

VENTURA PORT DISTRICT BOARD OF PORT COMMISSIONERS

Jim Friedman, Chairman Everard Ashworth, Vice Chairman Bruce E. Smith, Commissioner Gregory Carson, Commissioner Nikos Valance, Commissioner

Oscar Peña, General Manager Timothy Gosney, Legal Counsel Jessica Rauch, Clerk of the Board

PORT COMMISSION AGENDA REGULAR MEETING OCTOBER 14, 2015 AT 11:00AM VENTURA PORT DISTRICT OFFICE 1603 ANCHORS WAY DRIVE, VENTURA, CA

A <u>Closed Session</u> of the Board will be held at approximately <u>10:00AM</u> in the Port District Office located at 1603 Anchors Way Drive, Ventura, California to discuss items on the Attachment to Agenda-Closed Session Conference with Legal Counsel and then reconvene thereafter to the Regular Meeting.

The Board will convene in **Open Session** at the Port District Office located at 1603 Anchors Way Drive for its Regular Meeting at **11:00AM**.

ADMINISTRATIVE AGENDA:

CALL TO ORDER: By Chair, Jim Friedman.

PLEDGE OF ALLEGIANCE: By Chair, Jim Friedman.

ROLL CALL: By the Clerk of the Board.

ADOPTION OF AGENDA (5 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 (Public Notices). Each item on the agenda shall be deemed to include action by an appropriate motion, resolution or ordinance to take action on any item.

APPROVAL OF MINUTES

The Minutes of the September 23, 2015 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.

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.

STAFF COMMUNICATIONS (5 minutes)

Ventura Port District Staff will update the Commission on important topics.

LEGAL COUNSEL REPORT (5 minutes)

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 New Retail Lease Agreement for Hats Unlimited, Inc.

Recommended Action: Motion

That the Board of Port Commissioners approves by motion a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Hats Unlimited, Inc. dba as Hats Unlimited for the premises located at 1567 Spinnaker Drive #101 consisting of a total of 1,146 square feet for a four (4) year term with a five (5) year option to extend.

B) Acceptance of \$13,000 Surrendered & Abandoned Vessel Exchange Grant

Recommended Action: Resolution No. 3286.

That the Board of Port Commissioners adopt Resolution No. 3286, accepting a \$13,000 Surrendered & Abandoned Vessel Exchange (SAVE Contract# C15S0622) offered by the California Division of Boating and Waterways.

C) Approval of Out of Town Travel Requests

Recommended Action: Motion

That the Board of Port Commissioners approve by motion the Out of Town Travel Request for Marketing Manager, Jennifer Talt Lundin.

STANDARD AGENDA: (1.5 Hours)

1) Acceptance of \$94,810 Shellfish Grant (15 minutes)

Recommended Action: Motion.

That the Board of Port Commissioners authorize the General Manager to sign the *Cost Reimbursement Research Subaward Agreement* for \$94,810, which reflects the terms and conditions of the grant agreement for year one.

2) Approval of Professional Services Agreement with Dudek (10 minutes)

Recommended Action: Motion.

That the Board of Port Commissioners approve the Professional Services Agreement with *Dudek* in the amount of \$65,350.00 to provide consultant services for the Permitting Strategy for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

3) Approval of Professional Services Agreement with Plauché & Carr, LLP (10 minutes) Recommended Action: Motion.

That the Board of Port Commissioners approve the Professional Services Agreement with Plauché & Carr, LLP in the amount of \$5,000 to provide legal services for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

4) Approval of Professional Services Agreement with Scott Lindell (10 minutes) Recommended Action: Motion.

That the Board of Port Commissioners approve the Professional Services Agreement with Scott Lindell, Fisheries and Marine Biologist, in the amount of \$9,960.00 to provide consultant services for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

5) Status of Sondermann Ring Partners Public Long Dock (15 minutes) Recommended Action: Informational.

That the Board of Port Commissioners receive a report on the status of public long dock relocation for the Sondermann Ring Partners project.

6) Ventura Port District 2015 – 2016 Departmental Objectives (30 minutes) Recommended Action: Informational.

That the Board of Port Commissioners review the 2015 – 2016 objectives to confirm they are in alignment with the Board's Mission Statement and Goals.

REQUEST FOR FUTURE AGENDA ITEMS

ADJOURNMENT

This agenda was posted on Friday, October 9, 2015 at 5:00 p.m. at the Port District Office and on the Internet - www.venturaharbor.com (Port Commission).

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, OCTOBER 14, 2015

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

a) Property: 1691 Spinnaker Drive #104, 105A, 105B

Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney

Under Negotiation: Island Packers New Lease

b) Property: 1567 Spinnaker Drive #101

Negotiating Parties: Oscar Peña, Robin Baer, Timothy Gosney

Under Negotiation: Hats Unlimited New Lease

c) Property: 1559 Spinnaker Drive #108, #109A

Negotiating Parties: Oscar Peña, Robin Baer, Timothy Gosney

Under Negotiation: Ventura Dive & Sport New Lease

d) Property: 1567 Spinnaker Drive #100

Negotiating Parties: Oscar Pena, Brian Pendleton, Timothy Gosney

Under Negotiation: Ventura Village Carousel New Lease

2. Conference with Legal Counsel – Existing Litigation Per Government Code Section(s):

a) 54956.9(d)(2) - Claim of Bonnie Beck

APPROVAL OF THE SEPTEMBER 23, 2015 MINUTES



Minutes of Regular Meeting of the Ventura Port District Board of Port Commissioners Held September 23, 2015

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 7:07PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Jim Friedman, Chair Gregory L. Carson Bruce E. Smith Nikos Valance

Commissioners Absent:

Everard Ashworth, Vice Chair

Port District Staff:

Oscar Peña, General Manager Pat Hummer, Senior Harbor Patrol Officer Joe Gonzalez, Facilities Manager Jennifer Talt-Lundin, Marketing Manager Richard Parsons, Consultant Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chair, Jim Friedman at 7:07PM.

PLEDGE OF ALLEGIANCE: By Commissioner Friedman.

ROLL CALL: Commissioner Ashworth was absent.

ADOPTION OF AGENDA

ACTON: Commissioner Smith moved, seconded by Commissioner Carson and

carried by a vote of 4-0 to adopt the September 23, 2015 agenda.

APPROVAL OF MINUTES

The Minutes of September 9, 2015 regular meeting were considered as follows:

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and

carried by a vote of 4-0 to approve the minutes of the September 9, 2015

regular meeting.

PUBLIC COMMUNICATIONS: Jim Deardorff mentioned his concerns about 805 Jet Ski Rentals operating at the Public Launch Ramp. He was concerned that the Ventura Port District could not

stop them from operating at our Launch Ramp and challenged the Board to create a new policy that restricts commercial activity at the Launch Ramp.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items except Item 1a) Island Packers New Lease on the closed session agenda. Staff was given instructions as to how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: None.

DEPARTMENTAL STAFF REPORTS: Mr. Parsons reported on federal funding for dredging, the Change of Command Ceremony for Colonel Gibbs and the projects that are currently underway.

GENERAL MANAGER REPORT: Mr. Peña reported on the Ventura County Reporter's "Best of Ventura County" and recognized the tenants that placed in the article.

LEGAL COUNSEL REPORT: Mr. Gosney reported on the Del Mar Lease negotiations and updated the Commission on the next steps for the Sondermann Ring project Option Agreement.

CONSENT AGENDA:

A) Approval of Financial Statements and Checks for the month of June 2015 Recommended Action: Resolution No. 3285.

That the Board of Port Commissioners adopt Resolution No. 3285 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in June 2015.

ACTION:

Commissioner Valance moved, seconded by Commissioner Carson and carried by a vote of 4-0 to adopt Resolution No. 3285 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in June 2015.

B) Approval of New Office Lease Agreement for Power & Processing Engineers Recommended Action: Motion

That the Board of Port Commissioners approves by motion a new Office lease agreement between the Ventura Port District dba Ventura Harbor Village and Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201 consisting of a total of 350 square feet for a two (2) year term.

ACTION:

Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 4-0 to approve a new Office lease agreement between the Ventura Port District dba Ventura Harbor Village and Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201 consisting of a total of 350 square feet for a two (2) year term.

C) Approval of New Office Lease Agreement for the Center for Contract Compliance Recommended Action: Motion

That the Board of Port Commissioners approves by motion a new Office lease agreement between the Ventura Port District dba Ventura Harbor Village and the Center for Contract Compliance for the premises located at 1559 Spinnaker Drive #202A consisting of a total of 437 square feet for a two (2) year term.

ACTION:

Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 4-0 to approve a new Office lease agreement between the Ventura Port District dba Ventura Harbor Village and the Center for Contract Compliance for the premises located at 1559 Spinnaker Drive #202A consisting of a total of 437 square feet for a two (2) year term.

STANDARD AGENDA:

1) Approval of Professional Services Agreement with Thyssenkrupp Elevators Recommended Action: Motion.

That the Board of Port Commissioners authorize the General Manager to enter into a \$78,833 Agreement with Thyssenkrupp Elevators for the 1691 Spinnaker Drive Elevator Modernization Project.

ACTION:

Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 4-0 to authorize the General Manager to enter into a \$78,833 Agreement with Thyssenkrupp Elevators for the 1691 Spinnaker Drive Elevator Modernization Project.

2) Budget Amendment for Flagpole

Recommended Action: Informational.

That the Board of Port Commissioners acknowledge the budget amendment to Fiscal Year 2015 - 2016 of \$13,200 for the completion of the flagpole with a yard arm and installation project, which was approved on December 17, 2014.

ACTION: No action was taken. The Board acknowledged that the budget amendment would be made.

3) Budget Amendment for Fish Pier Derrick Crane

Recommended Action: Informational.

That the Board of Port Commissioners acknowledge a budget amendment to fiscal year 2015 – 2016 for the completion of the Fish Pier Derrick Crane Installation Project for \$102,000, which was approved in the fiscal year 2014-2015 Capital Improvement budget.

ACTION: No action was taken. The Board acknowledged that the budget amendment would be made.

Public Comment: Sam Sadove recommended that staff write a memo to the community, harbor and boaters informing them about what is happening with the crane.

REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 7:54PM.								
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CONSENT AGENDA ITEM A

Approval of New Retail Lease Agreement for Hats Unlimited, Inc.

CONSENT AGENDA ITEM AMeeting Date: October 14, 2015

BOARD COMMUNICATION

TO: Board of Port Commissioners FROM: Robin Baer, Property Manager

SUBJECT: New Retail Lease Agreement for Hats Unlimited Inc. dba Hats Unlimited

located at 1567 Spinnaker Drive #101

RECOMMENDATION:

That the Board of Port Commissioners approves by motion a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Hats Unlimited, Inc. dba as Hats Unlimited for the premises located at 1567 Spinnaker Drive #101 consisting of a total of 1,146 square feet for a four (4) year term with a five (5) year option to extend.

BACKGROUND:

The Tenant has elected to structure its lease with a four-year term and a five-year option. Hats Unlimited has been a tenant since 1994. They have continued to grow throughout Southern California with a total of 6 store locations, but they prefer to call Ventura their home base.

FISCAL IMPACT:

The average occupancy expense over a four year period is \$24,000 per year, which could result in an additional percentage rent of \$14,000 per year.

We look forward to continued success with this tenant. Staff recommends the Board's approval of the new lease transaction.

CONSENT AGENDA ITEM B

ACCEPTANCE OF \$13,000 SURRENDERED & ABANDONED VESSEL EXCHANGE GRANT

CONSENT AGENDA ITEM B

BOARD COMMUNICATION

Meeting Date: October 14, 2015

TO: Board of Port Commissioners FROM: John Higgins, Harbormaster

SUBJECT: Acceptance of \$13,000 Surrendered & Abandoned Vessel Exchange (SAVE) Grant

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3286, accepting a \$13,000 Surrendered & Abandoned Vessel Exchange (SAVE Contract# C15S0622) offered by the California Division of Boating and Waterways.

SUMMARY:

The Department of Boating and Waterways has awarded the Port District a \$13,000 grant to participate in the Department's Surrendered & Abandoned Vessel Program. The program allows the District to be reimbursed for expenses related to disposing of abandoned or surrendered vessels.

We will work closely with our marinas and dry storage yards to utilize the funds. This program does require a ten percent (10%) match. If the boat is connected to a marina or storage yard we require them to pay the match. In cases where the boat is abandoned or surrendered to the Port District we may utilize in kind services to meet the 10% match.

BACKGROUND:

This program is part of an expanding effort to discourage the abandonment of vessels on public waterways and lands. Previously when a vessel is abandoned the responsible agency then has to spend manpower trying to find the owner, funding a lien process, and finally funding the destruction of the vessel. By giving the owner a process to turn over the vessel we feel this will lessen the negative impact on the Environment, Harbors, and Government Budgets.

FISCAL IMPACT:

There is little to no impact if the vessel is connected to a private marina or outside storage yard. The cost to the Port District otherwise could be 10%, minus in kind services.

ATTACHMENTS:

Attachment 1 – Resolution No. 3286 Attachment 2 – Grant Agreement



RESOLUTION NO. 3286

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT ACCEPTING A
SURRENDERED AND ABANDONED VESSEL EXCHANGE GRANT
(S.A.V.E. #C1550622) IN THE AMOUNT OF \$13,000.00 FROM THE
CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS

WHEREAS, the Department of Boating and Waterways is authorized to provide a Surrendered and Abandoned Vessel Exchange Grant (S.A.V.E.) to cities, counties, districts, and other public agencies for the expenses related to disposing of abandoned vessels that have been turned in to the District in lieu of a lien process; and

WHEREAS, the Department of Boating and Waterways has offered the Ventura Port District a \$13,000.00 grant in order to finance part of the program costs with a matching fund requirement requiring the District to match the total amount expended with a ten percent (10%) contribution; and

WHEREAS, it is in the best interests of the public for the Port District to accept the \$13,000.00 Surrendered and Abandoned Vessel Exchange Grant for the aforementioned purposes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners, by adoption of this Resolution hereby authorizes the execution of the \$13,000.00 Surrendered and Abandoned Vessel Exchange Grant (#C1550622) offered to the Port District by the California Department of Boating and Waterways.

BE IT FURTHER RESOLVED that the Board of Port Commissioners, by adoption of this Resolution hereby authorizes John Higgins, Harbormaster of the Ventura Port District, to sign on behalf of the Port District the required Standard Agreement.

PASSED and ADOPTED this 14th day of October 2015.

Attest:			Chairman
Secretary	×	*	
(Seal)		*	

COUNTY OF VENTURA) ss. CITY OF SAN BUENAVENTURA)	
I, Oscar Pena, Secretary of the Ventura Port certify that the above and foregoing Resolution No. the Board of Port Commissioners of said District at 14th day of October 2015, by the following vote:	3286 was duly passed and adopted by
AYES: NOES: ABSENT:	
IN WITNESS WHEREOF, I have hereunto se said District this 14th day of October 2015.	t my hand and affixed the official seal of
(Seal)	Everard Ashworth, Secretary

State of California – Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION
DIVISION OF BOATING AND WATERWAYS

GRANT AGREEMENT - CERTIFICATE OF FUNDING

GRANTEE:

Ventura Port District

GRANT TITLE:

FY 2015/2016 Surrendered and Abandoned Vessel Exchange (SAVE)

GRANT AMOUNT:

\$13,000.00

GRANT NUMBER:

C15S0622

GRANT TERM:

October 1, 2015 through September 30, 2017

FULLY EXECUTED:

To be advised

The Grantee agrees to the terms and conditions of this contract, hereinafter referred to as Agreement, and the State of California, acting through its Director of Parks and Recreation, pursuant to the State of California agrees to fund the total State grant amount indicated below. The GRANTEE agrees to complete the SCOPE OF WORK as defined in the Agreement.

The General and Special Provisions attached are made a part of and incorporated into the Agreement.

Grantee: Ventura Port District	Agency: Department of Parks and Recreation Division of Boating and Waterways
ATTN: John Higgins	ATTN: Susan Sykes
Address: 1603 Anchors Way, Ventura, CA 93001	Address: One Capitol Mall, Suite 500 Sacramento, CA 95814
Authorized Signature	Authorized Signature
	Ramona Fernandez, Chief of Operations
Printed Name and Title of Authorized Representative	Printed Name and Title
Date	Date

CONSENT AGENDA ITEM C
APPROVAL OF OUT OF TOWN TRAVEL REQUEST

CONSENT AGENDA ITEM C

BOARD COMMUNICATION Meeting Date: October 14, 2015

TO: Board of Port Commissioners
FROM: Oscar F. Peña, General Manager
SUBJECT: Out of Town Travel Requests

RECOMMENDATION:

That the Board of Port Commissioners approve by motion the following out of town travel request for:

A) Marketing Manager, Jennifer Talt Lundin to travel to Palm Desert, California to participate in the 2016 Cal Travel Summit on May 9 - 11, 2016. This benefits the District by allowing Ms. Talt Lundin to attend daily workshops and lectures that focus on travel trends, social media outlets, and professional growth. This summit will also allow for networking opportunities with Visit California staff and Central Coast partners. Estimated cost for the travel is as follows:

Registration	\$ 499.00
Transportation	\$ 280.00
Lodging	\$ 374.75
Meals	\$ 140.00
TOTAL	\$1,293.75

STANDARD AGENDA ITEM 1
ACCEPTANCE OF \$94,810 SHELLFISH GRANT

STANDARD AGENDA ITEM 1

BOARD COMMUNICATION

Meeting Date: October 14, 2015

TO: Board of Port Commissioners FROM: Oscar Peña, General Manager

SUBJECT: Acceptance of \$94,810 Shellfish Grant

RECOMMENDATION:

That the Board of Port Commissioners authorize the General Manager to sign the *Cost Reimbursement Research Subaward Agreement* for \$94,810, which reflects the terms and conditions of the grant agreement for year one.

SUMMARY:

The grant is for a two year period on a one-plus-one yearly basis and is contingent upon funding availability. Year one grant period is from September 1, 2015 to August 31, 2016. The total grant amount is for approximately \$265,000. The objective of the grant is to provide:

- A technically sound and thorough strategy to successfully obtain all required government entitlements necessary to establish twenty 100-acre aquaculture leases in the state waters of the Santa Barbara Channel.
- Successfully permitted applications for the leases, associated environmental review documents, and completed baseline sampling protocol and data necessary for a California Department of Public Health (CDPH) Shellfish Growing Area Certificate; and,
- A comprehensive outreach strategy aimed at soliciting the support and participation of various stakeholders by educating prospective commercial fishermen, investors/entrepreneurs, shellfish processors, and consumers about the benefits of locally sourced and sustainably raised mussels.

BACKGROUND:

Increasing the supply of safe, sustainably produced domestic seafood is a priority for NOAA and the Department of Commerce. The Ventura Shellfish Enterprise (VSE) is a multi-stakeholder initiative that seeks to permit and manage a commercial shellfish culture is technically proven as a method for the production of high value seafood with limited environmental impacts. However, the permitting process in California for such production is uncertain and not adequately developed to attract participation. VSE seeks to address several regulatory and planning challenges that crate impediments to the expansion of a domestic marine shellfish culture industry in California.

FISCAL IMPACT:

The grant requires a cost-share in the amount of \$192,610 for Year 1. The cost-share is achieved through in-kind contributions of time as identified in the attached budget. Additional staff time and District legal counsel costs not reimbursable by the grant are necessary for grant and professional service agreement management.

VPD will directly pay approximately \$6,000 in unreimbursable consultant costs. If it is determined during the grant period there are additional budgetary impacts, staff will return to the Board.

ATTACHMENT:

Attachment 1 - CA Sea Grant College Program 90-4 Budget

California Sea Grant Colleç	90-4 Budget OMB Control NO. 0648-0362 Expiration Date 9/30/2004			
ISTITUTION	GRANT/PRO	JECT NO.		
Ventura Port	DISTRICT			
ROJECT TITLE				
entura Shellfish Enterprise: Strategic Perm	itting Initiative to Signi	ficantly Increase	Shellfish Farming in S	Southern
alifornia				
RINCIPAL INVESTIGATOR(S)			YR 1 BEGIN:	END:
ndell, Ashworth, Bush, Parsons, Santschi,	Imondi		Sep-15	Aug-16
SALARIES AND WAGES	MAN-MO	NTHS		
1. SENIOR PERSONNEL	No. of People	Amt. Of Effort	Sea Grant Funds	Cost-Share
a. (Co) Principal Investigator	1	0.75	7,440	
b. Associates (Faculty or staff				
Sub Total			7,440	
2. OTHER PERSONNEL				
a. Co - Pi		•	T.	
a. Co - PI Everard Ashworth		1.60		59,25
a. Co - Pl Doug Bush	- A	1.60		43,20
a. Co - Pl Richard Parsons		1.60	¥ 1	34,56
a. Co - Pl Linda Santschi	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2.00		12,80
a. Co - Pl Ralph Imondi	34 0	2.00		12,80
g. Technical-shop	:=0	-	-	
h. Other	:•)		·	
Total Salaries and Wages			7,440	162,61
FRINGE BENEFITS			2,520	
Total Personnel (A and B)			9,960	162,61
			9,960	162,61
Total Personnel (A and B) PERMANENT EQUIPMENT			9,960	162,61
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STANDARD AGENDA ITEM NO. 2
APPROVAL OF PROFESSIONAL
SERVICES AGREEMENT WITH DUDEK

BOARD COMMUNICATION

STANDARD AGENDA ITEM 2

Meeting Date: October 14, 2015

TO: Board of Port Commissioners

FROM: Brian Pendleton, Business Operations Manager

SUBJECT: Approval of Professional Services Agreement with Dudek

RECOMMENDATION:

That the Board of Port Commissioners approve the Professional Services Agreement with *Dudek* in the amount of \$65,350.00 to provide consultant services for the Permitting Strategy for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

SUMMARY:

The Ventura Port District has been awarded a two year, approximately \$265,000 Sea Grant fund to contract with qualified consultant(s) that will enable development of a permitting strategy and all necessary permitting components required for sustainably cultivated shellfish production to occur through Ventura Harbor. The grant is for a two year period on a one-plus-one basis and is contingent upon funding availability.

Staff believes it is clearly in the District's best interest to ratify the agreement with *Dudek* to meet the objectives of the Grant.

BACKGROUND:

Dudek would work with Ventura Port District and other VSE team members to identify and then clearly layout the most prudent and efficient permitting and review approach that also provides the greatest long-term benefits. The leases for mariculture activities and subsequent work proposed within navigable waters would be subject to a host of approvals from a variety of agencies, including federal (USFWS/NMFS, USACE), state (CA Coastal Commission, State Lands Commission, CDFW, RWQCB) and local agencies (Port of Ventura) for which the policy requirements must be met. By reviewing available materials and through pre-application meetings with the wildlife (NMFS, USFWS, CDFW) and other resource agencies such as USACE, the Coastal Commission and the California RWQCB, and by drawing from their combined experiences, *Dudek* will provide recommendations for successful environmental review.

Deliverables will include a Strategic Planning Document summarizing the path and timing of the necessary permits, data requirements, and reviews.

FISCAL IMPACTS:

Year 1 funding in the amount not to exceed \$65,350 is for Dudek Task 1 as further detailed in the Professional Service Agreement. Of the \$65,350, \$59,468.50 (91%) will be reimbursable through the grant. \$5,881.50 (9%) will be paid with VPD funds.

STANDARD AGENDA ITEM NO. 3

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH PLAUCHE & CARR, LLP

BOARD COMMUNICATION

STANDARD AGENDA ITEM 3Meeting Date: October 14, 2015

TO: Board of Port Commissioners

FROM: Brian Pendleton, Business Operations Manager

SUBJECT: Approval of Professional Services Agreement with Plauché & Carr, LLP

RECOMMENDATION:

That the Board of Port Commissioners approve the Professional Services Agreement with Plauché & Carr, LLP in the amount of \$5,000 to provide legal services for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

SUMMARY:

The Ventura Port District has been awarded a two year, approximately \$265,000 Sea Grant fund to contract with qualified consultant(s) that will enable development of a permitting strategy and all necessary permitting components required for sustainably cultivated shellfish production to occur through Ventura Harbor.

Staff believes it is clearly in the District's best interest to ratify the agreement with *Plauché & Carr, LLP* to meet the objectives of the grant.

BACKGROUND:

Plauché & Carr, LLP is a Seattle-based law firm with a practice focused on environmental, land use, and natural resource-based issues. Plauché & Carr, LLP has represented a number of non-profit, private, and governmental entities regarding environmental and regulatory matters ranging from regulatory compliance/permitting, to administrative litigation, to litigation in state and federal courts, to conservation land acquisition.

If the District selects *Plauché & Carr, LLP* to assist with the project, Robert Smith will serve as lead counsel. Robert is an attorney with ten years' experience working in California on land use and environmental issues, on behalf of both private and public clients. During his previous employment at two Los Angeles-based firms, Robert advised and represented numerous clients regarding compliance with the California Environmental Quality Act ("CEQA") and National Environmental Policy Act ("NEPA") and represented several coastal cities and private clients before the California Coastal Commission ("CCC"), California Department of Fish and Wildlife ("CDFW"), Los Angeles County, and U.S. Army Corps of Engineers ("Corps").

FISCAL IMPACT:

The grant is for a two year period on a one-plus-one basis and is contingent upon funding availability. Year 1 funding in the amount not to exceed \$5,000 is for *Plauché & Carr*, *LLP* Task 1 as further detailed in the Professional Services Agreement.

STANDARD AGENDA ITEM NO. 4 APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH SCOTT LINDELL

BOARD COMMUNICATION

STANDARD AGENDA ITEM 4

Meeting Date: October 14, 2015

TO: Board of Port Commissioners

FROM: Brian Pendleton, Business Operations Manager

SUBJECT: Approval of Professional Services Agreement with Scott Lindell

RECOMMENDATION:

That the Board of Port Commissioners approve the Professional Services Agreement with Scott Lindell, Fisheries and Marine Biologist, in the amount of \$9,960.00 to provide consultant services for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

SUMMARY:

The Ventura Port District has been awarded a two year, approximately \$265,000 Sea Grant fund to contract with qualified consultant(s) that will enable development of a permitting strategy and all necessary permitting components required for sustainably cultivated shellfish production to occur at Ventura Harbor utilizing existing infrastructure and fishing fleet.

Staff believes it is clearly in the District's best interest to ratify the agreement with Scott Lindell to meet the objectives of the grant.

BACKGROUND:

The consultant will work with the Ventura Port District and other VSE team members to develop a detailed work and process outline for this permitting and planning process. VSE seeks NOAA Sea Grant funding to develop a permitting strategy and prepare all necessary permit application components, baseline studies and proposed permitting terms and conditions, including necessary mitigation and monitoring, plus the consumer education program.

The consultant will participate in meetings and teleconferences with various local, State and Federal resource managers and regulators as appropriate in a progressive order to further identify issues, explore opportunities, and decide upon a full plan that would meet regulatory approval.

The consultant will be available to the Ventura Port District and other VSE team members to ask and answer questions, offer guidance and direction, and discuss issues by phone or mail during the permitting/planning process.

FISCAL IMPACT:

The grant is for a two year period on a one-plus-one basis and is contingent upon funding availability. Year 1 funding in the amount not to exceed \$9,960 is for Mr. Lindell Year 1 as further detailed in the Professional Service Agreement.

STANDARD AGENDA ITEM NO. 5
STATUS OF SONDERMANN RING PARTNERS
PUBLIC LONG DOCK

STANDARD AGENDA ITEM 5Meeting Date: October 14, 2015

BOARD COMMUNICATION

TO: Board of Port Commissioners FROM: Oscar Peña, General Manager

SUBJECT: Status of Sondermann Ring Partners Public Long Dock

RECOMMENDATION:

That the Board of Port Commissioners receive a report on the status of public long dock relocation for the Sondermann Ring Partners project.

SUMMARY:

Sondermann Ring Partners has been working with the boating community on a relocation of the public long dock. The new plan is scheduled to be heard as an immaterial amendment by the California Coastal Commission in November.

STANDARD AGENDA ITEM NO. 6
VENTURA PORT DISTRICT
2015 – 2016 DEPARTMENTAL OBJECTIVES

BOARD COMMUNICATION

STANDARD AGENDA ITEM 6Meeting Date: October 14, 2015

TO: Board of Port Commissioners FROM: Oscar F. Peña, General Manager

SUBJECT: Ventura Port District 2015 – 2016 Departmental Objectives

RECOMMENDATION:

That the Board of Port Commissioners review the 2015 – 2016 objectives to confirm they are in alignment with the Board's Mission Statement and Goals.

SUMMARY:

In June 2015, the Board approved the 2015-2016 Fiscal Year Budget and the Five Year Capital Improvement Plan. The budget was carefully developed to further the District's Mission Statement, "The Ventura Port District, home to the Channel Islands National Park, provides a safe and navigable harbor and a seaside destination that benefits residents, visitors, fishermen and boaters to enjoy Ventura Harbor's exceptional facilities, events and services". The budget is filled with numbers that represent improvements or projects that serve our business partners, residents and visitors.

The District staff is submitting an outline of objectives that strive to accomplish the Board's Mission Statement and Goals that were approved in 2004. The Mission Statement and Goals define the District as a public agency and demonstrates how we serve our stakeholders, residents and visitors. The attached objectives provide a road map that ensures that the District operates in an efficient, effective and transparent manner. Many of these objectives are qualitative in nature; however, some are quantitative and can be tracked to the budget. The objectives attached are inspired by the approved goals below:

- 1) Maintain and enhance a safe and navigable harbor by:
 - a. Securing funding through the Army Corps of Engineers in coordination with agencies and our elected officials:
 - b. Dredging the Inner Harbor and preserving infrastructure:
 - c. Providing superior Harbor Patrol, Maintenance, and related Port District services;
 - d. Preserving and enhancing infrastructure, equipment and facilities for a modernized, efficient and safe working harbor.
- 2) Support and promote commercial and recreational boating and fishing.
- 3) Increase economic development, vitality, and diversity of the District through effective leasing and marketing strategies.
- 4) Promote sustainable use of our natural environment through business practices and programs designed in concert with our tenants, educators, agencies, and interest groups.
- 5) Build respectful, productive, and mutually beneficial business relationships with our tenants, public agencies, elected officials and the community.
- 6) Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

FISCAL IMPACT:

These objectives are in line with the Fiscal Year 2015 – 2016 budget.

ATTACHMENTS:

Attachment 1 – 2015 – 2016 Departmental Objectives

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Administration

Department Manager: Oscar Pena

	Objectives	Goal(s)	Project Completion Quarter				Comments	
	Objectives			Qtr 3	Qtr 4	Comments		
1.	Proactive communication with tenants	5	Ongoing				Improve business relationships and promote tenant business goals and increase revenues necessary to remain self-supporting as an independent special district.	
2.	Provide high quality customer service	6	Ongoing				Collaborate with staff on priority objectives for optimal performance to improve customer service with tenants, customers and the public.	
3.	Real estate development	3				X	Work with Business Operations Manager on new development opportunities to maintain and grow our core businesses toward well planned fiscally sound development.	
4.	Refinancing COP's	2				Х	Consider debt restructuring options for interest rate savings and explore financing opportunities to renovate the Ventura Harbor Marina Docks D, G, & H.	
5.	Parking management strategy	3				х	Work with Business Operations Manager, staff and stake-holders on the development of a parking management strategy for the southwest harbor area.	
6.	Ordinance 44	6				X	Work with the Harbormaster, staff and legal counsel on potential changes to Ordinance 44 for Board consideration.	

7.	Develop a competitive and transparent compensation and benefit structure for retention and recruitment.	6			X	Implementation of this priority would be conditional upon approval of the Board and SRP exercising the option and executing the ground lease. Further, that SRP pay the holding fee outlined in the option and the minimum rent stipulated in the lease.
8.	Collaborate with SRP on the project management/implementation of the phased construction on parcels 15, 16, 18 to identify impacts on neighboring tenants and the general public.	5			X	District staff shall assist with the tenant/public outreach program to improve the lines of communication within the harbor and overall community.
9.	Long-term environmental concerns	4	Ongoing			Incorporate sea level rise, climate change and other environmental concerns into long-term planning and development strategies.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Business Operations/Administration

Department Manager: Brian Pendleton

		Goal(s)	Con	Projected Completion Quarter			
	Objectives	No.	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Comments
1.	Ventura Shellfish Enterprise (VSE)	2, 3				X	Provide first year grant administration (\$94,810) and contract management for professional services tasked with performing grant funded activities. Participate in VSE team meetings throughout the year.
2.	Ventura Isle Marina (VIM) Ground Lease Assignment	2, 3		Х			Coordinate VPD review process of proposed VIM ground lease assignment with existing and proposed tenants and legal counsel.
3.	Collaborate with Property Manager on leasing strategies for Harbor Village to improve tenant mix and increase revenues.	3	Х				Oversee development of lease marketing materials, procure software for real estate analytics; lease tracking. Prioritize leasing activities.
4.	Evaluate potential land uses for parcels 5, 8 and 19-A	3				Х	Research allowable uses that conform to the Harbor's local coastal plan and zoning. Parcels relate to the green lawn area of Harbor Village, end of Spinnaker Drive and Harbor Blvd., Schooner Drive. Solicit interested parties, uses for Board consideration.
5.	Parcel 20 Marina Expansion	1-C, 6		х			Oversee completion of California Environmental Quality Act (CEQA) Mitigated Negative Declaration (MND), public outreach process and expansion plan approval process by Board.
6.	Risk Management	6				х	Attend annual California Joint Powers Insurance Authority (CJPIA) training conference. Evaluate and update, as necessary, policies, programs and procedures to elevate health and safety and reduce claims of Port District workforce, tenants and general public.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Harbor Patrol

Department Manager: John Higgins

	Objectives	Goal(s)	Proj	Projected Completion Quarter			Commonte
	Objectives	No.	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Comments
1.	Ordinance 44 Review	1(c),4				x	Evaluate the opportunity to utilize city codes. Create internal working group (Needs Assessment). Gather outside Harbor Ordinances. Utilize legal team to create Ordinances.
2.	Beach Management Plan	1(c)		X			Explore lifeguarding options and revenue generating options (i.e. Jr Lifeguard). Coordinate with permit holders (Makos, Volleyball).
3.	Strengthen Relationships With City Services	1(c),5			Х		(Police/Fire/Code Compliance) Enhance Police Department communications.
4.	Implement Harbor Patrol Training Program	1(c),6			Х		Identify mandatory and essential duties training. Create new employee and annual pre-summer training.
5.	Create Harbor Patrol Statistics Program	1(c),6	Х				Create job duties statistics (land vs water) and statistics for future grant submissions. Evaluate trends/changes in duties.
6.	Disaster Management	6				х	Dedicate resources to prevent, detect, prepare, respond and recover from natural and man-made disasters.
7.	Grant Program	1c		X			Participate in DBW Abandoned Vessel Abatement Program and in the Vessel Turnin program to provide our tenants and the public a funding source to dispose of unwanted recreational boats.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Accounting/Administration

Department Manager: Gloria Adkins

	Objectives	Goal(s)	Projected Completion Quarter				Comments
	Objectives	No.	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Comments
1.	Prepare documentation for annual Financial Audit.	6		X			Work with managers to ensure all internal controls and financial policies are understood and followed. Prepare year-end reconciliation statements for auditors.
2.	Prepare annual Special District's Financial Transactions Report for the State Controller's Office.	6		X			This is required to enhance transparency of the financial health of the District and to be able to compare the District to other special districts.
3.	Prepare annual Government Compensation in California Report for the State Controller's Office.	6				Х	This is required to enhance transparency of wages and benefits of government employees.
4.	Improve/review internal controls and policies (e.g. Reserve Policy, Procurement Policy).	6				Х	Allows for better guidance to employees and to enhance transparency.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Marketing

Department Manager: Jennifer Talt Lundin

	Objectives	Goal(s)	Projected Completion Quarter			arter	Comments
		No.	Qtr 1	Qtr 2	Qtr 3	Qtr 4	
1.	Ongoing process of communication to engage involvement, keep informed and increase participation.	3, 5	Ongoing				Quarterly meetings with Harbor tenants to continue communications and feedback on programming, consumer base and effectiveness. Specifically, generate a weekday seaside promotion to increase weekly business.
2.	Develop expanded analytics.	3				Х	Determine best practices to both collect more consumer data and tracking for specific programs.
3.	Collaborate and tie-in to the City of Ventura's 150 th Anniversary and the Channel Islands National Park (CINP) 100 th Anniversary.	5				х	Creating promo elements, revise Parade of Lights theme, promote specific CINP events & happenings.
4.	Social media enhancements.	3				х	Increase interaction and presence via digital marketing for Ventura Harbor/Ventura Harbor Village.
5.	Tourism and community outreach programs.		Ongoing				Development of tourism and community outreach programs working with the City, Ventura Visitors & Convention Bureau, Ventura County West, Central Coast Tourism, Visit California, and the Chamber of Commerce.
6.	Website development	6		X			Improve District's websites to provide current information on District/Harbor Activities and interactive capabilities for tenants, customers and visitors.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Property and Leasing Manager

Department Manager: Robin Baer

	Objectives	Goal(s) No.	Projected Completion Quarters				Community
			Qtr 1	Qtr 2	Qtr 3	Qtr 4	Comments
1.	Improve the occupancy level and tenant mix at Harbor Village.	3					Proactive outreach efforts to potential new tenants that offer an innovative new concept.
2.	Convert existing month-to-month tenancies to term tenancies.	3			Х		Priority order is: Office (complete), retail, restaurant.
3.	Prepare new marketing leasing materials for perspective tenants.	3		Х			Developing material content. Placed ads in variety of magazines and websites.
4.	Explore new alternatives for key vacancies i.e. Blackbeards and Cory Tile.	3				X	Highlighting locations in advertisements and developing design plans and specs for different space configurations and uses.
6.	Obtain reliable analytics to evaluate market rates and assist with lease negotiations.	3		Х			Purchase subscriptions with programs with expanded databases.
7.	Track lease expirations, options and other milestones.	3				X	Purchase Software and related subscription.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Facilities Department

Department Manager: Joe Gonzalez

	Objectives	Goal(s) No.	Com	Proje pletic	ected on Qua	arter	Comments
			Qtr 1	Qtr 2	Qtr 3	Qtr 4	Comments
1.	Provide Village accessibility improvements and common area enhancements design.	1-D		Х			Phase 1 consists of parking lots and accessibility ramps.
							\$310,000 contract approved.
2.	Building infrastructure Improvements – Roofs for buildings 1559 (Brophy's) and 1449	1-D		Х			Project underway as part of the 5 year capital improvement plan.
	(Fisheries)						\$563,405 contract approved.
3.	Building infrastructure Improvements – Elevator in Building 1691	1-D		Х			Project underway as part of the 5 year capital improvement plan.
							\$78,833 contract approved.
4.	Continue to promote sustainable programs including water and energy conservation and recycling projects.	4	х				Installed several water meters on Buildings and Ventura Marina Docks. Automatic sensor switched in public restrooms and electrical rooms.
5.	Collaborate with tenants, boaters and other stakeholders to foster a healthy environment.	1-D 4	Х				Implemented pressure washing waste water recovery system. Collaborate with restaurant tenants on a new food used waste food oil recycling program. Monitoring grease interceptor uses.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Marina/Technology

Department Manager: Frank Locklear

	Objectives	Goal(s) No.	Com	•	ected on Qua	arter	Comments
			Qtr 1	Qtr 2	Qtr 3	Qtr 4	
1.	Docks D, G, H Modification to increase the number of larger slips	2, 3			Х		Secure final approval from the California Coastal Commission for the permit. The application was approved in the first quarter.
2.	Maintain commercial fishing infrastructure	2				Х	Fish pier, buildings and hoist.
3.	Increase squid fisheries offloading	2, 3			Х		Increase the total tonnage of market squid offloaded.
4.	Promote safe squid offloading practices	4, 5			Х		Eliminate stick water discharge from the Harbor.
5.	Computer software and security improvements	6		X			New security system involving purchase of cameras and software to enhance public safety and security.
6.	Fiber optic improvement plan i.e. fisheries building	5			Х		Improve availability for high speed internet services for Harbor Village marina tenants and visitors.
7.	Educational signage	2				Х	Create informational and educational signage that will inform the public of the commercial fishing industry and local wildlife.

DEPARTMENTAL OBJECTIVES WORKSHEET

Fiscal Year: 2015 - 2016

Department: Dredging and Project Management

Department Manager: Consultant, Richard Parsons

	Objectives	Goal(s) No.	Com	-	ected on Qua	arter	Comments
			Qtr 1	Qtr 2	Qtr 3	Qtr 4	
1.	Federal Dredging Funds	1	Ongoing				Secure between \$5 Million in Federal funds for 2016 maintenance dredging of the entrance channel and sand trap by working with Congress, OMB, USACE, CMANC and the District's legislative advocate.
2.	Dredging Regulatory Entitlements	1	Ongoing				Maintain ongoing coordination with the regulatory community to ensure that all permit requirements are addressed and permits renewed when necessary.
3.	Inner Harbor Dredging	1			X		Monitor inner harbor channel depths, periodically conduct sediment sampling to assure compatibility, make contractual arrangements for dredging, and oversee the operation.
4.	Reconstruction of Village Docks	2				Х	Secure the regulatory entitlements necessary for the replacement of docks C, D, G & H and provide oversight of the design and construction process.
5.	Capital Improvement Projects	2	Ongoing			I	Provide assistance to District staff on all major capital improvement projects within the Harbor.
6.	Ventura Shellfish Enterprise (VSE)	2, 3				X	Support the District's shellfish initiative.