$5,145 - \$7,873
Marketing & Event Coordinator	\$3,687 - \$4,890
Marketing Manager*	\$5,605 - \$8,579
Mechanical Technician	\$4,073 - \$6,231
Property Manager*	\$6,113 - \$8,908
Senior Harbor Patrol Officer	\$5,225 - \$7,997

*Exempt Employee Status

Part-time & Temporary Employee	Hourly Range
Dispatcher	\$15.00 - \$19.85
Marine Safety Officer	\$17.66 - \$24.03
Administrative/Marketing Services	\$12.00 - \$24.85

BE IT FURTHER RESOLVED, that the General Manager's salary shall be negotiated with the Board. Any employee with an employment agreement shall have his or her rate of pay or salary established annually through negotiation with the General Manager and/or the Board in conjunction with the annual District budget; and

BE IT FURTHER RESOLVED, that all other rates of pay shall be confined to a Salary Resolution established by the Board and will be based on a range, and

BE IT FURTHER RESOLVED, that adjustments within a Pay Range will be based on individual merit. Merit encompasses an employee's knowledge, experience, ability, and performance, among other factors. A merit increase is considered as being earned by an employee. A merit increase is advancement to a higher rate in the employee's classification pay range. A merit increase is based on satisfactory or better work performance and must be accompanied by a current employee evaluation prepared and signed by the employee's supervisor and signed and approved by the General Manager.

ATTACHMENT 8

The employee shall acknowledge receipt of such evaluation and such salary increase on merit shall be subject to Board approval through the budget process; and

BE IT FURTHER RESOLVED that the District shall continue to contribute a maximum of \$600.00 per month toward the employee's cost of health and dental insurance. The District's Optional Benefit Plan shall continue to be \$475.00 per month. Those employees who choose not to participate in the District's health and dental insurance plans will receive \$216.00 as additional salary.

BE IT FURTHER RESOLVED that on July 1, 2018, the District implemented an employee vision plan. The District shall contribute the monthly premiums for said vision plan for the employees and their dependents, as appropriate; and

BE IT FURTHER RESOLVED that the District shall not pay a percentage of the CalPERS Employer Paid Member contribution (EPMC) for the Non-represented Classic Miscellaneous employee group effective July 4, 2018; and

BE IT FURTHER RESOLVED that each year during the budget process and at such other times as the Board of Port Commissioners shall determine in its discretion, the Board of Port Commissioners shall review the Salary Range Plan to ensure that the specified salary ranges are appropriate for identified positions given the duties and responsibilities of such positions.

PASSED, APPROVED and ADOPTED this 1st day of July 2020 at the regular meeting of the Board of Port Commissioners of the Ventura Port District, Resolution No. 3396 was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Stephens, Chairman

Attest:

Jackie Gardina, Secretary