



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 APRIL 27, 2016 AT 7:00PM VENTURA PORT DISTRICT OFFICE 1603 ANCHORS WAY DRIVE, VENTURA, CA

*A Closed Session of the Board will be held at **5:00PM** at the Port District Office located at 1603 Anchors Way Drive, Ventura, CA, to discuss the items on the Attachment to Agenda- Closed Session Conference with Legal Counsel.*

*The Board will convene in **Open Session** at the Port District Office located at 1603 Anchors Way Drive for its Regular Meeting at **7:00PM**.*

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 April 13, 2016 workshop 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. 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.

DEPARTMENTAL STAFF REPORTS (10 minutes)

Ventura Port District Staff will give the Commission reports on their Department.

GENERAL MANAGER REPORT (5 minutes)

The General Manager of the Ventura Port District will report on items of general interest to the Port Commission and members of the public.

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 Out of Town Travel Request

Recommended Action: Motion.

That the Board of Port Commissioners approve the Out of Town Travel Request for one of the marketing team to attend the Sunset Celebration Consumer Travel Show.

B) Consideration of Rejection of Claim by Jessica McLeod

Recommended Action: Motion.

That the Board of Port Commissioners approve the rejection of a claim filed against the Ventura Port District on March 14, 2016 by Jessica McLeod and authorize the General Manager to execute and mail a Notice of Rejection to Ms. McLeod.

C) Termination of Agreement and Approval of New Retail Lease Agreement

Recommended Action: Motion.

That the Board of Port Commissioners:

- a) Approve the termination of Gil Hong and Jung Soon Lee dba Village Market lease agreement, dated May 1, 2013, for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet; and
- b) Approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan E. Trad dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet for a five-year term.

D) Approval of New Office Lease Agreement for David A. Richard

Recommended Action: Motion.

That the Board of Port Commissioners:

- a) Approve the termination of a lease agreement, dated April 1, 2016, for the premises located at 1591 Spinnaker Drive #205, consisting of 1,050 square feet; and
- b) Approve a new office lease agreement between the Ventura Port District dba Ventura Harbor Village and David A. Richard for the premises located at 1591 Spinnaker Drive #205, consisting of 1,058 square feet for a two-year term.

E) Approval of New Office Lease Agreement for Ron Baldonado

Recommended Action: Motion.

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1591 Spinnaker Drive #201 consisting of 746 square feet between the Ventura Port District dba Ventura Harbor Village and Ron Baldonado for a two-year term.

STANDARD AGENDA:

1) Presentation on the Ventura Harbor Village Phase 3 Project

Recommended Action: Informational.

That the Board of Port Commissioners receive a presentation from RRM Design Group on the Ventura Harbor Village Phase 3 Project.

2) Approval of Financial Statements and Checks for February 2016

Recommended Action: Resolution No. 3305.

That the Board of Port Commissioners adopt Resolution No. 3305 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in February 2016.

3) Approval of the 2016 State Parks Lifeguard Contract

Recommended Action: Motion.

That the Board of Port Commissioners approve the 2016 contract proposed by State Parks to provide Lifeguard Services at Harbor Cove and Surfers Knoll.

4) Request for Proposals to Lease Ventura Port District Property for Development of Visitor Serving Uses

Recommended Action: Motion.

That the Board of Port Commissioners approve the Request for Proposals (RFP) to Lease Ventura Port District Property for Development of Visitor Serving Uses and authorize staff to initiate the RFP process.

REQUEST FOR FUTURE AGENDA ITEMS

ADJOURNMENT

*This agenda was posted on Friday, April 22, 2016 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, APRIL 27, 2016

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

- a) Property: **1559 Spinnaker Drive #104**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: Village Market New Lease and Lease Termination
- b) Property: **Parcels 15, 16, 18**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: Possible Amendment of Option Agreement
- c) Property: **1591 Spinnaker Drive #205**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: David A. Richard Office Lease
- d) Property: **1591 Spinnaker Drive #201**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: Ron Baldonado Office Lease

2. Conference with Legal Counsel - Potential Litigation per Government Code Section 54956.9(d)(2): One case.

3. Conference with Legal Counsel - Pending Litigation per Government Code Section 54956.9(d)(4): Two cases.



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

APPROVAL OF MINUTES

APRIL 13, 2016



Minutes of Workshop Meeting of the Ventura Port District Board of Port Commissioners Held April 13, 2016

The Workshop Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 12:10PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

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

Commissioners Absent:

None

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Business Operations Manager
Jennifer Talt-Lundin, Marketing Manager
Robin Baer, Property Manager
Joe Gonzalez, Facilities Manager
Frank Locklear, Marina Manager
Richard Parsons, Consultant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chairman Friedman at 12:02PM.

PLEDGE OF ALLEGIANCE: By Vice-Chairman Ashworth.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to adopt the April 13, 2016 agenda, with a change as it relates to Closed Session. Item 2 states one case; there is a second matter and it was not discussed in the initial Closed Session. Staff and legal counsel requested the addition of a second item to the Closed Session Attachment and suggested that the Board reconvene after completion of public session, but prior to the adjournment, to discuss that additional litigation matter.

APPROVAL OF MINUTES

The Minutes of March 23, 2016 regular meeting were considered as follows:

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve the minutes of the March 23, 2016 regular meeting.

PUBLIC COMMUNICATIONS: Sam Sadove asked what was going on with Pirate Days.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the closed session attachment except one, which was Item 1c, a real property matter. There were three other items under Real Property Negotiations that were heard and staff was given instructions on how to proceed as appropriate and there was no action taken on any such item that is reportable under The Brown Act. There was one item under Potential Litigation that was heard and there was no action taken that is reportable under The Brown Act. The other litigation item relating to the Hessiani case was discussed and by the unanimous vote of the Board, two settlement agreements (one with Mr. Hessiani and one with Mr. Herrera) were approved and the General Manager was authorized to sign each settlement agreement, which should conclude this litigation.

BOARD COMMUNICATIONS: Commissioner Ashworth updated the Board on the Ventura Shellfish Initiative. Commissioner Smith reported that he attended the last tenant meeting.

STAFF COMMUNICATIONS: Mr. Pena reported on the grounding of a commercial fishing vessel called The Washington. Mr. Parsons reported that dredging is complete. Mr. Pendleton gave the Board an update on the Sondermann Ring Project and reported on the City's Community Development Director, Jeffery Lambert's condition. Mr. Gosney reminded the Commission that there will be a new entity created between Mr. Sondermann's corporation and the new equity participant in the development, which will involve an assignment of the option.

A) Approval of New Office Lease Agreement for Farmers Insurance

Recommended Action: Motion.

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #211 consisting of 492 square feet between the Ventura Port District dba Ventura Harbor Village and Farmers Insurance for a two-year term.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #211 consisting of 492 square feet between the Ventura Port District dba Ventura Harbor Village and Farmers Insurance for a two-year term.

B) Approval of New Office Lease Agreement for John Francis

Recommended Action: Motion.

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #203A consisting of 123 square feet between the Ventura Port District dba Ventura Harbor Village and John Francis for a two-year term.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #203A consisting of 123 square

feet between the Ventura Port District dba Ventura Harbor Village and John Francis for a two-year term.

ACTION ITEM:

1) Notice of Completion for the Emergency Conditions at 1691 Spinnaker Drive

Recommended Action: Resolution No. 3304.

That the Board of Port Commissioners adopt Resolution No. 3304 to:

- a) Determining that there is no longer a need to continue the emergency action adopted by the Board on January 13, 2016 since the emergency has been abated and the project completed;
- b) Accepting the work of Letner Roofing Company for the emergency installation of a tile roof system at 1691 Spinnaker Drive; and
- c) Authorizing staff to prepare and record a Notice of Completion with the Ventura County Recorder.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt Resolution No. 3304:

- a) Determining that there is no longer a need to continue the emergency action adopted by the Board on January 13, 2016 since the emergency has been abated and the project completed;
- b) Accepting the work of Letner Roofing Company for the emergency installation of a tile roof system at 1691 Spinnaker Drive; and
- c) Authorizing staff to prepare and record a Notice of Completion with the Ventura County Recorder.

WORKSHOP ITEM:

1) Ventura Isle Marina (VIM) Assignment of Lease

Recommended Action: Motion.

That the Board of Port Commissioners approve the Assignment of Lease for Ventura Isle Marina from CLP Ventura Marina, LLC, ("CLP") CLP to SHM Ventura Isle, LLC ("SHM Ventura Isle").

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to conditionally approve and authorize the General Manager to sign the Consent to Assignment of Lease and Leasehold Deed of Trust for Ventura Isle Marina from CLP Ventura Marina, LLC, ("CLP") CLP to SHM Ventura Isle, LLC ("SHM Ventura Isle"); as well as, the Guaranty of Lease by Safe Harbor Marinas, LLP, and other financial documents connected with the assignment, including the Credit Agreement, Security Agreement and Pledge Agreement, even though the District is not a party to those financing documents and, in addition, approve and authorize the General Manager to sign Amendment No. 3 to 2003 Master Lease being assigned to SHM Ventura Isle. All the foregoing approvals are conditioned on the General Manager and Legal Counsel resolving issues connected with the calculation of appreciation rent due the District connected with the lease assignment and the reimbursement of the District for its attorney's fees through the closing of the transaction.

ADJOURNED TO CLOSED SESSION AT 12:50PM.

RECONVENED OPEN SESSION AT 1:20PM.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board did meet and consider one additional potential litigation item under Government Code Section 54956.9(d)(2); staff and counsel were given instructions as appropriate and no reportable action was taken under The Brown Act.

REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 1:21PM.

Secretary



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

DEPARTMENTAL STAFF REPORTS

DREDGING

FEDERAL

FACILITIES

HARBOR PATROL

MARKETING

PROPERTY MANAGEMENT

RWP DREDGING MANAGEMENT

Richard W. Parsons
2271 Los Encinos Road
Ojai, California 93023
Phone/Fax (805) 649-9759

April 27, 2016

Board of Port Commissioners
Ventura Port District
1603 Anchors Way Drive
Ventura, CA 93001

Subject: March/April 2016 Dredging Activities and Special Projects Report

The Dredging Program Manager's activities for the March to mid-April 2016 period are reviewed below:

FY2016 Army Corps of Engineers Maintenance Dredging

Manson Construction Co., operating under a contract with the U.S. Army Corps of Engineers completed the maintenance dredging of the federal channel and sand traps at Ventura Harbor on April 8, 2016. A total of 892,245 cubic yards of material was removed during the operation at a cost of \$6,875,000.

FY2017 Federal Dredging Appropriations

Both the House and Senate Appropriations Subcommittees for Energy and Water Development have released their proposed FY2017 Appropriations Bills and the good news is that the bills reflect an increased level of funding for the Corps of Engineers Civil Works Program. This means that there is likely to be Work Plan funding in FY17. Thus the challenge for the Port District, once again, is to assure that the harbor is included in the Work Plan at a dollar range between \$2.5 and \$3 million. That sum when combined with Administration's request of \$4.3 million that both Subcommittees included in their bills will provide a total funding level range between \$6.8 and \$7.3 million.

However, as explained in Julie Minerva's March 2016 report, the overall FY2017 appropriations' process is caught up in the political chaos on Capitol Hill and therefore the final outcome and timing of that process is likely to remain unpredictable until early 2017.

Stub Channel Maintenance Dredging

On March 30, 2016, Manson Construction Co. removed 2,452 cubic yards of shoal material from the Stub Channel providing vessel access to the Ventura Keys. The total cost of that operation was \$89,250 of which \$51,943.50 was paid by the City of Ventura, and \$37,306.50 by the Port District.

Harbor Maintenance Dredging Permits

An application to renew the Port District's 10 year maintenance dredging permit was filed with the California Coastal Commission on April 13, 2016 (*see the attached transmittal letter*). An application to renew the District's dredging permit from the Los Angeles Regional Water Quality Control Board is also being prepared and will be filed hopefully in May 2016.

Harbor Village Marina Modifications

Now that the California Coastal Commission has approved the Port District's plans to modify and replace docks C, D, G and H at Harbor Village Marina, I am beginning the process of preparing permit applications to be submitted to the U.S. Army Corps of Engineers and the Los Angeles Regional Water Quality Control Board.

Harbor Village Phase 2 ADA Improvements

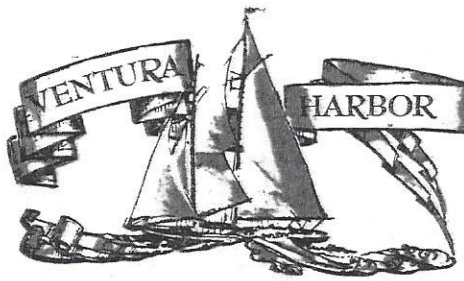
The Port District's contractor, J&T Engineering and Construction, for the Phase 2 ADA Improvements at Harbor Village expects to commence work on May 2, 2016, and to have all the concrete flat work completed by Memorial Day.

Respectfully submitted,

Richard Parsons

Dredging and Special Projects Consultant

Attachment - Coastal Commission 4-13-16 Letter



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

April 13, 2016

Barbara Carey, District Manager
California Coastal Commission
89 California Street, Suite 200
Ventura, CA 93001

SUBJECT: VENTURA HARBOR MAINTENANCE DREDGING PROGRAM

Dear Ms. Carey,

Forwarded, herewith is an application on behalf of the Ventura Port District for a Coastal Development Permit for the Ventura Harbor maintenance dredging program. The project involves the annual dredging of the navigation channels, berthing areas and sand traps within Ventura Harbor as described below:

1. Maintenance dredging of the Inner Harbor, to design depths, would entail up to 100,000 cubic yards of material to be dredged annually from the navigation channels, berthing areas, and sand traps within the harbor and deposited: (1) within surf zone near the mouth of the Santa Clara River, (2) three interior depressions within the interior and the harbor; and/or (3) in the 4,000 feet of nearshore area off of McGrath State Beach. Of the proposed 100,000 cubic yards of material to be dredged, up to 2,500 cubic yards of fine-grained material may be dredged from the mouth of the Arundell Barranca and/or the Olivas Park storm drain with a shore-based clam shell, with deposition outside of the coastal zone.
2. Maintenance dredging of the Outer Harbor, to design depths, would entail up to 600,000 cubic yards of material to be removed annually from the entrance channel and offshore sand traps and deposited: (1) within the surf zone along 10,000 feet of beach extending southward from the harbor's south jetty, including South Beach, the area near the Santa Clara River mouth, and McGrath State Beach; (2) within the surf zone north of the harbor entrance in Cells 1 and 2 of the Pierpont Groin Field; (3) in the 4,000 feet of nearshore area off of McGrath State Beach; and/or (4) the 1,000 feet of nearshore area off of San Buenaventura State Beach south of the Ventura Pier.

For the past ten years, the maintenance dredging program has been conducted in accordance with the Coastal Development Permit No. 4-06-086 (*Exhibit 8*), dated February 28, 2007. During the 22 years prior to that, the dredging program has been conducted in accordance with Coastal Development Permit No. 4-83-257 A1 through A11 and CDP 4-01-143. The Port District is requesting that the dredging program be allowed to continue subject to the same 16 Special Conditions listed in Permit No. 4-06-086, with the following four modifications:

- a. That Special Condition 4.c.(2) regarding the location at which the stream flow in the Santa Clara River is measured, be changed to indicate that the flow is to be measured at the State Highway 118 bridge. This change is necessitated by the fact that the USGS no longer maintains the

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Montalvo Station and the Victoria Avenue bridge location is no longer advisable due to the heavily overgrown vegetation and sizeable homeless population in that area. See the last two paragraphs of the attached letter from Applied Environmental Technologies, dated April 4, 2015 (*Exhibit 10*).

- b. That Special Condition 6 regarding a shoreline monitoring program be eliminated. This program was first initiated in 1989 pursuant to CDP No. 4-83-257 (as amended) and is now in its 27th year. Each monitoring episode is presently costing almost \$18,000 and I estimate that the District has expended a total in excess of \$450,000 on the program.

The concern back in 1989, in some people's minds, was that the maintenance dredging program at the harbor could be negatively impacting area beaches. Since the initiation of the monitoring program, the following two studies have been completed that have concluded in part that the dredging/sand bypassing effort at Ventura Harbor replicates the natural down coast littoral drift in the Ventura area and is essential to the healthy nourishment of the down coast beaches:

1. Ventura Harbor Sand Bypass System and Regional Beneficial Reuse Feasibility Study, December 2006, Los Angeles District, U.S. Army Corps of Engineers.
2. Coastal Regional Sediment Management Plan, January 2009, Beach Erosion Authority for Clean Oceans and Nourishment (BEACON).

Thus, no useful purpose is served by continuing to collect the shoreline profiles.

- c. That Special Condition 11, regarding the utilization of shoal material meeting beach replenishment requirements be modified to reflect the fact that the use of such material from Ventura Harbor requires a substantial planning and permitting process involving a number of regulatory agencies. That process typically involved at least a year of effort. The Port District is quite willing to cooperate with other agencies that may desire to have the dredged material placed at an alternate location, but that process must begin well in advance of the point of which maintenance dredging is actually required. An illustration of one such process with BEACON is attached as *Exhibit 9*.
- d. That Special Condition 17 be revised to reflect a project term of ten years.

The following Exhibits are included with this submittal to aid in your review of the Port District's request:

1. Department of the Army Permit No. SPL-2011-1154-AJS, dated August 13, 2012.
2. Order No. R4-2012-0027, adopted by the Los Angeles Regional Waters Quality Control Board on February 2, 2012.
3. Lease PCR 2881.9, approved by the California State Lands Commission on March 29, 2012.
4. Permit to Operate Number 01139 issued by the Ventura County Air Pollution Control District (please note this permit rolls over each April for an additional one year term upon the payment of an annual fee).
5. Final Report-Sampling and Analysis-Ventura Harbor Sediment Investigation, dated February 10, 2016.
6. Final Environmental Assessment for Ventura Harbor Six Year Maintenance Dredging Program for the U.S. Army Corps of Engineers, dated September 2011.
7. California Coastal Commission Negative Determination No. ND-037-11 dated September 26, 2011 for the U.S. Army Corps of Engineers maintenance dredging at the Ventura Harbor.

8. California Coastal Commission Coastal Development Permit No. 4-06-086, dated February 28, 2007.
9. Memorandum of Understanding between BEACON, The City of Santa Barbara Waterfront Department, The Ventura Port District, and Channel Islands Harbor.
10. Letter from Environmental Technologies dated April 4, 2016.

It is anticipated that portions of the channels within Ventura Harbor will require maintenance dredging during the first quarter of calendar year 2017. It is therefore respectfully requested that your office complete the processing of this application prior to December 31, 2016, in order to assure that the Port District can continue to provide the channel depths necessary for navigational safety.

Thank you for your cooperation in this matter. If I can be of any further assistance, please give me a call on my cell phone at (805) 890-8505.

Sincerely,



Richard Parsons
Dredging Program Manager

Enclosure



To: Ventura Port District
From: Carpi Clay
Re: Federal Issues Report April 2016

Carpi Clay & Smith Activities
March 2016 – Recap

Budget & Appropriations

Senate Majority Leader Mitch McConnell began March by telling House Republicans that he planned to dedicate three months to moving separate appropriations bills this year. But, McConnell said, it was up to the House to act first. This plan quickly ran into problems on both sides of Capitol Hill.

First, Senate Budget Chairman Michael Enzi (R-WY) announced that he would not offer a budget resolution for FY2017 and that the Senate should instead work off of the budget deal reached at the end of 2016. He didn't rule out offering a budget plan later, but doing so would run into significant time constraints in a legislative year that is already short.

In the House, leaders were able to squeak a budget resolution for FY2017 through the Budget Committee. However, opposition from the Freedom Caucus stalled the measure and led to tabling the resolution. Fiscal conservatives are still angry over the increased spending provided in the FY2016 Omnibus Appropriations Act and have demanded that the \$30 billion in additional spending contained in that measure be offset this year, rather than over the ten years envisioned when the White House and Congress struck a deal on the spending bill in December.

Democrats are unified in their opposition to any cuts this year and the fiscal hawks lack the votes to force the issue in the Senate. While Democrats argue that increased spending was already offset as a part of the December deal, Republican opponents point out that the savings come over ten years while spending has already increased. They also argue that most of the long-term savings were nothing more than budget gimmicks and rely on budget agreements several years from now that are unlikely to happen.

Appropriators will be able to work out individual spending bills without a budget resolution by using the framework established in the Omnibus as a guide. However, the failure to move a new budget frustrates hopes by congressional leaders to return to regular order.

Freedom Caucus Threatens Lame Duck Session

Further complicating the budget outlook is the desire of Freedom Caucus members to derail an expected post-election lame duck session later this year. They argue that these sessions have become routine in recent years and become a venue to force through the large spending bills that contain items Caucus members vigorously oppose. How they plan to thwart the lame duck is unknown, but in a legislative year seriously truncated by the presidential nominating

conventions, primaries, and the fierce campaign battles that have already begun, leaders are re-evaluating how to schedule bills for final votes if a lame duck session is indeed threatened.

Water Dispute Continues to Stall Energy Bill, Generates Calls for More Funding

The crisis in Flint, Michigan has elevated the long simmering debate over water infrastructure funding and highlighted the problems of aging facilities, inadequate monitoring, and failures by federal and state regulators to fulfill their mandates or to even cooperate. The Senate remains at impasse on a wide-ranging energy bill as lawmakers attempt to work out a deal on how to respond to Flint and to address the broader problems facing the nation's water systems.

Senate Democrats are seeking to provide additional funds through new or existing grant programs and to declare it emergency spending, a move that would exempt it from required offsets. Republicans, who have not objected to additional funding in principle, would prefer to see the spending run through existing programs, primarily the Clean Water and Safe Drinking Water state revolving loan funds (SRFs) or the nascent WIFIA water financing program. They are loathe to classify the funding as emergency, however, but are struggling to identify how new funding would be offset.

In the House, a group of leading Democrats are seeking a total of \$4 billion in FY2017, evenly divided between the Clean Water and Drinking Water SRFs. A letter from the group to appropriators states, "...water infrastructure failures are costing businesses, individuals, and state and local governments millions of dollars in emergency repairs and responses and in lost revenues."

The DWSRF received \$863 million in the current fiscal year, and President Obama has requested increasing funding to \$1.03 billion in FY17. The CWSRF is currently funded at \$1.394 billion, with the President proposing to cut the total to \$979.5 million next year. The Democrats' letter circulating on Capitol Hill proposes providing each program with \$2 billion next year.

Will Crisis Lead to New Water Initiative?

The urgency to respond to Flint and related issues has led to the introduction of numerous bills aimed at addressing a variety of problems in the nation's water infrastructure. While it is unlikely that any of these bills will move independently, there is reason to believe that components of them will find their way into larger vehicles. Apart from more funding for the current SRF programs, lawmakers could augment the Water Infrastructure Finance and Innovation Act (WIFIA) pilot program to enable it to provide greater assistance to more systems than currently authorized. EPA hopes to make the first assistance under WIFIA available next year to a small number of projects, but changes could lead to earlier assistance ramping up to aid more systems.

Citing the failure of federal, state, and local regulars to respond quickly and effectively to the situation in Flint, Congress is considering new requirements on monitoring, inspecting, and reporting by federal regulators, with a new emphasis on enforcement actions in response to violations. These requirements would likely lead to increased state and local regulatory actions with corresponding delays in the approval of projects and permits and an increase in associated costs.

One proposal is the Sustainable Water Infrastructure Investment Act of 2016 (S. 2606/H.R.499). This proposal would amend the Internal Revenue Code to exempt sewage and water

supply facilities from state volume caps on tax-exempt facility bonds. This idea enjoys simplicity although it presents a scoring challenge for budgeteers.

Another legislative proposal is the Water Infrastructure Trust Fund Act (H.R. 4468). This proposal would augment funding available for the existing SRFs financed through the creation of a voluntary labeling and contributory system that businesses could opt-in in return for benefits from better water systems. This idea, while similar in design to other federal trust funds, will require more extensive vetting and finding more support from skeptical authorizers and appropriators.

White House Hosts “Water Summit” on World Water Day

The White House hosted a gathering on World Water Day “to raise awareness of water issues and potential solutions in the United States, and to catalyze ideas and actions to help build a sustainable and secure water future through innovative science and technology.” The meeting drew representatives from the public and private sectors to discuss ways to improve water conservation and delivery. The day emphasized commitments from many private entities to support water efficiency and delivery efforts while also highlighting conservation and innovative solutions from public water systems, many of them in California.

Federal Drought Response Update

As observers debate whether or not the latest El Niño provided needed drought relief, Senator Dianne Feinstein joined many House Republicans in calling upon the U.S. Bureau of Reclamation to increase pumping to help contractors south of the Delta. Reclamation has not yet responded to these requests, but they have increased planned deliveries in Northern California, while only slightly raising deliveries for some Southern contractors.

As yet, no further action on drought legislation has been announced. On March 15, over 100 Western water organizations wrote to Senate Energy and Natural Resources Chairman Lisa Murkowski (R-AK) and Ranking Member Maria Cantwell (D-WA), asking them to pass a drought bill that can be signed into law this year.

Meanwhile, the Obama Administration released the “Federal Action Plan of the National Drought Resilience Partnership.” This document outlines how “departments and agencies of the National Drought Resilience Partnership can use existing resources to take additional steps to work with state, regional, tribal, and local partners to respond to drought and lay the foundation for long-term resilience within existing authorities.”

According to the White House, the Action Plan includes:

- A call for coordinating data from all sources (from moisture probes in cropland to stream flows in parks to satellite imagery from space) that would support responses to drought.
- Analysis of localized health effects of drought and the development of predictive models. It would develop a drought-resource guide for local health departments to identify at-risk populations and suggest how to decrease risks of drought-related diseases and ailments.
- An assessment of long-term drought impacts on critical infrastructure, and the government would prepare sector-specific guides for technical assistance, with a **particular emphasis on California.**
- Connecting existing watershed-level planning programs to the National Integrated Drought Information System. The Department of Agriculture would work with states to remedy drinking supplies that have been compromised by drought. **USDA would make**

drought-impact planning a condition for funding for new water and waste infrastructure projects.

- A call for streamlined procedures for granting deviations from Army Corps of Engineers Water Control Plans, adding that these deviations create opportunities to mitigate drought impacts.
- A call for the federal government to **develop a national communication plan for recommending best practices at the municipal level.** It would also take information from recent grants it has funded and disseminate a series of technical-assistance documents that would increase water recycling efforts.

GAO Faults EPA for Failing to Monitor Underground Injection

The Government Accountability Office released a report criticizing the EPA's efforts to collect inspection data and regulate the underground injection of oil and gas wastewater, brines, and other wastes. The GAO recommended that EPA collect inspection data by well and analyze agency resources needed to improve its inspection record. The EPA responded that it does not plan to do either.

Congress Extends FAA Through July 15 as Senate Committee Passes FAA Bill

Faced with a March 31 expiration of the Federal Aviation Administration's authorization and its authority to collect aviation excise taxes, Congress passed another extension for the agency. The FAA will now continue to operate, disburse funding, and collect revenue through July 15.

FAA Reauthorization Moving Forward in the Senate

The Senate Committee on Commerce, Science and Transportation approved a two-year, \$33.1 billion reauthorization bill for the FAA (S. 2658). **Of particular interest, the bill includes a preemption of state/local regulation of drone operations in addition to other provisions related to drones.**

Chairman John Thune (R-SD) and Ranking Member Bill Nelson (D-FL) worked to keep the Committee markup non-controversial and bipartisan. They were generally successful encouraging their colleague to withhold offering contentious or partisan amendments. Thus, issues including air traffic control governance, flights to Cuba, airport financing, and many other provisions were not debated or voted upon, but will likely come up in April when the full Senate plans to debate the bill.

Senate Outlook

When the Commerce Committee approved the FAA reauthorization, Senators expected to see it on the floor of the Senate after returning from recess on April 4. That is still the plan, but Senate Majority Leader Mitch McConnell faces a difficult task in scheduling the bill. Not only are a large number of contentious amendments expected, the recent bombing of the Brussels Airport in Belgium has raised a number of airport security concerns that senators would like to consider. Many of the proposed responses, including pushing the security cordon around terminals further from gates, having not been fully examined by Congress nor have associated costs and operational changes been considered.

House Outlook

The House Committee on Transportation & Infrastructure passed its own multi-year FAA reauthorization in February. The bill has run into united opposition from House Democrats and

is also opposed by enough Republicans to prevent the bill from being debated on the House floor. If Committee Chairman Bill Shuster (R-PA) can win over enough of his Republican colleagues to assure passage, the bill may come to the House floor later this year. The main point of opposition is the bill proposal to privatize the nation's Air Traffic Control system. There is little support and strong opposition to this proposal in the Senate further complicating the effort.

Two of the most likely outcomes for the FAA reauthorization effort are 1) the House takes up a Senate-passed bill, amends it, and goes to conference with the Senate later this year; or 2) Congress fails to agree on a reauthorization approach and extends the current authorization into next year for a new Congress and new Administration to tackle.

Congress Continues Water Resource Hearings, but Bill Schedule Slipping

Committees in both the House and Senate continue to receive testimony on suggestions to improve the Water Resources Reform and Development Act (WRRDA) of 2014. The legislation authorizes navigation, flood risk reduction, and environmental restoration activities of the U.S. Army Corps of Engineers.

While the committees had hoped to report out legislation in April, allowing for floor consideration in May and a conference committee to meet soon afterwards, that timeline may not hold. While serious delays are still not yet expected, the scheduling window is getting tighter, particularly in the Senate. The threat by the House Freedom Caucus to thwart an expected lame duck session at the end of the year has placed added pressure to act on WRRDA sooner rather than wait.

House Passes FEMA Disaster Aid Reform Bill

The House approved the FEMA Disaster Assistance Reform Act of 2015 (H.R. 1471). The bill passed the chamber on a voice vote. The bill now moves to the Senate, where a bipartisan group has expressed support for taking up and moving the legislation. The legislation would:

- Authorize appropriations for FY2016-FY2018 for the National Urban Search and Rescue Response System;
- Authorize appropriations for FY2016-FY2018 for grants to implement the Emergency Management Assistance Compact;
- Authorize the President to provide hazard mitigation assistance in any area affected by a fire or other natural disaster, whether or not a major disaster is declared;
- Include public broadcasting facilities within the definition of "private nonprofit facility" for purposes of disaster assistance eligibility;
- Establish a three-year statute of limitation for reclaiming disaster relief funds and for collecting debts related to disaster assistance;
- Allow a waiver for the collection of certain disaster-related debts;
- Increase from \$35,000 to \$1 million the threshold for determining the eligibility of certain small projects for expedited disaster assistance payments;
- Establish rates for reimbursing states and local governments for direct and indirect administrative costs incurred to implement disaster recovery projects.

House Members Form Caucus to Protect Municipal Bonds

Representatives Randy Hultgren (R-IL) and Dutch Ruppersberger (D-MD) have formed the Municipal Finance Caucus to bring greater attention to state and local finance issues and promote efforts to retain full tax-exempt status for municipal bonds. According to Hultgren, the

caucus will focus on issues such as “protecting the tax exempt status of municipal debt, understanding how financial regulations treat such debt, and ensuring there is a robust market for municipal securities.”

This year, President Obama's FY2017 budget request again seeks to impose new taxes on municipal bond interest earned by individuals in higher tax brackets. Local governments remain concerned that such a move would raise their financing costs and make it more difficult to deliver needed infrastructure improvements.

House Votes to File Brief on Immigration

The House voted 234-186 on a resolution (H Res 639) allowing Speaker Paul Ryan to file a friend-of-the-court brief on behalf of the House with the Supreme Court. The case in question, *United States v. Texas*, involves the President's executive authority in immigration policy.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Joe A. Gonzalez, Facilities Manager
SUBJECT: Facilities Report

I. Maintenance

- a) Steel guard rail was replaced with Vinyl guard railing. The guard rails are located adjacent to building 1575, next to 805 Bar Grill & Cheese. Utilizing Vinyl material rather than steel material will prolong the life of the guard rail by many more years in this marine environment.
- b) New stainless hand rails have been installed on the 1559 building inner courtyard, replacing the wooden hand rails with stainless steel, will increase the life line by many years, and it gives the staircase a more appealing appearance.
- c) The interior of 1559 downstairs public restrooms, have been completely painted with new high quality interior paint.
- d) The interior of 1567 public restrooms have been completely been painted with new high quality paint.
- e) Two water leaks were repaired from the main water supply line that feeds the public restrooms & public showers at Harbor Cove facilities; these repairs were done in-house.

II. Landscaping:

- a) New landscaping was installed in one planter in the inner courtyard in building 1575.
- b) Continue to monitor and frequently inspect all sprinklers and irrigation systems for any waste water.
- c) The recent strong winds have stressed several of the new pine trees that have recently been installed to replace the ones taken down by the past strong winds a few months ago; will continue to monitor the trees.
- d) Main irrigation line was repaired; approximately an area of 4' x 6' of asphalt had to be removed to get to the water line. The location was adjacent to the trash enclosure by building 1559. Water leak was repaired by in house staff.

III. Marina

- a) Several lights bulbs on the docks pedestals were replaced.
- b) Monthly service was performed to fish pier Hoist 1 and hoist 2, which includes all lubing mechanisms, safety inspections, etc.
- c) Monthly service/inspections were performed to all Ventura Harbor Village gangways.
- d) New awareness signage was installed on all trash receptacles that are located on top of the gangways to notify the public about proper trash disposal materials.
- e) Monthly inspection was performed on all fire boxes, fire extinguishers on all Marina docks.
- f) Performed an overall hose bib inspection on all the Marina docks, replaced all faulty hose bibs.

IV. Marketing

- a) The Maintenance Department continues to provide assistance to the Marketing Department on weddings, set-up for events, during events, installation of banners/flyers, or whatever the needs are to make a successful event.

V. Construction Projects

- a) The Ventura Port District's Headquarters flag pole is currently on schedule. Contractor has received the permits from the City and has started the project. The flag pole base hole was inspected and passed, and the base has been filled with concrete. The flag pole has been ordered and is expected to arrive within two weeks.
- b) The final inspection was performed on the 1449 and 1559 roofs; the corrections form was sent to Letner Roofing Company for the repairs. Another inspection will be scheduled after the corrections have been done by Letner.
- c) The tenant improvement project for building 1575 Suite 203 is on schedule.
- d) The tenant improvement project for building 1591 Suite 201,203,205 is on schedule.

VENTURA PORT DISTRICT

DEPARTMENTAL STAFF REPORT

Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: John Higgins, Harbormaster
SUBJECT: Harbormaster/Harbor Patrol Report

Harbor Cove Beach:

Over the last couple of years Port District Staff have been looking at how we could better manage this beach. During this time we have worked with members of the community and local clubs to enhance visitor experience. One of the primary goals was to give our local community reasons to become more engaged in the harbor. Richard Parsons was able to get the assistance of a local contractor to assist in beach cleaning and restoration of the useable area. The end result is Harbor Cove is one of the nicest beaches in the Ventura Area.

Beach Management:

The most successful partnership to date is the beach volleyball courts. Facilitated by Robin Baer, Property Manager with my assistance and Funded exclusively through a public/private partnership these volleyball courts are now being used most days of the week. When they are not being reserved for practices or competitions they are available to the public. Local High Schools and our Community College now include Beach Volleyball in their athletic programs. These schools regularly practice and compete in school sanctioned competitions year around now on the Courts. Local Volleyball Clubs host beach volleyball training and small tournaments which are capturing residents from Ventura, Los Angeles, and Santa Barbara Counties. The Outrigger Clubs have also been providing open houses and introducing more people to the sport of paddling. On June 11th paddlers throughout California and Nevada will compete in the Ventura Outrigger Challenge. This event is one of the largest on the water paddling events in Ventura County. In years past we have wondered how we might increase traffic to the harbor during the week and off season. Now we have vibrant activity during this time and I've observed these same people purchasing food and items from the Ventura Harbor Village Businesses. I would encourage everyone to stop by the beach to see the activity and participate in the fun.

(Pictures Attached)

Ocean & Beach Rescues:

Like previous reports I have highlighted some of the effects of the El Niño warming on our Harbor and within the City. Even though we are outside of our summer window we continue to be summoned for Ocean & Beach Rescues. These occur both within the Harbors beach and along the Ventura City Coastline. In roughly 30 days we received (11) 911 calls for Water Rescues. In addition to this we responded to additional calls directly from members of the public for which we handled without initiating the rest of the 911 resources. Our new statistic capturing methods will allow us to better analyze the data to see if we can identify trends. After we gather enough data we can look at how we can best use our resources and position ourselves to either prevent some of the rescues or be able to respond in the quickest manner.

Quickly reviewing this 30 day snapshot 45% of these calls happened between 3:54pm and 4:49pm. 54% of the calls happened during the week with Tuesday having an equal amount of rescues as Saturday.

Medical Responses Aboard Vessels at Sea or Dockside:

The Harbor Patrol responds to all medical emergencies within our sphere of influence on both land and water. Occasionally, medical calls occur on our Recreational and Commercial Vessels on the water. When this occurs either the US Coast Guard will act as the dispatch or we take the lead on communications. Our staff makes an educated decision on the best way to respond to the call and how to best transfer care to our local Fire and AMR Ambulance Paramedics. When higher profile calls occur on the water outside the harbor we will consider bringing the Fire Department Paramedics aboard our vessels to assist in the technical rescue. This month our staff responded to two different medical emergencies aboard local Vessels and treated (3) patients. Both calls were minor in nature and the Vessels were escorted dockside where Harbor Patrol and EMS Paramedics treated the patients. Our strong working relationships with Ventura City Fire Department and AMR Ambulance allows for us to provide a very high level of Medical Services to Patients needing medical assistance.

Commercial Fishing Vessel “Washington”:

Last month I reported on the grounding of the F/V “Day Island” that went ashore on Pierpont Beach North of our Harbor Entrance under calm conditions. A similar event occurred at approximately 11 pm on the evening of April 10th. Once again under calm conditions and without warning our Harbor Patrol Officers overheard a broken message to the Dockmasters followed by static. Our Harbor Patrol Officers went out on the Harbor Patrol Vessel to check the area and came upon the submerged boat off our South Jetty. Our Officers initiated a full 911 rescue response and began a search of the area. The crew of the vessel were located ashore shortly after by the Fire Department Personnel. Fortunately no major injuries occurred as a result of the accident. The wrecked vessel became a multi-agency effort to preserve the environment and mitigate the hazard. The General Manager, Business Operations Manager and Harbor Patrol worked with State and Federal Agencies along with Private Contractors to develop a plan to remove the vessel from the water. The vessels owner did not have the means to support the costs associated with salvaging the vessel and removing the pollutants so he turned over the entire financial burden to both the USCG and Ventura Port District. Paul Amaral from Channel Watch Marine and his small staff worked tirelessly to look after the best interest of the Ventura Port District. Paul was able to raise the vessel and tow it to the Ventura Harbor Boatyard where it was hauled out, fuel removed, and ultimately destroyed. The Port District has been responsible for the cost of demolition and removal of the vessel, but is pursuing reimbursement from the owner of the Washington. The estimate for this work by the Boatyard is \$15,000 to \$20,000. Fortunately, the General Manager along with staff was able to work with Channel Watch Marine and Ventura Harbor Boatyard to keep the costs down to a minimum.

(Pictures Attached)

Meetings Attended:

Tsunami Preparedness Evacuation & Response Playbook
Corporate Games Harbor Cove Planning
Hokuloa Outrigger Club
California Special Districts Training
California Boating Safety Officers Association 3 Day Training

F/V Washington Pictures:



Beach Management Pictures:



Marketing/Ads/Events

Promotional Campaigns

March Mermaid Madness Month (Reporting March 16-31)

- Tenants were surveyed & found promotion to be a success. Tenants approved promotion for 2017

Spend Spring Break Seaside

- Campaign to increase visitation during Spring Break weeks.
- Dedicated home page box on VenturaHarborVillage.com with click-thru to Spring Break Top 5 page
- Dedicated banner ads on VenturaCountyWest.com
- Social Media focused on paid boosts to the Inland markets/ dedicated Spring E-newsletter
- Print Ads: ¼ page “Play Seaside” ad in 805 Living Magazine April Issue., ½ page “Play Seaside” ad ran in: The VC Star- Time Out on 3/25, The Santa Clarita Signal-Connect on 3/29 & Coastal View News (Carpinteria) 3/30

Total Circulation: 106,000

Marketing & Advertising

- Village Map & Guide- design & print run 10,000
- “Celebrating Seaside” ad in VC Reporter City of Ventura’s 150th Issue on 3/31
- “Dine Seaside” ad in VC Reporter 2016 Dining Guide on 4/14
- Art Day Seaside radio ads on KHAY 101.7 FM- #1 Ventura Station- 4/14 & 4/15
- “Art Day Seaside/ Jr. Ranger Day” ad in Ventura Breeze on 4/13

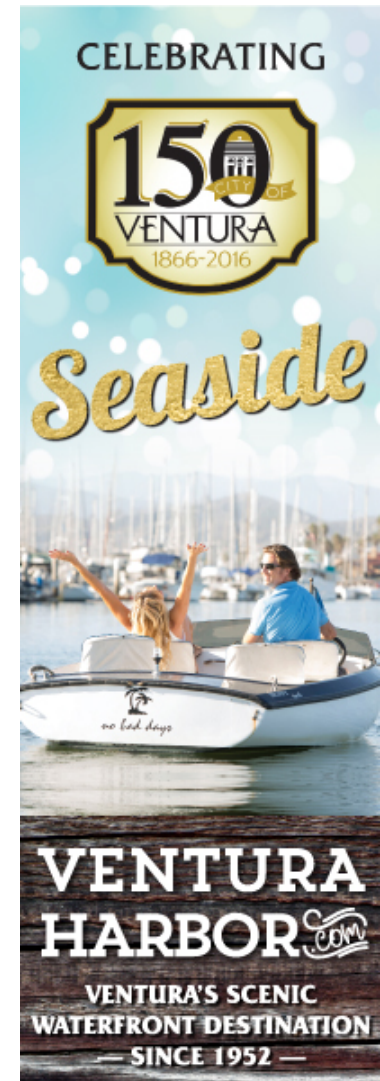
Total Circulation/Listeners: 94,000

Event Production

- **Art Day Seaside** at Ventura Harbor Village on 4/16 Working in conjunction with 4 galleries, multiple boutiques and 3 restaurants
- **Jr. Ranger Day** – Find Your Park – Channel Islands National Park 4/16 (Helped to promote)

New Revenues/On-Site Events

- Planned Ventura Harbor presence at “Film in CA” Conference with Bill Bartels, 5/21 at CBS Studio
- Two film inquiries in initial scope of project stages
- On-site event revenue for April \$2,415



Media /Communications/Meetings

Upcoming Media Leads:

- Pitched Heidi Dvorak at *805 Living* who's penning a "Great Things About the Central Coast"
- Gaylen Grody, *805 Living*, to feature Zoltar, the fortune teller, at the Ventura Village Carousel & Arcade in story slated for May 2016
- Queried 48 of the top regional online influencers to visit and write about Ventura Harbor Village.
- Sommerville Associates pitched media visits: Linda Lang/Travel Editor/Southern California Life Magazine, Stephanie Struyck/Features Editor/ Antelope Valley Press, Ambrosia Brody/Editor/The Log Newspaper, Carolyn Graham/Editor/Westways, Vanessa Diaz/Family Travel Blogger/BritendBubbly.com, Monica Poling/Travel Blogger/Travel Glitter, Wayne and Judy Bailiff,/YAHOO.com/Examiner.com, Jenny Peters/JetSetExtra.com/AARP The Magazine/LA.com/USA Today 10 Best, Jane Borden/About.com, Canadian Media Fam/Individual Media visits/March – December, 2016, Jim Byers/Toronto Globe & Mail/November 2016 Visit

Press Releases:

- Uploaded to Central Coast Tourism Council blog, National Park Visitor's Center new garden art sculpture release
- Distributed NPS' Junior Ranger Program to 122 regional media and uploaded to Central Coast Tourism Council blog
- Submitted/posted story query to Visit California's "What's New for Summer 2016"
- Submitted/posted story query to Visit California's "Experience the Great Outdoors Through a Local Lens"

Highlights of Published Pieces (from Burrelle's Clip Report):

- *Antelope Valley Press*, daily, 19,000 circulation. Advertorial value est. \$4,080
- *Ventura County Star*, daily, 15,160 circulation. Value est. \$960
- *Daily News of Los Angeles*, online, 1,095,588 impressions; audience 438,235. Value est. \$6,850
- *Ventura County Star*, online, 411,542 impressions; audience, 164,167. Value est. \$2,065
- **Total Ad Value from clips on Burrelle's report, \$142,596; Total Impressions, 3,014,093**

Promotions

- Art Day Seaside at Ventura Harbor Village 4/16 – Art galleries concept & programs
 - Promoted via social media, web sites, paid ads and Village maps
 - Compiled all gallery information & programs – developed specific web page & calendar
 - Hired live entertainment and Marketing staff member monitored the event

Community & Press Outreach

- Hosted National Association of Travel Journalist Conference on 4/8 in Ventura Harbor Village after visit to Channel Islands. In conjunction with the Oxnard Visitors & Convention Bureau and Ventura County West. 10 Journalists visited Coastal Cone, Andria's Seafood, and Coffee Dock & Post
- Presented at Ventura Visitors & Convention Bureau 4/12 Board Meeting on Harbor updates, including hotel expansion, parking, mermaid statue, upcoming Harbor happenings for visitors, and events calendar

Meetings with Tenants & Partners

- 4/6 Hosted Creative Strategies Meeting for tenants to discuss past promotions, Art Day Seaside, and upcoming weekday strategies. 10 tenants in attendance
- Met with the Rhumb Line Restaurant – prepared marketing options to build restaurant clientele



**FIND YOUR
PARK**



Website Analytics

VenturaHarbor.com

Data from Mar. 1 - Mar. 31, 2016

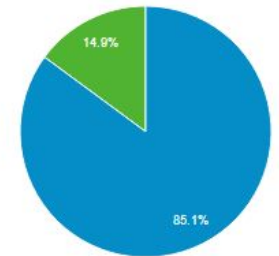


Top 4 Pages Visited (March 2016):

1) Restaurants 2) Harbor Cove Cafe 3) Village Carousel 4) Sat. Fish Market

Where people are coming from: 1. Google & Organic Search 2. Direct 3. VenturaHarborVillage.com 4. BudgetTravel.com 5. Marriott.com 6. Central Coast Toursim.com

■ New Visitor ■ Returning Visitor



VenturaHarborVillage.com

Data from Mar. 1 – Mar. 31, 2016

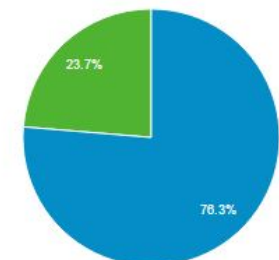


Top 4 Pages Visited (March 2016):

1) Mermaid Madness 2) Dine 3) Events Calendar 4) Cottontail Day
Mermaid Madness received 24.9 % of page views

Where people are coming from: 1) Facebook 2) Google Organic Search 3) Direct 4) VenturaHarbor.com 5) Ventura County West 6) VCStar.com

■ New Visitor ■ Returning Visitor



Social Media Analytics

Instagram (4,149 Followers)

- Goal with Mermaid Madness month was to reach 4,000 followers
- Huge boost in engagement from Mermaid Madness & Spring Break
- In process in of hiring Social Media Specialist

Your new followers increased by

▲ **13%**
since last month

Social Media

Welcome to Emily Bernath, Ventura Harbor's part-time Social Media Specialist. Emily has a Bachelors of Fine Arts degree in Painting with a concentration in English from Rhode Island School of Design. Emily is also skilled in graphic design and photography- see her Mystical Mermaid Dole Whip & Shopping Facebook post designs. Emily grew up in Ventura and lives near and is familiar with the Harbor.



Pink= Followers, Brown Line= Non-Followers
GROWTH HISTORY



Iconosquare Instagram Engagement



Social Media Analytics (Cont.)

Facebook (15,026 Followers)

Your new followers increased by

▲ **5%**
since last month

Twitter (3,495 Followers)

Your new followers increased by

▲ **3%**
since last month

TWEETS
3,318

FOLLOWING
352

FOLLOWERS
3,495

LIKES
1,145

March 22- April 18

People
March 22 - April 18

Women 25-34
Largest Audience (15%)

Mobile Devices
Most Common Device (80%)

Page Views
March 22 - April 18

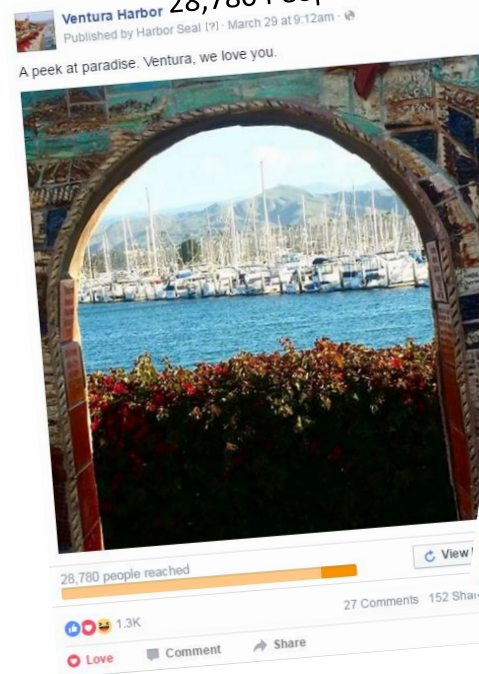
1,869
Total Page Views ▼29%

Reach
March 22 - April 18

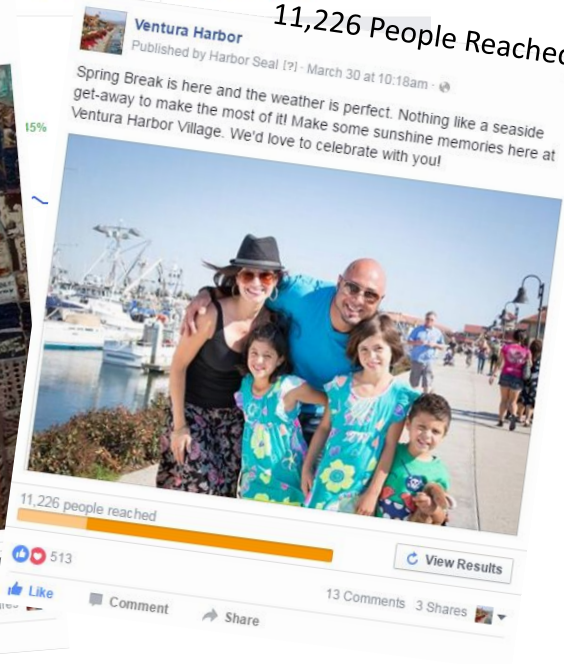
86,738
People Reached ▼47%

68,495
Post Engagement ▼5%

28,780 People Reached



11,226 People Reached



Ventura Harbor Village E-Newsletter

- March 17: "Family Fun Seaside- Ventura Harbor's Spring Fest This Saturday" Open Rate 16.9%
- March 28: "Top 5 Ways to Play Seaside at Ventura Harbor" Open Rate 15.1%

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: April 27, 2016

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

I. Tenant Improvements Underway

- 1) *Wild Local Seafood Co.* - 1559 Spinnaker Drive, #105 – This project is almost complete. They are doing the final details to the space, such as remainder of equipment, stock inventory and hiring staff. Estimated opening date is May 2016.
- 2) *The 805 Bar & Grilled Cheese and Copa Cubana* - 1575 Spinnaker Drive, #102 – The tenant has not completed improvements to the Copa Cubana space. Staff is in communication with the tenant to monitor when completion will occur. The Health Department approved the space in April 2016. "Occupancy" permit from the City of Ventura is pending final building, mechanical, electrical and plumbing permits. Estimated opening date is by May 1st.
- 3) *Milano's Italian Restaurant* – 1575 Spinnaker Drive, #100 – Construction to the new interior bar has begun, as well as to the outside patio fireplace. Construction drawings for the interior build are being prepared to be submitted to the City for approval. Estimated completion is second quarter in 2016. The tenant is currently open for business.
- 4) *Harbor Wind & Kite* – 1575 Spinnaker Drive, #107 – We have a new Tenant "Lost in Socks" (formerly named Addicted to Socks) that will be occupying half of this space. They are slotted to open June 2016. We are having discussions with other prospective tenants for the other section of this split unit.

II. Leasing

- 1) *David A. Richard* – 1591 Spinnaker Drive, #205 – Mr. Richard is an attorney who has been a tenant since 2005. Mr. Richard expanded his space to 810 square feet in 2013 and now is choosing to expand his business a second time and will be increasing his square footage to 1,058 square feet. We are terminating his April 1, 2016 lease (different suite configuration) and have negotiated a two-year lease effective June 1, 2016 with the tenant and are asking the Board for approval.
- 2) *Mr. Baldonado* – 1591 Spinnaker Drive, #201 – Mr. Baldonado has been a tenant since 2013. He is the owner of Virtual Pacific Networks ("VPN") who specializes in Wired/Wireless networking and consulting. VPN provides network design, engineering, data recovery, desktop repair and support. Mr. Baldonado has also been the IT consultant for the Ventura Port District for nine years. Mr. Baldonado relocated and expanded his space to 625 square feet in 2015 and now is choosing to expand his business a second time and will be increasing his square footage to 746 square feet. We have negotiated a two-year lease with the tenant and are asking the Board for approval.
- 3) *Ghassan E. Trad* – 1559 Spinnaker Drive #104 – We are entering into a new retail lease with Mr. Trad, Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet for a five-year term. Mr. Trad has worked as a manager with extensive and diverse experience in managing retail businesses of liquor and grocery markets. Mr. Trad recently sold MJ Market and Liquor in Berry Creek, California to relocate his family and establish his residence in Ventura, CA. He has approximately fourteen years' experience in the market and liquor industry. He is originally from Syria and is excited to set up shop in the Ventura Harbor Village.
- 4) *Village Market* --- 1559 Spinnaker Drive #104 – Ms. Hong and Mr. Lee have sold their business to Mr. Trad. We are terminating Gil Hong and Jung Soon Lee dba Village Market lease agreement, dated May 1, 2013, for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet.
- 5) Leasing Packet:
 - Distributing leasing packets, this can be printed or found on the website for circulation.
 - Posting ads online and in publications.

- 6) Overview of FY2015/2016 leasing strategy goals:
- Obtain monthly, quarterly and annual data from real estate organizations and sources;
 - Procured Co-star for real estate analytics;
 - Decrease vacancies consistent with (or better than) city averages in each leasing category and Harbor Village as a whole;
 - Convert existing month-to-month tenancies to term tenancies with existing and/or new tenants with established annual rent escalators;
 - Increase annual rental revenue to VPD at (or above) consumer price index;
 - Attendance and participation with real estate, trade shows, webinars and networking events and others as applicable;
 - Annual memberships with leasing, real estate and development organizations;
 - Visit prospective tenant locations and meet with business owners.

III. Occupancy level at Harbor Village

CATEGORY	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %	City * Vacancy %	City * Available %
Office	0	0%	0	0%	20.3%	23.5%
Retail	650	3%	1,947	9.8%	7.9%	14.7%
Restaurant	1,537	4.80%	1,537	4.80%	7.5%	12.8%

*Based on comparable square footage

IV. March Sales Report

The attached summary provides sales for three categories: restaurants, retail and charters. The reports compare the monthly sales for 2016 and 2015. They also include year-to-date comparisons.

The year-to-date sales for March 2016 were down 10.74% from the same time last year. This decrease was due to harbor closure which affected the retail, charters and restaurants.

Attachments

Attachment 1 – March Tenant Sales

**Ventura Harbor Village
Tenant Sales Summary**

Month of
March-2016

	<u>March-2016</u>	<u>March-2015</u>	<u>% Change</u>
Restaurants	\$ 1,187,926	\$ 1,274,653	-6.80%
Retail	\$ 245,428	\$ 255,803	-4.06%
Charters	\$ 375,088	\$ 511,935	-26.73%
Total	\$ 1,808,442	\$ 2,042,391	-11.45%

Year-to-date through March 2015

	<u>March-2016</u>	<u>March-2015</u>	<u>% Change</u>
Restaurants	\$ 3,204,639	\$ 3,232,975	-0.88%
Retail	\$ 573,849	\$ 594,771	-3.52%
Charters	\$ 556,509	\$ 1,028,641	-45.90%
Total	\$ 4,334,997	\$ 4,856,387	-10.74%



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

CONSENT AGENDA ITEM A

APPROVAL OF OUT OF
TOWN TRAVEL REQUEST

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: April 27, 2016

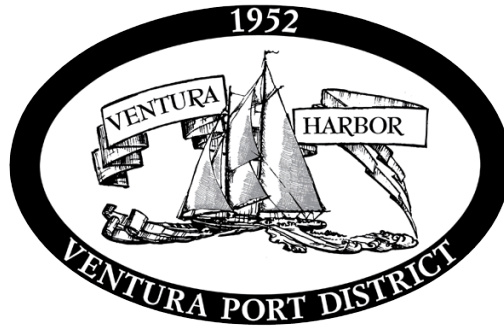
TO: Board of Port Commissioners
FROM: Oscar F. Peña, General Manager
SUBJECT: Out of Town Travel Requests

RECOMMENDATION:

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

- A) A Marketing staff member to travel to Sonoma, CA for the Sunset Celebration Weekend Consumer Show from May 13 – May 16, 2016. This benefits the District by allowing staff to partner with Visit Ventura and encourage more tourism and overnight stays in Ventura and Ventura Harbor. Estimated cost for the travel is as follows:

Registration	\$ 400.00
Transportation	\$ 320.00
Lodging	\$ 661.00
Meals	\$ 210.00
TOTAL	\$1,591.00



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

CONSENT AGENDA ITEM B

CONSIDERATION OF REJECTION OF
CLAIM BY JESSICA MCCLOUD

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Jessica Rauch, Clerk of the Board
SUBJECT: Consideration of Rejection of Claim by Jessica McLeod

RECOMMENDATION:

That the Board of Port Commissioners approve the rejection of a claim filed against the Ventura Port District on March 14, 2016 by Jessica McLeod and authorize the General Manager to execute and mail a Notice of Rejection to Ms. McLeod.

INFORMATION FOR DISCUSSION:

On March 14, 2016, the District received a Notice of Claim Against the Ventura Port District from Jessica McLeod. The amount claimed is \$420.59 for injury, damages, or other losses resulting from a fall in between Brophy's and Milano's in Ventura Harbor Village; jurisdiction rests in Superior Court.

Ms. McLeod's claim was submitted to the District's legal counsel and risk manager for review and it is recommended that the Board reject the claim as submitted. A Notice of Rejection has been prepared for the General Manager's signature.

ATTACHMENTS:

Attachment 1 – Carl Warren Report, dated April 21, 2016
Attachment 2 – Notice of Rejection

April 22, 2016

REPORT #1

FROM: Lisa Frye
TO: George Mankiewicz

RE: Claimant: Jessica McLeod
 Entity: Ventura Port District
 Date of Loss: 1/30/2016
 File Number: 1932881-LFM

This report and our investigation are done in anticipation of litigation for the ultimate transmittal to defense counsel and with the intent that it remains confidential.

FACTS: The claimant was walking on the sidewalk near Brophy Brothers when she rolled her ankle on a depression between the sidewalk and the grass. She filed a claim against the Ventura Port District for the amount of her medical bills. She alleges that the location is dimly lit and is dangerous.

LOSS TIME & LOCATION: 7:00 p.m./1559 Spinnaker Drive

CURRENT ACTION ON THE CLAIM: Recommended rejection of claim

CURRENT STATUTE OF LIMITATIONS: 1/30/2018

CLAIMANT INFORMATION: Jessica McLeod

Age: 27 years old
Occupation: Student
Attorney: Not at this time

INFORMATION PROVIDED BY THE VENTURA PORT DISTRICT: We received an Incident Report from Brophy Bros. Restaurant which confirms that the claimant rolled her ankle between Brophy Bros. and Milanos Restaurants.

CONTROL: The loss location is in the jurisdiction of the Ventura Port District; however there is an endorsement on the Navigator's Insurance policy that covers general liability accidents occurring on shore. The site of the accident is specifically scheduled in the endorsement.

TENDER: We tendered the claim to Navigator's Insurance and we are waiting for a response.

LIABILITY: Liability is favorable to the Ventura Port District because the accident occurred in a location that is covered by the Navigator's general liability insurance policy.

DAMAGES:

Injuries: Sprained left ankle and foot

Medical Treatment: 1 visit to Arrowhead Health Centers, Glendale, AZ.

Reasonableness of the Medical Treatment: Very reasonable

Specials: \$397.43 – Arrowhead Health Centers, \$23.16 – miscellaneous medical supplies.

MEDICARE/MMSEA NOTIFICATION: N/A

ISO: We reported in the injury to the Index Bureau and there are no matching claims.

CURRENT STATUS: The rejection is on the agenda for the Ventura Port District's next board meeting which will be held on April 27, 2016.

CURRENT LOSS RESERVE:

ACTION PLAN: Wait for claim to be rejected, follow-up on the tender to Navigator's Insurance and hold file open for 60 days.

LOSS PREVENTION RECOMMENDATIONS: N/A

cc: Jessica Rauch, Ventura Port District

NOTICE OF REJECTION OF CLAIM

TO: Jessica McLeod
15952 W Ventura Street
Surprise, AZ 85379

Notice is hereby given that the claim which you presented to the Ventura Port District on March 14, 2016, was rejected by action of the Board of Port Commissioners at its meeting held on April 27, 2016.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the United States mail to file a state court action on this claim. (See Government Code Section 945.6)

This time limitation applies only to causes of action arising under California law for which a claim is mandated by the California Government Tort Claims Act. Government Code Sections 900 et. seq. Other causes of action, including those arising under federal law, may have different time limitations for filing.

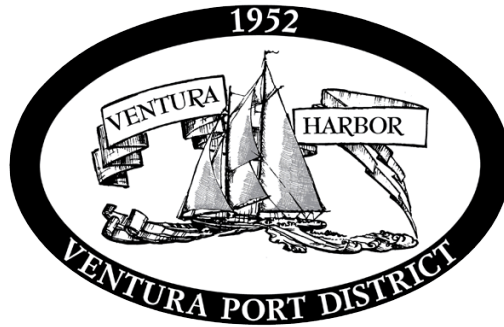
You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Dated: April 27, 2016

VENTURA PORT DISTRICT

By: _____

Oscar F. Peña
General Manager



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

CONSENT AGENDA ITEM C
TERMINATION OF AGREEMENT
AND APPROVAL OF
NEW RETAIL LEASE AGREEMENT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM C
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Termination of Agreement and Approval of New Retail Lease Agreement for
Ghassan E. Trad dba Harbor Market & Liquor, 1559 Spinnaker Drive #104

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Approve the termination of Gil Hong and Jung Soon Lee dba Village Market lease agreement, dated May 1, 2013, for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet; and
- b) Approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan E. Trad dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet for a five-year term.

BACKGROUND:

Mr. and Mrs. Lee have operated the Village Market since February 2008. They have successfully negotiated the sale of the Village Market to Ghassan Trad. In an effort to facilitate this sale, staff has prepared a lease termination agreement with the Lee's and a new lease with Mr. Trad for a term of five years.

Mr. Trad has worked as a manager with extensive and diverse experience in managing retail businesses of liquor and grocery markets. Mr. Trad recently sold MJ Market and Liquor in Berry Creek, California to relocate his family and establish his residence in Ventura, CA. He has approximately fourteen years' experience in the market and liquor industry.

Mr. Trad will be making some improvements to the premises. He will be replacing the existing refrigeration unit with new equipment that includes LED lighting. This will provide a better presentation of local beers and other soft drinks. He also plans on expanding the liquor selection and extending the business hours. He is very excited to join other successful tenants in Ventura Harbor Village and we wish him the best of luck. We are also grateful for the Lee's for their hard work over the last eight years and hope they enjoy their retirement.

FISCAL IMPACT:

This new lease reflects current market rental rates for retail space in the complex. The annual occupancy cost for this tenant (minimum rent/CAM) is \$46,562. The minimum rent over the five year term is adjusted annually by 4% per year. The tenant is also required to pay percentage rent of 3% of gross sales as stipulated in the lease. In addition to these occupancy expenses, the tenant participates in promotional expenses.

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



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

CONSENT AGENDA ITEM D

APPROVAL OF NEW OFFICE LEASE
AGREEMENT FOR DAVID A. RICHARD

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM D
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Approval of New Office Lease Agreement for David A. Richard
1591 Spinnaker Drive #205

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Approve the termination of a lease agreement, dated April 1, 2016, for the premises located at 1591 Spinnaker Drive #205, consisting of 1,050 square feet; and
- b) Approve a new office lease agreement between the Ventura Port District dba Ventura Harbor Village and David A. Richard for the premises located at 1591 Spinnaker Drive #205, consisting of 1,058 square feet for a two-year term.

BACKGROUND:

David A. Richard is an injury attorney who has been a tenant since 2005. Mr. Richard expanded his space of 479 square feet to 810 square feet in 2013 and now is choosing to expand his business a second time and will be increasing his square footage from 810 to 1,058 square feet. This change is in result of office layout configuration to accommodate proper conference room furniture. Tenant will be paying the difference in costs for this change.

We have re-negotiated with this tenant who will now be signing a two-year term lease.

FISCAL IMPACT:

This new lease reflects current market rental rates for office space in the complex. The lease will have yearly step increases.

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



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

CONSENT AGENDA ITEM E

APPROVAL OF NEW OFFICE LEASE
AGREEMENT FOR RON BALDONADO

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM E
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Approval of New Office Lease Agreement for Ron Baldonado.
1591 Spinnaker Drive #201

RECOMMENDATION:

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1591 Spinnaker Drive #201 consisting of 746 square feet between the Ventura Port District dba Ventura Harbor Village and Ron Baldonado for a two-year term.

BACKGROUND:

Ron Baldonado has been a tenant since June 2013. He is the owner of Virtual Pacific Networks ("VPN") who specializes in Wired / Wireless networking and consulting. VPN provides network design, engineering, data recovery, desktop repair and support. Mr. Baldonado has also been the IT consultant for the Ventura Port District for nine years. Mr. Baldonado was requested by the VPD to relocate in 2014 within the Village and then expanded his space of 419 square feet to 625 square feet in 2015. He is now choosing to expand his business a second time and will be increasing his square footage from 625 square feet to 746 square feet.

FISCAL IMPACT:

This new lease reflects current market rental rates for office space in the complex. The lease will have yearly step increases.

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



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

STANDARD AGENDA ITEM 1

PRESENTATION ON THE VENTURA HARBOR VILLAGE PHASE 3 PROJECT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: RRM Design Group
SUBJECT: Presentation on the Ventura Harbor Village Phase 3 Project

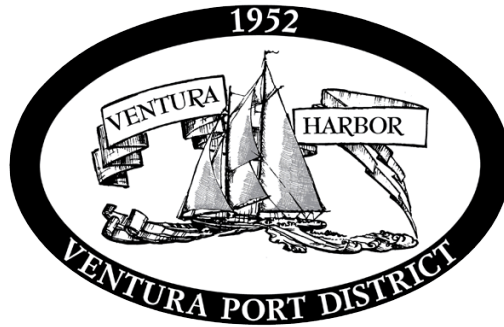
RECOMMENDATION:

That the Board of Port Commissioners receive a presentation from RRM Design Group on the Ventura Harbor Village Phase 3 Project.

SUMMARY:

The RRM Design team will discuss the following topics:

- Brief project update
- Discussion of project cost
- Discussion of bid alternates
- Schedule looking forward



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

STANDARD AGENDA ITEM 2

APPROVAL OF FINANCIAL
STATEMENTS AND CHECKS FOR
FEBRUARY 2016

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 2
Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Gloria Adkins, Accounting Manager
SUBJECT: Approval of Financial Statements and Checks

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3305 to:

- a) Accept the following financial statements: February 2016; and
- b) Review the payroll and regular checks for February 2016

SUMMARY:

Attached for the Board's review are the financial statements for the fiscal period ending February 29, 2016 and the regular accounts payable checks for the month of February 2016.

BACKGROUND:

The February 2016 financial statements consist of Statement of Revenue and Expenses, Budget Analysis Notes, Annual Budget Compared to Year-to-Date Expenditures, Balance Sheet, Cash Flow Statement, Distribution of Cash, Comparison of Lease Rent, and a Three Year Comparative Statement of Revenue and Expenses. (See Attachment 2)

Operational Disbursements

The accounts payable check register for February 2016 is located after all the financial statement documents as Attachment 3. The register includes a brief description of the purpose for each check.

I have explained some of the major accounts payable check expenditures below. (Regular payments such as monthly service contracts, utilities, legal services, etc. are not shown below as they are recurring each month.):

February 2016 -

- Steve Olson, Electrical Contractor, was paid \$16,000 on 2/11/16 for electrical work in conjunction with the refurbishment of the elevator located in the 1691 Spinnaker Dr., Island Packers building.
- ThyssenKrupp Elevator Corp was paid \$41,994 on 2/11/16 also for refurbishment of the elevator located in the 1691 Spinnaker Drive, Island Packers building.
- Fugro West Inc. was paid \$17,926 on 2/25/16 for bathymetric mapping of the harbor related to dredging.
- Milano's was paid \$14,435 on 2/25/16 for tenant improvements as per his tenant lease agreement.
- Wild Local Seafood Co. was paid \$15,000 on 1/15/16 and \$14,000 on 1/29/16 for tenant improvements as per his tenant lease agreement.

Details reflecting charges made through the District's Chase Bank credit cards for February 2016 are included as Attachment 4.

Payroll Disbursements

The District has 26 bi-weekly pay periods per year; ten months of the year will have two regular payroll periods and two months will have three regular pay periods. The payroll of \$127,193 for February 2016 reflects two regular pay periods.

Ventura Port District Aquaculture Fisheries Study Grant Fund

The financial statements for the Grant Fund are included here as Attachment 5. Requests for reimbursement through the grant must include proof of payment along with the vendor invoices. It is for this reason that the District will front funds as needed and will be reimbursed from the account as grant reimbursements are received.

FISCAL IMPACT:

The Statement of Income and Expenses reflects a decrease of \$197,320 in the 'Change in Net Position' for the period ended 2/29/16.

ATTACHMENTS:

Attachment 1 – Resolution No. 3305

Attachment 2 – Statement of Income Expenses – Period Ended 2/29/16

Attachment 3 – Accounts Payable Check Register for February 2016

Attachment 4 – Chase Credit Card Charges February 2016

Attachment 5 – Aquaculture Fisheries Grant Fund Statement of Income Expenses 2/29/16



RESOLUTION NO. 3305

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF THE
VENTURA PORT DISTRICT CONSENTING TO THE ACCEPTANCE OF THE
FINANCIAL STATEMENT AND APPROVAL OF CHECKS**

BE IT RESOLVED by the Board of Port Commissioners of the Ventura Port District, that:

- A. The Financial Statements for February 2016;
- B. The following Checks are hereby reviewed:
 - 1) Payroll Checks #9079-9087 and direct deposits inclusive in the amount of \$127,193 for February 2016 salaries.
 - 2) Regular Checks #43496-43653 in the amount of \$313,686 for February 2016 expenditures.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on April 27, 2016, Resolution No. 3305 was adopted by the following vote:

AYES:
NOES:
Abstain:
Absent:

Attest:

Chairman

Secretary

(Seal)



ATTACHMENT 2

Ventura Port District Statement of Income and Expenses For the Period Ended February 29, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
OPERATING REVENUES						
Parcel Lease Income	\$ 224,300	\$ 221,089	\$ (3,211)	\$ 2,166,800	\$ 2,218,648	\$ 51,848
Dry Storage Income	7,900	9,815	1,915	64,600	73,186	8,586
Fisherman's Storage	6,340	5,762	(578)	51,140	46,408	(4,732)
Parking Income	4,000	1,668	(2,332)	45,000	49,511	4,511
Miscellaneous Income/Rentals	4,600	3,475	(1,125)	64,600	63,276	(1,324)
Village Income						
Harbor Village Lease Income	168,500	163,466	(5,034)	1,580,000	1,592,907	12,907
Commercial Fishing	14,000	10,480	(3,520)	151,000	142,631	(8,369)
Miscellaneous Income	520	645	125	3,960	3,636	(324)
Harbor Event Fees	1,000	(6)	(1,006)	25,400	26,676	1,276
Marketing Booth/Vendor Income	50	2	(48)	5,100	8,908	3,808
Co-Op Advert/Sponsorship	0	2,000	2,000	13,600	14,485	885
Merchants Promo Fund	8,000	7,510	(490)	59,000	57,749	(1,251)
Slip Rentals	75,000	64,128	(10,872)	600,000	592,323	(7,677)
Dock Electrical Income	2,000	3,892	1,892	18,000	23,040	5,040
C A M Income	24,000	26,235	2,235	196,000	201,524	5,524
Total Oper. Revenues	\$ 540,210	\$ 520,161	\$ (20,049)	\$ 5,044,200	\$ 5,114,908	\$ 70,708
OPERATING EXPENSES						
Personnel Expenses						
Salaries & Wages						
Regular Salaries	\$ 162,334	\$ 156,506	\$ 5,828	\$ 1,379,918	\$ 1,321,329	\$ 58,589
Part-time Help	5,960	4,599	1,361	50,590	47,484	3,106
Overtime Pay	0	535	(535)	38,770	39,550	(780)
Holiday Pay	0	0	0	20,000	17,346	2,654
Total Salaries & Wages	\$ 168,294	\$ 161,640	\$ 6,654	\$ 1,489,278	\$ 1,425,709	\$ 63,569
Other personnel expenses						
Retirement Contributions/Exp	\$ 39,540	\$ 39,098	\$ 442	\$ 331,430	\$ 326,428	\$ 5,002
Payroll Taxes	3,060	2,647	413	29,105	25,900	3,205
Worker's Comp Ins.	0	0	0	171,000	171,000	0
OPEB Liability	10,325	10,339	(14)	82,600	82,568	32
Medical & Life Ins.	22,163	21,630	533	173,854	166,689	7,165
Optional Benefit Plan	15,998	15,115	883	130,027	126,822	3,205
Uniforms & Tool Allowances	2,912	1,089	1,823	23,596	20,171	3,425
Total - Other Personnel Expenses	\$ 93,998	\$ 89,918	\$ 4,080	\$ 941,612	\$ 919,578	\$ 22,034
Total Personnel Expenses	\$ 262,292	\$ 251,558	\$ 10,734	\$ 2,430,890	\$ 2,345,287	\$ 85,603

ATTACHMENT 2

Ventura Port District Statement of Income and Expenses For the Period Ended February 29, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
General Expenses						
Advertising	\$ 500	\$ 1,388	\$ (888)	\$ 8,000	\$ 6,342	\$ 1,658
Leasing & Real Estate	1,400	1,618	(218)	11,400	7,670	3,730
Auto Mileage & Allowance	1,125	829	296	9,000	6,372	2,628
Auto/Boat Equip & Maint	11,543	4,455	7,088	93,459	54,097	39,362
Bad Debt	0	0	0	0	425	(425)
Bank Fees & Other Misc	1,300	721	579	10,300	6,201	4,099
Building Maintenance	18,180	32,988	(14,808)	170,240	100,798	69,442
Bldg Maint-Tenant Improvments	0	41,885	(41,885)	251,500	255,389	(3,889)
Accessibility Improvements	25,000	10,120	14,880	360,000	326,268	33,732
Communications	3,600	3,908	(308)	28,800	31,980	(3,180)
Conferences & Training	2,750	1,534	1,216	36,000	13,080	22,920
Dock Maint. & Repair	4,500	408	4,092	32,000	12,133	19,867
Village Enhancements	3,000	4,199	(1,199)	24,000	16,814	7,186
Equipment Rental	555	432	123	10,685	9,445	1,240
General Insurance	16,834	16,834	0	192,668	192,668	0
Grounds Maintenance	6,505	7,080	(575)	81,760	83,248	(1,488)
General Harbor Maintenance	0	2,500	(2,500)	3,000	2,554	446
Janitorial Supplies	4,000	4,834	(834)	40,750	28,410	12,340
Land/Building Rental Expense	6,340	5,762	578	51,140	46,408	4,732
Marketing & Promotions	12,895	14,144	(1,249)	194,755	167,145	27,610
Memberships & Subscriptions	1,550	231	1,319	20,275	18,365	1,910
Office Supplies & Equipment	3,450	4,178	(728)	26,900	23,425	3,475
Computer Equip & Supplies	500	1,083	(583)	10,460	11,601	(1,141)
Operating Supplies	9,310	2,650	6,660	42,280	24,563	17,717
Other Equipment & Repairs	3,395	710	2,685	32,220	32,240	(20)
Professional Services - Legal	20,000	21,298	(1,298)	205,000	205,579	(579)
Professional/Outside Services	37,833	22,758	15,075	296,667	233,355	63,312
Utilities	47,605	38,539	9,066	275,870	226,433	49,437
Dredging Related Expenses	14,285	34,537	(20,252)	170,380	167,588	2,792
Total General Expenses	\$ 257,955	\$ 281,623	\$ (23,668)	\$ 2,689,509	\$ 2,310,596	\$ 378,913
Total Operating Expenses	\$ 520,247	\$ 533,181	\$ (12,934)	\$ 5,120,399	\$ 4,655,883	\$ 464,516
Oper. Income(Loss) Before Deprec.	\$ 19,963	\$ (13,020)	\$ (32,983)	\$ (76,199)	\$ 459,025	\$ 535,224
Depreciation	\$ 83,000	\$ 79,646	\$ 3,354	\$ 646,600	\$ 643,106	\$ 3,494
Operating Income (Loss)	\$ (63,037)	\$ (92,666)	\$ (29,629)	\$ (722,799)	\$ (184,081)	\$ 538,718

ATTACHMENT 2

Ventura Port District Statement of Income and Expenses For the Period Ended February 29, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
NON-OPERATING REVENUES						
General						
Investment Income (Loss)	\$ 0	\$ 323	\$ 323	\$ 15,000	\$ 10,760	\$ (4,240)
Tax Income	3,000	4,633	1,633	593,000	644,511	51,511
Intergov't Revenue	0	0	0	0	14,219	14,219
Total General Non-Oper. Income	\$ 3,000	\$ 4,956	\$ 1,956	\$ 608,000	\$ 669,490	\$ 61,490
Special Funding						
DBAW Grants-Launch Ramp	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Special Funding	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
TOTAL NON-OPER. REVENUES	\$ 3,000	\$ 4,956	\$ 1,956	\$ 608,000	\$ 669,490	\$ 61,490
NON-OPERATING EXPENSES						
Interest Expense	\$ 1,440	\$ 1,437	\$ 3	\$ 645,680	\$ 642,729	\$ 2,951
Amortized Bond Issuance Cost	135,600	40,000	95,600	135,600	40,000	95,600
Total Non-Oper. Expenses	\$ 137,040	\$ 41,437	\$ 95,603	\$ 781,280	\$ 682,729	\$ 98,551
Non-Operationing Income (Loss)	\$ (134,040)	\$ (36,481)	\$ 97,559	\$ (173,280)	\$ (13,239)	\$ 160,041
CHANGES IN NET POSITION	\$ (197,077)	\$ (129,147)	\$ 67,930	\$ (896,079)	\$ (197,320)	\$ 698,759

ATTACHMENT 2

Supplementary Notes to the Statement of Income and Expense for the period ending February 29, 2016 – Budget to Actual Analysis.

Operating Income:

Parcel Lease Income – (exceeds budget \$51,848) This category reflects the cumulative balance for master tenants rents. This variance continues to primarily reflect the month of January. The Ventura Harbor Boatyard settles their percentage rent due for the calendar year in January each year. For the calendar year 2015, the Boatyard's percentage rents due to the District were higher than anticipated in the budget. The variance for the month of February was reasonable.

Harbor Village Lease Income – (exceeds budget \$12,907) This category includes retail, restaurant, offices and charters located in the Village. There was very little budget variance for this category for January. The annual variance continues to primarily reflect the higher than anticipated rents received for the charter category during July – December 2015. However with the unanticipated closure of the harbor entrance in January, the charter income posted to February reflects the cancelled charters as the boats could not safely leave the harbor.

Commercial Fishing – (under budget \$8,369) This variance primarily reflects January and February. It was anticipated that there would be more offloading of other species of fish (not squid). Boats were not able to safely leave or enter the harbor thus reducing offloading in the harbor.

Slip Rentals – (under budget \$7,677) This category reflects approximately a 1% variance from the budget. This year-to-date variance is reasonable.

Operating Expenses:

Personnel Expenses – (under budget \$85,603)

- Salaries and wages are under budget thru February by \$63,569. This variance continues to reflect contingencies included for MOU obligations, vacation buyouts, shift coverages, and merit increase that are contingent upon the SRP project moving forward. The contingencies are spread out equally over all the pay periods.
- The other personnel expenses are under budget by \$22,034. This variance is spread out over all the categories and is reasonable.

Auto/Boat Equip & Maint – (under budget \$39,362) Approximately \$21,000 of this variance is related to boat maintenance, and about \$18,000 is related to truck maintenance and fuel purchases through February. There is \$65,000 budgeted for boat maintenance and repairs in FY15-16. This boat repair expense has been divided by twelve, distributed equally to each month. Patrol is currently working on the budgeted repairs.

Building Maint – (under budget \$69,442) This category is generally spread out equally over all the months. It is anticipated that these funds will be utilized as repair projects have begun as reflected in the variances for the months of January and February. January exceeded the budget by \$6,200 and February exceeded the budget by \$14,808.

Building Maint-Tenant Improvements – (exceeds budget \$3,889) The tenant improvements aligned with the annual budget in the month of February.

Accessibility Improvements – (under budget \$33,732) The Phase II accessibility construction in the Village is schedule to begin in May. It is anticipated that this phase will be completed before the end of the fiscal year.

ATTACHMENT 2

Supplementary Notes to Statement of Income and Expenses Continued for the period ending February 29, 2016 – Budget to Actual Analysis

Conferences & Meetings – (under budget \$22,920) This category is allocated evenly over twelve months for the Administration department. The other departments are allocated as close to actual event schedules as possible. There are conferences coming up in March/April that will utilize these funds.

Dock Maint & Repairs – (under budget \$19,867) The Marina Manager reports that [the lack of docking activity or use of the pier by the fishing seiners had resulted in a temporary slowdown of deterioration in the G, H & D dock problem areas. They now need attention and he will focus his attention on those repairs.](#)

Village Enhancements – (under budget \$7,186) This category is allocated evenly over twelve months. This category is being utilized for awning replacements.

Marketing and Promotions – (under budget \$27,610) Marketing's monthly expenditures can vary greatly from the monthly budget distribution based on many factors. The timing of marketing expenses does not always correspond with monthly budget distribution.

Professional/Outside Services – (under budget \$63,612) The month of February is under budget by \$15,000. The annual variance in this category continues to reflect several primary factors –

- \$14,000 is for Lifeguard services that the State Parks & Recreation has not yet billed,
- \$28,000 has been budgeted to clean up Parcels 15,16,18 prior to Sondermann Ring taking possession.
- Approximately \$15,000 is attributed to the Administration Dept. - \$5,000 was budgeted for an outside document scanning service that will not be utilized this year, \$5,000 was budgeted for Human Resources assistance that has not been utilized to date and about \$5,000 was budgeted as a contingency for miscellaneous needs that may arise throughout the year.
- The remaining \$7,000 represents a reasonable variance for the July – February period.

Utilities - (under budget \$49,437) This category consists of water, electricity, gas and trash expenses. Usage of utilities is currently under budget due to conservation efforts, reduced activity related to fish offloading and the passing on of increased waste water charges from the City to the tenants for their pro-rata share of usage.

- Water is under budget by \$30,970,
- Electricity is under budget by \$5,823,
- Gas is under budget by \$1,767 and
- Trash is under budget by \$10,877 to date.

Dredging – (under budget \$2,792) This category aligned itself with the budget during the month of February as the funds were used for regulatory testing in preparation of the dredging in March and April.

ATACHO District 2
Budget Analysis
33% Remaining For the Period Ended February 29, 2016

	Current Annual Budget	Current YTD Activity	Remaining Budget	% Remaining
INCOME				
Operating Income				
Parcel Lease Income	3,095,000	2,218,648	876,352	28
Dry Storage Income	97,000	73,186	23,814	25
Fisherman's Storage	76,500	46,408	30,092	39
Parking Income	65,000	49,511	15,489	24
Miscellaneous Income/Rentals	71,500	63,276	8,224	12
Village Income				
Harbor Village Lease Income	2,330,000	1,592,907	737,093	32
Commercial Fishing	215,000	142,631	72,369	34
Miscellaneous Income	6,000	3,636	2,364	39
Harbor Event Fees	40,500	26,676	13,824	34
Marketing Booth/Vendor Income	10,000	8,908	1,092	11
Co-Op Advert/Sponsorship	16,500	14,485	2,015	12
Merchants Promo Fund	90,000	57,749	32,251	36
Slip Rentals	900,000	592,323	307,677	34
Dock Electrical Income	26,000	23,040	2,960	11
C A M Income	295,000	201,524	93,476	32
Total Operating Income	\$ 7,334,000	\$ 5,114,908	\$ 2,219,092	30 %
Non-operating Income				
Investment Income	30,000	10,760	19,240	64
Tax Income	1,030,000	644,511	385,489	37
Intergov't Revenue	0	14,219	(14,219)	0
DBAW Grants-Misc	15,500	0	15,500	100
DBAW Grant-Equipment	59,500	0	59,500	100
City of Ventura	30,000	0	30,000	100
Total Non-Operating Income	\$ 1,165,000	\$ 669,490	\$ 495,510	43 %
TOTAL INCOME	\$ 8,499,000	\$ 5,784,398	\$ 2,714,602	32 %
EXPENSES				
Personnel Expenses				
Salaries & Wages	2,314,500	1,425,708	888,792	38
Retirement Contributions	506,500	326,428	180,072	36
Payroll Taxes	44,500	25,900	18,600	42
Worker's Comp Ins.	171,000	171,000	0	0
OPEB Liability	123,922	82,568	41,354	33
Medical & Life Ins.	262,500	166,689	95,811	36
Optional Benefit Plan	194,000	126,822	67,178	35
Uniforms & Tool Allowances	35,000	20,171	14,829	42
Total Personnel Expenses	\$ 3,651,922	\$ 2,345,286	\$ 1,306,636	36 %

ATAC-HR District
Budget Analysis
33% Remaining For the Period Ended February 29, 2016

	Current Annual Budget	Current YTD Activity	Remaining Budget	% Remaining
General Expenses				
Advertising	10,000	6,342	3,658	37
Leasing / Real Estate	17,000	7,670	9,330	55
Auto Mileage & Allowance	13,500	6,372	7,128	53
Auto/Boat Equip & Maint	201,500	54,097	147,403	73
Bad Debt	25,000	425	24,575	98
Bank Fees & Other Misc	15,500	6,201	9,299	60
Building Maintenance	243,000	100,798	142,202	59
Bldg Maint-Tenant Improvments	285,000	255,389	29,611	10
Accessibility Improvements	800,000	326,268	473,732	59
Communications	43,000	31,980	11,020	26
Conferences & Training	59,500	13,080	46,420	78
Dock Maint. & Repair	49,000	12,133	36,867	75
Village Enhancements	35,000	16,814	18,186	52
Equipment Rental	18,500	9,445	9,055	49
General Insurance	260,000	192,668	67,332	26
Grounds Maintenance	111,000	83,248	27,752	25
General Harbor Maintenance	4,000	2,554	1,446	36
Janitorial Supplies	60,500	28,410	32,090	53
Land/Building Rental Expense	76,500	46,408	30,092	39
Marketing & Promotions	291,500	167,145	124,355	43
Memberships & Subscriptions	21,500	18,365	3,135	15
Office Supplies & Equipment	38,000	23,425	14,575	38
Computer Equip & Supplies	12,500	11,601	899	7
Operating Supplies	69,500	24,563	44,937	65
Other Equipment & Repairs	46,000	32,240	13,760	30
Professional Services - Legal	245,000	205,579	39,421	16
Professional/Outside Services	413,000	233,355	179,645	43
Utilities	411,500	226,433	185,067	45
Dredging Related Expenses	<u>335,000</u>	<u>167,588</u>	<u>167,412</u>	<u>50</u>
Total General Expenses	\$ 4,211,000	\$ 2,310,596	\$ 1,900,404	45 %
Non-operating Expenses				
Interest Expense	650,710	642,729	7,981	1
Bond Issuance Cost	<u>135,600</u>	<u>40,000</u>	<u>95,600</u>	<u>71</u>
Total Non-Oper. Expenses	\$ 786,310	\$ 682,729	\$ 103,581	13 %
TOTAL EXPENSES	\$ 8,649,232	\$ 5,338,611	\$ 3,310,621	38 %

TEACH REEF District
Budget Analysis
33% Remaining For the Period Ended February 29, 2016

Current Annual Budget	Current YTD Activity	Budget Funds Remaining
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CAPITAL IMPROVEMENT PROJECTS/EQUIPMENT

Automotive	\$ 40,000	\$ 0	\$ 40,000
Assets -Fish Pier Crane/Hoist	102,000	96,144	5,856
Asset- Permanent Flag Pole	13,200	0	13,200
Building Improve-Replace Window	90,000	5,560	84,440
Parking Lot Repairs	100,000	83,059	16,941
Assets Village roof system	630,000	516,019	113,981
Assets-Vlg Parkinglot Trash Enclos	0	1,314	(1,314)
Assets-1691 Elevator Refurbish	98,000	94,962	3,038
Assets-1691 Spinnaker Roof Repai	120,000	1,406	118,594
Village Landscaping	0	4,848	(4,848)
VHV Marina Part G&H Docks	<u>50,000</u>	<u>0</u>	<u>50,000</u>
Total Capital Improvements	\$ 1,243,200	\$ 803,312	\$ 439,888

ATTACHMENT 2

Ventura Port District Balance Sheet For the Period Ended February 29, 2016

CURRENT ASSETS

Cash in Banks	2,331,341
Accounts Receivable	887,510
Intercompany Receivable-Grant Fund	36,000
Notes Receivable	6,433
Taxes Receivable	50,542
Interest Receivable	1,860
Prepaid Expenses	125,514
Inventory of supplies	35,245

TOTAL CURRENT ASSETS \$3,474,445

RESTRICTED ASSETS

Cash - Dredging	3,028,385
Cash - Improvement	3,108,397
Cash - Fisheries Complex	25,092

TOTAL RESTRICTED ASSETS \$6,161,874

FIXED ASSETS

Land	2,342,629
Harbor Improvements	33,711,227
Equipment	1,510,312

Accumulated depreciation (15,002,436)

NET FIXED ASSETS \$22,561,732

OTHER ASSETS

Investments-Unrestricted Reserves	1,489,410
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TOTAL OTHER ASSETS \$1,489,410

TOTAL ASSETS \$33,687,461

DEFERRED OUTFLOWS OF RESOURCES

Deferred amount on refundings	302,705
Deferred amount on pension plan	347,852

TOTAL DEFERRED OUTFLOWS OF RESOURCES \$650,557

**TOTAL ASSETS AND DEFERRED
OUTFLOWS OF RESOURCES**

\$34,338,018

CURRENT LIABILITIES

Accounts Payable	112,979
Accrued Interest	373,390
Current Portion LT Debt	639,912
Current Portion OPEB Liability	11,856
Accrued Payroll	37,961
Employee Compensated Absences	230,666

TOTAL CURRENT LIABILITIES \$1,406,764

LONG TERM DEBT

ltd - Notes Payable	13,018,637
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TOTAL LONG TERM DEBT \$13,018,637

OTHER LIABILITIES

OPEB Liability LT	473,366
Net Pension Liability	2,578,020
Unearned Revenue	204,250
Security Deposits	170,349

TOTAL OTHER LIABILITIES \$3,425,985

TOTAL LIABILITIES \$17,851,386

EQUITY

Contributed Capital	4,632,128
Retained Earnings-Reserved	645,536
Retained Earnings- Unreserved	10,722,661
Current Year Retained Earnings	(197,320)

TOTAL EQUITY \$15,803,005

DEFERRED INFLOW OF RESOURCES

Deferred amount from pension plan	683,627
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TOTAL DEFERRED INFLOW OF RESOURCES \$683,627

TOTAL LIABILITIES, EQUITY, AND

DEFERRED INFLOW OF RESOURCES \$34,338,018

ATTACHMENT 2

Ventura Port District Cashflow Statement As of February 29, 2016

Enterprise Fund

Operating Income	5,114,908
Non-Operating Income	669,490
Total Income	<u>\$ 5,784,398</u>
Operating Expenses	5,298,989
Non-Operating Expenses	682,729
Total Expenses	<u>\$ 5,981,718</u>
Change in Net Position-Accrual Basis	\$ (197,320)
Cashflows for Capital and Financing Activities:	
Principle paid on debt	(639,912)
Deferred amount on refundings	(78,588)
Acquisitions/Retirements of Capital Assets	(803,312)
Net Cash provided (used) by Capital & Financing	<u>\$ (1,521,812)</u>
Operating Income Adjustments:	
Depreciation	643,106
(Increase)decrease in receivables	(85,832)
(Increase)decrease in prepaid Items	228,802
Increase(decrease) in payables	25,720
Increase(decrease) in unearned revenue	(51,527)
Increase (decrease) in tenant deposits	6,585
Net Cash provided by Operating Activities	<u>\$ 766,854</u>
NET Increase (Decrease) in Cash	\$ (952,278)
Add: Beginning Cash 7/1/15	\$ 10,934,904
Ending Cash at 2/29/16	\$ 9,982,626

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Distribution of Cash as of February 29, 2016

<u>Enterprise Fund</u>	Current Balance
<u>Cash</u>	
Cash on Hand (undeposited)	1,324
Cash in Checking (Wells Fargo Bank)	448,536
Cash in County Treasury	<u>16,675</u>
Total Cash Available for Normal Operations	\$ 466,535
 <u>Investments Unrestricted Reserves</u>	
Local Agency Investment Fund (LAIF)	1,864,806
Stifel Nicolaus	<u>1,489,411</u>
Total Investments Unrestricted Reserves	\$ 3,354,217
 <u>Dredging Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>3,028,384</u>
Total Dredging Reserves	\$ 3,028,384
 <u>Capital Improvement Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>3,108,398</u>
Total Capital Improvement Reserves	\$ 3,108,398
 <u>Fisheries Complex Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>25,092</u>
Total Fisheries Complex Reserves	\$ 25,092
 TOTAL CASH AND INVESTMENTS	 <u>\$ 9,982,626</u>

ATTACHMENT 2

Ventura Port District Comparison of Lease Rent

	Year to Date Ended <u>2/29/2016</u>	Year to Date Ended <u>2/29/2015</u>	Increase (Decrease)	
Parcel Leases				
Ventura Harbor Marine Assoc	132,941	117,543	15,398	13%
Dave's Fuel Dock	8,175	7,017	1,158	17%
Sheraton 4 Points-Harbortown	298,737	276,707	22,030	8%
Harbortown Point	71,091	69,914	1,177	2%
Oceans West Marina	191,764	187,291	4,473	2%
Ventura Isle Marina	456,124	435,251	20,873	5%
Ventura Marina Mobile Park	290,160	285,613	4,547	2%
Ventura West Marina	331,593	326,682	4,911	2%
Ventura Yacht Club	79,322	77,767	1,555	2%
Vta Harbor Boatyard	318,740	264,852	53,888	20%
Sonderman Ring	40,000	50,000	(10,000)	-20%
Total Parcel Lease	<u>2,218,648</u>	<u>2,098,637</u>	<u>120,011</u>	6%
Fees & Reimbursements	<u>-</u>	<u>2,287</u>	<u>(2,287)</u>	
Total Parcel Leases	2,218,648	2,100,924	117,724	6%
Ventura Harbor Village				
Retail Rents	297,208	316,046	(18,838)	-6%
Restaurant Rents	656,513	613,794	42,719	7%
Office Rents	399,426	372,702	26,724	7%
Charters	239,760	239,800	(40)	0%
Total Village	<u>1,592,907</u>	<u>1,542,342</u>	<u>50,565</u>	3%
Commercial Fishing	142,631	195,269	(52,638)	-27%
TOTAL	3,954,186	3,838,535	115,651	3%

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Three Year Comparative For the Month and Year to Date

	MONTH OF FEBRUARY			YEAR TO DATE 2/29			% change FY14-15 to Current Yr
	2013-14	2014-15	Current	2013-14	2014-15	Current	
<u>Operating Income</u>							
Parcel Leases	216,427	220,043	221,089	2,065,670	2,100,924	2,218,648	6%
Dry Storage	7,183	6,786	9,815	61,657	56,160	73,186	30%
Other Operating	8,471	13,999	10,905	132,209	149,194	159,195	7%
Harbor Village Leases	161,092	161,510	163,466	1,501,652	1,542,342	1,592,907	3%
Commercial Fishing	8,934	19,414	10,480	272,098	195,269	142,631	-27%
Slips	75,091	74,875	64,128	615,897	566,169	592,323	5%
CAM	23,789	21,880	26,235	190,921	189,036	201,524	7%
Marketing	7,017	6,932	7,510	55,100	58,471	57,749	-1%
Electrical Slips	2,614	3,485	3,892	20,886	21,355	23,040	8%
Other Operating	4,349	6,391	2,641	55,833	57,877	53,705	-7%
Total Operating Income	514,967	535,315	520,161	4,971,923	4,936,797	5,114,908	4%
<u>Operating Expenses</u>							
Harbor Patrol	109,063	87,749	63,900	675,080	754,682	775,977	3%
Maintenance	64,415	82,103	147,735	814,318	749,574	1,201,181	60%
Administration	149,655	130,288	134,360	1,103,671	1,158,035	1,227,560	6%
Marina	46,806	70,127	54,362	459,668	432,767	428,118	-1%
C A M	56,840	79,039	68,548	480,157	522,651	554,358	6%
Marketing	24,550	23,657	29,739	304,385	301,397	301,101	0%
Dredging	17,031	15,803	34,537	156,389	138,908	167,588	21%
Total Operating Expenses	468,360	488,766	533,181	3,993,668	4,058,014	4,655,883	15%
NET OPERATING INCOME	46,607	46,549	(13,020)	978,255	878,783	459,025	-48%
<u>Non-operating Income</u>							
Interest	-	306	323	47,827	15,143	10,760	
Taxes	7,250	2,260	4,633	565,992	594,276	644,511	8%
Other	-	2,503	-	8,942	20,417	14,219	
Total Non-operating Income	7,250	5,069	4,956	622,761	629,836	669,490	6%
<u>Non-Operating Expenses</u>							
Depreciation	74,779	82,307	79,646	597,200	654,223	643,106	
Debt Service	1,437	1,437	1,437	697,953	670,923	642,729	
Other	-	-	40,000	-	-	40,000	
Total Non-operating Expenses	76,216	83,744	121,083	1,295,153	1,325,146	1,325,835	0%
NET NON-OPER. INCOME	(68,966)	(78,675)	(116,127)	(672,392)	(695,310)	(656,345)	
NET CHANGE IN POSITION	(22,359)	(32,126)	(129,147)	305,863	183,473	(197,320)	-208%

ATTACHMENT 3

Accounts Payable Check Register - February 2016

Ventura Port District
Wells Fargo Checking

3/31/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43496	2/4/2016	2153	D West Graphics	Patrol business cards	349.38	
43497	2/4/2016	3155	Franchise Tax Board	Employee deduction plan	195.85	
43498	2/5/2016	5016	Lowe's	Miscellaneous operating supplies	1,368.98	
43499	2/5/2016	Deposits	Vta County Dog Fanciers Assoc	Refund event deposit	250.00	
43500	2/11/2016		**Voided**	Used to setup EFT deposit of Propety Taxes by County of Ventura		-
43501	2/11/2016	8453	Virtual Pacific Networks **Voided**	Printer Jam-reprinted on chk #43552		3,369.50
43502	2/11/2016	1058	Advantage Telecom Inc	District phone system/internet	1,339.90	
43503	2/11/2016	1060	AFLAC	Salary reduction benefit	487.35	
43504	2/11/2016	1294	Associated Transportation Engi	Village traffic count/survey	989.55	
43505	2/11/2016	1323	Avenue Welding & Support Services	Village Marina H dock repairs	175.00	
43506	2/11/2016	1440	Beacon Marine Chandlery Inc	Operating supplies	69.84	
43507	2/11/2016	1676	Carquest Auto Parts	Parts/repairs to maintenance vehicles	123.61	
43508	2/11/2016	1679	Carpi, Clay & Smith	Washington lobbyist - January	5,000.00	
43509	2/11/2016	1725	CED (Consolidated Electrical Distributers)	Misc shop supplies	633.88	
43510	2/11/2016	1915	Cintas Corp	Uniform rental/cleaning, door mats, rags	821.93	
43511	2/11/2016	1925	City Of S. Buenaventura	Trash service	100.00	
43512	2/11/2016	2065	Certified Credit Reporting Inc	Credit reports on prospective tenants	27.00	
43513	2/11/2016	2331	Dial Security Inc	Dockmaster/security coverage	800.00	
43514	2/11/2016	2446	DocuProducts	Copier maintenance fees	437.93	
43515	2/11/2016	2935	Farmer Bros. Co	Coffee supplies	349.94	
43516	2/11/2016	2936	Fast Signs	Village parking signage	178.84	
43517	2/11/2016	2986	Ferguson Enterprises Inc.	Plumbing repair parts	433.87	
43518	2/11/2016	3100	Flooring 101	Flooring for elevator in 1691 building	375.00	
43519	2/11/2016	3490	Grainger Inc.	Miscellaneous operating supplies	392.27	
43520	2/11/2016	3492	Green Thumb International	Landscape tool parts	68.13	
43521	2/11/2016	3497	Gregory Carson	Reimburse expenses CMANC Washington conference	712.30	
43522	2/11/2016	3592	Hansen's Plumbing, Inc.	Plumbing repairs various locatins in harbor	2,193.59	
43523	2/11/2016	4247	Jani-King of CA ** Voided **	Check reported lost by vendor, check re-issued in March		4,965.50
43524	2/11/2016	4613	Kelly Cleaning and Supplies	Carpet cleaning Village office suite	150.00	
43525	2/11/2016	5050	MailFinance	VPD Office postage machine rental - quarterly	400.38	
43526	2/11/2016	5210	McCormix Corp.	Fuel for maintenance vehicles	823.82	
43527	2/11/2016	5230	Physio-Control, Inc.	Parts & batteries for defibrillator machines	1,033.84	
43528	2/11/2016	5231	Mendez Roofing Inc	Replace antenna base covers VPD Headquarters	3,080.00	
43529	2/11/2016	5625	ReadyRefresh	Bottled water service	187.84	
43530	2/11/2016	6178	PERS Long Term Care Program	Salary reduction benefit	164.98	
43531	2/11/2016	6194	Pacific Oil Company	Oil Recycling pickup	443.80	

ATTACHMENT 3

Accounts Payable Check Register - February 2016

Ventura Port District
Wells Fargo Checking

3/31/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43532	2/11/2016	6440	Port Supply	Operating supplies	56.16	
43533	2/11/2016	6865	Rasmussen & Associates Inc	Village roof project	4,972.82	
43534	2/11/2016	7015	Rick Wilborn	Marketing - photography	145.00	
43535	2/11/2016	7210	SEIU Local 721	Union dues for Harbor Patrolmen	268.02	
43536	2/11/2016	7240	AT&T	Elevator emergency phone service	484.36	
43537	2/11/2016	7291	Security Plus Door Company	Tenant Improvement 1575 Spinnaker Dr #106	648.15	
43538	2/11/2016	7294	Service-Pro Fire Protection	Village quarterly fire sprinkler inspection/maintenance	665.00	
43539	2/11/2016	7299	Seaworthy Marina Products	Patrol boat operating supplies	2,817.85	
43540	2/11/2016	7346	Shell Fleet Plus	Fuel for patrol vehicles	637.11	
43541	2/11/2016	7534	Steve Olson	Electrical contractor for Elevator refurbish in Isl Packer Bldg	16,000.00	
43542	2/11/2016	7588	Stock Building Supply	Operating supplies	117.97	
43543	2/11/2016	7719	Teamsters Local No. 186	Union dues for Dockmasters	159.00	
43544	2/11/2016	7768	ThyssenKrupp Elevator Corp		41,994.15	
43545	2/11/2016	7777	The Signal	Marketing-Advertising	400.00	
43546	2/11/2016	7862	Time To Shine	Fabricate screens 1583 Spinnaker building	165.00	
43547	2/11/2016	8204	VACCO	Preventive maintenance HVAC VPD Headquarters	676.00	
43548	2/11/2016	8250	Ventura Visitors & Convention	Rent for space in VVC building	232.50	
43549	2/11/2016	8251	Ventura Water	Utilities	257.50	
43550	2/11/2016	8260	Verizon Wireless	Cell phones/services	92.87	
43551	2/11/2016	8263	Ventura Pest Control	Village service	335.00	
43552	2/11/2016	8453	Virtual Pacific Networks	IT Services	3,369.55	
43553	2/11/2016	8519	Western Dredging Association	Annual membership dues	150.00	
43554	2/11/2016	8531	Whisenhunt Communication	Public relations services	900.00	
43555	2/11/2016	8551	Williams Automotive Inc.	Maintenance truck repair parts	205.30	
43556	2/11/2016	11541	ALC Construction LLC ** Voided **	Invoice total needed to be revised		8,516.00
43557	2/11/2016	12856	Arkadin, Inc.	Conference call service	63.05	
43558	2/11/2016	17582	California Travel Media	Marketing-Advertising	2,050.00	
43559	2/11/2016	20200	CoStar Realty Information, Inc	Leasing marketing data software	729.00	
43560	2/11/2016	42471	JaniTek Cleaning Solutions	Janitorial service for National Park Service Offices	1,272.76	
43561	2/11/2016	51731	Marcos Ramos Painting	Elevator room drywall repair/paint 1691 building	775.00	
43562	2/11/2016	51751	Maria Schonder	Cell phones/services	30.00	
43563	2/11/2016	74343	Sommerville Associates	Marketing services	2,017.44	
43564	2/11/2016	76012	Sunbelt Rentals, Inc.	Equipment rental beach/sand erosion repair	401.81	
43565	2/11/2016	76812	California School Boards Assoc	GASB 45- OPEB AMM Valuation-every 3 years	1,500.00	
43566	2/11/2016	77812	Thermal Alliance	Tenant improvements HVAC 1559 Spinnaker Dr. #105	4,200.00	
43567	2/11/2016	82201	Valley Scene Magazine	Marketing-Advertising	630.00	

ATTACHMENT 3

Accounts Payable Check Register - February 2016

Ventura Port District
Wells Fargo Checking

3/31/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43568	2/11/2016	One time	Susan K. Bejeckian	Marketing-reimburse expenses	17.44	
43569	2/18/2016	11541	ALC Construction LLC	Village restroom accessibility improve. pre-design plan	5,961.20	
43570	2/18/2016	3155	Franchise Tax Board	Employee deduction plan	47.25	
43571	2/25/2016	1036	Accurate First Aid Services	Replenish first aid stations	192.69	
43572	2/25/2016	1154	Alejandra's Nursery	Village landscaping plants	376.25	
43573	2/25/2016	1178	American Office Products	Office supplies	169.26	
43574	2/25/2016	1725	CED (Consolidated Electrical Distributors)	Misc shop supplies & repairs to Blackbeard space	2,984.16	
43575	2/25/2016	1915	Cintas Corp	Uniform rental/cleaning, door mats, rags	721.28	
43576	2/25/2016	2093	Cumulus Broadcasting Inc.	Marketing radio advertising	1,300.00	
43577	2/25/2016	2331	Dial Security Inc	Dockmaster/security coverage	800.00	
43578	2/25/2016	2433	Document Systems Inc.	Printer toner	258.15	
43579	2/25/2016	2604	E.J. Harrison & Sons Inc.	Trash service	4,224.98	
43580	2/25/2016	2751	Empire Cleaning Supply	Janitorial supplies	2,789.38	
43581	2/25/2016	2924	FMP Uniform Co.	Patrol operating supplies	52.66	
43582	2/25/2016	2936	Fast Signs	Signage decals for trash receptacles along Village promenade	414.87	
43583	2/25/2016	2980	Fausset Printing, LLC	Marketing-brochures	242.00	
43584	2/25/2016	2983	Federal Express Corporation	Postage	21.93	
43585	2/25/2016	2986	Ferguson Enterprises Inc.	Plumbing repair parts	540.57	
43586	2/25/2016	3100	Flooring 101	Village tenant TI's and Marketing office kitchen area	6,827.00	
43587	2/25/2016	3200	Fugro West Inc.	Multibeam survey, data processing, mapping of harbor	17,926.00	
43588	2/25/2016	3433	GM Electric Inc.	Entry feature electrical repairs	1,550.00	
43589	2/25/2016	3454	Gold Coast Broadcasting	Marketing-Advertising	1,020.00	
43590	2/25/2016	3490	Grainger Inc.	Miscellaneous operating supplies	782.62	
43591	2/25/2016	3592	Hansen's Plumbing, Inc.	Ceiling drain replacement in 1449 building-Andria's	732.76	
43592	2/25/2016	3609	Hathaway Perrett Webster Inc.	Legal Fees	1,243.10	
43593	2/25/2016	4057	Health & Human Resource Center	Employee Assistance Program (EAP)	177.14	
43594	2/25/2016	4061	Industrial Bolt and Supply	Operating supplies	17.54	
43595	2/25/2016	4295	Jensen Design & Survey Inc.	Parking lot accessibility services	290.00	
43596	2/25/2016	4404	Jonathan Freeman	Training Reimbursement	315.00	
43597	2/25/2016	4742	Kratos Construction	Misc fiber-optic install and lighting repairs	3,855.00	
43598	2/25/2016	4852	Lagerlof Senecal Gosney	Legal Fees	21,018.75	
43599	2/25/2016	5016	Lowe's	Miscellaneous operating supplies	2,042.08	
43600	2/25/2016	5054	Main Street Banner	Village promenade flags	2,150.00	
43601	2/25/2016	5071	Luners Production Services	Marketing-Event production	252.63	
43602	2/25/2016	5190	Matilija Water	Reverse osmosis water system February	45.00	
43603	2/25/2016	5210	McCormix Corp.	Fuel for maintenance vehicles	311.85	

ATTACHMENT 3

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Ventura Port District
Wells Fargo Checking

3/31/2016

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43604	2/25/2016	5213	McMaster-Carr	Operating supplies	258.47	
43605	2/25/2016	5322	Milano's	Tenant Improvement as per lease	14,435.00	
43606	2/25/2016	5505	Muzicraft Inc.	Ambient music in Village - March	329.50	
43607	2/25/2016	5744	Noble Consultants Inc.	Revetment analysis Parcels 15,16, 18 - SRP	1,170.00	
43608	2/25/2016	5946	Office Max	Office supplies	118.23	
43609	2/25/2016	6178	PERS Long Term Care Program	Salary reduction benefit	164.98	
43610	2/25/2016	6201	Pamela Griffin	Wellness program instructor	160.00	
43611	2/25/2016	6283	Petty Cash Fund	Operating & office supplies	755.63	
43612	2/25/2016	6361	Pitney Bowes	Postage meter lease/Vlg office	34.63	
43613	2/25/2016	6440	Port Supply	Operating supplies	261.14	
43614	2/25/2016	6470	LegalShield	Salary reduction benefit	166.40	
43615	2/25/2016	6687	RRM Design Group Inc.	Services for accessibility improvement planning	180.00	
43616	2/25/2016	6865	Rasmussen & Associates Inc	Village roof project	6,450.73	
43617	2/25/2016	7000	Richard W. Parsons	Dredging/Project Management services-Feb	9,431.65	
43618	2/25/2016	7032	Alliant Insurance Services	Permit event insurance adjust to 4th quarter 2015	81.00	
43619	2/25/2016	7296	Searle Creative Group	Website production/maintenance	2,240.00	
43620	2/25/2016	7410	Smith Pipe & Supply Inc.	Landscape irrigation parts	459.24	
43621	2/25/2016	7434	Southern Calif. Edison ** Voided **	Check stub used to list invoices		-
43622	2/25/2016	7434	Southern Calif. Edison	Utilities	11,272.30	
43623	2/25/2016	7572	Standard Insurance Company	Group Term Life/Long-term Disability - February	3,186.86	
43624	2/25/2016	7761	The Gas Company	Utilities	113.98	
43625	2/25/2016	8204	VACCO	Replace circuit board HVAC VPD Headquarters	894.38	
43626	2/25/2016	8233	Venco Power Sweeping, Inc	Monthly Village parking lot	415.38	
43627	2/25/2016	8241	Ventura County Star	Marketing-Advertising	766.80	
43628	2/25/2016	8244	Ventura Harbor Storage	Fishermen's storage/net repair area	5,762.10	
43629	2/25/2016	8251	Ventura Water ** Voided **	Check stub used to list invoices		-
43630	2/25/2016	8251	Ventura Water	Utilities	23,873.43	
43631	2/25/2016	8258	Ventura County Env. Health	Marketing-Event production	259.00	
43632	2/25/2016	8260	Verizon Wireless	Cell phones/services	978.31	
43633	2/25/2016	8501	Warren Distributing Inc.	Vehicle parts	598.73	
43634	2/25/2016	8530	White Nelson Diehl Evans LLP	Final payment on financial audit services FY2015	600.00	
43635	2/25/2016	8551	Williams Automotive Inc.	Maintenance truck repair parts	415.96	
43636	2/25/2016	8651	Yama Lawn Mower Service	Landscaping tools - consumables	352.10	
43637	2/25/2016	12945	Assurant Employee Benefits	Dental Insurance Premiums	1,719.30	
43638	2/25/2016	18861	Chantel Durelli	Marketing Village entertainment	805.00	
43639	2/25/2016	28641	Eugene Meyer	Marketing Village entertainment	300.00	

ATTACHMENT 3

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Ventura Port District
Wells Fargo Checking

3/31/2016

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43640	2/25/2016	40525	Impact Sciences, Inc	Biological testing in the harbor	2,179.44	
43641	2/25/2016	51731	Marcos Ramos Painting	Tenant Improvement 1575 Spinnaker Dr #106	5,270.00	
43642	2/25/2016	51900	McCue Marketing Communications	Marketing-Advertising	600.00	
43643	2/25/2016	61180	P. Marin Builders	Tenant improvements Blackbeard space	3,000.00	
43644	2/25/2016	70641	Superior Awning, Inc.	Tenant Improvement 1575 Spinnaker Dr #106	2,049.22	
43645	2/25/2016	70675	SWE Structural Design	Structural analysis 1559 Spinnaker Dr #105	500.00	
43646	2/25/2016	72345	Sara Stutt	Marketing Village entertainment	90.00	
43647	2/25/2016	75712	Stacey Reed	Marketing-event staff assistance	60.00	
43648	2/25/2016	82351	Ventura Breeze	Marketing-Advertising	625.00	
43649	2/25/2016	85401	Wild Local Seafood Co,	Tenant Improvement as per lease	14,200.00	
43650	2/25/2016		**Voided**	Printer jam		-
43651	2/26/2016	6409	Plauche & Carr	Services on Ventura Shellfish Enterprise study	467.50	
43652	2/26/2016	25351	Dudek	Services on Ventura Shellfish Enterprise study	136.69	
43653	2/26/2016	Deposits	Michelle Luckett	Refund event deposit	250.00	
Bank Account Totals					313,685.79	16,851.00

ATTACHMENT 4

Ventura Port District Chase Business Credit Card Charges February 2016

Chase Credit Card holders

Oscar Pena, General Manager
Brian Pendleton, Business Operations Manager
Jessica Rauch, Administrative Assistant/Clerk
Robin Baer, Property Manager
Joe Gonzalez, Facilities Manager
Frank Locklear, Marina Manager
Jennifer Talt-Lundin, Marketing Manager
John Higgins, Harbormaster

<u>Staff/Consultant</u>	<u>Trans Date</u>	<u>Vendor</u>	<u>Category</u>	<u>Description</u>	<u>Amount</u>
Oscar Pena	2/10/2016	LAZY DOG RESTAURANT	Business meal	Pre-Marketing Workshop Meeting w/Pena, Talt, Friedman, Ashworth	54.57
Oscar Pena	2/12/2016	BOATYARD CAFE INC	Business meal	Meeting w/ Carson & Pena	27.09
Oscar Pena	2/24/2016	YARD HOUSE 83400083493	Business meal	Meeting w/ Friedman, Ashworth, Pena, Pendleton	62.65
Oscar Pena	3/1/2016	THE PIKEPARKINGSTRUCTURE	Conference/travel show	Parking for Marketing Showcase in Long Beach	15.00
Total General Manager's Expenses					159.31
Brian Pendleton	2/26/2016	BOATYARD CAFE INC	Business meal	Comm. Carson, Pendleton-Harbor Village Landscape Meeting	25.10
Brian Pendleton	3/2/2016	BUILDING SAFETY CTY SAN	Operating expenditures	Annual Maintenance Permit Fee - City of Ventura	554.56
Total Business Operations Manager's Expenses					579.66
Jessica Rauch	2/10/2016	SQ *VENTURA SANDWIC	Business meal	Commission Closed Session Lunch	68.25
Jessica Rauch	2/26/2016	MILANOS ITALIAN RESTAURAN	Business meal	Commission Closed Session Dinner	130.24
Jessica Rauch	2/26/2016	VONS Store00021642	Business meal	Commission meeting refreshments	15.99
Jessica Rauch	3/3/2016	VENTURA CHAMBER OF COMMER	Business meal	State of City Address Chamber Breakfast-Pena, Pendleton	80.00
Jessica Rauch	2/14/2016	ACT*California Marine	Conference	CMANC Washington DC Registration-Carson, Ashworth	870.00
Jessica Rauch	2/14/2016	ACT*California Marine	Conference	CMANC Washington DC Week Registration - Parsons	435.00
Jessica Rauch	2/28/2016	PAYPAL *LIEBERTCASS	Conference/training	LCW Webinar for Adkins-Roles/Responsibility as a Govt EE	60.00
Jessica Rauch	3/3/2016	TINA O'BRIEN GALLERY	Misc. expense	Gift for exiting Lobbyist	45.00
Jessica Rauch	3/3/2016	MICHAELS STORES 4800	Misc. expense	Gift for exiting Lobbyist	37.61
Jessica Rauch	2/4/2016	CA SECRETARY OF STATE WEB	Operating expenditures	CA Secretary of State Statement of Info for VPD Public Facilities	20.00
Total Administrative Assistant's Expenses					1,762.09

ATTACHMENT 4

Staff/Consultant	Trans Date	Vendor	Category	Description	Amount
Robin Baer	2/4/2016	LOOPNET INC	Leasing advertising	Website leasing advertising	244.95
Robin Baer	2/28/2016	LOOPNET INC	Leasing advertising	Website leasing advertisement	159.95
Total Property Manager's Expenses					404.90
Joe Gonzalez	chases for month of January				-
Total Facilities Manager's Expenses					-
Frank Locklear	2/10/2016	GOTOCITRIX.COM	Operating supplies	Go To Meeting Teleconference Account (Monthly)	49.00
Frank Locklear	2/4/2016	AMAZON MKTPLACE PMTS	Office equipment	Security Cameras	491.62
Frank Locklear	2/4/2016	AMAZON MKTPLACE PMTS	Office equipment	PoE Injector Adapters	55.92
Frank Locklear	2/23/2016	FRY'S ELECTRONICS # 44	Office equipment	PoE switches video/comp	53.99
Frank Locklear	2/28/2016	Amazon.com	Office equipment	Robbie's Printer	161.24
Frank Locklear	2/28/2016	OFFICE DEPOT #931	Office equipment	UPS power supply Jessica	59.11
Frank Locklear	2/4/2016	FEDEXOFFICE 00050039	Operating expenditures	Marina Plan Copies	29.03
Frank Locklear	3/2/2016	KWIK TICKETS, INC	Operating expenditures	Temporary parking passes	506.19
Total Marina Manager's Expenses					1,406.10
Jennifer Lundin	2/10/2016	LE PETIT CAFE BAKERY I	Business meal	Pastries for Ventura VCB Board Mtg.	125.00
Jennifer Lundin	2/7/2016	CANVA FOR WORK YEARLY	Advertising	Advertising Production Application / annual	119.40
Jennifer Lundin	2/15/2016	CTC*CONSTANTCONTACT.COM	Advertising	Harbor Views Newsletters Email Listing	20.00
Jennifer Lundin	3/1/2016	FACEBK *BSS3496SY2	Advertising	Ad Boost for Facebook	50.56
Jennifer Lundin	2/21/2016	FS *AngelCam	Advertising	Web Site CAM - harbor entrance	20.00
Jennifer Lundin	2/7/2016	ICONOSQUARE	Advertising	Annual social media measurement	149.00
Jennifer Lundin	2/22/2016	MAILCHIMP	Advertising	Enewsletter host	75.00
Jennifer Lundin	2/21/2016	VISTAPR*VistaPrint.com	Advertising	Spring Rack Cards/Mermaids & Cottontail -	40.31
Jennifer Lundin	2/21/2016	VISTAPR*VistaPrint.com	Advertising	Spring Rack Cards/Mermaids & Cottontail	307.43
Jennifer Lundin	3/3/2016	EB 21ST CENTURY TRAVE	Conference	TTMA Mtg in LA - Travel Editors Panel	55.00
Jennifer Lundin	2/29/2016	HYATT REGENCY LONG BEACH	Conference	Snack at LA Adventura & Travel Show	3.75
Jennifer Lundin	3/1/2016	HYATT REGENCY LONG BEACH	Conference	Coffee at LA Adventure & Travel Show	4.75
Jennifer Lundin	3/2/2016	HYATT REGENCY LONG BEACH	Conference	LA Adventure & Travel Show- Hotel Stay	517.36
Jennifer Lundin	3/1/2016	ISLANDS RESTAURANT 04	Conference	Lunch at LA Adventure & Travel Show	15.95
Jennifer Lundin	2/28/2016	LOUISIANA CHARLIES	Conference	Dinner for LA Adventure & Travel Show	13.97
Jennifer Lundin	3/1/2016	PAYPAL *CENTRALCOAS	Conference	Registration for Central Coast Board Retreat	175.00
Jennifer Lundin	2/29/2016	TRAVEL TRADERS 0726	Conference	Meal at LA Adventure & Travel Show	7.98
Jennifer Lundin	2/25/2016	GREEK AT THE HARBOR IN	Conference/training	Social Media Training for Tenants - Coffee/Tea	40.00
Jennifer Lundin	2/11/2016	MICHAELS STORES 4800	Event production	Social Media Campaign items/Baskets	29.00

ATTACHMENT 4

<u>Staff/Consultant</u>	<u>Trans Date</u>	<u>Vendor</u>	<u>Category</u>	<u>Description</u>	<u>Amount</u>
Jennifer Lundin	2/14/2016	BROPHY BROS RESTAURANT	Event production	Tall Ship Instagram Contest winners (winners selected)	60.00
Jennifer Lundin	2/18/2016	MICHAELS STORES 4800	Event production	Spring /Mermaid Happenings	39.71
Jennifer Lundin	2/21/2016	MICHAELS STORES 9963	Event production	Spring /Mermaid Happenings	124.90
Jennifer Lundin	2/24/2016	TARGET 00002980	Event production	Cottontail Day candy samples for eggs	20.45
Jennifer Lundin	2/24/2016	DOLRTREE 4315 00043158	Event production	Mermaid Month - People's Parade Materials	22.58
Jennifer Lundin	2/25/2016	AYERS DISTRIBUTING CO	Event production	Cottontail Day materials : Egg Order	214.00
Jennifer Lundin	2/25/2016	STU*SHINDIGZ DECORATIO	Event production	Cottontail Day materials	68.57
Jennifer Lundin	2/28/2016	ORIENTAL TRADING CO	Event production	Cottontail Day materials: Egg Order	537.47
Total Marketing Manager's Expenses					2,857.14
John Higgins	2/5/2016	OFFICE DEPOT #931	Operating supplies	Presentation supplies for meeting	72.05
John Higgins	2/15/2016	WILCOX ENGINEERING	Operating supplies	Night Vision Headset	538.75
John Higgins	2/28/2016	DESTIN THOMAS COMMUNICATI	Operating supplies	Radio Repeater	3,165.12
John Higgins	3/2/2016	FACTORYOUTLETSTORE.COM	Operating supplies	Radio programming cable	90.90
John Higgins	3/2/2016	WISCOMM COM	Operating supplies	Radio programming cable	26.89
John Higgins	3/3/2016	LOWES #01734*	Operating supplies	Equipment storage hardware	169.44
John Higgins	2/26/2016	PUBLIC HEALTH EMS	Conference/training	Employee EMT Recert	88.00
John Higgins	2/28/2016	PUBLIC HEALTH EMS	Conference/training	Employee EMT Recert	88.00
John Higgins	2/28/2016	PUBLIC HEALTH EMS	Conference/training	Employee EMT Recert	88.00
Total Harbormaster's Expenses					4,327.15
Total Chase Credit Card Expenses					<u>\$ 11,496.35</u>

ATTACHMENT 5

Ventura Port District
Aquaculture Fisheries Study Grant Fund
Statement of Income, Expense and Change in Net Position
For the Period Ended February 29, 2016

INCOME

Transfer in from Enterprise Fund	-
Total Income	-

EXPENSES

Professional Services	10,425
Regulatory Requirements	4,105
Total Expenses	14,530

CHANGE IN NET POSITION

(14,530)

Monthly Report
(Unaudited)

ATTACHMENT 5

Ventura Port District
Aquaculture Fisheries Study Grant Fund
Balance Sheet
For the Period Ended February 29, 2016

CURRENT ASSETS		CURRENT LIABILITIES	
Cash in Banks	21,470	Intercompany Payable-Enterprise Fund	36,000
Accounts Receivable	<u>0</u>		
TOTAL CURRENT ASSETS	<u>\$21,470</u>	TOTAL CURRENT LIABILITIES	<u>\$36,000</u>
 LONG TERM ASSETS		 EQUITY	
Long Term Assets	<u>0</u>	Current Year Retained Earnings	<u>(14,530)</u>
TOTAL LONG TERM ASSETS	<u>0</u>	TOTAL EQUITY	<u>(\$14,530)</u>
 TOTAL ASSETS		 TOTAL LIABILITIES AND EQUITY	
	<u><u>\$21,470</u></u>		<u><u>\$21,470</u></u>



BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

STANDARD AGENDA ITEM 3

APPROVAL OF THE 2016 STATE
PARKS LIFEGUARD CONTRACT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM

Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: John Higgins, Harbormaster
SUBJECT: 2016 Lifeguard Services Contract

RECOMMENDATION:

That the Board of Port Commissioners approve the 2016 contract proposed by State Parks to provide Lifeguard Services at Harbor Cove and Surfers Knoll.

SUMMARY:

For the last several years the Ventura Port District staff and Commissioners have been working to make Ventura Harbor a destination. Placing public safety as a high priority, the Ventura Port District made the decision to take the lead on providing summer lifeguards at Harbor Cove Beach after the City of Ventura abandoned its support in 2011.

Last year, the Board authorized the increased funding of \$58,578.09 for lifeguard services because of a drowning incident at Surfers Knoll in 2014 and a persistent recurring rip current that developed in the area. This was an increase in costs and services from prior years. These previous years provided limited services to the Harbor Cove Beach only. The final bill received from State Parks for the 2015 summer was approximately \$44,000.00 and included a \$14,500.00 savings. This was mostly due to the Harbor Patrol Department's investment in participating to keep the costs down.

In December of 2015, we received a proposal to provide similar lifeguard services at both Harbor Cove and Surfers Knoll for the summer of 2016. The proposal included mandatory increases for contract fees and a nominal raise to the hourly salary of the Lifeguards. The contract outlines that both beaches will have one lifeguard on duty on weekdays and two lifeguards on duty Saturday, Sunday and holidays.

The total cost of the proposal is \$63,758.90. This includes an hourly rate from \$16.91 to \$19.55 per hour, plus supervising services, health, vacation and sick leave benefits. There is also a Sacramento contract fee of \$8,316.37, which is a government code contract requirement of the State. The increased cost for the lifeguard services was mandatory, but after two conversations with State Parks Staff the spirit of cooperation should continue and result in another final bill below the proposed \$63,758.90.

BACKGROUND:

Ventura Harbor is one of the few locations in Ventura County that provides a complete user experience. Our Harbor, Beach, Merchants, Restaurants, National Park Headquarters, Sport Fishing Boats, Diving Boats, & Island Packers give the visitor tremendous value and entertainment in one intimate location. As Southern California history has shown, the beach is a proven valuable commodity and Government Agencies return on investments are strong. Local visitors and outside tourism are attracted to safe lifeguarded beaches and the result is a strong local economy, higher property values, and consistently higher sales taxes. Our investment in a more complete Lifeguard Service for the first time brought us crowds mid-week and after the traditional summer months which benefits our merchants and restaurants. Statistics provided by the State Parks showed an estimated beach attendance of 481,326 people which was over a 100% increase in all previous years dating back to 2012.

The crowds and environmental conditions were challenging, but with cooperation from the Harbor Patrol, the State Parks Lifeguards performed many rescues and prevented numerous serious incidents. The beach had historically high visitors and challenging conditions, but because of our investment there were no drownings and most rescues were routine in nature.

The Harbor Patrol and State Lifeguards have grown a strong and effective partnership in providing public safety on land and water areas throughout the Ventura coastline. Both agencies participate in cross training and assist each other throughout the year on routine and emergency calls. We feel our partnership is a model for other small and budget constrained agencies.

Additional Options Researched:

Port District Administered Program

In 2010 and 2013, District staff analyzed the potential of incorporating lifeguard services into its Harbor Patrol operation. We considered the following:

- 1) Better integration with the Harbor Patrol staff and services;
- 2) Flexibility of lifeguard services;
- 3) Improved boating safety enforcement;
- 4) Expanded prevention and education to both aquatic safety and water sport activity in the area.

The District has staff that could implement and manage the same quality service as contracted with State Parks. One minor challenge would be to gain certification from the US Lifeguarding Association. Currently, our staff has analyzed this certification and would feel confident that this would only include a \$500 dollar fee and processing of the application. The biggest challenge would be hiring and training a new group of Lifeguards. In addition to this challenge, the initial start-up costs to provide a program would not show a costs saving for a couple of years due to the initial equipment, training, and personnel costs.

At the conclusion of this analysis, we felt that labor and benefit costs were comparable to the State Park's lifeguards. State Parks assumes most liability during the terms of the contract, which is also valuable in the management of risk for the Port District.

Outside Contracting

We again researched and solicited agencies that may have been available to provide similar services. Neither the City of Port Hueneme nor the County of Ventura were interested in providing these services.

CONCLUSION:

District Staff recommends entering into another contract with State Parks for \$63,758.90 as proposed. The Harbormaster will continue to work with State Parks to ensure that the highest level of service is being provided while respecting the need to preserve Port District Funds.

Staff will reach out to the City of Ventura to investigate their future plans once their multi-year contract ends. Should there be an opportunity for cost savings in a joint contract negotiation or to provide similar services we want to make sure we are part of the conversation.

ATTACHMENT:

Attachment 1 – California State Parks Lifeguard Proposal

California State Parks

Ocean Lifeguard Service Proposal For the Ventura Port District Area



Background

For over 60 years, California State Parks has been providing professional lifeguarding services along the entire California coastline. The California State Parks Lifeguard service is certified by the United States Lifesaving Association, and is recognized as one of the highest-ranking training academies in the world. The California State Parks Lifeguard service emphasizes the importance of lessening aquatic emergencies through prevention and education. Professional aquatic safety organizations worldwide accept this proactive approach as a proven method to prevent drowning.

The Ventura Port District has contracted with California State Parks for lifeguard services at Harbor Cove for four years. These services have been provided in the mutual interest of regional aquatic safety and providing a cost effective public partnership. This partnership creates relief for the Ventura Port District as it eliminates their need to create an independent lifeguard program.

California State Parks Lifeguards also provide specially trained personnel for dive team, helicopter extraction, and near shore rescue-craft response for use in rapid deployment to the surf zone, as well as underwater searches. The depth of specialized skill and professionalism provided by the California State Parks lifeguard service is unparalleled anywhere in the contiguous United States.

Lifeguard Service Area

This proposal covers two areas within the Ventura Port District:

Harbor Cove Tower

The Harbor Cove is a highly visited beach area within Ventura Harbor. It is adjacent to the Channel Islands National Park headquarters and visitor center. Harbor Cove Beach is near Ventura Harbor Village, a 100,000 square foot retail / restaurant complex. The Four Points Sheraton Harbor Resort and Holiday Inn Express are within walking distance. As the only still water beach in Ventura, this beach is used by tourists and residents alike.

Immediately south of Harbor Cove Beach, the South Jetty creates consistent dangerous rip currents during all kinds of surf. When combined with high surf events and other hazardous conditions, this location can provide extremely dangerous conditions to all aquatic users.

Surfers Knoll Beach Mobile Unit

Surfers Knoll Beach is located adjacent to the Ventura Harbor Village entrance. This area includes the popular surfing location called Surfers Knoll. Surfers Knoll is a popular location for outdoor recreation. The rock jetties in this area intensify the ocean currents and swells and make this stretch of coast more dangerous than most others in the region.

ATTACHMENT 1

Lifeguarding Statistics for The Ventura Port District area

The following statistics outline the number of contacts that have been made by California State Parks in the Harbor Cove and Surfers Knoll Area from 2012 to 2015.

LIFEGUARD ACTIVITY	2012	2013	2014	2015
• AQUATIC BEACH ATTENDANCE	168,343	232,057	197,974	481,328
• RESCUES				
<i>Aquatic Rescues</i>	23	20	34	596
Rip Current	19	20	30	475
Surf	4	0	4	58
Divers	0	0	0	0
Swift Water	0	0	0	0
Inland Water	0	0	0	0
Cliff Rescues	0	0	0	0
• PREVENTATIVE SAFETY ACTIONS	13,059	15,944	17,288	95,988
• MEDICAL AIDS				
<i>Major Medicals</i>	7	10	4	28
AED Cases	0	0	0	0
AED Field Saves	0	0	0	0
C-Spine Injuries	0	0	0	0
Near Drowning's	0	0	0	12
<i>Minor First Aids</i>	193	140	147	456
• VESSELS				
<i>Boat Rescues</i>	4	13	8	6
Souls Aboard	11	15	12	10
Vessel Value	\$12,000	\$24,000	\$10,000	\$7,000
<i>Boats Assisted</i>	347	227	413	42
<i>Boats Warned</i>	980	894	1,209	836
• FATALITIES				
Drowning's - Guarded	0	0	0	0
Drowning's - Unguarded	0	0	1	0
Other Fatalities	0	0	0	0
• LAW ENFORCEMENT				
Warnings	230	347	376	2,992
Citations	3	0	1	0
Arrests	3	0	0	0
• LOST PERSONS	0	0	1	39
• MUTUAL AIDS				
Rendered	3	3	1	8
Received	1	2	0	13

Lifeguard Coverage Schedule

The scheduling of lifeguard coverage needs to mirror predictable use patterns as well and provide adequate coverage for the busy summer season.

The lifeguard coverage schedule below is based on providing a minimum level of lifeguard service on those identified Port district properties. This schedule was formed by expertise of California State Parks lifeguards including their knowledge of use patterns, coastal hazards, and decades of experience, statistics, and historic conditions along the Ventura coastline.

Typical Seasonal Lifeguard shifts are 8 hours. The State reserves the right to shorten or lengthen these shifts to maximize public safety. Two man towers are necessary on weekends and holidays to provide adequate coverage during peak use periods.

	May	June	July	August	Sept	Total
Planned hours Harbor Cove Tower	120	304	320	328	80	1152

Funds not spent on lifeguard staffing during the pre-planned periods identified above will be used to replace and/or repair equipment used for providing service to the Port District or provide additional shifts as necessary to cover high beach use/large surf events. These additional funds may also be used to provide supplemental training to lifeguard staff to establish and maintain certifications for their respective job classifications.

ATTACHMENT 1

Lifeguard Service Budget

	Temp Help Hourly costs including benefits			
Position	Surfers Knoll LG II		Harbor Cove Tower	
Rate	Hours	\$19.55/hr.	Hours	\$16.91/hr.
May	120	\$2,346.00	120	\$2,029.20
June	304	\$5,943.20	304	\$5,140.64
July	320	\$6,256.00	320	\$5,411.20
August	328	\$6,412.40	328	\$5,546.48
September	80	\$1,564.00	80	\$1,352.80
	Subtotal	\$22,521.60	Subtotal	\$19,480.32

Temp Help subtotal:		\$42,001.92
Health/Leave Benefits:		\$8,400.38

Temp Help Total:		\$50,402.30
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Supervising LG Cost (10%)		\$5,040.23
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Total Cost of Labor		\$55,442.53
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Sacramento contract fee:		\$8,316.37
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Total Contract Cost:		\$63,758.90
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Lifeguard Budget Details

Temp Help Staffing Costs: CA State Parks will provide Seasonal Lifeguards as the primary classification for meeting the lifeguard staffing requirements for this contract. Hourly costs for this classification range from \$16.91 to \$19.55 per hour.

Leave Benefits- This is a flat rate to cover vacation and sick leave benefits earned by Seasonal Lifeguards while working under this contract.

Health Benefits- This is a flat rate to cover health benefits earned by Seasonal Lifeguards while working under this contract.

ATTACHMENT 1

Supervising State Park Peace Officer (Lifeguard) – This cost will pay for supervision, daily operations oversight, scheduling and other planning activities necessary to deploy the lifeguards services described in this contract.

California DGS Contract Fee- California State Administrative Manual requires all Service Contracts to include a 15 % Contract Fee to support administrative costs in Sacramento to support this agreement.

Equipment Needs- Port District will provide State no later than May 23rd the following equipment for its exclusive use for the term of this contract:

1. Use of a Port District Truck for Surfers Knoll Lifeguard Operations if functional.

Port District will be responsible for the prompt repair of this equipment as well as normal maintenance needs.

State will provide the portable radio and rescue equipment and will use the Port District truck for providing lifeguard services as defined in this contract.

All fuel costs associated with the use of this equipment will be paid for by State.

Agreement Term

The term of this agreement will be from January 1st, 2016 to December 31, 2016. The contract amount shall not exceed \$63,758.90

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BOARD OF PORT COMMISSIONERS

APRIL 27, 2016

STANDARD AGENDA ITEM 4

REQUEST FOR PROPOSALS TO LEASE
VENTURA PORT DISTRICT PROPERTY
FOR DEVELOPMENT OF VISITOR
SERVING USES

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

WORKSHOP AGENDA ITEM 4

Meeting Date: April 27, 2016

TO: Board of Port Commissioners
FROM: Brian Pendleton, Business Operations Manager
SUBJECT: Request for Proposals to Lease Ventura Port District Property for Development of Visitor Serving Uses

RECOMMENDATION:

That the Board of Port Commissioners approve the Request for Proposals (RFP) to Lease Ventura Port District Property for Development of Visitor Serving Uses and authorize staff to initiate the RFP process.

SUMMARY:

On March 9, 2016 the Commissioners held a workshop to discuss the draft Request for Proposals (RFP) for visitor serving uses for two District properties. Those sites include the District's Development Plan Parcel 5 (grass lawn portion) and Parcel 8.

BACKGROUND:

The portion of Parcel 5 under consideration is generally the grass area portion adjacent to the former Blackbeards space at 1591 Spinnaker Drive. Parcel 8 is immediately adjacent to National Park Visitors' Center at the end of Spinnaker Drive. The grass lawn is approximately 30,250 sq. ft. or .69 acres and Parcel 8 is approximately 90,169 square feet or 2.07 acres. The grass lawn is used periodically for events while parcel 8 is unimproved.

The RFP is divided into the following Sections: Introduction, Overview, RFP Considerations, Donation and Indemnification Agreement, Proposal Process and Selection Process. The introduction provides a quick synopsis of the development opportunity, site location and description. The Overview provides detail about Ventura Harbor, current and proposed uses, zoning and local coastal program (LCP) analysis and parking discussion. RFP considerations include a discussion of Development Team obligations including the need to secure necessary entitlements and project financing without District financial participation. The District would be leasing the sites "as-is". The Donation and Indemnification Agreement section discusses an agreement for the placement of public art on Parcel 8. The agreement allows for the relocation of the statue if necessary. The Proposal Process section covers the submission requirements and format. The Selection Process section outlines the proposal review process and goals of the RFP, which is to select one or more development teams for Commission consideration that could lead to one or more option agreements and ground leases. However, the District reserves the right to reject any and all proposals.

The Site(s) is located in the Comp Plan's South Peninsula area. Within this area, only visitor parking and public restrooms are permitted uses on the ocean side of Spinnaker Drive. In remaining areas of the South Peninsula, water-oriented recreation, second story office, an aquarium/research center, the National Park Service Headquarters, tour boat services, recreational marinas, a yacht club and restaurants with various limitations are existing and/or permitted uses.

District staff coordinated a joint meeting with staff from the Coastal Commission and City of Ventura to further discuss visitor serving uses at the Harbor. From that meeting and prior discussions with City staff it will be incumbent upon Development Teams to fully review and consider the City's Municipal Code zoning regulations, and 1989 Comprehensive Plan (Comp Plan). The Comp Plan also functions as the Local Coastal Plan, the policy document along with coastal zoning ordinance that make up the City's Local Coastal Program (LCP). Development Teams may include uses (e.g. hotel) that require amendments to the City's LCP. However, any proposed amendments to the LCP will require a

consistency analysis of the proposal against the State Coastal Act, where public access, public coastal parking and coastal-related recreation are all maximized while coastal sensitive habitats are protected. Other potential limitations regarding height, number of stories and lot coverage should be fully reviewed and may require additional Comp Plan/LCP policy and coastal zoning amendments. Further, the State Coastal Act issues described above could impact the development footprint for Parcel 8.

Circulation of the RFP, if approved by the Commission, would include placement on the District website, distribution to our existing master and village tenants, and any other interested parties. Advertising will include the *Ventura County Star*, *Pacific Coast Business Times*, *Los Angeles Times* and *Western Real Estate Business*. The estimated budget for this is \$3,500 to \$5,000.

FISCAL IMPACTS:

New visitor serving uses at the Harbor can provide new ground lease revenue and other benefits to the Port District such as increased Harbor Village visitation and spending, and activation of underutilized Port District real property assets. Community benefits could include increased City-wide tourism; increased property (possessory interest), sales and/or transient occupancy tax revenues depending upon use; and creation, retention, or expansion of job opportunities. Other benefits include improved public coastal access and related visitor serving amenities.

NEXT STEPS:

Issue the RFP effective Monday, May 2nd, 2016 with proposals due by Friday, August 12th, 2016. Place on website, distribute to tenants and interested parties and place newspaper advertisements as described above.

ATTACHMENTS:

Attachment 1 - Request for Proposals to Lease Ventura Port District Property for Development

VENTURA PORT DISTRICT

REQUEST FOR PROPOSALS TO LEASE VENTURA PORT DISTRICT PROPERTY FOR DEVELOPMENT



KEY RFP DATES

RFP Issued – ~~May 2~~~~April 18~~, 2016 (~~Proposed~~)
Proposal Due Date – ~~August 12~~~~June 13~~, 2016 (~~Proposed~~)

VENTURA PORT DISTRICT

REQUEST FOR PROPOSALS TO LEASE VENTURA PORT DISTRICT PROPERTY FOR DEVELOPMENT

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REQUEST FOR PROPOSALS TO LEASE VENTURA PORT DISTRICT PROPERTY FOR DEVELOPMENT

1. INTRODUCTION

1.1 Development Opportunity

The Ventura Port District ("District") is seeking visitor serving proposals for the lease and development of two non-contiguous parcels totaling approximately 120,419 square feet in Ventura, CA (the "Site(s)") which may lead to negotiations of an option agreement and ground lease or similar agreement with the selected Development Team. Proposals may include lease and development of one or both parcels and should seek to capitalize and/or leverage the Site(s) with existing Harbor visitor serving properties and uses in order to achieve the greatest economic impact, development quality, use and design efficiency for Ventura Harbor.

1.2 Location

The Site(s) is located in the South Peninsula of the harbor at on a portion of Assessor Parcel Number (APN) 080-0-240-280 referred to as the District's Development Plan Parcel 5, generally the grass lawn area portion of Parcel 5; and Parcel 8, containing undeveloped land at the end of Spinnaker Drive. The Parcel 5 grass lawn area is bounded by Harbor Village parking, Island Packers, and National Park Services offices to the north; Harbor Village commercial businesses to the South; the Harbor to the east; and Harbor Village parking and the Pacific Ocean to the West. Parcel 8 is bounded by the Harbor to the North; Spinnaker Drive to the South; National Parks Service Visitors' Center to the east, and Harbor to the West. See Exhibit 1.

1.3 Size

The Site(s) is comprised of two separate unimproved and non-contiguous parcels. Parcel 5 (grass lawn area) portion is approximately 30,250 sq. ft. or .69 acres and roughly rectangular in shape. Development Teams may consider submitting proposals with a larger development footprint than the 30,250 sq. ft. Parcel 8 is approximately 90,169 square feet or 2.07 acres and irregularly shaped.

1.4 Property Status

The District owns both parcels and has the legal authority to lease the Site(s) for a maximum period of 50 years under the Harbors & Navigations Code Section 6271.

Development of the Site(s) is guided by the City's Municipal Code zoning regulations, and 1989 Comprehensive Plan ("Comp Plan"). The Comp Plan also functions as the Local Coastal Plan, the policy document along with coastal zoning ordinance that make up the District's City's Local Coastal Program (LCP).

1.5 Community Benefits

The District is seeking visitor serving development proposals that provide both District and community benefits. Typical benefits are discussed in greater detail in Section 5, [below](#).

ATTACHMENT 1



View of Parcel 5 (grass lawn area) looking North



View of Parcel 5 (grass lawn area) looking East

ATTACHMENT 1



View from Parcel 8 looking Northwest



View from Parcel 8 looking East

2. OVERVIEW

2.1 The Opportunity

The Site(s) is located at Ventura Harbor, ~~which is~~ a premier recreational harbor in Ventura County offering a variety of amenities for boater enthusiasts and visitors, including easy access to the Channel Islands, recreational fishing activities, boatyards, fuel docks, tours, rentals, cruises, vibrant yacht clubs and a new public launch ramp. Ventura Harbor has five marinas with 1,500 boat slips.

The Ventura Harbor is also home to ~~a large amount of significant~~ commercial fishing activity, ~~which is~~ made possible by its deep-water capabilities and proximity to the international trade centers in Los Angeles, making it ~~a one of the~~ key offloading ~~harbor points~~ on the West Coast.

Three of the most prominent fish companies in the US reside in Ventura Harbor selling California Market Squid and other seafood types around the globe, with market squid remaining California's largest and most lucrative commercial fishery. For over 45 years, fisherman have utilized Ventura Harbor as their port to offload a variety of fish including tuna, halibut, lobster, crab, sea cucumber, prawn, rockfish and sea bass.



The District owns and operates Harbor Village with seaside dining and shopping, scenic beaches, ~~and with~~ the five islands of the Channel Islands National Park just off the coast. Harbor Village has a diverse collection of restaurants, boutiques and

art galleries. The District is currently in the middle of a multi-phased accessibility and common area enhancement capital improvement project [in Harbor Village](#). See Exhibit 2.

Proposed developments in the vicinity of the Site(s) include the Sondermann Ring Partners ("SRP") project on Parcels 15, 16 and 18. [See Exhibit 3.](#) The mixed-use development project consists of:

- o 300 apartment units
- o 20,000 sq. ft. of commercial space
- o [150 boat](#) Marina
- o Public park and promenade
- o Public launch ramp (e.g. kayaking and paddle boarding)

[The SRP Project](#) is fully entitled and in plan check. Ground breaking is anticipated in 2016.

Holiday Inn Express expansion on Parcel 1 [along Harbor Boulevard](#) will add 40 guest rooms, [with](#) new lobby and amenities to the existing hotel. Entitlements are near completion.

Ventura Harbor Marina and Yacht Yard on Parcel 20 has plans for expansion of its existing operations that include a restaurant, sport fishing, dry dock storage, and repair facilities. Plans call for doubling of boat slips from 40 to 80 and constructing a new two story retail and office building w/ handicap access. Entitlements [are processing is now](#) underway.

The Ventura Port District has been awarded a two year, approximately ~~\$300,000~~[265,000](#) Sea Grant fund in collaboration with the Ventura Shellfish Enterprise (VSE), a multi-stakeholder initiative that seeks to permit and manage a commercial shellfish culture as a technically proven method for the production of high value seafood to be landed at Ventura Harbor. Specifically, VSE is seeking entitlements for aquaculture leases in state waters off the Santa Barbara Channel to expand Ventura Harbor fisheries.

2.2 The Site(s)

The Site(s) is located within the Ventura Harbor. Development in the Harbor is guided by the City's Municipal Code zoning regulations, and 1989 Comprehensive Plan (Comp Plan). The Comp Plan also functions as the Local Coastal Plan, the policy document along with coastal zoning ordinance that make up the [District's City's](#) Local Coastal Program (LCP). [The Comp Plan describes the Ventura Harbor community as including the waters of Ventura Harbor and the land immediately surrounding these waters. The Ventura Harbor area, as defined, is limited to the jurisdictional boundaries of the Ventura Port District. Within the Ventura Port District](#)

jurisdictional boundaries, the harbor has been divided into four subareas. These subareas are referred to as the South Peninsula, Southwest Harbor, Central Harbor and Northeast Harbor. The Site(s) is located in the Comp Plan's South Peninsula area. Within this area, only visitor parking and public restrooms are permitted uses on the ocean side of Spinnaker Drive. ~~where generally~~ In remaining areas of the South Peninsula, water-oriented recreation, second story office, an aquarium/research center, the National Park Service Headquarters, tour boat services, recreational marinas, a yacht club and restaurants with various limitations are existing and/or permitted uses. Other visitor serving uses include hotels. However, while hotels are permitted in the HC zone, they are not identified as a permitted use in the South Peninsula, and therefore an amendment to the City's Comp Plan would be necessary (See LCP amendments below). Parcel 5 (lawn area) is on the Harbor side of Spinnaker Drive, and therefore not subject to the prohibition of development on the ocean side of Spinnaker Drive. It is less clear how Parcel 8 will be viewed from a land use perspective given its location at the end of Spinnaker Drive. Further, the State Coastal Act issues described below ~~will likely reduce~~ could impact the development footprint for Parcel 8.

It is incumbent upon the Development Team to fully review and consider the City's Municipal Code zoning regulations, and 1989 Comprehensive Plan (Comp Plan). Proposed Development Programs may seek amendments to the City's LCP. Any proposed amendments to the LCP will require a consistency analysis of the proposal against the State Coastal Act, where public access, public coastal parking and coastal-related recreation are all maximized while coastal sensitive habitats are protected. Other potential limitations regarding height, number of stories and lot coverage should be fully reviewed and may require additional Comp Plan/LCP policy and coastal zoning amendments.

California Coastal Commission ("CCC") drafted and approved the Sea Level Rise policy in 2015 as "guidelines". ~~Since this is a new policy, and they are~~ As new "guidelines," it is unknown how they would apply to proposed development projects. However, new LCP amendments may ~~trigger~~ raise new issues under the "guidelines."

The following development types will **not** be considered:

- Residential
- Timeshare
- Waterside development (e.g. marinas)

Parking

One of the challenges associated with increasing the land use intensity at or near Harbor Village, regardless of the type of visitor serving use, is the ~~likely~~ need for additional parking availability. Parking surveys were conducted during summer 2015 by Associated Transportation Engineers (ATE) on behalf of the District. The surveys demonstrated that many Harbor Village parking lots were at or near capacity on weekend afternoons during the peak season times studied. This was not the case

on weekdays, where parking availability was much greater. Also there was significant parking availability in the private marinas throughout the week and weekend, but not for general public use. As a result of these surveys, the District's Commission has engaged ATE to prepare a parking management strategy for existing uses throughout the harbor, but with particular emphasis on the Harbor Village area. Development Teams are responsible for meeting the parking requirements of their proposed Development Program and shall must demonstrate to the District in the proposal how they will meet them at the Site(s), or in combination with offsite parking as may be considered by the District and regulatory bodies such as the City of Ventura.

2.3 Background Information

History - The Ventura Port District was established on April 8, 1952, by an election and majority vote of the citizens of Ventura. On April 15, 1952, the Board of Supervisors of Ventura County, ordered formation of the District pursuant to the Harbors and Navigation Code of the State of California. The District was organized for the purpose of acquiring, constructing and operating a commercial and recreational boat harbor within the City of Ventura. The District's legal boundaries encompass all of the City of Ventura as well as some small areas outside the City limits. The Ventura Port District is what is known as an Independent "Special District." State law defines a special district as "any agency of the state for the local performance of governmental or proprietary functions within limited boundaries." A special district is a separate local government that delivers public services, and is governed by a five member board appointed by the Ventura City Council. The District is the owner/operator of the Ventura Harbor. The Harbor is a 274 acre multiple use recreational and commercial fishing small craft harbor. Other than a 2.74 acre site owned by the Department of Interior, National Park Service, the District is the sole landowner within the Harbor. The District's current property holdings include approximately 152 acres of land and 122 acres of water area. The voters of the District approved a general obligation bond issue of \$4,750,000 on February 13, 1962 to be used for construction of the Harbor. Construction was completed and the Harbor commenced operations June 16, 1963.

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, fisherman, and boaters to enjoy Ventura Harbor's exceptional facilities, events, and services.

Goals - The Ventura Port District will provide a rewarding and vibrant coastal marine experience to our residents and visitors through efficient and timely execution of these District Goals.

- 1) Maintain and enhance a safe and navigable harbor by:
 - securing funding through the Army Corps of Engineers in coordination with agencies and our elected officials;
 - dredging the Inner Harbor and preserving infrastructure;

- providing superior Harbor Patrol, Maintenance, and related Port District services;
- upgrading 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.

2.4 Development Program Goals and Objectives

Development Team proposals should seek to further the District's mission and goals as well as provide District and community benefits. Development Teams may submit proposals including lease and development of one or both Site(s). Proposals should seek to capitalize and/or leverage the Site(s) with existing Harbor visitor serving properties and uses in order to achieve the greatest economic impact, development quality, use and design efficiency for Ventura Harbor. In this context, capitalize and/or leverage means that proposed development should benefit from existing and proposed Harbor uses, as well as, provide benefit to existing and proposed Harbor uses. Financial and other benefits could be achieved through collaboration with other Master Tenants, Harbor Village Tenants, the National Parks Service, etc. Benefits could also be achieved through [existing or proposed Site control](#) ~~of existing or proposed Site control~~ of other parcels, [existing or future](#) agreements for shared parking, transportation [services](#), and by proposed operational relationships between existing Harbor properties and uses and the proposed Development Program with one or both Site(s). The Development Team should clearly articulate the proposed Development Program goals and objectives.

3. RFP CONSIDERATIONS

3.1 Respondent Considerations

Information to be considered in making a proposal includes the following:

3.1.1 Proposals shall include an offer to ground lease one or both Site(s) for Development Program purposes.

3.1.2 Ability to capitalize and/or leverage the Site(s) with existing Harbor visitor serving properties and uses.

3.1.3 Proposals shall include, at a minimum, specific option and lease terms, including length of option and ground leases and projected monthly option fee and ground lease revenues to the District, including minimum annual rentals and percentage rentals based on business activity to be conducted on the site(s). The District may require a good faith deposit from the Developer as part of the option and ground lease process.

3.1.4 The District will not consider proposals involving District financial participation in the ground lease or development of the Site(s). Developer at its own cost is responsible for all the ground-leasing activity and developing development of the property site(s) including any and all fees (e.g. entitlements, permits). No fees or other costs are waived by selection through this RFP process and should be calculated as part of the proposed Development Program expenses.

3.1.5 The selected Development Teamer will be responsible for obtaining any and all governmental approvals (e.g. entitlements, permits, etc.). Selection through the RFP process does not guarantee outcomes relative to necessary governmental approvals and should be considered in the Development Program Time Schedule.

3.1.6 The Site(s) is located within the Ventura Harbor. Development in the Harbor is guided by the City's Municipal Code zoning regulations, and 1989 Comprehensive Plan (Comp Plan). The Comp Plan also functions as the Local Coastal Plan, the policy document along with coastal zoning ordinance that make up the District's-City's Local Coastal Program (LCP).

3.1.7 The District is ground leasing the Site(s) "As Is" and is not obligated to repair, improve, or otherwise incur any expense with regard to improving the property or funding any additional environmental testing or remediation. If any prior testing has occurred, any reports on file are available for public inspection.

3.1.8 Developer will be responsible directly to the serving entities for all utilities required for the use of the Site(s). Developer will agree to order, obtain, and pay for all utilities and services and installation charges in connection with the development and operation of the property.

3.1.9 The dDeveloper will be required to pay any and all property taxes or possessory interest taxes (e.g. Ventura County) when due.

3.1.10 Developer will be required to provide insurance coverage as required by the District.

Developers shall consider these factors in the proposed Development Program.

4. DONATION AND INDEMNIFICATION AGREEMENT EXISTING LEASES OR EASEMENTS

4.1 Donation and Indemnification Agreement

~~There are no existing lease agreements relating to the site(s). However, t~~There is an existing Donation and Indemnification Agreement regarding the "Mermaid Playing Cello" Statue ~~for located on Parcel 8~~. See Exhibit ~~34~~.

5. PROPOSAL PROCESS

5.1 Submission Requirements

The submission consists of the following elements, which shall be answered as completely as possible and in the outlined organizational order. Please submit information in appropriate detail on each of the items described below to allow adequate review and evaluation of your proposal.

5.1.1 Cover Letter – Maximum of two (2) single-spaced pages, signed by an authorized officer of the lead firm, summarizing the major deal points, and providing the name, address, email address, telephone number and fax number of the key contact person.

5.1.2 Development Team Qualifications and Financial Capacity - The Development Team's ability to see a Development Program through from concept to fruition is especially important to the District. Strong weight in the evaluation process will be given to a Development Team that has experience and track record in each of the following areas listed below. Keeping each project description and pictures limited to two pages, please provide:

5.1.3 A list of current projects in the Developer's pipeline, including pre-development, construction, and lease-up activities underway. This list should include the location, project type, size and total development cost for each project.

5.1.3.1 A list of similar or related projects in which the Development Team and proposed associates have participated. Describe the relationships to these projects (i.e., developed, owned, operated and/or managed) and provide a general description of each project. These projects shall be of a similar magnitude or related to the proposed Development Program. Identify the location, total project costs, land uses, length of time to complete, and actual completion dates. (Submit

specific project information.) Of particular importance to the District, is the Development Team's experience in entitling and developing projects in coastal California subject to Local Coastal Programs, and related regulatory bodies such as local municipalities such as the City of Ventura, the California Coastal Commission and U.S. Army Corps of Engineers.

5.1.3.2 Descriptions and illustrations of the proposed architect's or architects' work on development projects that have been built or are under construction. These projects shall be of a similar magnitude or related to the proposed Development Program and shall include either the Developer's or the architect's experience in designing similar projects to the proposed Development Program. If possible, include photographs of these projects. (Submit specific project information.)

5.1.3.3 Description of prior public-private partnerships in which the Development Team participated in projects of similar type, magnitude or related to the proposed Development Program.

5.1.3.4 For each project or relevant experience, a name and phone number of a contact person familiar with this project who can act as a reference.

5.1.3.5 Description of the ownership entity for the Development Program, including an organizational chart and percentages of ownership of each entity involved. To be furnished upon request.

5.1.3.6 All organizational documents for the ownership entity for the Development Program, if available (i.e., Articles of Incorporation, By-Laws, Partnership Agreement, Operating Agreement, Limited Liability Company Certificate, Good Standing Certificate issued within previous 90 days). To be furnished upon request.

5.1.3.7 Financial statements for Developer and/or principals (last two years, audited; and most recent interim, unaudited). To be furnished upon request.

5.1.3.8 Federal and State tax returns of Developer and/or principals (last three years). To be furnished upon request.

5.1.3.9 Statement regarding any prior bankruptcy of Developer and/or principals and all outstanding judgments, pending or final, against the Developer or any related individual or entity. To be furnished upon request.

5.1.3.10 Explanation of how the Development Team proposes to finance the Development Program by providing a description of how

the Developer(s) financed projects of similar type, scope or related to the proposed Development Program, including total project costs, sources and uses for similar projects. (Submit specific project information)

5.1.4 Proposed Development Program

5.1.4.1 A general overview of the proposed Development Program including the type of development/use that the Development Team considers appropriate for one or both Site(s) and all leveraged real property. Discuss the role/importance each parcel plays in implementing the overall proposed Development Program.

5.1.4.2 Approach to obtaining Site(s) control of any other property in the Harbor in order to implement the proposed Development Program. If Developer already controls property as described above, identify each parcel, legal interest in it (e.g. owned, leased, etc.) and current use. Identify previous or current experience with property acquisition or leasing for proposed, completed or related projects.

5.1.4.3 If the proposed Development Program includes commercial uses, indicate which tenants have been identified for the Site(s) and leveraged real property, and the Development Team's working relationship and/or ability to secure a lease/letter of intent with tenants.

5.1.4.4 A site plan, floor plans and elevations as applicable for the Site(s) and total proposed Development Program.

5.1.4.5 Concept renderings, images, photographs and maps to convey the vision for the Site(s) and total proposed Development Program.

5.1.4.6 Description of how the Developer's vision addresses and maximizes fulfillment of the District's stated Development Program Goals and Objectives (see Section 2.4)

5.1.4.65.1.4.7 Description of how the Developer will meet parking requirements for the Development Program.

5.1.5 Financial Feasibility of the Proposed Development Program. Please provide the following:

5.1.5.1 Sources and Uses of Funds for each phase of the Development Program, as applicable.

5.1.5.2 Development Program Budget (total development cost).

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5.1.5.3 Development Program Operating Pro Forma, including 10-year cash flow analyses with clear explanations of all assumptions, as applicable.

5.1.5.4 Market data which demonstrates the feasibility of projected revenue streams, as applicable.

5.1.6 Business Terms. Business Terms must include, at minimum, the following:

5.1.6.1 Proposed deal structure: Price and terms of option and ground lease.

5.1.6.2 Indicate division of responsibilities for the Development Program's successful completion.

5.1.6.3 Initial conditions: Indicate any initial conditions or requirements that are needed to be granted by a government entity, including the District, City of Ventura, California Coastal Commission and other regulatory bodies. These initial conditions include, but are not limited to technical assistance, City local coastal plan amendments, variances or special entitlement processing, and any similar contingency which could result in additional time and resources on the District's behalf to complete the proposed Development Program.

5.1.6.4 Development Program Time Schedule: A schedule of performance outlining the estimated time for each step and phase, including a summary "timeline" or other similar graphic representation of the Development Program process. The schedule should recognize the time involved in finalizing development agreements, receiving Development Program entitlements, designing the Development Program, financing the Development Program, commencing and completing construction, commencing and completing tenant lease negotiations, marketing, and final occupancy.

5.1.6.5 District and Community Benefits: Proposal of specific benefits, which will come from implementation of the proposed Development Program.

Examples of Site(s) relevant District benefits include ground lease revenues, increased Harbor Village visitation and spending, and activation of underutilized Port District real property assets.

Examples of Site(s) relevant Community Benefits could include: increased City-wide tourism; increased property (possessory interest), sales and/or transient occupancy tax revenues; and creation, retention, or expansion of job opportunities, and increased property (possessory

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~~interest), sales and/or transient occupancy tax revenues.~~ Proposed projects involving hotels may generate additional funds to the Ventura County Lodging Association (VCLA), a tourism business improvement district.

Other ~~potential Community b~~Benefits include ~~increased City-wide tourism, proposals that provide~~ improved public coastal access and related visitor serving amenities, implementation of sustainable development methods, ~~and~~ improving public parking opportunities as part of a proposed Development Program and helping to meet the objectives of the LCP, Comp Plan and Harbor Commercial Zone which states in part:-

The Harbor is an area where coastal dependent, coastal related, recreational, visitor-serving, recreational boating and commercial fishing facilities shall be emphasized and located to function safely, efficiently and harmoniously. Additionally the HC zone is intended to provide visitor and recreational facilities serving low- and moderate income persons.

As discussed, proposals may include lease and development of one or both Site(s) and should seek to capitalize and/or leverage the Site(s) with existing Harbor visitor serving properties and uses in order to achieve the greatest economic impact, development quality, use and design efficiency for Ventura Harbor.

5.1.6.5

5.1.7 References

5.1.7.1 Provide a list of at least three (3) references (if different from those in Sections 5.1.3.4); include contact, title, address, email address and telephone number for the agency/business which your firm provided similar services. Also indicate the year in which your firm provided the service(s) for the agency/business. Provide at least one reference from a lender and one from a public agency with which you have worked.

5.2 Format of Submittal

Submit three hard copies of the Proposal, not to exceed 50 pages and one electronic version.

Proposals will be received at District administrative offices located at 1603 Anchors Way, Ventura, CA 93001-4229, attn.: Brian Pendleton, Business Operations Manager until 5:00 P.M., ~~Monday, June 13th~~, Friday, August 12, 2016. Proposals received after this date and time will be considered late and shall not be accepted.

6. SELECTION PROCESS

6.1 Proposal Review

The District's staff is responsible for managing the RFP selection process. All proposals, submitted in response to this RFP, will be reviewed for their relative strengths and weaknesses, based on the submission requirements and evaluation criteria described herein. The District staff may consider one or more Development Teams for further consideration. Further consideration may include, but is not limited to such tasks as conducting Development Team interviews and/or presentations, requesting follow-up responses to proposal questions, performing reference checks, gathering additional Development Team information as described in the RFP, etc. The District prefers that the composition of the Development Teams remain the same during the RFP process. The goal will be to recommend one or more Development Teams to the District's Board of Port Commissioners ("Commissioners") for further consideration. This may lead to negotiations of an option agreements and ground leases or similar agreements for Board consideration for the development of the Site(s) as part of a proposed Development Program. The District reserves the right may also choose to reject any or all proposals at its' sole discretion. The District may also choose to terminate this RFP process at any time and/or reissue subsequent RFP's for the Site(s) at its' sole discretion.

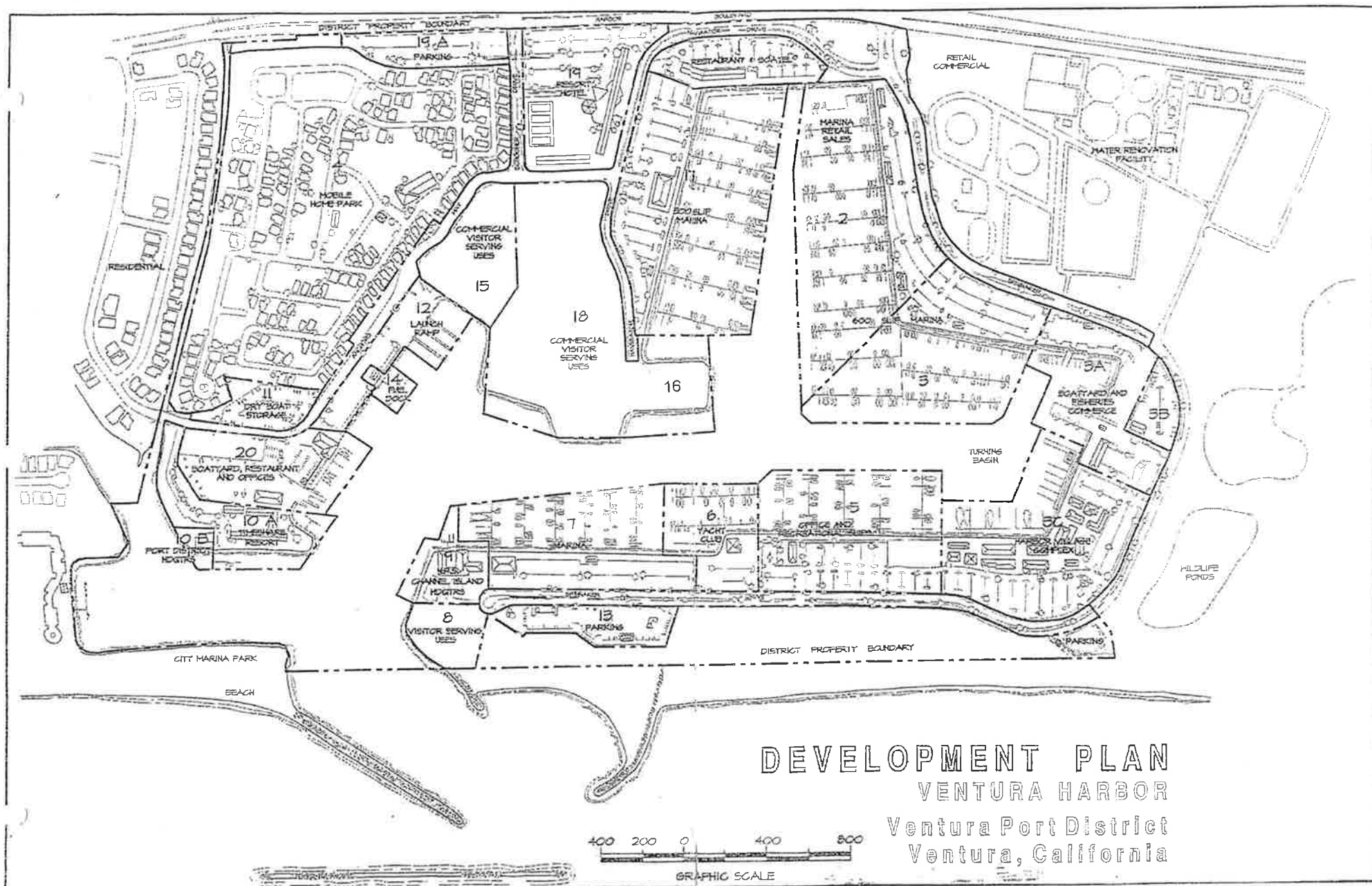
6.2 Contact Information

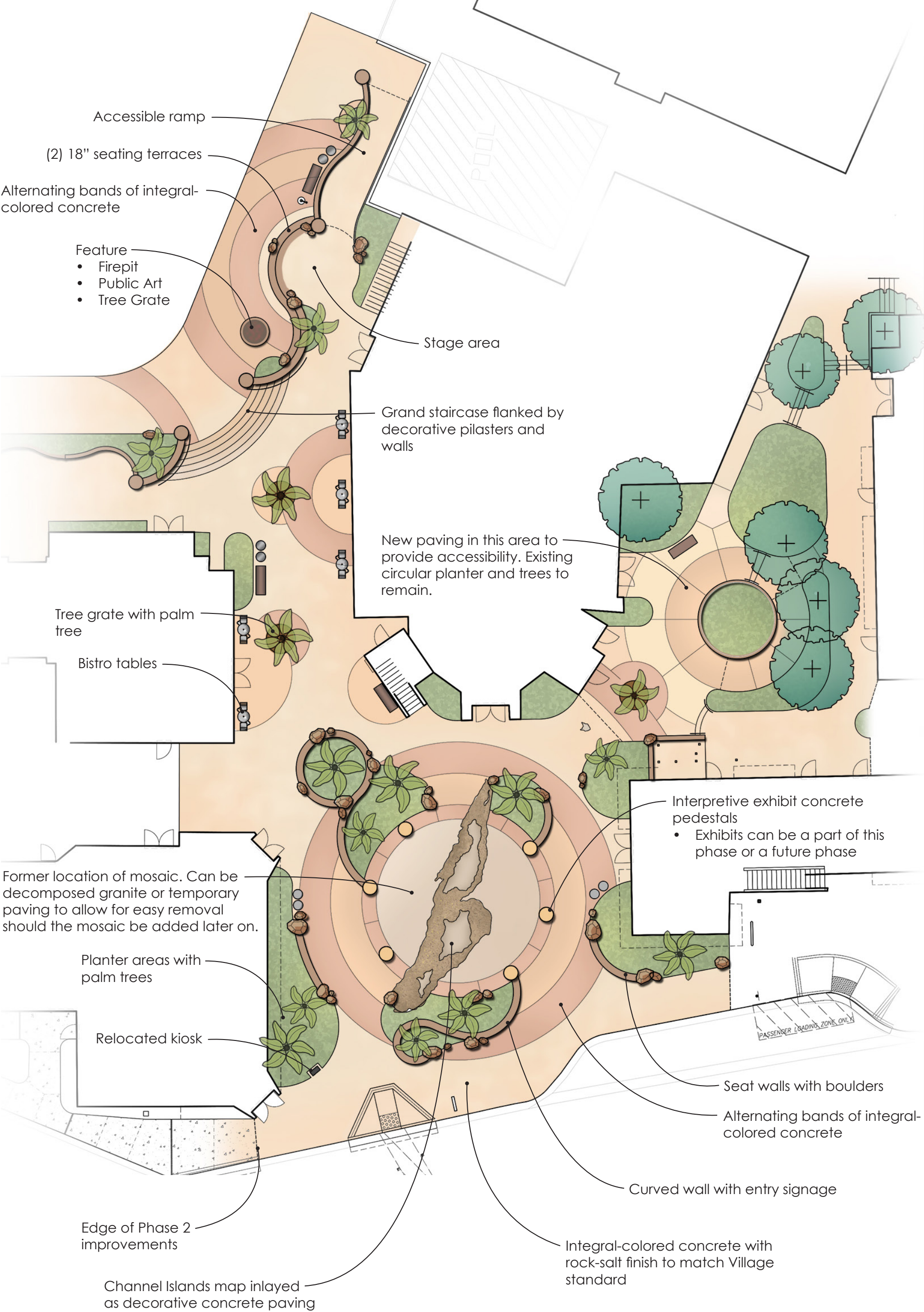
If you have questions concerning this request for proposal process please contact:

Brian Pendleton, Business Operations Manager
 1603 Anchors Way, Ventura, CA 93001-4229
 (805) 642-8538
bpendleton@venturaharbor.com

EXHIBITS

Exhibit 1 - District Parcel Map
 Exhibit 2 - Phase 3 Enhancement Plan
 Exhibit 3 - Sonderman Ring Partners Project
Exhibit 4 - Donation and Indemnification Agreement





VENTURA HARBOR VILLAGE PHASE 3 PROPOSED IMPROVEMENTS



Sonderman Ring Partners

Ventura Harbor

San Buenaventura, California

ARCHITECTS
TODD
SANDERSON
ARCHITECTS
ESTABLISHED 1978

Donation and Indemnification Agreement

[“Mermaid Playing Cello” Statue]

This Donation and Indemnification Agreement (“Agreement”) is made, entered into and effective May 8, 2015, by and between Alec Benke, an individual (“Donor”) and VENTURA PORT DISTRICT, a California port district (“District”), with respect to the following facts:

RECITALS

- A. Donor owns that certain sculpture known as the “Mermaid Playing Cello,” as depicted on **Exhibit A** attached hereto and referenced herein as the “Artwork”;
- B. Donor desires to donate the Artwork to the District;
- C. Donor is willing to incur all costs necessary to install the Artwork at a location designated by the District; and
- D. Donor is willing to release his rights in the Artwork to the District and the District is willing to accept the donation, but only on the terms and conditions set forth in the Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the promises, conditions and covenants set forth herein, the parties have mutually agreed to enter into this Agreement as follows:

AGREEMENT

1. **Gift.** Donor irrevocably gives, delivers, transfers, assigns, and licenses to the District all rights, title and interest in the Artwork, including but not limited to, any proprietary and moral rights Donor may have in the Artwork or in any additions or modifications made to the Artwork. Donor understands, acknowledges, and agrees that the Artwork shall become the property of the District of even date hereof. The Artwork is donated “as is” without warranty of any kind.

2. **Installation.** Donor shall pay all costs related to the installation of the Artwork on the Artwork Premises, as defined below, including but not limited to any additions or modifications made to the Artwork for purposes of providing a base or foundation to the Artwork. Prior to installation, Donor must submit design drawings, plans, and specifications of the proposed installation to the District’s General Manager for approval. Donor must obtain all required city, county, and state permits prior to the installation.

3. **Location.** The Artwork will be installed within the premises commonly referred to as Parcel 8 within District property, as identified on the site plan attached hereto as **Exhibit B** (“Artwork Premises”).

EXHIBIT 4

4. **Maintenance and Repair.** Upon completion of the installation, District will assume responsibility for any further maintenance and repair of the Artwork, as the District deems necessary in its sole and absolute discretion, and any costs incurred in connection therewith.

5. **Relocation/Modification.** Donor understands, acknowledges, and agrees that at some future time, it may be necessary to relocate the Artwork to accommodate future development in the Ventura Harbor where the Artwork is located. The District reserves the right to relocate, move, or transport the Artwork to another location as the District deems appropriate in its sole and absolute discretion. The District shall give due consideration to relocating the Artwork to a comparable location as the original Artwork Premises. The District further reserves the absolute right to change, modify, remove, destroy, or replace any additions or modifications made to the Artwork, in whole or in part, in District's sole discretion.

6. **Waiver and Release.** Donor and Donor's successors and assigns, forever release and discharge the District, its employees, agents, contractors, officers, and directors, from any and all claims, liens, judgments, settlements, orders, demands, actions, causes of action, suits, proceedings, hearings, charges, attorneys' fees, costs, damages, expenses, losses or liabilities (each a "Claim" and collectively the "Claims"), in law or in equity, of every kind and nature whatsoever, arising from, resulting from or relating to the Artwork, any additions or modifications made to the Artwork, the Artwork's installation or its replacement, removal, or relocation, including but not limited to any Claim under the Visual Artists Rights Act ("VARA"), 17 U.S.C. §§106A and 113(d), the California Art Preservation Act ("CAPA"), Cal. Civil Code §§987 and 989, and any other rights arising under federal or state law.

7. **Indemnification.** Donor shall indemnify and defend, through counsel of District's choosing, the District, its employees, agents, contractors, officers, and directors, against any and all Claims (as defined in Section 6, above), in law or in equity, of every kind or nature whatsoever, arising out of, resulting from, or relating to the Artwork, any additions or modifications made to the Artwork, the Artwork's installation or its replacement, removal, or relocation, including but not limited to any claim under the Visual Artists Rights Act ("VARA"), 17 U.S.C. §§106A and 113(d), the California Art Preservation Act ("CAPA"), Cal. Civil Code §§987 and 989, and any other rights arising under federal or state law, and Donor shall be responsible for payment of all reasonable attorneys' fees and expenses in connection therewith.

8. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of California. The venue for any purposes shall be deemed to lie in Ventura County, California, and any action to enforce this Agreement for any remedies, damages or other relief shall be brought only in the courts of the State of California for the County of Ventura or in the United States District Court, Central District of California.


9. **Successors and Assigns.** This Agreement shall be binding on the parties to the Agreement, and on each of their heirs, executors, administrators, successors, and assigns.

10. **Severability.** In the event any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the Agreement shall remain in full force and effect.

EXHIBIT 4

11. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties with respect to the subject matter and no amendment, modification or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof, and duly approved and executed by each of the parties.

Executed at Ventura, California as of the dated set forth above.



ALEC BENKE
Donor

VENTURA PORT DISTRICT,
a California Port District



Oscar Peña,
General Manager

EXHIBIT 4

EXHIBIT A





EXHIBIT 4

