



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 MAY 25, 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 May 11, 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 New Retail Lease for The Ultimate Escape Rooms

Recommended Action: Motion.

That the Board of Port Commissioners approve a new retail lease agreement for the premises located at 1591 Spinnaker Drive #117C consisting of 1,291 square feet between the Ventura Port District dba Ventura Harbor Village and The Ultimate Escape Rooms for a two-year term with a two year option.

B) Approval of New Office Lease for Quemuel Communications

Recommended Action: Motion.

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #212 consisting of 374 square feet between the Ventura Port District dba Ventura Harbor Village and Aimee Quemuel dba Quemuel Communications, Inc. for a two-year term.

STANDARD AGENDA:

1) Approval of Financial Statements and Checks for March 2016

Recommended Action: Resolution No. 3306.

That the Board of Port Commissioners adopt Resolution No. 3306 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in March 2016.

2) Draft Parking Management Plan for Ventura Harbor

Recommended Action: Informational.

That the Board of Port Commissioners provide comments and direction regarding the Draft Parking Management Plan for Ventura Harbor.

3) Approval of Updated Board of Port Commissioners Protocols and Policies Manual

Recommended Action: Resolution No 3307.

That the Board of Port Commissioners adopt Resolution No. 3307, approving the updates to the Board of Port Commissioners Protocols and Policies Manual and rescinding Resolution No. 3271.

4) Discussion on Creating a Non-Profit Organization for the Ventura Port District

Recommended Action: Informational.

That the Board of Port Commissioners discuss the possibility of creating a non-profit organization for the Ventura Port District to help in raising funds for projects around Ventura Harbor Village.

REQUEST FOR FUTURE AGENDA ITEMS

ADJOURNMENT

*This agenda was posted on Friday, May 20, 2016 at 5:00 p.m.
at the Port District Office and on the Internet - www.venturaharbor.com (Port Commission).*

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

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

WEDNESDAY, MAY 25, 2016

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

- | | |
|----------------------|---|
| a) Property: | Parcels 15, 16, 18 |
| Negotiating Parties: | Oscar Peña, Brian Pendleton, Timothy Gosney |
| Under Negotiation: | Possible Amendment of Option Agreement |
| | |
| b) Property: | 1591 Spinnaker Drive #117C |
| Negotiating Parties: | Oscar Peña, Brian Pendleton, Timothy Gosney |
| Under Negotiation: | The Ultimate Escape Rooms New Lease |
| | |
| c) Property: | 1583 Spinnaker Drive #212 |
| Negotiating Parties: | Oscar Peña, Brian Pendleton, Timothy Gosney |
| Under Negotiation: | Quemeuel Communications New Lease |

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

3. Public Employee Performance Evaluation per Government Code Section 54957:

- a) General Manager
- b) Legal Counsel



BOARD OF PORT COMMISSIONERS

MAY 25, 2016

APPROVAL OF MINUTES

MAY 11, 2016



Minutes of Workshop Meeting of the Ventura Port District Board of Port Commissioners Held May 11, 2016

The Workshop Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 12:08PM 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
Gloria Adkins, Accounting Manager
John Higgins, Harbormaster
Robin Baer, Property Manager
Joe Gonzalez, Facilities Manager
Frank Locklear, Marina Manager
Richard Parsons, Consultant
Lauren Yunckers, Marketing and Events Coordinator
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chairman Friedman at 12:08PM.

PLEDGE OF ALLEGIANCE: By Chairman Friedman.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTION: Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to adopt the May 11, 2016 agenda.

APPROVAL OF MINUTES

The Minutes of April 27, 2016 regular meeting were considered as follows:

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve the minutes of the April 27, 2016 regular meeting.

PUBLIC COMMUNICATIONS: Sam Sadove introduced the Rhumb Line's new manager. Neil Neilson commented that he would like to talk with District staff about ways to increase the number of slips in the harbor.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda except 1a. 1e – Approval of sublease for the Rhumb Line was reported to the Board in Closed Session and approved by a committee composed of staff and Commissioner Valance. On all other items, staff was given instructions as to how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Ashworth updated the Board on the Ventura Shellfish Initiative. Commissioner Smith reported that he attended the Marketing Department's culinary trends meeting.

STAFF COMMUNICATIONS: Richard Parsons, Consultant reported to the Commission that Brigadier General Toy from the Army Corps of Engineers has been reassigned to the Great Lakes area.

CONSENT AGENDA:

A) Approval of New Retail Lease Agreement for Tina O'Brien dba Mermaid Gallery

Recommended Action: Motion.

That the Board of Port Commissioners approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Tina O'Brien dba Mermaid Gallery for the premises located at 1575 Spinnaker Drive #107B, consisting of 652 square feet for a two-year term.

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Tina O'Brien dba Mermaid Gallery for the premises located at 1575 Spinnaker Drive #107B, consisting of 652 square feet for a two-year term.

WORKSHOP ITEM:

1) FY2016 – 2017 Preliminary Budget and Five Year Capital Improvement Plan

Recommended Action: Informational.

That the Board of Port Commissioners review and discuss the 2016–2017 Ventura Port District Preliminary Budget and Five Year Capital Improvement Plan.

ACTION: The Board of Port Commissioners reviewed and discussed the 2016-2017 Preliminary Budget and Five Year Capital Improvement Plan. The Commission would like more information on wages, a workshop on Docks D, G, and H improvements and Mr. Pendleton to continue his Sondermann Ring updates. The Chairman requested June 8th be another preliminary budget workshop and June 22 to be budget approval.

Public Comment: Lynn Mikelatos, owner of The Greek Mediterranean Steak & Seafood and Margarita Villa commented that the Tenant Improvement allowance has made a great difference to her business.

REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 1:32PM.

Secretary



BOARD OF PORT COMMISSIONERS

MAY 25, 2016

DEPARTMENTAL STAFF REPORTS

DREDGING

FEDERAL

FACILITIES

HARBOR PATROL

MARKETING

PROPERTY MANAGEMENT

TREASURER

RWP DREDGING MANAGEMENT

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

May 25, 2016

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

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

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

FY2017 Federal Dredging Appropriations

There has been some movement in Congress on the FY2017 Energy and Water (E&W) Development Appropriations Bill. The full Senate has approved their version of the bill which includes \$4.3 million for Ventura Harbor. On the House side the bill has cleared both the subcommittee and full committee. There are still issues to be resolved with the bill, however, and therefore the full House is not expected, at best, to act on the bill until late June or early July. The expectation is that the final FY2017 E&W Appropriations will not be resolved until September.

Harbor Maintenance Dredging Permits

The California Coastal Commission (CCC) staff has asked for additional information to justify the District's request to eliminate the shoreline monitoring program associated with the District's maintenance dredging permit from that agency. The program has been in place for 27 years and is presently costing about \$18,000 per year. I am working with Noble Consultants to develop the additional documentation requested so that the District's application to renew its 10 year dredging permit can be processed.

Harbor Village Phase 2 ADA Improvements

J&T Engineering and Construction began the Phase 2 improvements on May 9, 2016. The initial work was near the *Le Petite* restaurant. They are now working near *Brophys* and *Milano's* restaurants and near the *Boatyard Café*. That work should be completed prior to the Memorial Day weekend.

Entry Feature Repairs

Plans for the repair of the Harbor Entry Feature at Harbor and Spinnaker Drives have been filed with the City Building and Safety Department. That work is expected to be accomplished in July or August.

Roof Rehabilitation Work

A scope of work is being developed with Rasmussen and Associates to develop contract documents for the next phase (1591 and 1691 Spinnaker Drive) of the Harbor Village roof rehabilitation work. We hope to have this work underway in the fall of this year.

Respectfully submitted,

Richard Parsons

Dredging and Special Projects Consultant



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

Carpi Clay & Smith Activities
April 2016 – Recap

Appropriations Season Begins Quickly, But Runs into Trouble

Operating without a budget agreement in place, appropriators spent April moving forward on individual spending bills by using December's budget compromise with the White House as their guide. The Senate Energy & Water spending bill was the first bill to the floor and was poised to be the earliest passed in that chamber since at least 1974. However, it was derailed by disagreement over a provision related to the Iran nuclear deal. While Senators work to get the bill back on track, it has already delayed bringing up the Transportation-Housing bill and indicates the challenges ahead to restore "regular order."

While bills are moving out of committee and some may even win passage in the Senate and/or the House, it is still likely that a Continuing Resolution will be needed to fund all or most government functions when the new fiscal year starts on October 1. Whether FY2017 bills can be passed in a lame duck session or if Congress punts a decision into 2018 relies very much on the outcome of November's elections.

Energy & Water Spending Bills Making Progress

The Senate has been considering its \$37.5 billion bill for FY2017 Energy & Water Development programs. Expected to pass before the end of April, the bill ran into trouble after Senator Tom Cotton (R-AR) proposed offering an amendment restricting the ability of the Administration to purchase "heavy water" from Iran to support its recent nuclear accord. Senators are working to resolve differences over the amendment, but it is an ominous sign after early progress suggested spending bills could proceed smoothly to and from the Senate floor.

The Senate also adopted an amendment by Minority Leader Harry Reid (D-NV) and Senator Dean Heller (R-NV) to provide an additional \$50 million to support water supplies in Lake Mead. Earlier, by a vote of 56-42, the Senate rejected an amendment by Senator John Hoeven (R-ND) that would have blocked the Corps of Engineers from using federal funds to implement its "Waters of the U.S." rule (WOTUS). The amendment needed 60 votes for adoption. Speaking against the amendment, Senator Feinstein said the court system was the appropriate place to judge the merits of the rule, not Congress. The full House is expected to take up its

version of the bill later in May. The House bill *would block* funding for the Corps to implement the WOTUS rule.

For the U.S. Army Corps of Engineers, both the Senate and House bills reject the deep cuts proposed by the Obama Administration. They would provide instead the following:

	House	Senate
General Investigations	\$120,000,000	\$126,522,000
Construction (General)	\$1,945,580,000	\$1,813,649,000
Operation & Maintenance	\$3,157,000,000	\$3,173,829,000
Flood Control & Coastal		
Emergencies	\$34,000,000	\$30,000,000
Continuing Authorities		
Program (CAP)	\$36,000,000	\$19,500,000

Port Funding

The House bill would meet, and the Senate exceed, the Harbor Maintenance Trust Fund expenditure targets established in the Water Resources Reform and Development Act of 2014 (WRRDA). In the case of the Senate, its bill would provide \$1.3 billion in HMT-supported work, an increase of \$122 million above the WRRDA target. A full side by side comparison of port funding and policy items are attached to this report.

FY2017 Transportation - HUD Appropriations

The Senate Appropriations Committee approved its draft FY2017 DOT-HUD spending bill by a vote of 30 to 0. The full Senate is expected to begin consideration of the bill for transportation and housing programs in mid-May. The bill would increase discretionary transportation funding by \$454 million over the FY2016 level and increases funding for housing programs by \$1.456 billion over last year. These increases are offset through a rescission of \$2.211 billion in unobligated highway contract authority. With the rescission, total funding for Transportation-HUD would actually drop below last year's level.

TIGER: The Senate bill would provide \$525 million for the grant program, an increase of \$25 million over FY2016. However, the bill would also decrease the maximum grant size to \$25 million, down from \$100 million. The bill would increase the rural set-aside to 30 percent of program funding, up from 20 percent. Finally, it decreases the maximum amount of project funding that can go to any single state to 10 percent of total funding, a provision that would hurt large states with multiple projects such as California.

“Dead” Earmarks: The bill would allow states to repurpose “dead earmarks” that are at least 10 years old and have obligated less than 10 percent of their funding. States may transfer old earmark funding into the new Surface Transportation Block Grant program.

Rail Safety: The bill provides \$50 million for the Consolidated Rail Infrastructure and Improvement grants program, \$20 million for Federal-State Partnership for State of Good Repair grants, and \$15 million for Restoration and Enhancement grants. These three programs assist efforts to implement Positive Train Control (PTC), enhance passenger rail safety, reduce highway-rail grade crossings incidents, and address the state of good repair backlog on shared use passenger and local commuter rail infrastructure.

Senate Bill Would Authorize Corps of Engineers, Water System Programs

The Senate Committee on Environment & Publics Works approved its version of the Water Resources Development Act of 2016 (S. 2848, WRDA '16) by a vote 19-1. The bill authorizes \$5.03 billion for Corps of Engineers projects and authorizes another \$4.9 billion for drinking water and clean water infrastructure over five years. The full Senate may consider the bill later this summer.

The House Committee on Transportation & Infrastructure is expected to introduce its version of WRDA in early May. WRDA was last authorized in 2014 and passed with strong bipartisan majorities in both the House and Senate.

U.S. Army Corps of Engineers Highlights

- Authorizes the federal share of \$375.8 million for the Los Angeles River Ecosystem Restoration project and \$68.2 million for renourishment work in Encinitas-Solana.
- Provides a two-year extension – to FY2020 – for the donor and energy transfer port program. If Congress meets or exceeds the HMT targets set in WRRDA 2014 for FY 2016–2020, the bill authorizes an additional five-year extension of this provision through FY2025.
- Extends the federal cost-share for channel deepening projects to -50 feet.
- Authorizes the placement of dredged material in a location other than the least cost alternative if any additional upfront costs will be offset by the resulting environmental, flood protection, and resiliency benefits.

In the area of flood control, the bill updates the Corps’ emergency rebuilding authority for flood control projects (P.L. 84-99) to allow the Corps to rebuild projects stronger than originally designed if such work will reduce the risk of loss of

life and property and minimize life-cycle rehabilitation costs. The bill also allows the Corps to implement nonstructural alternatives, including wetland, stream, and coastal restoration, to reduce the risk of flood events.

To help address drought and related water management challenges, the bill directs the Corps to review reservoir operations, upon the request of a non-federal interest, with a priority for areas with prolonged drought and reservoirs for which no review has occurred in the past 10 years. The Corps is required to update water control manuals to incorporate updated flood forecasting rule curves.

The bill also requires a review of proposals to increase water supplies by increasing storage capacity, modifying project management, or accessing water that has been released. A non-federal interest can contribute funds to the Corps to facilitate the review of such a proposal. These proposals can only be approved under existing Corps authorities; however, if a proposal is approved, the cost of implementation is borne by the non-Federal interest.

Coast Guard Rejects Calls for Container Weight Standards

The U.S. Coast Guard announced it would not seek new regulations to implement International Maritime Organization rules on container weight verification that take effect on July 1. Exporters had been seeking guidance from the Coast Guard, but the announcement will leave it to the shipping community and its customers to find ways to meet the mandate. According to the Coast Guard, “Shippers, carriers, terminals, and maritime associations have outlined multiple acceptable methods for providing verified gross mass,” or VGM, as required by the IMO.

Container ship operators have said they will refuse to load containers for export that have not been weighed and verified after July 1. Many exporters have sought help from ocean carriers to meet the IMO requirements to avoid supply chain disruptions.

Ports have taken different positions on their role in the implementation of the new rule. The Carolina Ports Authority will weigh export containers at the Port of Charleston for a \$25-per-container. Many more ports, including Long Beach and Los Angeles, have said they have neither the responsibility nor the facilities to provide weight verification services.

House and Senate committees have held hearings on the issue, but key members in both chambers have indicated that they see no clear role for Congress in addressing the mandate. They have pledged to keep a close watch should any logistical problems develop after July 1 and remain open to suggestions for an appropriate response.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Joe A. Gonzalez, Facilities Manager
SUBJECT: May 2016 Facilities Report

I. Maintenance:

Since the 'Ventura Harbor Village Painting Project' was pushed out for next fiscal year, several areas throughout the Village have been repainted to maintain a good clean appearance for this coming summer. The 1559 Building inner courtyard 2nd level metal guard rails have been prepped, primed and repainted. The staircase located inside this area has also been repainted. All of the exterior patio glass walls facing the promenade that are adjacent to the 1583 and 1575 buildings have also been refurbished, prepped, and all cracks primed and repainted. Several metal guard rails throughout the Village have also been refurbished with new epoxy paint.

Several detectable stripes on each tread of the exterior stairways throughout the Village have been retouched with new paint to clearly contrast in color as per the ADA requirements.

II. Landscaping:

Staff is closely working with J&T Contractors during the demo of the sidewalks/walkways (Phase 2). Our in-house staff is laying down low voltage conduits across walkways into planters prior to J&T pouring concrete. This will allow our landscapers to be able to install low voltage lighting on several planters that didn't have the electrical conduits for the installation of low voltage lighting. Our staff is also upgrading areas needed for the irrigation by deleting unneeded water lines, and installing drip lines for water conservation on several areas where the planters are being affected by Phase 2 projects.

III. Marina:

We continue to perform the monthly inspections on all gangways, docks, fire extinguishers and fire boxes. This month we had approximately 14 light bulbs replaced from dock pedestals. During the monthly inspections of our fish pier cranes, our staff noticed the cable was damaged on Crane #2 and a new cable was installed immediately (all work performed in-house).

IV. Marketing:

The Maintenance Department continues to provide assistance to the Marketing Department on weddings, all other events, installation of banners/flyers and whatever else needs to be done to make a successful event.

V. Construction Projects:

The Ventura Port District headquarters' flagpole is currently on schedule. Contractor has received the permits from the City and has started the project. The flagpole base hole was inspected and passed, the base has been filled with concrete and inspected and passed by the City Inspector. The new flagpole is currently at the contractor's shop and contractor is putting all the hardware on the pole.

The Tenant Improvement Project (TIP) for Building 1575 Suite 107 is currently on schedule. The TIP for Building 1591 Suites 201, 203 and 205 has been completed.

The Verizon Mono Palm project was started on April 26th. I have been meeting with Luke Beere, Superintendent from O.C.I.K. Wireless Telecom Specialist and happy to report that the project is going well. O.C.I.K. is on schedule; the communication cabling/conduits have been run from the street side to the cell site. The cell site's foundation is being worked on this week and the re-bar and all requirements to pour concrete will be completed by the end of the week. Concrete pouring is scheduled for early next week, one week after the cement pour and the block brick walls will be going up. This is all the information given to me at this time and I will continue to meet with Mr. Beere and forward status updates on this project.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 25, 2016

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

Harbor Cove Beach:

Harbor Cove visitor use and activities continue to increase. Now being one of the nicest beaches and one of the few with sand in the City of Ventura, we expect to see record crowds this year. State Parks Lifeguarding services have begun on weekends and will go full time Memorial Day through Labor Day. The lifeguard tower has been strategically placed so that the Lifeguards have a good view of Harbor Cove and the waters South towards Surfers Knoll. We hope to have a second Lifeguard Tower on the South Beach in coming weeks. This will allow for more complete coverage of the hazardous areas.

- Ventura Corporate Games: May 7th was the location for Ventura City Corporate Games closing ceremonies. Companies throughout Ventura County converged to compete in several events. This event was attended by over 500 people and received exposure in print and online media. This event also included a shuttle for the visitors to park offsite and an activity set up within the grass lawn area of the Village to draw the groups in to the Village. The Port District Marketing and Event Planner really worked hard to make sure this event was both fun and supported the local Harbor Businesses.

- Shores Beach Volleyball: Mother's Day Harbor Cove hosted a Girls Doubles Volleyball Tournament. Families from Ventura, Santa Barbara, & Los Angeles Counties spent the day at the Harbor in a variety of activities and shopping!

- Hokuloa & Ventura Outrigger Clubs: The Outrigger Clubs have embraced their recent move closer to the volleyball area and now complement the beach with an Outrigger display. June 11th will be the Ventura Outrigger Challenge. Clubs from all over the state will compete in offshore races departing and returning from our Harbor Cove. The Club invests in the local community and provides other Clubs with suggested places to stay and restaurants to visit. While it is one of the biggest water events in the County, the Hokuloa Club ensures they are good neighbors by providing offsite parking and shuttle services.

The Outrigger and Volleyball clubs are a fantastic fit for the harbor and are some of our strongest Harbor Ambassadors. They always welcome questions and provide harbor Information to visitors. They are committed to being accessible to all age groups and continue to provide unique and fun activities for the whole family. They also pride themselves in supporting local businesses in the harbor.

Port District & Ventura City Collaboration:

- Ventura Pier: Prior to the Pier re-opening, I transported key Ventura City Personnel via boat out to inspect the Pier. This collaboration allowed for the City to efficiently survey the storm damage, photo document the repairs that were made, and ultimately confirm the contract could be signed off. Understanding the importance of this community asset we donated two white lifesaving ring buoys and provided a Fire Boat water display for the opening ceremonies. Our

mission is to show Ventura City Staff and Residents that the Port District is a supportive community partner.

- Handicap Accessible Mat: I coordinated with the City of Ventura Facilities Manager earlier this month to prepare and install the Handicap Accessible Beach path. This seasonally installed rugged path allows for accessible beach access from the restrooms to just short of the water. While regular wheelchairs can use this there are also beach wheelchairs that are available to the Public. These beach wheelchairs allow the user to be assisted (if necessary) to the shoreline where the user can experience the ocean. This asset is available by request through the State Parks Lifeguards and Harbor Patrol Staff.

- Code Enforcement: A Senior Code Inspector solicited my assistance in removing an abandoned boat that was at a Ventura Keys Waterfront Residence. Seeing this was something that I had both the experience with and the funds to assist, I partnered with the City on this issue. Together we were able to accomplish the necessary paperwork, contracted with a local vendor, and had the vessel with no real value destroyed. I used monies from our Abandoned Watercraft fund to finance the removal. I also used both of our hourly rates to cover the '10% in kind matching' required under the program. Together we removed the abandoned vessel and other than our regular salary it was at no additional cost to the City or the Port District.

Two Grant Submissions: Total Money Requested For Both Grants: \$80,000.00

- Law Enforcement Equipment Grant: Included in this grant was a request for over \$60,000.00 to cover the purchase of 2 engines for Boat 17, 2 New Radar units, 2 Chart Plotters, and 12 Inflatable Life Jackets for the Harbor Patrol Officers. Our Engines have far surpassed our typical service life. The Electronics are antiquated and unreliable as they are now approaching 20 years of service life. While we have been denied the funding for the last two years we are hopeful that our situation will be cause for grant approval. If we do not receive funding for this fiscal year I do not feel that we can defer the replacement of this equipment any longer and may have to put in for a mid-year adjustment.

- SAVE (Surrendered and Abandoned Vessel Exchange) This grant provides funding for the Vessel Turn-In Program and Abandoned Vessel Program. Previously these were two separate grants that are now combined into one for the convenience of the participating Agencies. This year I requested \$20,000.00 dollars so that we can grow the program to meet the increasing needs of boaters looking for a responsible way to dispose of boats. This year we have disposed of 5 boats under this program and I have another 4 vessels in the works to be disposed of in the coming weeks. We try to use local vendors like the Ventura Marina Yacht Yard and Channel Watch Marine to dispose of the larger boats and the owners can take smaller boats directly to the local transfer station. Receiving this grant funding isn't critical and should we miss a funding cycle we will scale back on our voluntary participation in this program. Currently, both Channel Islands and Santa Barbara Harbors also participate in this program.

Medical Responses Aboard Vessels at Sea or Dockside:

This month our staff responded to a unique call for service. The Harbor Patrol received a report of a Medical Emergency and Vessel Accident on a dock in the Harbor. Harbor Patrol Officer George Kabris and Part Time Officer Erik Bear responded by boat. They first encountered an adrift, unoccupied, 40' sailing vessel, colliding with other boats, and an unconscious person face down on a nearby dock. The Officers quickly took control of the unmanned 40-foot sailboat and secured it in a nearby slip. They docked their vessel next to the victim then began a full

assessment of the owner/operator who was still face down and unconscious on the dock. Our Officers completed an assessment and stabilized the patient prior to the arrival of both Fire Department and AMR Paramedics. The subject was ultimately transported to a local hospital for further assessment and care. As we so often do, our Officers then transitioned to one of our other duties and initiated a Vessel Accident Investigation to determine the damage done to other vessels. This formal report would later be forwarded to all parties and the State Parks Department of Boating and Waterways.

Our talented staff is often challenged with unique calls for service. We are fortunate as a Harbor that they skillfully utilize their training, ingenuity, and knowledge to safely navigate these calls from the beginning to the end.

Harbor Patrol Stats:

I am very pleased with the new stat system. This system will be more uniform to other public Safety and Government practices. In the past, our stats were only originated from the record of an incident report. These incident reports were only a small percentage of the service calls or services we provided.

Here is a quick snapshot of some of the new information collected over the last 30 days. We had 23 (911) dispatches, 41 boating calls, 2 Traffic accidents, 1 Boating Accident, 13 Medical Calls, 33 Law Enforcement Calls/Contacts, 15 Wildlife Calls/Assistance, 510 Public Contacts, 66 Safety & Educational Contacts, 13 persons were assisted, 2 lives saved, and estimated property preserved of \$455,000.00.

In addition, we hope to better capture the crowd sizes within the Port District and the beaches outside the area in which we are patrolling. This is challenging as it is only an estimation based on our Officers personal experience. To help us provide realistic numbers we are working on developing baseline numbers for quiet, moderate, and busy days. Our first 30-day estimation of crowd sizes was in excess of 60,000 people. This number is being analyzed by our staff and reflects people protected by our patrols both within and outside the Port District.

Meetings Attended:

Motorola Public Safety Radio & Technology Roadshow
County Fire Department Division Chief & Ventura Fire Assistant Chief -Planning Meeting
Ventura Police - Harbor Crime & Social Networking Meeting at the Mobile Home Park
Ventura Police – City Homeless Update & Current Police Efforts

Assisted & Supervised Special Events:

Corporate Games Closing Ceremonies - Harbor Cove
National Scholastic Surfing Association – Surfers Knoll

Attachment:

Attachment 1 – May 2016 Soundings

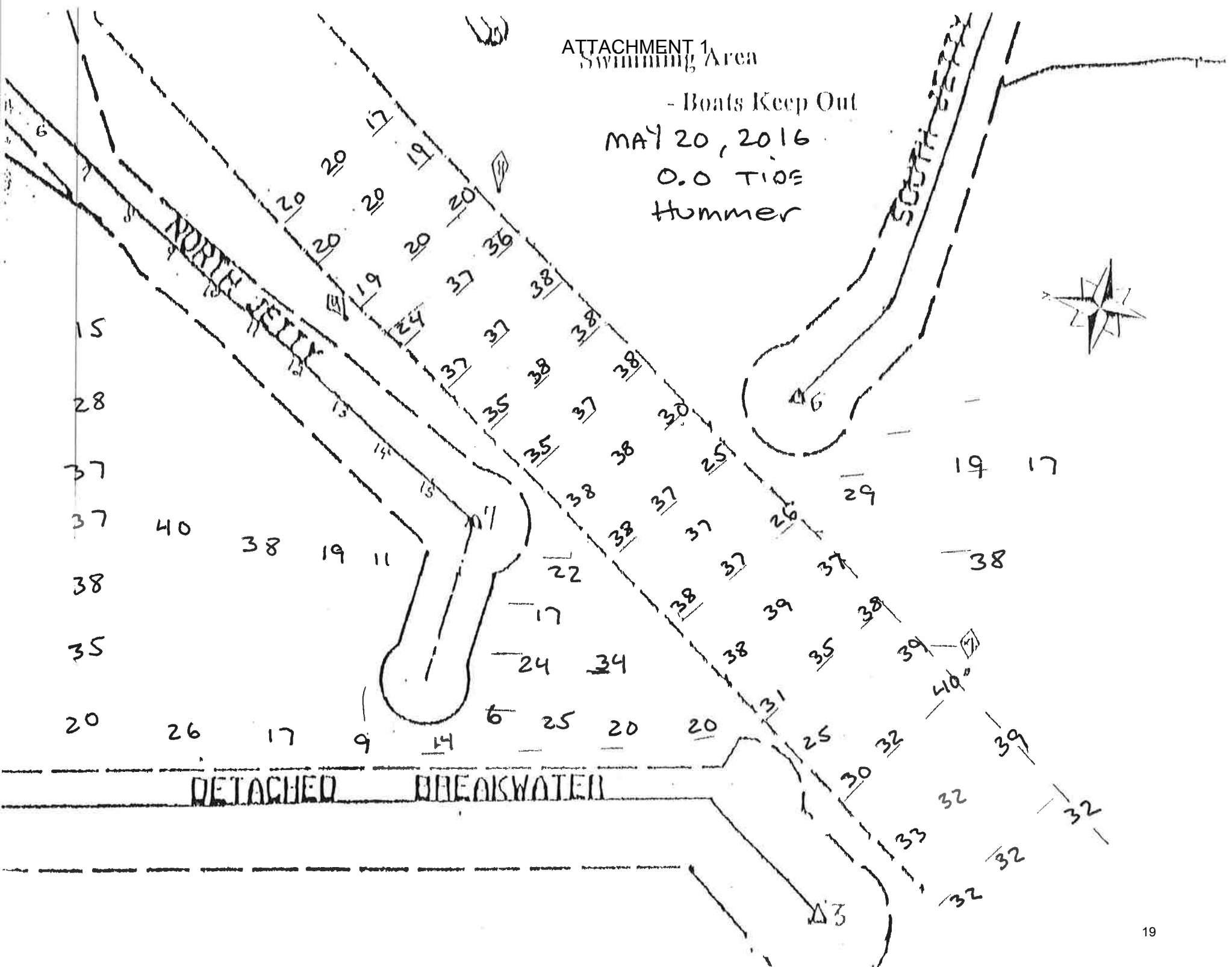
ATTACHMENT 1 Swimming Area

- Boats Keep Out

MAY 20, 2016

O.O TIME

Hummer



VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Frank Locklear, Marina Manager / Technology
SUBJECT: Marina Report

I. Ventura Harbor Village Marina Occupancy

In May the Ventura Harbor Village slip occupancy was 91.04%.

II. Market Squid and Fish Off-loading

This year's squid season opened on April 1, 2016. On Wednesday, May 11, 2016, the first Ventura squid landing of the season occurred. 16,000 pounds were offloaded by DeLuca Fish company. On Thursday, May 12, 2016 DeLuca off-loaded an additional 34,000 pounds of squid. The quality of the squid was good and marketable at 10-12 count per pound. Squid is in demand and hopefully the landings will increase.

III. D-Dock Repairs

Major Engineering will perform necessary repairs on the older wooden slips at D-Dock in order to stabilize the structure. Pile guides will be fabricated and installed to replaced badly deteriorated ones.

IV. Technology

The District telephone system has approached the end of its life cycle and become increasingly unreliable. ATT VOIP RINGCENTRAL has been chosen as the service provider. ATT RINGCENTRAL will provide the District with increased telecom functionality and reliability. Reoccurring monthly service charges for the new system will not be increased over our current system provider. The system change-over from Advantage Telecom will be completed in the upcoming weeks.

Marketing/Ads/Events

Promotional Campaigns

- **Wet Wednesdays** – requesting offers from tenants to launch promotion in June. Focused on boosting weekday business June – September.
- Produced new branded stand-up banner

Marketing & Advertising

- 805 Living Magazine May issue “Shop Seaside” ad
- SB Independent “Staycation” Issue 5/19
- VC Reporter Summer Guide “Play Seaside” ad 5/26
- Pasadena Weekly Summer Guide ad 5/26

Total Circulation: 130,000 K

Live Music Bookings

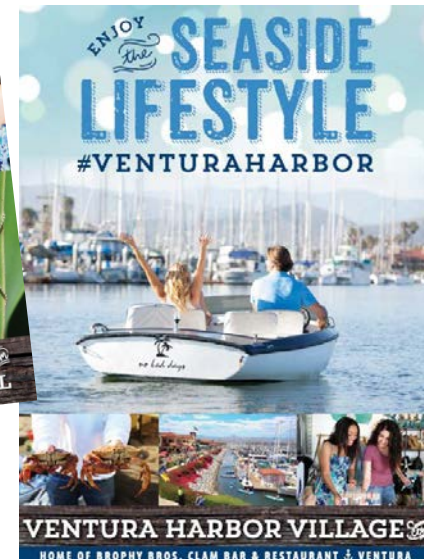
- Steel Drum Saturdays contract (June - August)
- Sounds of Summer Concert Series bookings (June – August)
- Booked live music Memorial Day weekend and Father’s Day weekend

New Revenues/On-Site Events

- Registered Ventura Harbor for California Film Industry Locations Conference, “Film in CA,” Saturday, 5/21 at CBS Studios; attended by location scouts and producers. Ventura County Film Liaison will present Harbor film opportunities
- One film inquiry for potential June shoot- Indie film
- On-site event revenue for April \$2,750
- Hosted Annual Corporate Games’ Ceremonies on 5/7 at Harbor Cove Beach

Meetings & Outreach

- Hosted 2016 Culinary Trends tenant meeting on 5/4 with culinary speaker Adam Newton. 7 Harbor restaurants in attendance



Media /Communications/Meetings

Media Leads & Promotions (Sommerville Associates)

- Provided 805 Living Magazine editor, Heidi Dvorak, with information from Randy Lubas on the 2016 Ventura Comedy Festival
- Sent Channaly Philipp, editor of Epoch Times, food and drink offerings at Ventura Harbor Village for an upcoming story
- Sent Robert McGarvey of MainStreet.com information on VHV, as an ideal road trip, for forthcoming blog post
- Pitched top travel influencers in April:
 - Devon Galoudet, a prominent influencer, for feature story on VHV
 - Karilyn Owen, a prominent blogger for www.NoBackHome.com wishes to visit and write a feature travel story
 - Vetted blogger Shavae who wants to visit and feature Ventura Harbor on her lifestyle & travel blog Shavae.blogspot.com
- Wrote & distributed May-June *Wavelengths* to 338 CA freelancers, mommy bloggers, regional media



Highlights of Published Pieces

- 805 Living, monthly, "50 Reasons to Love the Central Coast" Zoltar at Village Arcade & Carousel selected as #12. Channel Islands National Parks #10. 32,000 circulation
- Ventura County Star (3 placements) Village Galleries exhibit information. 45,480 circulation; media value \$13,952

Community & Press Outreach

- Attended "Sunset Celebration Weekend" on 5/14 & 5/15. Promoted Ventura Harbor in partner booth with Ventura Visitors & Convention Bureau and Downtown Ventura Partners. Connected with 500 guests and received 388 new emails
- Hosted Doggy Instagrammers; total followers: 300,000, in partnership with Ventura Visitors & Convention Bureau on 5/14. Hosted for lunch at The Parlor/Coastal Cone and for "cockTAIL hour" at The Greek Mediterranean Steak & Seafood.
- In collaboration with Ventura County Coast, hosted Family Bloggers on 5/17 at Ventura Boat Rentals, Coastal Cone, Coffee Dock & Post, and Milano's Italian Restaurant. Gave retail Village tour in which guests made purchases in over six Harbor Village stores. Bloggers each receive over 90,000 unique visitors per month to their blogs
- CNN reporters visited Channel Islands National Park on 5/18 to promote 100th Anniversary. Sommerville Associates outreached to provide lunch by Ventura Harbor (Boatyard Cafe)
- Hosting blogger and Huffington post travel contributor Lauren Meshkin on 5/20 & 5/22 at Brophy Bros., Channel Islands National Park Visitor Center, The Greek Mediterranean Steak & Seafood, Ventura Boat Rentals, and Coastal Cone in partnership with Ventura Visitors & Convention Bureau.



Website Analytics

VenturaHarbor.com

Data from April 1 – April 30, 2016



Top 4 Pages Visited (April 2016):

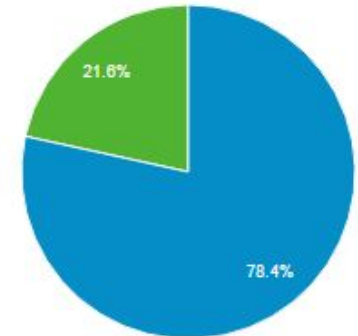
1) Harbor Cove Cafe 2) Copa Cubana 3) Restaurants 4) Village Carousel & Arcade

*Harbor Cove Cafe & Copa Cubana do not have websites. People are finding on VenturaHarbor.com

Where people are coming from: 1) Google & Organic Search 2) Direct 3) Central Coast Tourism.com 4) IslandPackers.com 5) Ventura Harbor Village .com 6) Marriott.com

**Recently asked for a link to VenturaHarbor.com to be added on Island Packer's new website (seeing results)*

■ New Visitor ■ Returning Visitor



VenturaHarborVillage.com

Data from April 1 – April 30, 2016

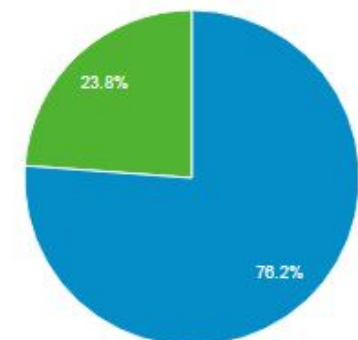


Top 4 Pages Visited (April 2016):

1) Dine 2) Events Calendar 3) Play 4) Shop

Where people are coming from: 1) Google & Organic Search 2) Direct 3) Ventura County West.com 4) Ventura Harbor.com 5) Macaroni Kid.com

■ New Visitor ■ Returning Visitor



Social Media Analytics

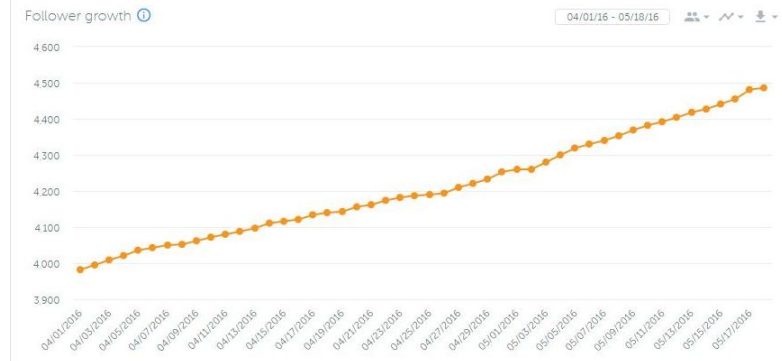
Instagram (4,487 Followers)

Your new followers increased by

▲ **8%**

since last month

- Seaside Summer Bliss promotion in progress
- “Tag a Mom” promotion. 300 entries- 2 winners selected



Iconosquare Instagram Follower Growth



Social Media Analytics (Cont.)

Facebook (15,281 Followers)

Your new followers increased by

▲ **2%**
since last month

Twitter (3,593 Followers)

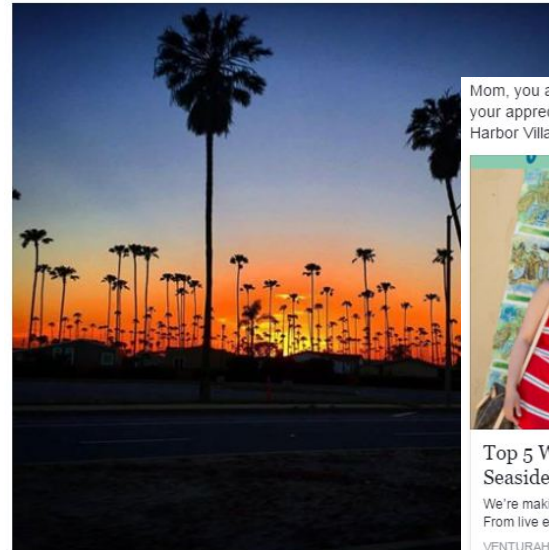
Your new followers increased by

▲ **3%**
since last month

TWEETS 3,343 FOLLOWING 358 FOLLOWERS 3,593 LIKES 1,206

22,221 People Reached, 138 Shares

Happy #ArborDay from the #VenturaHarbor 🌴🌴🌴
photo cred: @pintwoodstyle



✓ Get More Likes, Comments and Shares
Boost this post for \$50 to reach up to 3,700 people.

22,221 people reached

838

Like Comment Share

20 Comments 138 Shares

11,548 People Reached, 16 Shares

Mom, you are nothing short of AMAZING! It's time to celebrate you! Show your appreciation for the Mom in your life with a fun weekend at Ventura Harbor Village! Check out our Top 5 Ways to Delight Mom!



Top 5 Ways to Delight Mom! | Spend Mother's Day Seaside at Ventura Harbor Village

We're making it easy for you to celebrate Mom seaside at the Ventura Harbor! From live entertainment to seaside surprises, scroll down to check out our Top 5...

VENTURAHARBORVILLAGE.COM

11,548 people reached

260

8 Comments 16 Shares

Like Comment Share

Ventura Harbor Village E-Newsletter

- April 14: "Art Day & Exploration Seaside this Saturday at Ventura Harbor Village" Open Rate 18.8%
- May 5: "5 Ways to Celebrate Mom Seaside at Ventura Harbor Village" Open Rate 17.7%

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 25, 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 – Opening June 1, 2016. This will be a soft opening and they plan to have a Grand Opening first part of August 2016.
- 2) *The 805 Bar & Grilled Cheese and Copa Cubana* - 1575 Spinnaker Drive, #102 – Copa Cubana is Open. The tenant has not completed the back patio improvements to the Copa Cubana space. Staff is in communication with the tenant to monitor when completion will occur. Once these improvements are completed, we will remove the boarded wall.
- 3) *Milano's Italian Restaurant* – 1575 Spinnaker Drive, #100 – Construction to the new interior bar has begun, and the outside patio fireplace is completed. Construction drawings for the interior build are being prepared to be submitted to the City for approval. Estimated completion is third 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. *Mermaid Gallery* will be occupying the other half of this space also effective June 2016.

II. Leasing

- 1) *The Ultimate Escape Rooms* --- 1591 Spinnaker Drive #117C – We are negotiated a two year lease with a two-year option for the 1291 sf premises. Ms. Ryemon, Mrs. Cortez and Mr. & Mrs. Crouse have teamed up together to create a new entertainment venture called “The Ultimate Escape Rooms”. Escape Rooms are a type of physical adventure game in which people are locked in a room with other participants and must use elements of the room to solve a series of puzzles, find clues, and escape the room within a set time limit. The rooms are a little like video games come to life. The origin of the Escape Room concept was in Silicon Valley by a group of system programmers in 2006. The first operating live action room was in Kyoto, Japan in 2007, then Singapore and in 2015 they expanded over 2,800 venues worldwide. Estimated opening date of third quarter of 2016.
- 2) Leasing Packet:
 - Distributing leasing packets, this can be printed or found on the website for circulation.
 - Posting ads online and in publications.
- 3) 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%	19.7%	23.1%
Retail	650	3%	1,947	9.8%	7.6%	13.7%
Restaurant	1,537	4.80%	4,942	5%	5.7%	11%

*Based on comparable square footage

IV. April 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 April 2016 were down 7.12% from the same time last year. This decrease was due to the Harbor entrance closure and Santa Cruz Island landing dock closed for Island Packers boat trips which affected the charters.

Attachments

Attachment 1 – April Tenant Sales

ATTACHMENT 1

Ventura Harbor Village Tenant Sales Summary

Month of
April-2016

	<u>April-2016</u>	<u>April-2015</u>	<u>% Change</u>
Restaurants	\$ 1,256,571	\$ 1,173,482	7.08%
Retail	\$ 268,528	\$ 240,942	11.45%
Charters	\$ 372,159	\$ 455,783	-18.35%
Total	\$ 1,897,258	\$ 1,870,207	1.45%

Year-to-date through April 2016

	<u>April-2016</u>	<u>April-2015</u>	<u>% Change</u>
Restaurants	\$ 4,461,212	\$ 4,406,457	1.24%
Retail	\$ 857,665	\$ 835,712	2.63%
Charters	\$ 928,668	\$ 1,484,422	-37.44%
Total	\$ 6,247,545	\$ 6,726,591	-7.12%

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 25, 2016

TO: Board of Port Commissioners
CC: Oscar Peña, General Manager
FROM: Gloria Adkins, Accounting Manager
SUBJECT: Quarterly Treasurers Report

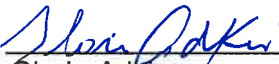
As of March 31, 2016, the District held cash and investments with a market value of \$10,246,078. Funds held in investments represent those not needed for general operating activities.

Local Agency Investment Fund (LAIF) holds 78% of the March 31, 2016 fund balance:

Enterprise (Operating) Fund	\$ 1,839,806
Dredging Reserve Fund	3,028,383
Capital Improvement Fund	3,108,398
Capital Improvement –Fisheries Fund	<u>50,092</u>
Total Funds	\$8,026,679

The District has \$1,499,131 invested in a stable money market and the Federal National Mortgage Association through Stifel Nicolaus. These funds had a net portfolio yield of 0.90%. There has been no activity change in this investment during this quarter.

The Investment Portfolio Report for March 31, 2016 attached herewith includes all of the District's Funds.

Submitted by: 
Gloria Adkins
Accounting Manager

Date: May 3, 2016

ATTACHMENTS:

Attachment 1 – Investment Portfolio Report for March 31, 2016

Attachment 2 - :LAIF Performance Report Quarter Ending March 31, 2016

ATTACHMENT 1

Ventura Port District Investment Portfolio Report Quarter Ending 3/31/2016

<u>Security Type</u>	<u>Issuer</u>	<u>CUSIP Number</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Par Value</u>	<u>Book Value</u>	<u>Percent of Portfolio</u>	<u>Market Value</u>	<u>Market Value Source</u>
<u>Cash Investments</u>									
State Pool (LAIF)	LAIF-State Treasury		On Demand	0.46%	8,026,679	8,026,679	78%	8,026,679	LAIF
Total Cash Investments LAIF						\$ 8,026,679	78%	\$ 8,026,679	
<u>Cash Investments Stifel Nicolaus</u>									
Federal National Mortgage Association		3136G0Z61	11/14/2017	0.90%	1,500,000	1,500,000	15%	1,499,130	Stifel Nicolaus
Stifel Bank & Trust Money Market Funds				0.03%	1	1	0.0%	1	Stifel Nicolaus
		Stifel Nicolaus net portfolio yield		0.90%					
Total Investments Stifel Nicolaus						\$ 1,500,001	15%	\$ 1,499,131	
<u>Cash Deposits</u>									
Demand Deposits-									
Main checking	Wells Fargo		On Demand	N/A	N/A	702,259	7%	702,259	Wells Fargo
Petty Cash	Ventura Port District		On Demand	N/A	N/A	1,324	0.01%	1,324	Ventura Port District
Total Cash Deposits						\$ 703,583	7%	\$ 703,583	
<u>Cash in County Treasurer's Pooled Investment Program</u>									
County Treasurer's Pool	Ventura County Treasury		On Demand	0.740%	16,674	16,685	0.16%	16,685	Ventura County Treasury
Total Cash in County Treasury						\$ 16,685	0.16%	\$ 16,685	
TOTAL ALL FUNDS						\$ 10,246,948	100%	\$ 10,246,078	

Notes:

I certify that this report accurately reflects all of the Districts investments, and is in conformance with the adopted District Investment Policy.
Furthermore, I certify to the best of my knowledge, sufficient investment liquidity and anticipated revenues are available to the meet the District's budgeted expenditure requirements for the next six months.

5/03/2016

Submitted by: 



**JOHN CHIANG
TREASURER
STATE OF CALIFORNIA**



PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
04/01/16	0.52	0.52	153
04/02/16	0.52	0.52	153
04/03/16	0.52	0.52	153
04/04/16	0.52	0.52	153
04/05/16	0.52	0.52	153
04/06/16	0.52	0.52	154
04/07/16	0.52	0.52	153
04/08/16	0.52	0.52	153
04/09/16	0.52	0.52	153
04/10/16	0.52	0.52	153
04/11/16	0.52	0.52	151
04/12/16	0.52	0.52	151
04/13/16	0.52	0.52	150
04/14/16	0.52	0.52	149

*Daily yield does not reflect capital gains or losses

LAIF Performance Report

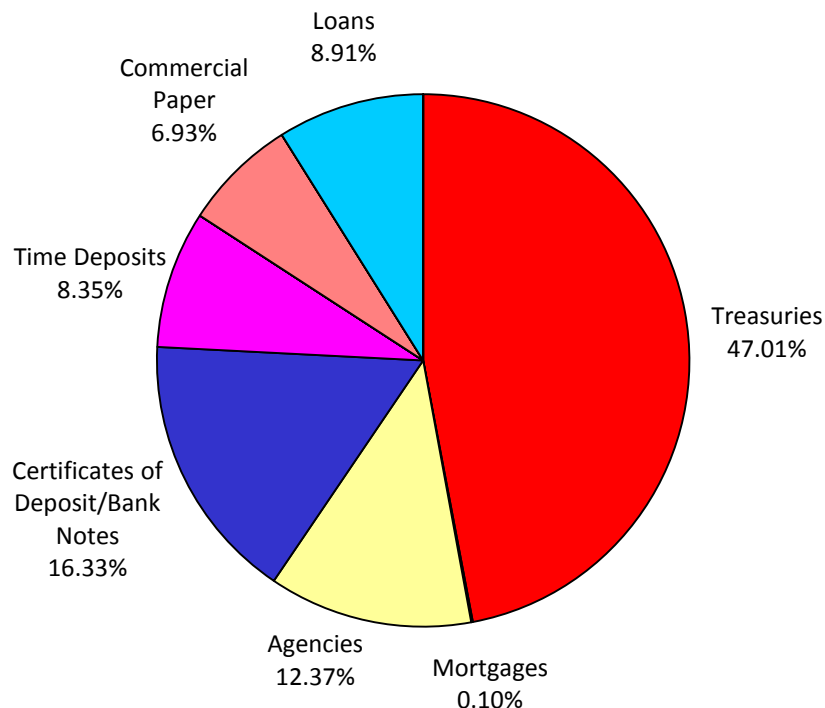
Quarter Ending 03/31/16

Apportionment Rate: 0.46%
 Earnings Ratio: 0.00001268659292168
 Fair Value Factor: 1.00022106
 Daily: 0.51%
 Quarter to Date: 0.47%
 Average Life: 146

**PMIA Average Monthly
Effective Yields**

MAR 2016 0.506%
 FEB 2016 0.467%
 JAN 2016 0.446%

**Pooled Money Investment Account
Portfolio Composition
3/31/16
\$67.7 billion**





BOARD OF PORT COMMISSIONERS

MAY 25, 2016

CONSENT AGENDA ITEM A

APPROVAL OF NEW RETAIL LEASE FOR
THE ULTIMATE ESCAPE ROOM

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Approval of New Retail Lease Agreement for Marilyn Ryemon, Annette Cortez, Alexis and Scott Crouse dba The Ultimate Escape Rooms, 1591 Spinnaker Drive #117C

RECOMMENDATION:

That the Board of Port Commissioners approve a new retail lease agreement for the premises located at 1591 Spinnaker Drive #117C consisting of 1,291 square feet between the Ventura Port District dba Ventura Harbor Village and The Ultimate Escape Rooms for a two-year term with a two year option.

BACKGROUND:

Ms. Ryemon, Mrs. Cortez and Mr. & Mrs. Crouse have teamed up together to create a new entertainment venture called The Ultimate Escape Rooms. Escape Rooms are a type of physical adventure game in which people are locked in a room with other participants and must use elements of the room to solve a series of puzzles, find clues, and escape the room within a set time limit. The rooms are a little like video games come to life. The Origin of the Escape Room concept was in Silicon Valley by a group of system programmers in 2006. The first operating live action room was in Kyoto, Japan in 2007, then Singapore and in 2015 they expanded over 2,800 venues worldwide.

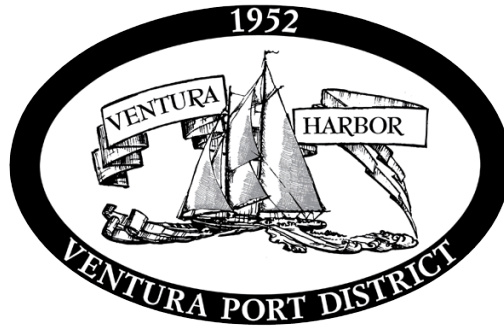
This new venture will bring many different groups of people to the Village. The demographic target is the millennials, but also captures the interest of corporations, families and people of all ages. They plan to collaborate with the Harbor restaurants to offer all sorts of event packages.

They are very excited to become a tenant of Ventura Harbor Village and we wish them the best of luck.

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/Promo) is \$29,856. The minimum rent over the two year term is adjusted annually by 3% per year. The tenant is also required to pay percentage rent of 3% of gross sales as stipulated in the lease.

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

MAY 25, 2016

CONSENT AGENDA ITEM B

APPROVAL OF NEW OFFICE LEASE
FOR QUEMUEL COMMUNICATIONS

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Robin Baer, Property Manager
SUBJECT: Approval of New Office Lease Agreement for Aimee Quemuel dba Quemuel Communications, Inc. 1583 Spinnaker Drive #212

RECOMMENDATION:

That the Board of Port Commissioners approve a new office lease agreement for the premises located at 1583 Spinnaker Drive #212 consisting of 374 square feet between the Ventura Port District dba Ventura Harbor Village and Aimee Quemuel dba Quemuel Communications, Inc. for a two-year term.

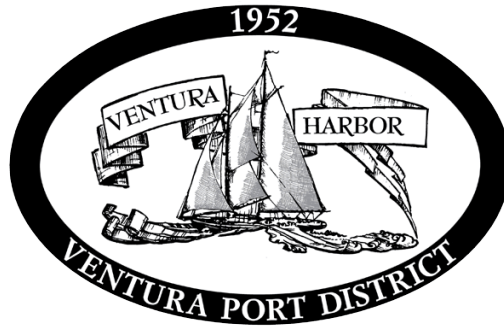
BACKGROUND:

Quemuel Communications, Inc. has been a tenant since July 2015. Ms. Quemuel founded her Public Relations and Content Marketing business in 1999. They offer public relations, SEO optimized content, social media and Web design services. Quemuel Communications leverages its 15+ years of public relations and writing experience coupled with “white hat” SEO techniques that uses quality content to earn credible links to help both established and start-up companies get noticed in today’s competitive digital world. Their clients span numerous vertical markets such as consumer goods, manufacturing, accounting and tax services, software and hardware, retail and healthcare. Ms. Quemuel has enjoyed being a Village tenant and would like to continue her business here. We have negotiated a two-year lease.

FISCAL IMPACT:

This new lease reflects current market rental rates for office space in the complex. The annual occupancy cost for this tenant (minimum rent/CAM/Promo) is \$7,416. The minimum rent over the two year term is adjusted annually by 3% per year.

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

MAY 25, 2016

STANDARD AGENDA ITEM 1

APPROVAL OF FINANCIAL
STATEMENTS AND CHECKS FOR
MARCH 2016

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 2
Meeting Date: May 25, 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. 3306 to:

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

SUMMARY:

Attached for the Board's review are the financial statements for the fiscal period ending March 31, 2016 and the regular accounts payable checks for the month of March 2016.

BACKGROUND:

The March 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 March 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 -

- T3 Construction Inc. was paid \$13,250 on 3/10/16 for tenant improvements to Barefoot Boutique. She has expanded her boutique into the adjoining suite as per her new lease.
- Ventura Harbor Marine Fuel was paid \$7,092 on 3/10/16 for the annual reimbursement of electrical usage by the slip tenants of Harbor Village Marina C dock. Harbor Marine Fuel and Village Marina C dock share a master electric meter currently being billed directly to Harbor Marine Fuel.
- RRM Design Group Inc. was paid \$9,820 on 3/10/16 and \$9,559 on 3/24/16 for their continued work on the accessibility improvements throughout the Village including Phase III around the Carousel courtyard.
- BC Tree Service Inc. was paid \$12,500 on 3/18/16 for emergency tree pruning and cleanup throughout the harbor of trees damaged by severe wind conditions.
- Letner Roofing Co. was paid \$18,009 on 3/24/16 as a progress payment on the National Park Service/Island Packers building tile roof repairs. (1691 Spinnaker Dr.)

Details reflecting purchases made through the District's Chase Bank credit cards for March 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 \$170,354 for March 2016 reflects two regular pay periods and the quarterly accrued compensation payoff.

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 \$317,762 in the 'Change in Net Position' for the period ended 3/31/16.

ATTACHMENTS:

Attachment 1 – Resolution No. 3306

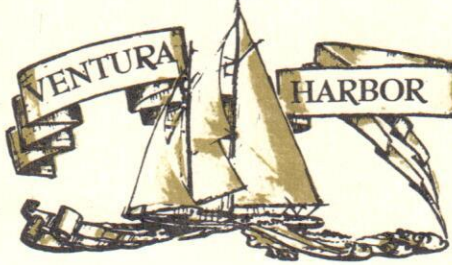
Attachment 2 – Statement of Income Expenses – Period Ended 3/31/16

Attachment 3 – Accounts Payable Check Register for March 2016

Attachment 4 – Chase Credit Card Charges March 2016

Attachment 5 – Aquaculture Fisheries Grant Fund Statement of Income Expenses 3/31/16

ATTACHMENT 1



RESOLUTION NO. 3306

**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 March 2016;
- B. The following Checks are hereby reviewed:
 - 1) Payroll Checks #9088-9124 and direct deposits inclusive in the amount of \$170,354 for March 2016 salaries.
 - 2) Regular Checks #43654-43822 in the amount of \$228,769 for March 2016 expenditures.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on May 25, 2016, Resolution No. 3306 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 March 31, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
OPERATING REVENUES						
Parcel Lease Income	\$ 214,300	\$ 240,379	\$ 26,079	\$ 2,381,100	\$ 2,459,026	\$ 77,926
Dry Storage Income	8,100	10,107	2,007	72,700	83,292	10,592
Fisherman's Storage	6,340	5,762	(578)	57,480	52,170	(5,310)
Parking Income	4,000	5,511	1,511	49,000	55,022	6,022
Miscellaneous Income/Rentals	1,600	3,380	1,780	66,200	66,656	456
Village Income						
Harbor Village Lease Income	168,500	175,881	7,381	1,748,500	1,768,788	20,288
Commercial Fishing	15,000	9,933	(5,067)	166,000	152,564	(13,436)
Miscellaneous Income	520	978	458	4,480	4,615	135
Harbor Event Fees	2,500	2,929	429	27,900	29,605	1,705
Marketing Booth/Vendor Income	3,550	4,640	1,090	8,650	13,548	4,898
Co-Op Advert/Sponsorship	400	0	(400)	14,000	14,485	485
Merchants Promo Fund	8,000	7,595	(405)	67,000	65,344	(1,656)
Slip Rentals	75,000	74,703	(297)	675,000	667,026	(7,974)
Dock Electrical Income	2,000	1,855	(145)	20,000	24,895	4,895
C A M Income	24,000	26,691	2,691	220,000	228,215	8,215
Total Oper. Revenues	\$ 533,810	\$ 570,344	\$ 36,534	\$ 5,578,010	\$ 5,685,251	\$ 107,241
OPERATING EXPENSES						
Personnel Expenses						
Salaries & Wages						
Regular Salaries	\$ 243,580	\$ 238,498	\$ 5,082	\$ 1,623,498	\$ 1,559,826	\$ 63,672
Part-time Help	9,000	7,534	1,466	59,590	55,017	4,573
Overtime Pay	33,865	43,817	(9,952)	72,635	83,367	(10,732)
Holiday Pay	10,000	10,543	(543)	30,000	27,889	2,111
Total Salaries & Wages	\$ 296,445	\$ 300,392	\$ (3,947)	\$ 1,785,723	\$ 1,726,099	\$ 59,624
Other personnel expenses						
Retirement Contributions/Exp	\$ 56,450	\$ 43,397	\$ 13,053	\$ 387,880	\$ 369,825	\$ 18,055
Payroll Taxes	6,070	5,505	565	35,175	31,404	3,771
Worker's Comp Ins.	0	0	0	171,000	171,000	0
OPEB Liability	10,325	10,339	(14)	92,925	92,907	18
Medical & Life Ins.	22,163	23,723	(1,560)	196,017	190,412	5,605
Optional Benefit Plan	15,998	17,985	(1,987)	146,025	144,807	1,218
Uniforms & Tool Allowances	2,812	2,071	741	26,408	22,241	4,167
Total - Other Personnel Expenses	\$ 113,818	\$ 103,020	\$ 10,798	\$ 1,055,430	\$ 1,022,596	\$ 32,834
Total Personnel Expenses	\$ 410,263	\$ 403,412	\$ 6,851	\$ 2,841,153	\$ 2,748,695	\$ 92,458

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Statement of Income and Expenses For the Period Ended March 31, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
General Expenses						
Advertising	\$ 500	\$ 125	\$ 375	\$ 8,500	\$ 6,467	\$ 2,033
Leasing & Real Estate	1,400	405	995	12,800	8,075	4,725
Auto Mileage & Allowance	1,125	769	356	10,125	7,142	2,983
Auto/Boat Equip & Maint	13,093	2,635	10,458	106,552	56,732	49,820
Bad Debt	0	0	0	0	425	(425)
Bank Fees & Other Misc	1,300	990	310	11,600	7,190	4,410
Building Maintenance	18,180	21,883	(3,703)	188,420	122,681	65,739
Bldg Maint-Tenant Improvments	33,500	23,421	10,079	285,000	278,810	6,190
Accessibility Improvements	25,000	9,559	15,441	385,000	335,827	49,173
Communications	3,600	4,086	(486)	32,400	36,066	(3,666)
Conferences & Training	4,750	7,929	(3,179)	40,750	21,009	19,741
Dock Maint. & Repair	3,500	1,564	1,936	35,500	13,697	21,803
Village Enhancements	3,000	2,395	605	27,000	19,210	7,790
Equipment Rental	555	8,167	(7,612)	11,240	17,612	(6,372)
General Insurance	16,834	16,834	0	209,502	209,502	0
Grounds Maintenance	8,115	19,050	(10,935)	89,875	102,298	(12,423)
General Harbor Maintenance	0	0	0	3,000	2,554	446
Janitorial Supplies	5,875	1,715	4,160	46,625	30,125	16,500
Land/Building Rental Expense	6,340	5,762	578	57,480	52,170	5,310
Marketing & Promotions	17,195	31,195	(14,000)	211,950	198,340	13,610
Memberships & Subscriptions	150	50	100	20,425	18,415	2,010
Office Supplies & Equipment	3,150	2,380	770	30,050	25,805	4,245
Computer Equip & Supplies	510	220	290	10,970	11,821	(851)
Operating Supplies	9,310	6,292	3,018	51,590	30,855	20,735
Other Equipment & Repairs	3,395	5,939	(2,544)	35,615	38,179	(2,564)
Professional Services - Legal	20,000	(16,750)	36,750	225,000	188,829	36,171
Professional/Outside Services	27,083	15,989	11,094	323,750	249,344	74,406
Utilities	20,885	13,620	7,265	296,755	240,053	56,702
Dredging Related Expenses	110,785	127,644	(16,859)	281,165	295,232	(14,067)
Total General Expenses	\$ 359,130	\$ 313,868	\$ 45,262	\$ 3,048,639	\$ 2,624,465	\$ 424,174
Total Operating Expenses	\$ 769,393	\$ 717,280	\$ 52,113	\$ 5,889,792	\$ 5,373,160	\$ 516,632
Oper. Income(Loss) Before Deprec.	\$ (235,583)	\$ (146,936)	\$ 88,647	\$ (311,782)	\$ 312,091	\$ 623,873
Depreciation	\$ 83,000	\$ 79,645	\$ 3,355	\$ 729,600	\$ 722,752	\$ 6,848
Operating Income (Loss)	\$ (318,583)	\$ (226,581)	\$ 92,002	\$ (1,041,382)	\$ (410,661)	\$ 630,721

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Statement of Income and Expenses For the Period Ended March 31, 2016

	<----- Current period ----->			<----- Year-to-Date ----->		
	Budget	Activity	Favorable (Unfavorable)	Budget	Activity	Favorable (Unfavorable)
NON-OPERATING REVENUES						
General						
Investment Income (Loss)	\$ 7,500	\$ 22,452	\$ 14,952	\$ 22,500	\$ 33,212	\$ 10,712
Tax Income	2,000	1,899	(101)	595,000	646,409	51,409
Intergov't Revenue	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>14,219</u>	<u>14,219</u>
Total General Non-Oper. Income	\$ 9,500	\$ 24,351	\$ 14,851	\$ 617,500	\$ 693,840	\$ 76,340
Special Funding						
DBAW Grants-Launch Ramp	\$ 0	\$ 31,281	\$ 31,281	\$ 0	\$ 31,281	\$ 31,281
City of Ventura	<u>30,000</u>	<u>51,944</u>	<u>21,944</u>	<u>30,000</u>	<u>51,944</u>	<u>21,944</u>
Total Special Funding	\$ 30,000	\$ 83,225	\$ 53,225	\$ 30,000	\$ 83,225	\$ 53,225
TOTAL NON-OPER. REVENUES	<u>\$ 39,500</u>	<u>\$ 107,576</u>	<u>\$ 68,076</u>	<u>\$ 647,500</u>	<u>\$ 777,065</u>	<u>\$ 129,565</u>
NON-OPERATING EXPENSES						
Interest Expense	\$ 1,440	\$ 1,437	\$ 3	\$ 647,120	\$ 644,166	\$ 2,954
Amortized Bond Issuance Cost	<u>0</u>	<u>0</u>	<u>0</u>	<u>135,600</u>	<u>40,000</u>	<u>95,600</u>
Total Non-Oper. Expenses	\$ 1,440	\$ 1,437	\$ 3	\$ 782,720	\$ 684,166	\$ 98,554
Non-Operationing Income (Loss)	<u>\$ 38,060</u>	<u>\$ 106,139</u>	<u>\$ 68,079</u>	<u>\$ (135,220)</u>	<u>\$ 92,899</u>	<u>\$ 228,119</u>
CHANGES IN NET POSITION	<u><u>\$ (280,523)</u></u>	<u><u>\$ (120,442)</u></u>	<u><u>\$ 160,081</u></u>	<u><u>\$ (1,176,602)</u></u>	<u><u>\$ (317,762)</u></u>	<u><u>\$ 858,840</u></u>

Monthly Report
(Unaudited)

ATTACHMENT 2

Supplementary Notes to the Statement of Income and Expense for the period ending March 31, 2016 – Budget to Actual Analysis.

Operating Income:

Parcel Lease Income – (exceeds budget \$77,926) 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 \$26,079 increase in lease income for the month of March reflects higher than anticipated sales being reported.

Dry Storage Income – (exceeds budget \$10,592) Occupancy of the dry storage lot is higher than anticipated.

Harbor Village Lease Income – (exceeds budget \$20,288) This category includes retail, restaurant, offices and charters located in the Village. The annual variance continues to primarily reflect the higher than anticipated rents received for the charter category during July – December 2015. The March budget variance of \$7,381 primarily reflects the net from charter income being down by \$9,000 (Island Packers) and restaurant and retail income being up by \$16,000 over our conservative budget projections. The restaurant and retail percentage rents reflected in March are based on February sales. The percentage rent was higher than projected for almost every tenant. (Percentage rent is always reported in arrears)

Commercial Fishing – (under budget \$13,436) This variance primarily reflects January, February and March as the July thru December budget was adjusted at mid-year. It was anticipated that there would be more offloading of other species of fish (not squid) during these past few months. The income from other species offloading has never been a large number but it seems to be less than then in prior years.

Slip Rentals – (under budget \$7,974) This category reflects approximately a 1% variance from the budget. This year-to-date variance is reasonable. The income for March is right in-line with the budget.

Operating Expenses:

Personnel Expenses – (under budget \$92,458)

- Salaries and wages are under budget thru March by \$59,624, approximately 3%. 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 \$32,834. This variance is spread out over all the categories which is reasonable at this time. The retirement contributions are affected by the fact that the merit increases in wages have not been implemented.

Auto/Boat Equip & Maintenance – (under budget \$49,820) Approximately \$34,000 of this variance is related to boat maintenance and fuel, and about \$15,000 is related to truck maintenance and fuel purchases through March. 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 Maintenance – (under budget \$65,739) 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, February and March. January exceeded the budget by \$6,200 and February exceeded the budget by \$14,808 and March exceeded the budget by \$3,700.

ATTACHMENT 2

Supplementary Notes to Statement of Income and Expenses Continued for the period ending March 31, 2016 – Budget to Actual Analysis

Building Maintenance-Tenant Improvements – (under budget \$6,190) The tenant improvements aligned with the annual budget in the month of February and the month of March is under budget by \$10,000. It is anticipated that all of these funds will be utilized by June 30 as the old Harbor Kite store is being separated into two suites.

Accessibility Improvements – (under budget \$49,173) February and March showed little activity on the accessibility improvements. RRM Design continues to work on the Phase 3 (Carousel courtyard) construction documents. The Phase 2 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.

Conferences & Meetings – (under budget \$19,741) 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. Expenses for the month of March exceed the budget by \$3,179. The Washington CMANC Conference was attended by two commissioners in March.

Dock Maintenance & Repairs – (under budget \$21,803) 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. He has contracted for services in May to have piling guides fabricated and replaced on D dock.

Village Enhancements – (under budget \$7,790) This category is allocated evenly over twelve months. This category is being utilized for awning replacements.

Equipment Rental - (over budget \$6,372) This category is over budget due to having to rent more large equipment than usual to clean up areas in the harbor that were affected by the high winds in the past few months.

Grounds Maintenance – (over budget \$12,423) This variance is primarily in March. The high winds experienced in February and March caused extensive damage to trees in the harbor and it was necessary to hire a contractor to prune back and clean up falling trees.

Janitorial Supplies – (under budget \$16,500) This category is divided equally each month throughout the year. It is anticipated that more supplies will be needed in May and June as summer approaches and that all of these funds will be utilized by June 30.

Marketing and Promotions – (under budget \$13,610) 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.

Operating Supplies – (under budget \$20,735) This variance is primarily in the Harbor Patrol Department. Patrol is in the process of purchasing the supplies and equipment that are discussed in the current budget notes. (FCC licensing, a repeater, radios, antennas, misc. gear)

Professional Services/Legal – (under budget \$36,171) This variance is reflected in the month of March. Ventura Isle Marina reimbursed the District for legal fees associated with the assignment of their lease to a new owner.

Professional/Outside Services – (under budget \$74,406) The month of March is under budget by \$11,000. The annual variance in this category continues to reflect several primary factors –

- \$14,000 is for Lifeguard services that the State Parks & Recreation did not have to utilize.

ATTACHMENT 2

Supplementary Notes to Statement of Income and Expenses Continued for the period ending March 31, 2016 – Budget to Actual Analysis

- \$28,000 has been budgeted to clean up Parcels 15,16,18 prior to Sondermann Ring taking possession.
- Approximately \$25,000 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, \$10,000 was budgeted for a parking plan strategy that will be utilized in May 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 – March period.

Utilities - (under budget \$56,702) 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 \$31,196,
- Electricity is under budget by \$11,018,
- Gas is under budget by \$2,105 and
- Trash is under budget by \$12,383 to date.

Dredging – (exceeds budget \$14,067) This variance is primarily in the month of March. Costs associated with the dredging of the Stub Channel exceeded the budget.

Non-operating Revenue:

Tax Income – (exceeds budget \$51,409) The increase in Property tax revenues has exceeded the 2% increase that was conservatively projected in the current budget.

Special Funding/DBAW Grant-Launch Ramp – (exceeds budget \$31,281) This variance represents launch ramp costs that DBW had originally rejected for reimbursement in FY14-15 and then agreed to reimburse them in our final reimbursement request for the launch ramp project in the current year.

Special Funding/City of Ventura – (exceeds budget \$21,944) This variance represents the portion of the City's reimbursement for the dredging of the stub channel costs that exceeded our budgeted reimbursement projected at \$30,000.

Non-operating Expenses:

Amortized Bond Issuance Cost – (under budget \$95,600) This variance represents the budgeted cost of the prepayment premium associated with the COPs rate resetting. This charge will be amortized over the life of the debt service instead of showing as an expense. However, a charge of \$51,764 will be utilized against this variance for the cost of issuance expense related to the DBW loan refunding in April. At the time of the mid-year budget this charge was not known.

ATTACHMENT 2

Ventura Port District Budget Analysis 25% Remaining For the Period Ended March 31, 2016

	Current Annual Budget	Current YTD Activity	Remaining Budget	% Remaining
INCOME				
Operating Income				
Parcel Lease Income	3,095,000	2,459,026	635,974	21
Dry Storage Income	97,000	83,292	13,708	14
Fisherman's Storage	76,500	52,170	24,330	32
Parking Income	65,000	55,022	9,978	15
Miscellaneous Income/Rentals	71,500	66,656	4,844	7
Village Income				
Harbor Village Lease Income	2,330,000	1,768,788	561,212	24
Commercial Fishing	215,000	152,564	62,436	29
Miscellaneous Income	6,000	4,615	1,385	23
Harbor Event Fees	40,500	29,605	10,895	27
Marketing Booth/Vendor Income	10,000	13,548	(3,548)	(35)
Co-Op Advert/Sponsorship	16,500	14,485	2,015	12
Merchants Promo Fund	90,000	65,344	24,656	27
Slip Rentals	900,000	667,026	232,974	26
Dock Electrical Income	26,000	24,895	1,105	4
C A M Income	295,000	228,215	66,785	23
Total Operating Income	\$ 7,334,000	\$ 5,685,251	\$ 1,648,749	22 %
Non-operating Income				
Investment Income	30,000	33,212	(3,212)	(11)
Tax Income	1,030,000	646,409	383,591	37
Intergov't Revenue	0	14,219	(14,219)	0
DBAW Grants-Misc	15,500	0	15,500	100
DBAW Grants-Launch Ramp	0	31,281	(31,281)	0
DBAW Grant-Equipment	59,500	0	59,500	100
City of Ventura	30,000	51,944	(21,944)	(73)
Total Non-Operating Income	\$ 1,165,000	\$ 777,065	\$ 387,935	33 %
TOTAL INCOME	\$ 8,499,000	\$ 6,462,316	\$ 2,036,684	24 %
EXPENSES				
Personnel Expenses				
Salaries & Wages	2,314,500	1,726,099	588,401	25
Retirement Contributions	506,500	369,825	136,675	27
Payroll Taxes	44,500	31,404	13,096	29
Worker's Comp Ins.	171,000	171,000	0	0
OPEB Liability	123,922	92,907	31,015	25
Medical & Life Ins.	262,500	190,412	72,088	27
Optional Benefit Plan	194,000	144,807	49,193	25
Uniforms & Tool Allowances	35,000	22,241	12,759	36
Total Personnel Expenses	\$ 3,651,922	\$ 2,748,695	\$ 903,227	25 %

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Budget Analysis 25% Remaining For the Period Ended March 31, 2016

	Current Annual Budget	Current YTD Activity	Remaining Budget	% Remaining
General Expenses				
Advertising	10,000	6,467	3,533	35
Leasing / Real Estate	17,000	8,075	8,925	53
Auto Mileage & Allowance	13,500	7,142	6,358	47
Auto/Boat Equip & Maint	201,500	56,732	144,768	72
Bad Debt	25,000	425	24,575	98
Bank Fees & Other Misc	15,500	7,190	8,310	54
Building Maintenance	243,000	122,681	120,319	50
Bldg Maint-Tenant Improvments	285,000	278,810	6,190	2
Accessibility Improvements	800,000	335,827	464,173	58
Communications	43,000	36,066	6,934	16
Conferences & Training	59,500	21,009	38,491	65
Dock Maint. & Repair	49,000	13,697	35,303	72
Village Enhancements	35,000	19,210	15,790	45
Equipment Rental	18,500	17,612	888	5
General Insurance	260,000	209,502	50,498	19
Grounds Maintenance	111,000	102,298	8,702	8
General Harbor Maintenance	4,000	2,554	1,446	36
Janitorial Supplies	60,500	30,125	30,375	50
Land/Building Rental Expense	76,500	52,170	24,330	32
Marketing & Promotions	291,500	198,340	93,160	32
Memberships & Subscriptions	21,500	18,415	3,085	14
Office Supplies & Equipment	38,000	25,805	12,195	32
Computer Equip & Supplies	12,500	11,821	679	5
Operating Supplies	69,500	30,855	38,645	56
Other Equipment & Repairs	46,000	38,179	7,821	17
Professional Services - Legal	245,000	188,829	56,171	23
Professional/Outside Services	413,000	249,344	163,656	40
Utilities	411,500	240,053	171,447	42
Dredging Related Expenses	<u>335,000</u>	<u>295,232</u>	<u>39,768</u>	<u>12</u>
Total General Expenses	\$ 4,211,000	\$ 2,624,465	\$ 1,586,535	38 %
Non-operating Expenses				
Interest Expense	650,710	644,166	6,544	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	\$ 684,166	\$ 102,144	13 %
TOTAL EXPENSES	\$ 8,649,232	\$ 6,057,326	\$ 2,591,906	30 %

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Budget Analysis 25% Remaining For the Period Ended March 31, 2016

	Current Annual Budget	Current YTD Activity	Budget Funds Remaining
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	7,757	82,243
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	1,788	118,212
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	\$ 805,891	\$ 437,309

ATTACHMENT 2

Ventura Port District Balance Sheet For the Period Ended March 31, 2016

CURRENT ASSETS

Cash in Banks	2,560,074
Accounts Receivable	440,735
Intercompany Receivable-Grant Fund	36,000
Notes Receivable	306,818
Taxes Receivable	50,542
Interest Receivable	14,576
Prepaid Expenses	92,650
Inventory of supplies	35,245

TOTAL CURRENT ASSETS \$3,536,640

RESTRICTED ASSETS

Cash - Dredging	3,028,384
Cash - Improvement	3,108,397
Cash - Fisheries Complex	50,092

TOTAL RESTRICTED ASSETS \$6,186,873

FIXED ASSETS

Land	2,342,629
Harbor Improvements	33,713,807
Equipment	1,510,312
	37,566,748

Accumulated depreciation (15,082,081)

NET FIXED ASSETS \$22,484,667

OTHER ASSETS

Investments-Unrestricted Reserves	1,499,130
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TOTAL OTHER ASSETS \$1,499,130

TOTAL ASSETS \$33,707,310

DEFERRED OUTFLOWS OF RESOURCES

Deferred amount on refundings	301,269
Deferred amount on pension plan	347,852

TOTAL DEFERRED OUTFLOWS OF RESOURCES \$649,121

**TOTAL ASSETS AND DEFERRED
OUTFLOWS OF RESOURCES** \$34,356,431

CURRENT LIABILITIES

Accounts Payable	220,767
Accrued Interest	373,390
Current Portion LT Debt	639,912
Current Portion OPEB Liability	11,856
Accrued Payroll	62,344
Employee Compensated Absences	230,666

TOTAL CURRENT LIABILITIES \$1,538,935

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	482,705
Net Pension Liability	2,578,020
Unearned Revenue	202,333
Security Deposits	169,611

TOTAL OTHER LIABILITIES \$3,432,669

TOTAL LIABILITIES \$17,990,241

EQUITY

Contributed Capital	4,632,128
Retained Earnings-Reserved	645,536
Retained Earnings- Unreserved	10,722,661
Current Year Retained Earnings	(317,762)

TOTAL EQUITY \$15,682,563

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** \$34,356,431

ATTACHMENT 2

Ventura Port District Cashflow Statement As of March 31, 2016

Enterprise Fund

Operating Income	5,685,251
Non-Operating Income	777,065
Total Income	<u>\$ 6,462,316</u>
Operating Expenses	6,095,912
Non-Operating Expenses	684,166
Total Expenses	<u>\$ 6,780,078</u>
Change in Net Position-Accrual Basis	\$ (317,762)
Cashflows for Capital and Financing Activities:	
Principle paid on debt	(639,912)
Deferred amount on refundings	(77,151)
Acquisitions/Retirements of Capital Assets	(805,892)
Net Cash provided (used) by Capital & Financing	<u>\$ (1,522,955)</u>
Operating Income Adjustments:	
Depreciation	722,752
(Increase)decrease in receivables	47,842
(Increase)decrease in prepaid Items	261,666
Increase(decrease) in payables	167,228
Increase(decrease) in unearned revenue	(53,444)
Increase (decrease) in tenant deposits	5,847
Net Cash provided by Operating Activities	<u>\$ 1,151,891</u>
NET Increase (Decrease) in Cash	\$ (688,826)
Add: Beginning Cash 7/1/15	\$ 10,934,904
Ending Cash at 3/31/16	\$ 10,246,078

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Distribution of Cash as of March 31, 2016

<u>Enterprise Fund</u>	Current Balance
<u>Cash</u>	
Cash on Hand (undeposited)	1,324
Cash in Checking (Wells Fargo Bank)	702,259
Cash in County Treasury	<u>16,684</u>
Total Cash Available for Normal Operations	<u>\$ 720,267</u>
 <u>Investments Unrestricted Reserves</u>	
Local Agency Investment Fund (LAIF)	1,839,806
Stifel Nicolaus	<u>1,499,131</u>
Total Investments Unrestricted Reserves	<u>\$ 3,338,937</u>
 <u>Dredging Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>3,028,384</u>
Total Dredging Reserves	<u>\$ 3,028,384</u>
 <u>Capital Improvement Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>3,108,398</u>
Total Capital Improvement Reserves	<u>\$ 3,108,398</u>
 <u>Fisheries Complex Reserves</u>	
Local Agency Investment Fund (LAIF)	<u>50,092</u>
Total Fisheries Complex Reserves	<u>\$ 50,092</u>
 TOTAL CASH AND INVESTMENTS	<u><u>\$ 10,246,078</u></u>

Monthly Report
(Unaudited)

ATTACHMENT 2

Ventura Port District Comparison of Lease Rent

	Year to Date Ended <u>3/31/2016</u>	Year to Date Ended <u>3/31/2015</u>	Increase (Decrease)	
Parcel Leases				
Ventura Harbor Marine Assoc	143,448	122,443	21,005	17%
Dave's Fuel Dock	8,400	7,242	1,158	16%
Sheraton 4 Points-Harbortown	334,460	308,893	25,567	8%
Harbortown Point	71,939	70,616	1,323	2%
Oceans West Marina	216,044	210,572	5,472	3%
Ventura Isle Marina	516,982	484,023	32,959	7%
Ventura Marina Mobile Park	326,460	321,469	4,991	2%
Ventura West Marina	372,957	366,739	6,218	2%
Ventura Yacht Club	89,262	87,512	1,750	2%
Vta Harbor Boatyard	329,074	275,186	53,888	20%
Sonderman Ring	50,000	50,000	0	0%
Total Parcel Lease	<u>2,459,026</u>	<u>2,304,695</u>	<u>154,331</u>	7%
Fees & Reimbursements	<u>-</u>	<u>2,287</u>	<u>(2,287)</u>	
Total Parcel Leases	2,459,026	2,306,982	152,044	7%
Ventura Harbor Village				
Retail Rents	327,101	344,847	(17,746)	-5%
Restaurant Rents	739,966	680,742	59,224	9%
Office Rents	450,867	419,106	31,761	8%
Charters	250,854	260,369	(9,515)	-4%
Total Village	<u>1,768,788</u>	<u>1,705,064</u>	<u>63,724</u>	4%
Commercial Fishing	152,564	208,395	(55,831)	-27%
TOTAL	4,380,378	4,220,441	159,937	4%

Monthly Report
(Unaudited)

ATTACHMENT 2

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

	MONTH OF MARCH			YEAR TO DATE 3/31			% change FY14-15 to Current Yr
	2013-14	2014-15	Current	2013-14	2014-15	Current	
<u>Operating Income</u>							
Parcel Leases	207,463	206,058	240,379	2,273,133	2,306,982	2,459,026	7%
Dry Storage	6,894	6,773	10,107	68,551	62,934	83,292	32%
Other Operating	9,531	13,799	14,653	141,740	162,745	174,198	7%
Harbor Village Leases	162,221	162,722	175,881	1,663,873	1,705,064	1,768,788	4%
Commercial Fishing	9,824	13,126	9,933	281,922	208,395	152,564	-27%
Slips	72,355	80,128	74,703	688,251	646,297	667,026	3%
CAM	23,839	20,830	26,691	214,759	209,865	228,215	9%
Marketing	7,017	6,756	7,595	62,118	65,227	65,344	0%
Electrical Slips	2,772	1,931	1,855	23,658	23,285	24,895	7%
Other Operating	3,790	7,218	8,547	59,623	65,342	61,903	-5%
Total Operating Income	505,706	519,341	570,344	5,477,628	5,456,136	5,685,251	4%
<u>Operating Expenses</u>							
Harbor Patrol	92,838	124,667	145,893	767,919	879,353	921,871	5%
Maintenance	113,260	81,527	140,728	927,578	831,101	1,341,912	61%
Administration	162,991	143,722	124,992	1,266,666	1,301,749	1,352,552	4%
Marina	45,140	61,638	61,341	504,805	494,408	489,456	-1%
C A M	54,262	68,677	62,595	534,417	591,328	616,951	4%
Marketing	30,836	46,401	54,086	335,221	347,797	355,186	2%
Dredging	36,466	37,831	127,645	192,854	176,738	295,232	67%
Total Operating Expenses	535,793	564,463	717,280	4,529,460	4,622,474	5,373,160	16%
NET OPERATING INCOME	(30,087)	(45,122)	(146,936)	948,168	833,662	312,091	-63%
<u>Non-operating Income</u>							
Interest	39,290	14,994	22,452	87,117	30,137	33,212	
Taxes	1,482	2,820	1,899	567,474	588,795	646,409	10%
Other	-	-	83,225	8,942	28,718	97,444	
Total Non-operating Income	40,772	17,814	107,576	663,533	647,650	777,065	20%
<u>Non-Operating Expenses</u>							
Depreciation	74,779	82,307	79,645	671,978	736,531	722,752	
Debt Service	1,437	1,437	1,437	699,390	672,360	644,166	
Other	-	-	-	-	-	40,000	
Total Non-operating Expenses	76,216	83,744	81,082	1,371,368	1,408,891	1,406,918	0%
NET NON-OPER. INCOME	(35,444)	(65,930)	26,494	(707,835)	(761,241)	(629,853)	
NET CHANGE IN POSITION	(65,531)	(111,052)	(120,442)	240,333	72,421	(317,762)	-539%

ATTACHMENT 3

Accounts Payable Check Register - March 2016

Ventura Port District
Wells Fargo Checking

4/21/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43654	3/9/2016	28701	Everard Ashworth	Conference reimbursement	230.93	
43655	3/9/2016	3497	Gregory Carson	Advance on CMANC conference expenses	800.00	
43656	3/10/2016	1206	Anchor Coring & Sawing Inc.	Village roof drain repair/concrete cutting for fiber&trash enclosure repi	705.00	
43657	3/10/2016	1321	Avalon Door & Windows Inc.	Village office suite replace window 1559 building suite 206	297.29	
43658	3/10/2016	1323	Avenue Welding & Support Service	Repair Village maintenance shop gate & VPD HDQ stair rail	370.86	
43659	3/10/2016	1492	Big Brand Tire Company	Set of tires for maintenance vehicle	480.94	
43660	3/10/2016	1725	CED (Consolidated Electrical Distributers)	Misc shop supplies	43.29	
43661	3/10/2016	1915	Cintas Corp	Uniform rental/cleaning, door mats, rags	673.46	
43662	3/10/2016	1925	City Of S. Buenaventura	Trash service	100.00	
43663	3/10/2016	1926	City Corps	Marketing-Event staffing Cottontail Day	325.00	
43664	3/10/2016	2029	Cover 2 Cover Music Inc.	Marketing Village entertainment	900.00	
43665	3/10/2016	2065	Certified Credit Reporting Inc	Credit reports on prospective tenants	54.00	
43666	3/10/2016	2099	Custom Embroidery	Marketing Village logo	57.25	
43667	3/10/2016	2174	Dan Harding	Marketing-Photography	275.00	
43668	3/10/2016	2331	Dial Security Inc	National Park Service lease requirement	612.00	
43669	3/10/2016	2537	Dunn Edwards	Operating supplies	99.07	
43670	3/10/2016	2751	Empire Cleaning Supply	Janitorial supplies	1,935.16	
43671	3/10/2016	2935	Farmer Bros. Co	Coffee supplies	174.78	
43672	3/10/2016	2980	Fausset Printing, LLC	Marketing - Travel show brochures	90.00	
43673	3/10/2016	2986	Ferguson Enterprises Inc.	Plumbing fixture supplies restrooms in Island Packers Bldg.	348.48	
43674	3/10/2016	3050	All That's Fit to Print	Marketing ad/graphic production	1,743.75	
43675	3/10/2016	3490	Grainger Inc.	Miscellaneous operating supplies	91.81	
43676	3/10/2016	3499	Grant Grizzle	Marketing Village entertainment Cottontail Day	50.00	
43677	3/10/2016	3592	Hansen's Plumbing, Inc.	Village restroom water heater repairs 1559 building	513.44	
43678	3/10/2016	3602	Happenings Magazine	Marketing-Advertising	506.00	
43679	3/10/2016	3752	HLI Systems	Web and email hosting	150.00	
43680	3/10/2016	4242	Jamie Shaheen	Marketing Village entertainment	350.00	
43681	3/10/2016	4247	Jani-King of CA Inc.	Janitorial Service in Village-Feb pymt lost-reissued	4,965.56	
43682	3/10/2016	4293	Jennifer Talt-Lundin	Conference reimbursement-LA Travel Show & Event petty cash	1,402.40	
43683	3/10/2016	5210	McCormix Corp.	Fuel for maintenance vehicles	448.64	
43684	3/10/2016	6030	3Digit Media	Marketing-Advertising	955.00	
43685	3/10/2016	6850	R P Barricade	Rental of lane closure equipment during entry feature construction	450.00	
43686	3/10/2016	6913	Pacific Coast Publishing	Marketing-Advertising	585.00	
43687	3/10/2016	7245	Santa Barbara Family Life	Marketing-Advertising	357.00	
43688	3/10/2016	7294	Service-Pro Fire Protection	Village 1591 building fire sprinkler repair	700.00	

ATTACHMENT 3

Accounts Payable Check Register - March 2016

Ventura Port District
Wells Fargo Checking

4/21/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43689	3/10/2016	7410	Smith Pipe & Supply Inc.	Landscape irrigation parts	49.13	
43690	3/10/2016	7869	T 3 Construction Inc	Village tenant improvement Barefoot Boutique expansion	13,250.00	
43691	3/10/2016	7873	Tawnis Ponies & Petting Farm I	Marketing Village entertainment	750.00	
43692	3/10/2016	7960	Tri-County Locksmiths	Village 1591 building elevator room lock repair/replacement	129.00	
43693	3/10/2016	8204	VACCO	HVAC service call VPD HDQ	81.00	
43694	3/10/2016	8250	Ventura Visitors & Convention	Rent for space in VVC building	232.50	
43695	3/10/2016	8263	Ventura Pest Control	Village service	335.00	
43696	3/10/2016	8266	Ventura Harbor Marine Fuel	Reimburse for annual electrical usage by vessels on C dock	7,092.36	
43697	3/10/2016	8454	Vogue Sign Company	Village directional signage for new tenant	160.00	
43698	3/10/2016	8538	Wenches & Warriors/Angel Jones	Marketing Village entertainment	150.00	
43699	3/10/2016	8552	Village Carousel	Marketing-Event production Cottontail Day	187.50	
43700	3/10/2016	11471	All Surface Construction Inc	Dry Storage lot asphalt repair	1,575.00	
43701	3/10/2016	18861	Chantel Durelli	Marketing Village entertainment	287.50	
43702	3/10/2016	25381	Duncan McIntosh Co., Inc.	Leasing Advertising	930.00	
43703	3/10/2016	28650	Evans; Moxie Brooke	Marketing Village entertainment	142.50	
43704	3/10/2016	37900	Hultman; Sheri	Marketing Village entertainment	90.00	
43705	3/10/2016	42471	JaniTek Cleaning Solutions	Janitorial service for National Park Service Offices	1,163.00	
43706	3/10/2016	42923	Jerome's Appliance Repair	Village washer/ dryer repair 1691 building	320.80	
43707	3/10/2016	48470	Lauren Yuncker	Marketing expense reimbursement	60.78	
43708	3/10/2016	51731	Marcos Ramos Painting	Village men's restroom painting-1559 building	1,350.00	
43709	3/10/2016	51751	Maria Schonder	Marketing expense reimbursement	30.00	
43710	3/10/2016	72345	Sara Stutt	Marketing Village entertainment	30.00	
43711	3/10/2016	75712	Stacey Reed	Marketing-event staff assistance Cottontail Day	135.00	
43712	3/10/2016	PM OneTime	Paul Kiers	Refund key deposit	25.00	
43713	3/10/2016	1060	AFLAC	Salary reduction benefit	487.35	
43714	3/10/2016	1178	American Office Products	Office supplies	32.75	
43715	3/10/2016	1674	Card Integrators	Laser fiche service	120.00	
43716	3/10/2016	1762	Canon Financial Services	Copier lease for VPD HDQ and Marketing office	795.50	
43717	3/10/2016	1915	Cintas Corp	Uniform rental/cleaning, door mats, rags	64.64	
43718	3/10/2016	2331	Dial Security Inc	Dockmaster/security coverage	800.00	
43719	3/10/2016	2446	DocuProducts	Copier maintenance fees	533.18	
43720	3/10/2016	2604	E.J. Harrison & Sons Inc.	Trash service	403.94	
43721	3/10/2016	2935	Farmer Bros. Co	Coffee supplies	232.17	
43722	3/10/2016	5625	ReadyRefresh	Bottled water service	139.30	
43723	3/10/2016	6440	Port Supply	Supplies for dock repairs	215.87	

ATTACHMENT 3

Accounts Payable Check Register - March 2016

Ventura Port District
Wells Fargo Checking

4/21/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43724	3/10/2016	6687	RRM Design Group Inc.	Accessibility Phase 3 design-February services	9,820.00	
43725	3/10/2016	7240	AT&T	Elevator emergency phone service	709.58	
43726	3/10/2016	7434	Southern Calif. Edison	Utilities	22.85	
43727	3/10/2016	7761	The Gas Company	Utilities	804.84	
43728	3/10/2016	8233	Venco Power Sweeping, Inc	Monthly Fish Pier sweeping	130.00	
43729	3/10/2016	8241	Ventura County Star	Newspaper subscription	80.95	
43730	3/10/2016	8251	Ventura Water	Utilities	254.70	
43731	3/10/2016	8453	Virtual Pacific Networks	IT Services	2,495.00	
43732	3/10/2016	12300	AT&T Business Services	Fiber/Wi-Fi services VPD HDQ	1,388.34	
43733	3/10/2016	20200	CoStar Realty Information, Inc	Leasing marketing data software	729.00	
43734	3/10/2016	74343	Sommerville Associates	Marketing public relations services	2,000.00	
43735	3/18/2016	1058	Advantage Telecom Inc	District phone system/internet	1,359.56	
43736	3/18/2016	1178	American Office Products	Office supplies	134.56	
43737	3/18/2016	1321	Avalon Door & Windows Inc.	Village Repair windows 1567 building suite 107AB	137.60	
43738	3/18/2016	1440	Beacon Marine Chandlery Inc	Harbor Patrol operating supplies	45.28	
43739	3/18/2016	1679	Carpi, Clay & Smith	Washington lobbyist - February	5,000.00	
43740	3/18/2016	1725	CED (Consolidated Electrical Distributors)	Misc shop supplies	9.54	
43741	3/18/2016	1737	C.M.A.N.C.	Washington Event sponsorship Fee	1,600.00	
43742	3/18/2016	1915	Cintas Corp	Uniform rental/cleaning, door mats, rags	797.89	
43743	3/18/2016	2099	Custom Embroidery	Dockmaster uniform jacket	83.83	
43744	3/18/2016	2295	Destin Thomas Communication	Evaluate roof top radio antenna's for Harbor Patrol equipment	199.00	
43745	3/18/2016	2331	Dial Security Inc	Dockmaster/security coverage	800.00	
43746	3/18/2016	2433	Document Systems Inc.	Printer toner	183.38	
43747	3/18/2016	3050	All That's Fit to Print	Marketing ad/graphic production	1,170.04	
43748	3/18/2016	4295	Jensen Design & Survey Inc.	Village accessibility handrail followup	120.00	
43749	3/18/2016	4852	Lagerlof Senecal Gosney	Legal Fees	19,587.25	
43750	3/18/2016	4897	PORAC Legal Defense Fund	Salary reduction benefit	183.60	
43751	3/18/2016	5505	Muzicraft Inc.	Ambient music in Village - April	329.50	
43752	3/18/2016	6030	3 Digit Media ** Voided **	Leasing Ad-Paid by credit card on 3/24/16		902.00
43753	3/18/2016	6040	On Duty Uniforms & Equipment	Patrol uniforms	193.49	
43754	3/18/2016	6178	PERS Long Term Care Program	Salary reduction benefit	164.98	
43755	3/18/2016	6201	Pamela Griffin	Wellness program instructor	160.00	
43756	3/18/2016	6284	Peace Officers Research Assoc.	(PORAC) Salary reduction benefit	114.00	
43757	3/18/2016	6470	LegalShield	Salary reduction benefit	166.40	
43758	3/18/2016	7000	Richard W. Parsons	Dredging/Project Management services-Mar	8,888.00	

ATTACHMENT 3

Accounts Payable Check Register - March 2016

Ventura Port District
Wells Fargo Checking

4/21/2016

Check	Date	Payee	Name	Description	Amount	Voided Amount
43759	3/18/2016	7210	SEIU Local 721	Union dues for Harbor Patrolmen	259.64	
43760	3/18/2016	7346	Shell Fleet Plus	Fuel for patrol vehicles	540.19	
43761	3/18/2016	7719	Teamsters Local No. 186	Union dues for Dockmasters	159.00	
43762	3/18/2016	7762	The Home Depot	Operating supplies	272.14	
43763	3/18/2016	8233	Venco Power Sweeping, Inc	Monthly Village parking lot	415.38	
43764	3/18/2016	8244	Ventura Harbor Storage	Fishermen's storage/net repair area	5,762.10	
43765	3/18/2016	8260	Verizon Wireless	Cell phones/services	96.94	
43766	3/18/2016	8531	Whisenhunt Communication	Public relations services	820.00	
43767	3/18/2016	12856	Arkadin, Inc.	Conference call service	61.63	
43768	3/18/2016	24351	Dog Waste Depot	Mutt-mits	632.10	
43769	3/18/2016	25351	Dudek	Services on Ventura Shellfish Enterprise study	798.32	
43770	3/18/2016	42471	JaniTek Cleaning Solutions	Special janitorial services for National Park Service Offices	73.38	
43771	3/18/2016	70641	Superior Awning, Inc.	Awning for new tenant-Island Creations	2,235.30	
43772	3/18/2016	76012	Sunbelt Rentals, Inc.	Invoice correction for previous equipment rental	267.98	
43773	3/18/2016	Deposits	Gabriela Avalos	Refund event deposit	250.00	
43774	3/18/2016	PM OneTime	Dennis Fournier	Refund key deposit	25.00	
43775	3/24/2016	1154	Alejandra's Nursery	Village landscaping plants	1,284.62	
43776	3/24/2016	1182	American Builders Supply	Village landscaping material	45.15	
43777	3/24/2016	1378	BC Tree Service Inc	Emergency tree cleanup due to foul weather conditions	12,500.00	
43778	3/24/2016	1625	Byrd Locksmithing Inc.	Village lock repair-1591 building	188.00	
43779	3/24/2016	1676	Carquest Auto Parts	Operating supplies	146.03	
43780	3/24/2016	1725	CED (Consolidated Electrical Distributors)	Misc shop supplies	10.55	
43781	3/24/2016	2093	Cumulus Broadcasting Inc.	Marketing radio advertising	600.00	
43782	3/24/2016	2096	Cushman Contracting Corporation	Final retention on Derrick crane	5,978.75	
43783	3/24/2016	2174	Dan Harding	Marketing-Photography	120.00	
43784	3/24/2016	2537	Dunn Edwards	Operating supplies	2.15	
43785	3/24/2016	2604	E.J. Harrison & Sons Inc.	Trash service	4,224.98	
43786	3/24/2016	2980	Fausset Printing, LLC	Parking passes & Marketing rack cards; event production	405.00	
43787	3/24/2016	2983	Federal Express Corporation	Ship materials to Washington for CMANC conference	311.89	
43788	3/24/2016	3050	All That's Fit to Print	Marketing ad/graphic production	1,008.79	
43789	3/24/2016	3331	Gerardo's Gardening	Irrigation repairs in Village; launch ramp; harbor entry feature	3,200.00	
43790	3/24/2016	3433	GM Electric Inc.	Village electrical repair National Park Service Office	192.00	
43791	3/24/2016	3490	Grainger Inc.	Miscellaneous operating supplies	651.86	
43792	3/24/2016	3592	Hansen's Plumbing, Inc.	Village replace roof drains, VPD HDQ replace commode	2,123.35	
43793	3/24/2016	4057	Health & Human Resource Center	Employee Assistance Program (EAP)	177.14	

ATTACHMENT 3

Accounts Payable Check Register - March 2016

Ventura Port District
Wells Fargo Checking

4/21/2016

<u>Check</u>	<u>Date</u>	<u>Payee</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided Amount</u>
43794	3/24/2016	4247	Jani-King of CA Inc.	Janitorial Service in Village	4,965.56	
43795	3/24/2016	4293	Jennifer Talt-Lundin	Mileage reimbursement - CCTB Retreat	113.40	
43796	3/24/2016	4742	Kratos Construction	Village replace waterheater, install fiber/optic/fix restroom lights	5,450.00	
43797	3/24/2016	4956	Lisa Kelly	Village sign painting	200.00	
43798	3/24/2016	5190	Matilija Water	Reverse osmosis water system March	45.00	
43799	3/24/2016	5210	McCormix Corp.	Fuel for maintenance vehicles	711.77	
43800	3/24/2016	6178	PERS Long Term Care Program	Salary reduction benefit	164.98	
43801	3/24/2016	6361	Pitney Bowes	Postage meter lease/Vlg office	34.63	
43802	3/24/2016	6687	RRM Design Group Inc.	Accessibility Phase 3 design-March services	9,559.27	
43803	3/24/2016	6865	Rasmussen & Associates Inc	Services for 1691 roof repairs & Village window replacement	2,579.78	
43804	3/24/2016	7240	AT&T	Elevator emergency phone service	109.88	
43805	3/24/2016	7291	Security Plus Door Company	Village-purchase door/special hardware for electrical room-1567	1,969.83	
43806	3/24/2016	7294	Service-Pro Fire Protection	Village restroom fire sprinkler repair 1691 building	416.25	
43807	3/24/2016	7434	Southern Calif. Edison ** Voided **	Check stub used to list invoices		-
43808	3/24/2016	7434	Southern Calif. Edison	Utilities	9,952.62	
43809	3/24/2016	8239	Ventura County Reporter	Marketing-Advertising	375.00	
43810	3/24/2016	8263	Ventura Pest Control	Village service	335.00	
43811	3/24/2016	8267	Ventura Harbor Marina & Yacht	Haul out & disposal of abandoned vessel	4,000.00	
43812	3/24/2016	8267	Ventura Harbor Marina & Yacht	Haul out & disposal of abandoned vessel	4,000.00	
43813	3/24/2016	20021	Coastal View News	Marketing-Advertising	578.00	
43814	3/24/2016	42421	Jacob Marquez	Marketing Village entertainment	300.00	
43815	3/24/2016	44132	Joseph M. Ramieri	Marketing Village entertainment	300.00	
43816	3/24/2016	48911	Letner Roofing Co.	Progress payment on 1691 building roof project	18,009.00	
43817	3/24/2016	51731	Marcos Ramos Painting	Village replace electrical room door 1567 building	825.00	
43818	3/24/2016	61180	P. Marin Builders	Village paint/repair staircase 1583 building	950.00	
43819	3/24/2016	74343	Sommerville Associates	Marketing public relations services	2,000.00	
43820	3/24/2016	77751	The Salty Suites	Marketing Village entertainment	300.00	
43821	3/24/2016	85445	William Schneider	Marketing Village entertainment	350.00	
43822	3/24/2016	One time	Natasha Leyva	Refund event deposit	250.00	
Bank Account Totals					\$ 228,769.37	\$ 902.00

ATTACHMENT 4

Ventura Port District Chase Business Credit Card Charges March 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	3/4/2016	LURE FISH HOUSE	Business meal	Planning Meeting for DC Trip w/ Carson, Ashworth, Pena, Pendleton	118.85
Total General Manager's Expenses					118.85
Brian Pendleton	3/23/2016	BROPHY BROS RESTAURANT	Business meal	Meeting w/ Commissioner Friedman	41.96
Brian Pendleton	3/7/2016	BROPHY BROS RESTAURANT	Business meal	Meeting w/ Commissioner Friedman	51.05
Total Business Operations Manager's Expenses					93.01
Jessica Rauch	3/8/2016	SMARTNFINAL39010103901	Business meal	Commission Lunch/Dinner Supplies	29.54
Jessica Rauch	3/9/2016	SQ *VENTURA SANDWIC	Business meal	Commission Closed Session Lunch	78.49
Jessica Rauch	3/23/2016	ANDRIAS SEAFOOD	Business meal	Commission Closed Session Dinner	168.12
Jessica Rauch	3/29/2016	CALIFORNIA SPECIAL DISTR	Conference/training	CSDA Board/Staff Relations Webinar	55.00
Jessica Rauch	3/24/2016	805 LIVING MAGAZINE	Leasing advertising	Leasing Advertising	902.00
Jessica Rauch	3/8/2016	MICHAELS STORES 4800	Misc. expense	Brownley Thank you Gift	29.01
Jessica Rauch	3/8/2016	SQ *LATITUDES FINE	Misc. expense	Public relations dredging	78.37
Jessica Rauch	3/10/2016	MICHAELS STORES 4800	Operating supplies	CMANC marketing material	50.96
Jessica Rauch	3/15/2016	CALIFORNIA SPECIAL DISTR	Professional service	15-16 CSDA Administrative Salary & Benefits Survey	135.00
Total Administrative Assistant's Expenses					1,526.49
Robin Baer	3/27/2016	LOOPNET INC	Leasing advertising	Leasing Advertising	159.95
Total Property Manager's Expenses					159.95
Joe Gonzalez	No charge purchases for month of March				-
Total Facilities Manager's Expenses					-

ATTACHMENT 4

<u>Staff/Consultant</u>	<u>Trans Date</u>	<u>Vendor</u>	<u>Category</u>	<u>Description</u>	<u>Amount</u>
Frank Locklear	3/8/2016	Amazon.com	Office supplies	2 Sliding keyboard trays marketing	279.48
Frank Locklear	3/9/2016	GOTOCITRIX.COM	Office supplies	Go To Meeting Teleconference Account (Monthly)	49.00
Frank Locklear	3/21/2016	FRY'S ELECTRONICS # 44	Office supplies	3 Ethernet switches, 1 duster	517.29
Frank Locklear	3/27/2016	AmazonPrime Membership	Office supplies	Yearly Membership-Saves Shipping	106.43
Frank Locklear	3/31/2016	OFFICE DEPOT #931	Office supplies	Lost receipt - Marina Office supplies	23.64
Total Marina Manager's Expenses					975.84
Jennifer Lundin	3/5/2016	GOOGLE *LOOPSURVEY APP	Advertising	Guest Survey Program	14.99
Jennifer Lundin	3/7/2016	COFFEE DOCK & POST	Advertising	Amtrak Represenative Tour	9.50
Jennifer Lundin	3/14/2016	CTC*CONSTANTCONTACT.COM	Advertising	Enewsletter - Harbor Views monthly /fee	20.00
Jennifer Lundin	3/21/2016	MAILCHIMP	Advertising	Monthly Enewsletter - Village	75.00
Jennifer Lundin	3/25/2016	GOOGLE *LOOPSURVEY APP	Advertising	Guest Survey Program	99.99
Jennifer Lundin	3/31/2016	FACEBK *MPSTE9ESY2	Advertising	Boost - Spring Break /Easter	127.30
Jennifer Lundin	3/2/2016	82167 - AIRPORT II & III	Conference	TTMA Meeting Parking	4.00
Jennifer Lundin	3/18/2016	COURTYARD BY MARRIOTT	Conference	Travel Show	466.07
Jennifer Lundin	3/3/2016	LOWES #01734*	Event Production	Mermaid Madness	155.75
Jennifer Lundin	3/3/2016	MICHAELS STORES 4800	Event Production	Mermaid Madness	91.84
Jennifer Lundin	3/3/2016	TARGET 00002980	Event Production	Cottontail Day Candy	254.94
Jennifer Lundin	3/4/2016	COFFEE DOCK & POST	Event Production	Mermaid Madness Basket	20.40
Jennifer Lundin	3/4/2016	HARBOR VILLAGE GALLERY	Event Production	Mermaid Madness	22.58
Jennifer Lundin	3/8/2016	SQ *BAREFOOT BOUTIQUE	Event Production	Mermaid Madness	9.00
Jennifer Lundin	3/9/2016	MICHAELS STORES 4800	Event Production	Mermaid Madness	3.58
Jennifer Lundin	3/12/2016	SMARTNFINAL39010103901	Event Production	Cottontail Day	17.97
Jennifer Lundin	3/18/2016	DOLRTREE 4315 00043158	Event Production	Cottontail Day	6.45
Jennifer Lundin	3/18/2016	SMART AND FINA11309150	Event Production	Cottontail Day	90.23
Jennifer Lundin	3/19/2016	SMART AND FINA11309150	Event Production	Cottontail Day	13.93
Jennifer Lundin	3/20/2016	FS *AngelCam	Event Production	Web CAM for venturaharbor.com /Harbor Entry	20.00
Jennifer Lundin	3/15/2016	CRAIGSLIST.ORG	General Advertising	Social Media Job Listing	25.00
Jennifer Lundin	3/15/2016	CRAIGSLIST.ORG	General Advertising	Summer Intern Job Listing	15.00
Jennifer Lundin	3/15/2016	CRAIGSLIST.ORG	General Advertising	Summer intern Job Listing	25.00
Jennifer Lundin	3/18/2016	CRAIGSLIST.ORG	General Advertising	Social Media Job Lisitng	15.00
Jennifer Lundin	3/3/2016	LOWES #01734*	Misc	Island Creation Welcome	32.23
Total Marketing Manager's Expenses					1,635.75

ATTACHMENT 4

<u>Staff/Consultant</u>	<u>Trans Date</u>	<u>Vendor</u>	<u>Category</u>	<u>Description</u>	<u>Amount</u>
John Higgins	3/14/2016	PUBLIC HEALTH EMS	Conference/training	Employee EMT Recert	88.00
John Higgins	3/21/2016	SHELL OIL 57444587802	Mileage	Fuel for Rental Car - travel to LA Federal Court	14.02
John Higgins	3/22/2016	HERTZ RENT-A-CAR	Mileage	Travel to LA Federal Court	44.01
John Higgins	3/6/2016	AMAZON MKTPLACE PMTS	Operating supplies	Scanner protection plan	7.05
John Higgins	3/6/2016	PAYPAL *RADIORESECH	Operating supplies	Radio programming cable	34.84
John Higgins	3/8/2016	AMAZON MKTPLACE PMTS	Operating supplies	Business card scanner	119.95
John Higgins	3/9/2016	PAYPAL *QUALITY2WAY	Operating supplies	Radio programming cable	54.20
John Higgins	4/1/2016	WANCO INC	Operating supplies	Traffic sign	154.50
John Higgins	3/28/2016	PP*LIGHTNINGRI	Uniforms	Patrol-Uniform shirts	478.34
Total Harbormaster's Expenses					994.91
Total Chase Credit Card Expenses					<u>\$ 5,504.80</u>

ATTACHMENT 5

Ventura Port District
Aquaculture Fisheries Study Grant Fund
Statement of Income, Expense and Change in Net Position
For the Period Ended March 31, 2016

INCOME

Transfer in from Enterprise Fund	-
Total Income	-

EXPENSES

Professional Services	10,425
Regulatory Requirements	12,975
Total Expenses	23,400

CHANGE IN NET POSITION

(23,400)

Monthly Report
(Unaudited)

ATTACHMENT 5

Ventura Port District
Aquaculture Fisheries Study Grant Fund
Balance Sheet
For the Period Ended March 31, 2016

CURRENT ASSETS		CURRENT LIABILITIES	
Cash in Banks	12,600	Intercompany Payable-Enterprise Fund	36,000
Accounts Receivable	<u>0</u>		
TOTAL CURRENT ASSETS	<u>\$12,600</u>	TOTAL CURRENT LIABILITIES	<u>\$36,000</u>
 LONG TERM ASSETS		 EQUITY	
Long Term Assets	<u>0</u>	Current Year Retained Earnings	<u>(23,400)</u>
TOTAL LONG TERM ASSETS	<u>0</u>	TOTAL EQUITY	<u>(\$23,400)</u>
 TOTAL ASSETS		 TOTAL LIABILITIES AND EQUITY	
	<u><u>\$12,600</u></u>		<u><u>\$12,600</u></u>



BOARD OF PORT COMMISSIONERS

MAY 25, 2016

STANDARD AGENDA ITEM 2

DRAFT PARKING MANAGEMENT PLAN
FOR VENTURA HARBOR

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 2

Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Brian Pendleton, Business Operations Manager
SUBJECT: Draft Parking Management Plan for Ventura Harbor

RECOMMENDATION:

That the Board of Port Commissioners provide comments and direction regarding the Draft Parking Management Plan for Ventura Harbor.

SUMMARY:

On January 13th the Board of Port Commissioners approved an adjustment to the 2015 - 2016 annual budget to fund professional services with Associated Transportation Engineers for parking survey and development of updated parking management program policies for Commission consideration. The resulting work product is attached as the Draft Parking Management Plan for the Ventura Harbor.

BACKGROUND:

On behalf of the District, Associated Transportation Engineers (ATE) conducted parking surveys at the Harbor in the summer of 2015. This follows similar survey work conducted by ATE in the summer of 2012. Comparison of the parking survey data collected at the Ventura Harbor in the summers of 2012 and 2015 showed an increase in demand of over 60% in the three-year span. The 2015 results demonstrate that Harbor Village parking lots were at or near capacity (over 90% occupied) during the afternoon hours on the weekends resulting in traffic congestion. This is consistent with conditions observed by staff during the 2015 summer months. Additionally, traffic counts were measured along Spinnaker Drive over a one week period, and long-term (multiple-day) parking demand was determined. The parking surveys found that there were approximately 200 overnight permit vehicles in the parking lots during the peak weekend period.

The Draft Parking Management Plan for the Ventura Harbor reviews existing parking conditions within the Harbor Village and recommends short-term, mid-term and long-term strategies to maximize parking efficiency, increase parking supplies, and accommodate existing and future parking demands. Since January several workshops and meetings were held with Ventura Port District staff, the tenants of the Harbor Village shops and restaurants, Island Packers, dive boat operators, and commercial fishermen to discuss existing parking issues and potential solutions. Additionally staff reached out to private marina operators to discuss additional parking opportunities for Harbor Village as reflected in the Draft Plan.

FISCAL IMPACTS:

Funding for costs associated with Short and Mid-Term Strategies will be included in the District's 5-Year Capital Improvement Plan as part of the proposed FY16-17 budget.

ATTACHMENTS:

Attachment 1 – Draft Parking Management Plan for Ventura Harbor

PARKING MANAGEMENT PLAN FOR THE VENTURA HARBOR

DRAFT



May 19, 2016

ATE Project #15072.01

Prepared for:
Ventura Port District
1603 Anchors Way Drive
Ventura, California 93001



ASSOCIATED TRANSPORTATION ENGINEERS

100 North Hope Avenue, Suite 4, Santa Barbara, CA 93110-1686 • (805) 687-4418 • FAX (805) 682-850



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100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP, PTP

May 19, 2016

15072.01R01

Brian Pendleton
Ventura Port District
1603 Anchors Way Drive
Ventura, California 93001

DRAFT

PARKING MANAGEMENT PLAN FOR THE VENTURA HARBOR

Associated Transportation Engineers (ATE) has prepared the following Parking Management Plan for the Ventura Harbor. The Parking Management Plan reviews existing parking conditions within the Harbor Village and recommends short-term, mid-term, and long-term strategies to maximize parking efficiency, increase parking supplies, and accommodate existing and future parking demands.

Associated Transportation Engineers

Scott A. Schell, AICP, PTP
Principal Transportation Planner

ATTACHMENT 1

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ATTACHMENT 1

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OVERVIEW

Ventura Harbor, located in the City of Ventura, is one of the region's key tourist destinations. It provides access to a wide variety of recreational and commercial uses, including:

- Public beach areas (Harbor Cove Beach, South Beach and Surfers Knoll Beach),
- Restaurants and shops in the Harbor Village area,
- Channel Islands National Park Headquarters and Visitor Center,
- Recreational opportunities in the Channel Islands National Park,
- Private boat marinas,
- Recreational boating and personal watercraft (kayaks, paddle boards, etc.);
- Charter boats (whale watching, diving, sport-fishing, etc.); and
- Commercial fishing fleets.

One of the pressing issues facing Ventura Harbor is how to effectively manage its parking supply to accommodate increasing parking demands, particularly during peak weekend and



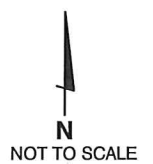
holiday periods. This Parking Management Plan, which focuses on the Harbor Village area (see Figure 1), is the first step in the Ventura Port District's ("the District") efforts to address parking challenges in the Ventura Harbor. The Plan provides a strategy framework for the District to provide convenient and available parking for Harbor Village customers, employees, beachgoers, commercial fisherman, marina tenants, and visitors to the harbor.

The Parking Management Plan outlines existing and future parking demands; evaluates parking policies within the Harbor; establishes short-term, mid-term, and long-term strategies for parking management; and presents parking management options to efficiently and effectively utilize parking resources in a coastal area where land values are at a premium.



LEGEND

Study Area



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PARKING MANAGEMENT PLAN STUDY AREA

FIGURE 1

EKM - #15072.01

EXISTING PARKING CONDITIONS

Parking Resources

A comprehensive study was conducted at the Ventura Harbor in the summer of 2015 to assess existing parking conditions. That study included an inventory of the public parking spaces located within the Harbor Village parking lots that are owned and operated by the Ventura Port District, as well as the on-street spaces located along Spinnaker Drive. The location of the spaces are shown on Figure 2 and the results of the parking inventory are presented in Table 1.

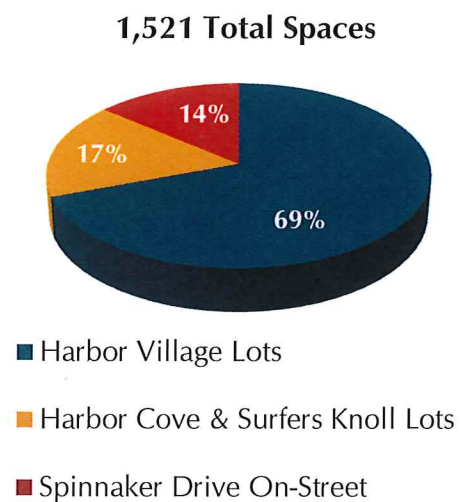


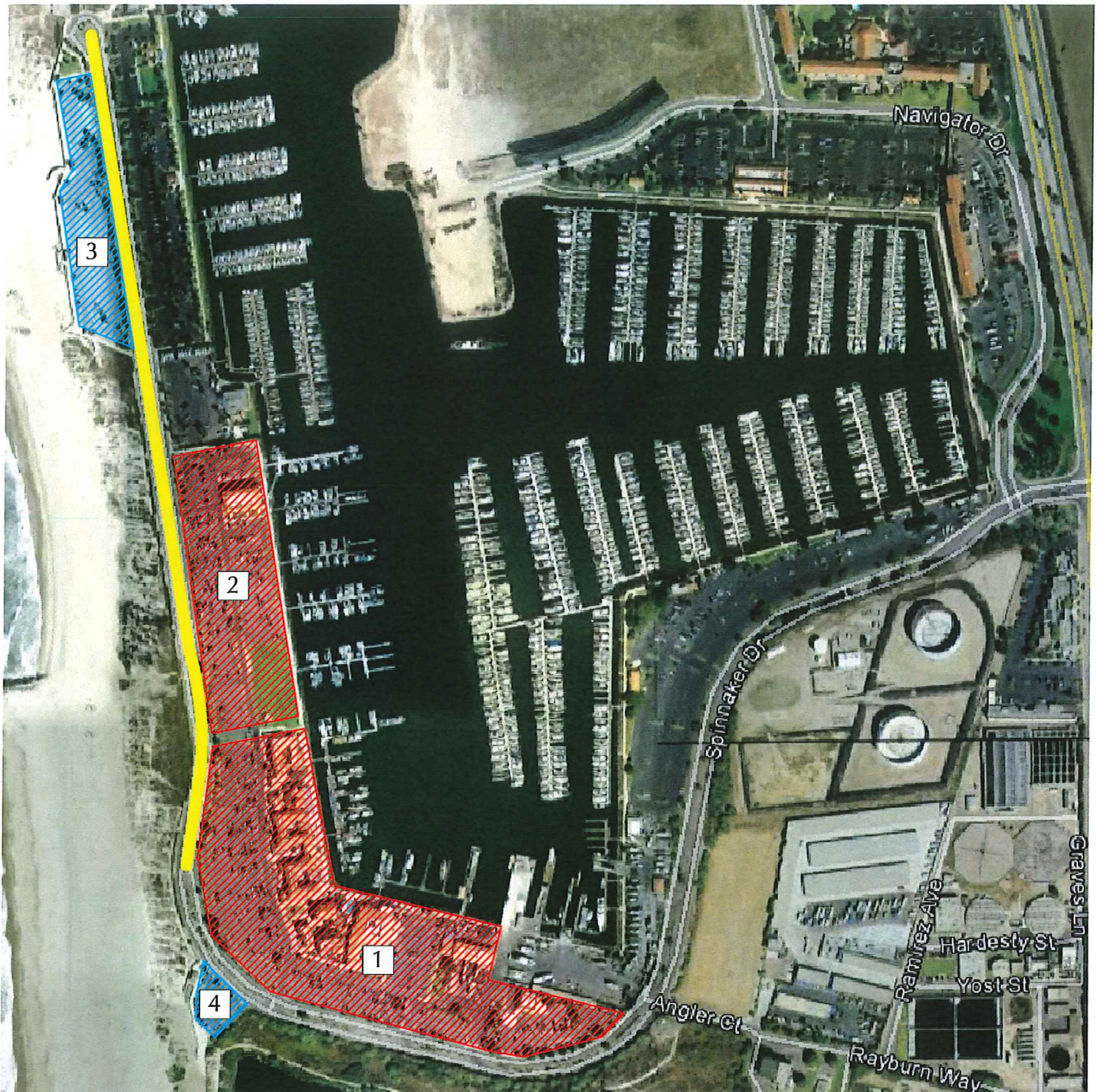
Table 1
Ventura Harbor - Public Parking Spaces

Harbor Village Lots	Harbor Cove & Surfers Knoll Lots	Spinnaker Drive On-Street	Total
1,054 Spaces (69%)	256 Spaces (17%)	211 Spaces (14%)	1,521 Spaces

The results of the parking survey show that there are 1,521 parking spaces located within the core Harbor Village area. Of this total, 1,054 spaces (69%) are located in the two Harbor Village parking lots, 256 spaces (17%) are located in the Harbor Cove and Surfers Knoll lots, and 211 spaces (14%) are located along Spinnaker Drive. It is noted that the Harbor Cove and Surfers Knoll parking lots serve primarily beach users.

The surveys also included an inventory of parking spaces located in the Ventura Isle Marina (VIM) and Ventura West Marina II (Ventura West II) parking lots, which are leased and operated by the marinas. The location of these lots are shown on Figure 3 and the results of the inventory are presented in Table 2.





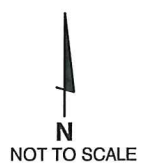
LEGEND

1 & 2 Harbor Village Lots : 1,054 Spaces

3 & 4 Harbor Cove Lot & Surfers Knoll Lots : 256 Spaces

Spinnaker Drive - On-Street : 211 Spaces

Total : 1,521 Spaces

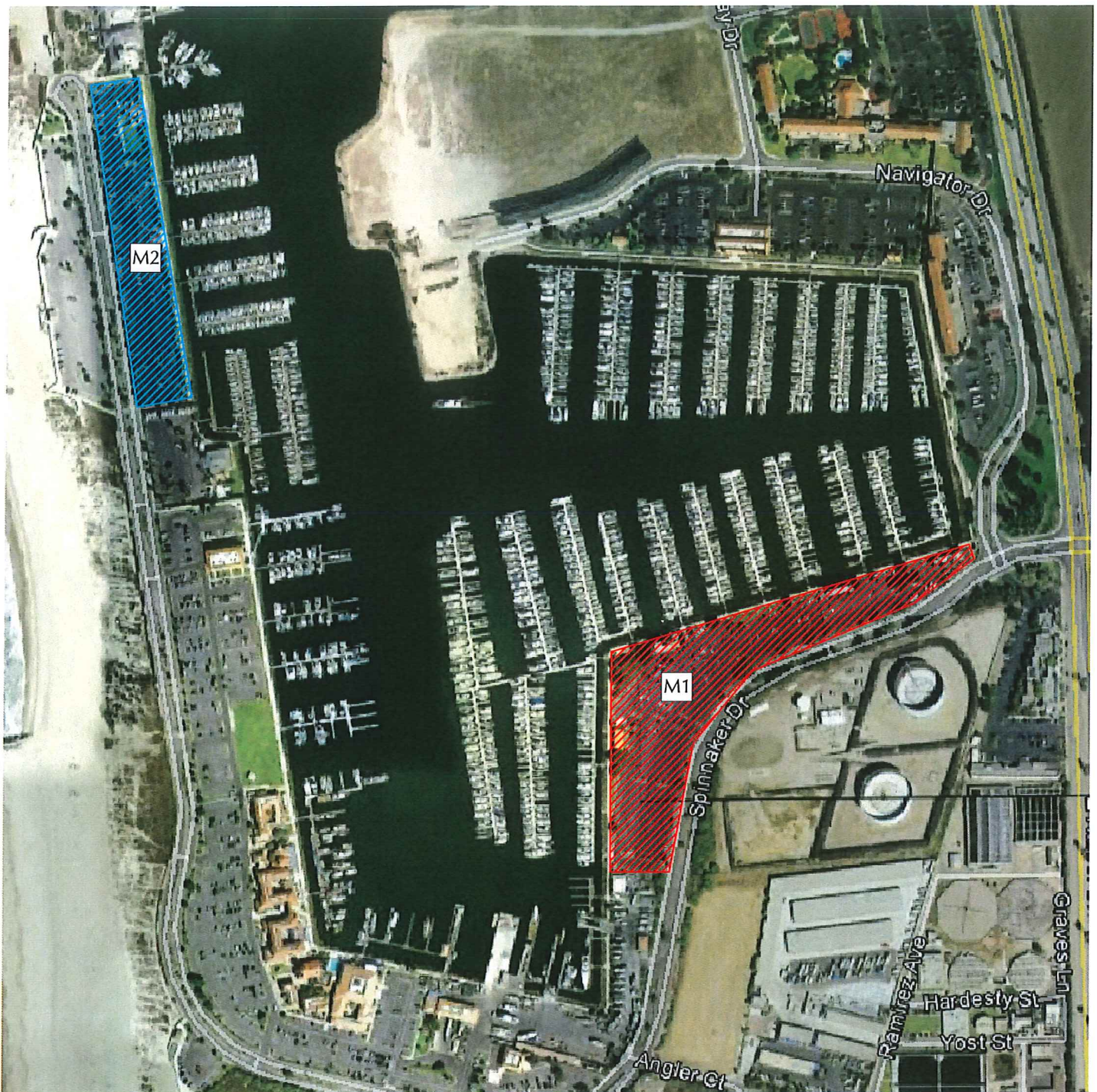


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HARBOR VILLAGE PUBLIC PARKING LOT LOCATIONS

FIGURE 2

EKM - #15072.01



LEGEND

- M1** Ventura Isle Marina : 648 Spaces
- M2** Ventura West Marina II : 310 Spaces (a)
Total : 958 Spaces

(a) Includes 165 spaces used by public



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VENTURA ISLE MARINA AND VENTURA WEST MARINA II
PARKING LOT LOCATIONS

FIGURE 3

EKM - #15072.01



Table 2
Ventura Harbor - Private Marina Parking Spaces

Ventura Isle Marina	Ventura West Marina II	Total
648 Spaces (68%)	310 Spaces (32%)	958 Spaces

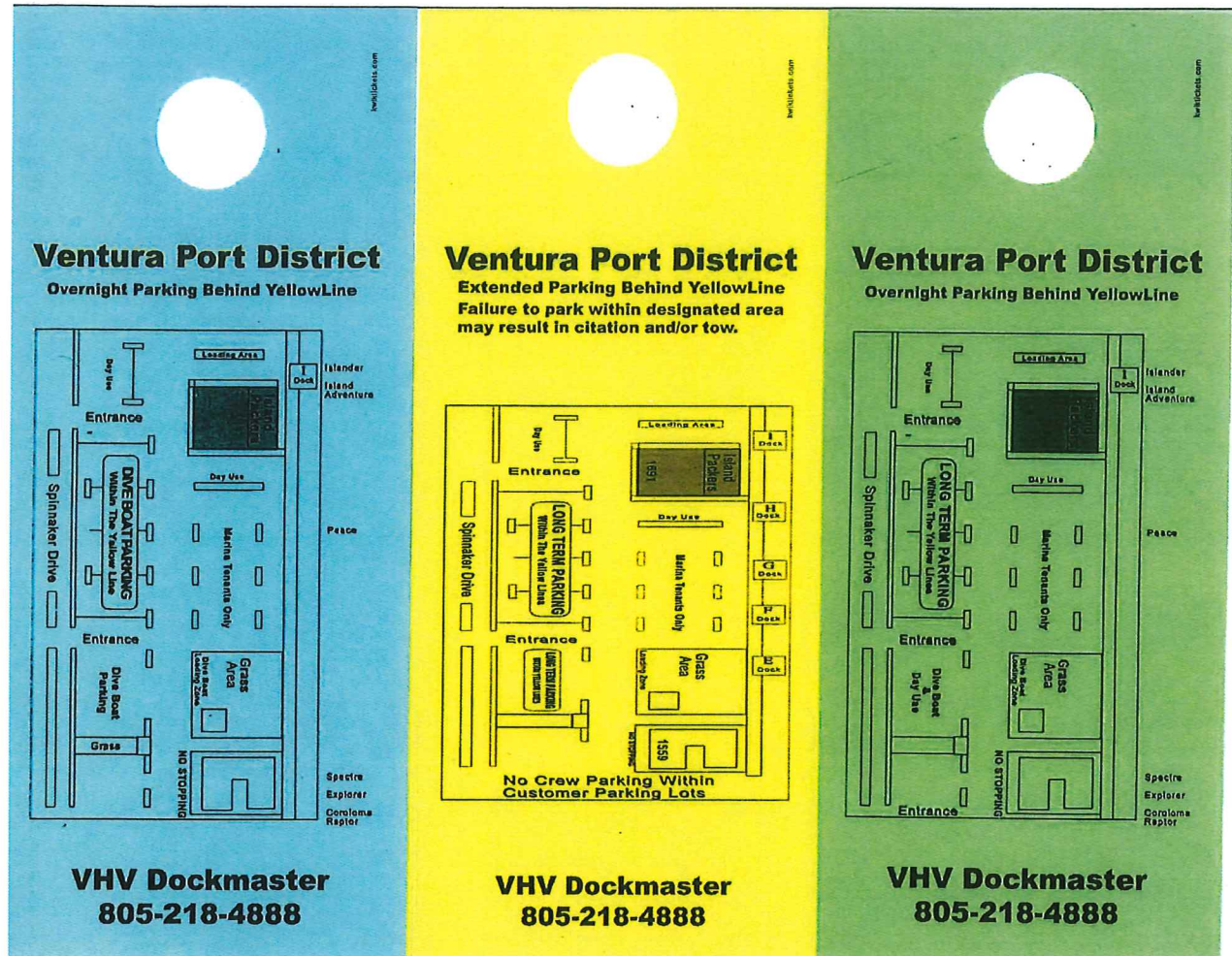
The VIM parking lot contains 648 spaces (68%) and the Ventura West II parking lot contains 310 spaces (32%). It is noted that approximately 165 of the parking spaces located in the Ventura West II parking lot are not controlled by access gates and are therefore used informally by the public.

Parking Policies

All of the public parking spaces provided in the Ventura Harbor are currently free (there is no charge for parking). There are no time limits placed on the parking spaces, with the exception of 91 spaces that are marked for 3-hour parking in the south area of the Harbor Village (between Andria's Seafood and Brophy Brothers restaurants).

Overnight parking within the Ventura Harbor parking lots is not allowed without a special permit. Overnight permits (see Figure 4) are issued to patrons of Island Packers who visit the Channel Islands, passengers on dive boats that depart on overnight trips, and commercial fisherman that are typically gone for days or weeks at a time. The overnight parking permits are restricted to the western side of the northern Harbor Village parking lot (see Figure 5). The parking surveys conducted in the summer of 2015 found that there were approximately 200 overnight permit vehicles in the parking lots during the peak weekend period.





DIVE BOATS

MARINA TENANTS &
COMMERCIAL FISHERMEN

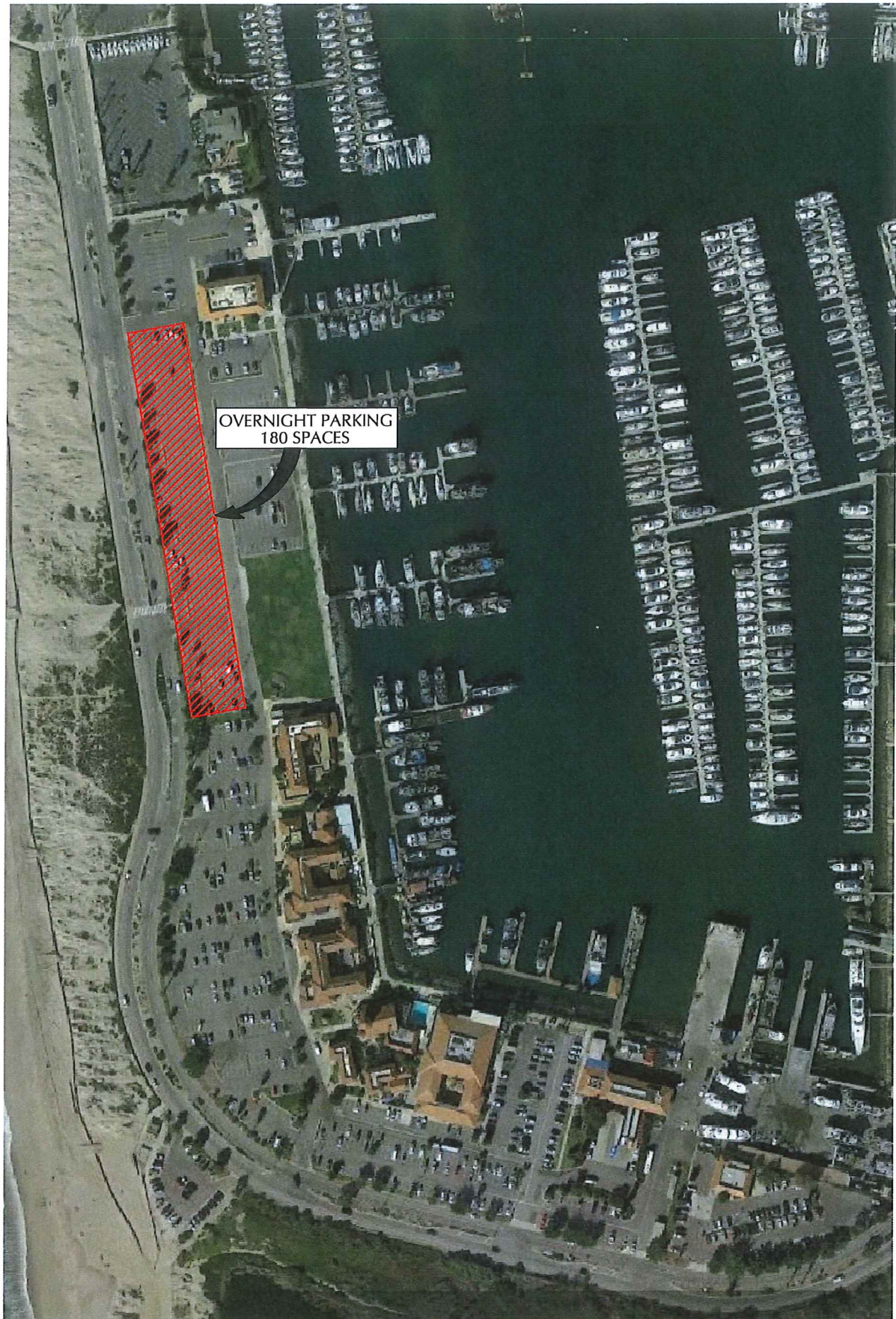
ISLAND PACKERS



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VENTURA HARBOR OVERNIGHT PARKING PERMITS

FIGURE 4



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VENTURA HARBOR OVERNIGHT PARKING AREA

FIGURE 5

EKM - #15072.01

Employees within the Harbor Village area are directed to park in the employee parking lot located adjacent to the building at 1431 Spinnaker Drive, which contains approximately 80 spaces. The District has also implemented a voluntary employee parking program that placed a yellow line in the western portion of the Harbor Village Parking lots. Employees and owners of the shops and restaurants are asked to park on the south and west side of the yellow line in order to free up the parking spaces located closer to the shops and restaurants on the east side of the parking lots. There are currently 125 spaces within the yellow line area (see Figure 6).



Bus and RV parking is not accommodated within the Harbor Village parking lots. RVs and tour busses are currently directed to park in the employee parking lot at 1431 Spinnaker Drive if they visit the Harbor during peak periods.

Harbor Village Parking Demands

Existing parking demands within the Harbor Village area were determined through surveys conducted during the summer of 2015. These surveys were conducted on Friday, Saturday and Sunday and were taken to document peak parking demands in the various public and lots that serve the Harbor Village. Table 3 presents the results of the parking surveys for the public parking lots in the Harbor Village area.

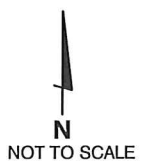
Table 3
Harbor Village Area - Summer 2015 Parking Occupancies

Day	Time									
	12:00-1:00		1:00-2:00		2:00-3:00		3:00-4:00		4:00-5:00	
	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.
Friday	726	48%	933	61%	917	60%	NA	NA	NA	NA
Saturday	NA	NA	NA	NA	1416	93%	1425	93%	1404	92%
Sunday	NA	NA	NA	NA	1492	98%	1479	97%	1461	96%

NA – No surveys conducted during these time periods



TOTAL = 125 SPACES

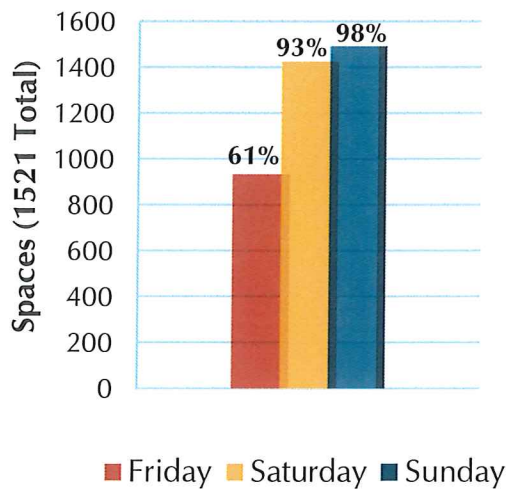


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EXISTING EMPLOYEE (YELLOW LINE) PARKING ZONE

FIGURE 6

Public Parking Peak Occupancy



The surveys found that the public parking facilities were over 90% occupied during the afternoon hours on weekends, which resulted in congestion caused by vehicles circulating to find limited open parking spaces within the parking lots and along Spinnaker Drive. The overall demand ranged from a low of 726 parked cars on Friday to a high of 1,479 parked cars on Sunday. Public parking was generally available during the peak Friday period with 588 unoccupied spaces. Public parking was not available on Saturday and Sunday afternoons when there were fewer than 100 public parking spaces available (96 open spaces on Saturday; 29 open spaces on Sunday).

Peak demands typically occurred between 2:00 to 4:00 P.M. on weekends and from 1:00 to 2:00 P.M. on Fridays. The weekend data reflects beach visitors and tourists, while the Friday peaks reflects lunch and Harbor patrons.

Marina Parking Demands

Parking surveys were also conducted at the VIM and Ventura West II parking lots during the 2015 summer observation periods. Table 4 presents the peak parking demands observed in the two marina lots during the survey periods.



Table 4
Marina Parking Lots - Summer 2015 Parking Occupancies

Day	Time									
	12:00-1:00		1:00-2:00		2:00-3:00		3:00-4:00		4:00-5:00	
	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.	Spaces	% Occ.
Friday	204	21%	209	22%	210	22%	NA	NA	NA	NA
Saturday	NA	NA	NA	NA	329	34%	359	37%	335	35%
Sunday	NA	NA	NA	NA	448	47%	466	49%	471	49%

NA – No surveys conducted during these time periods

The parking surveys indicate that the Marina lots were less than half full during the peak Sunday period with 471 spaces occupied. The overall demand ranged from a low of 209 parked cars on Friday to a high of 471 parked cars on Sunday. The parking survey data suggest that the Marina parking lots have a significant reserve parking supply (487 empty parking spaces) a portion which could be used to accommodate public parking demands on peak days through reciprocal parking agreements.

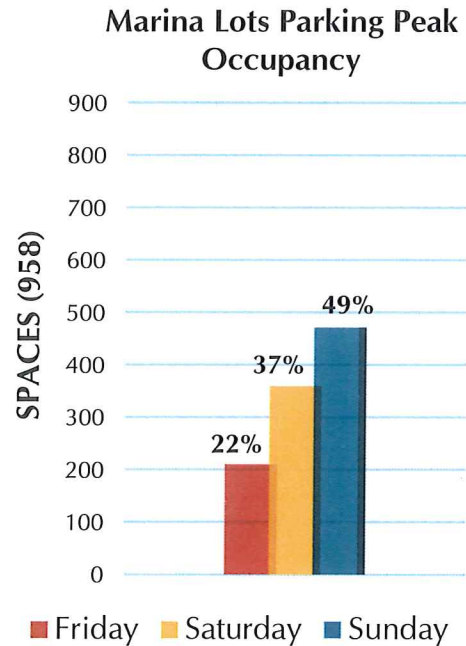
Parking Issues

Several workshops and meetings were held with Ventura Port District staff, the tenants of the Harbor Village shops and restaurants, Island Packers, dive boat operators, and commercial fisherman to discuss existing parking issues and potential solutions. Several parking issues were identified, as summarized below.

Long-Term Parking. Overnight and long-term parking is currently allowed within the Ventura Harbor for patrons of the Island Packers, dive boats passengers and crew, commercial fisherman, and employees and researchers for the National Park Service. These patrons and employees take up highly sought after parking spaces in the Harbor Village parking lots for extended periods of time during peak weekend and holiday periods.

Employee Parking. There are an estimated 110 employees working in the Harbor Village shops and restaurants during peak shifts. Employees do not always park in the designated employee lot and sometimes use the more convenient customer parking spaces located next to the Harbor Village buildings.

Time Limit Parking. The majority of the Harbor Village merchants do not think that expanding the existing 3-hour parking area is a viable option to pursue for the Harbor Village area.





Parking Enforcement. There is a need for more parking enforcement in the Harbor Village parking lots. The overnight parking is currently enforced in the Harbor Village and West Marina II parking lots (vehicles without a permit are issued a ticket). The enforcement program is privately funded by the marina operator. The 3-hour parking area and the restriction on employees parking in certain areas are not enforced.

Large Vehicle Parking. The District is concerned about RVs parking for extended periods in the Harbor lots, and there are no designated spaces to accommodate them. There is a tour bus loading and unloading area on Spinnaker Drive adjacent to the Harbor Cove parking lot area, but there is no area for busses to park while their passengers visit the Harbor. Instead, RVs and busses are directed to use the employee lot.

Beach Users. Public use of the beaches in the Harbor has increased due to the warmer weather trends and the increased popularity of the beaches. Beach parking is spilling over from the two beachside parking lots into the Harbor Village lots.

ALTERNATIVE TRANSPORTATION

Transit

The Downtown Ventura Partners (DVP) organization operates the Downtown Ventura Harbor Trolley, which provides limited service between downtown Ventura and the Harbor Village area. The one-trolley service runs Wednesday through Sunday from 11AM to 11 PM with one-hour headways. The trolley also runs on major holidays. The District pays DVP annually to provide this service to the Harbor.

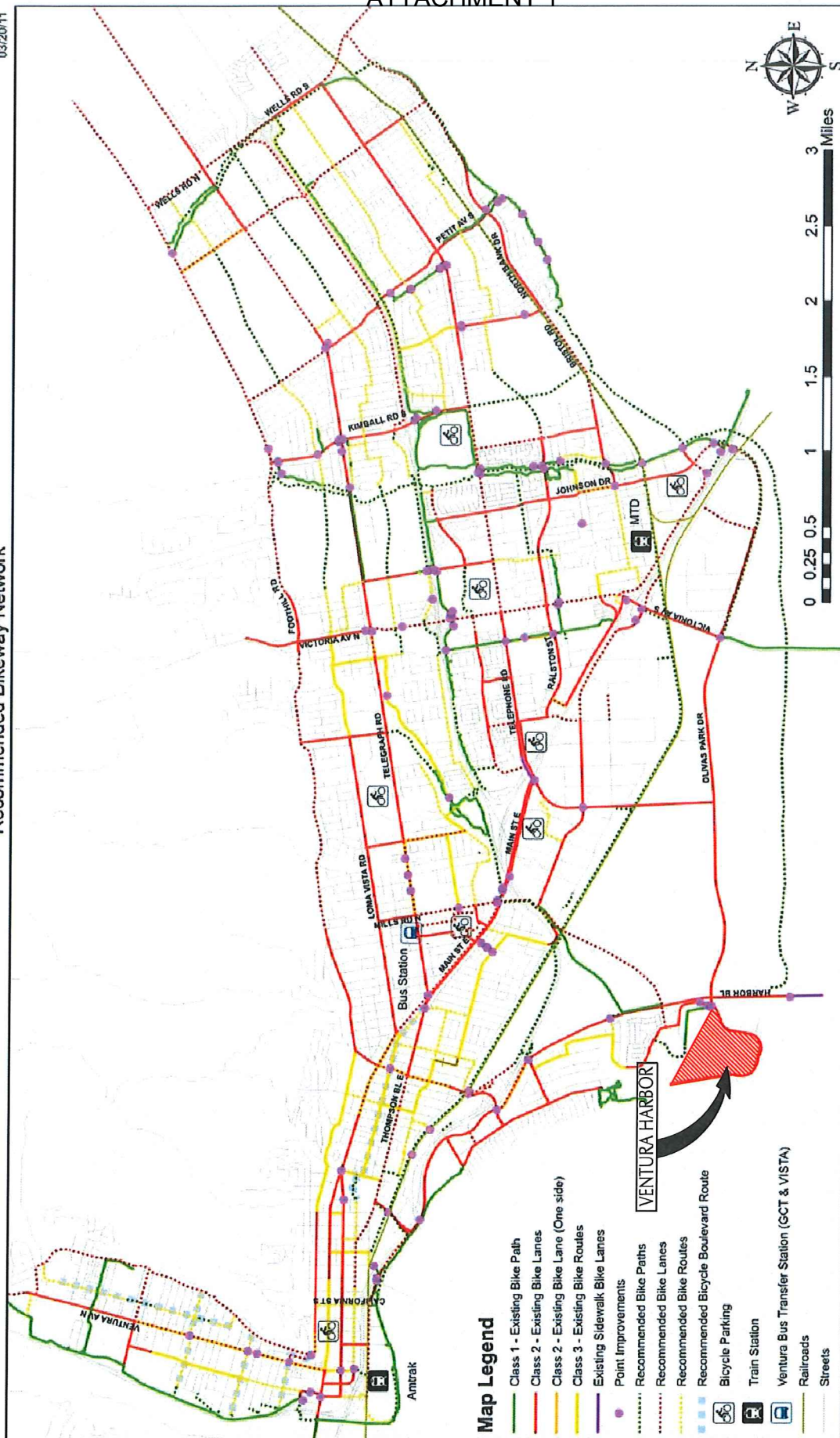
Bicycles

Biking represents a viable and desirable option in a comprehensive transportation system. The key element in encouraging the use of bicycles is the provision of a safe and efficient network of bike lanes. The City of Ventura has developed a network of existing and proposed bicycle facilities throughout the City, including the Ventura Harbor, as shown on Figure 7. Bicyclists can access the Ventura Harbor using the Class II bike lanes on Harbor Boulevard, Olivas Park Drive and Spinnaker Drive. Limited bicycle parking facilities are provided within the Harbor Village area.



2011 Ventura Bicycle Master Plan Recommended Bikeway Network

03/20/11



ATTACHMENT 1

FIGURE 7

EKM - #15072 .01

CITY OF VENTURA BICYCLE MASTER PLAN

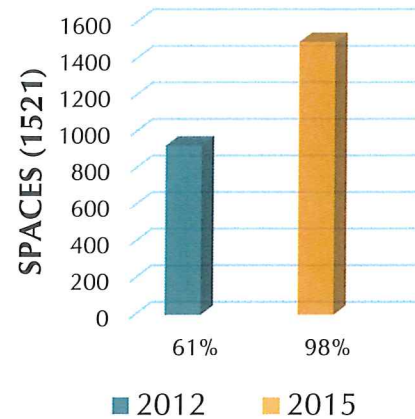
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FUTURE PARKING DEMANDS

Parking demands in the Harbor Village area have grown steadily over the last several years. Comparison of the parking survey data collected at the Ventura Harbor in the summers of 2012 and 2015 showed an increase in demand of over 60% in the three-year span. The growing popularity of the shops, restaurants and charters in the Harbor Village, the increased use of the Harbor beaches, and the increased passenger loads at Island Packers have contributed to the steady increase in parking demands. It is anticipated that parking demands will continue to grow in the future as the Harbor becomes more popular on a local and regional basis.

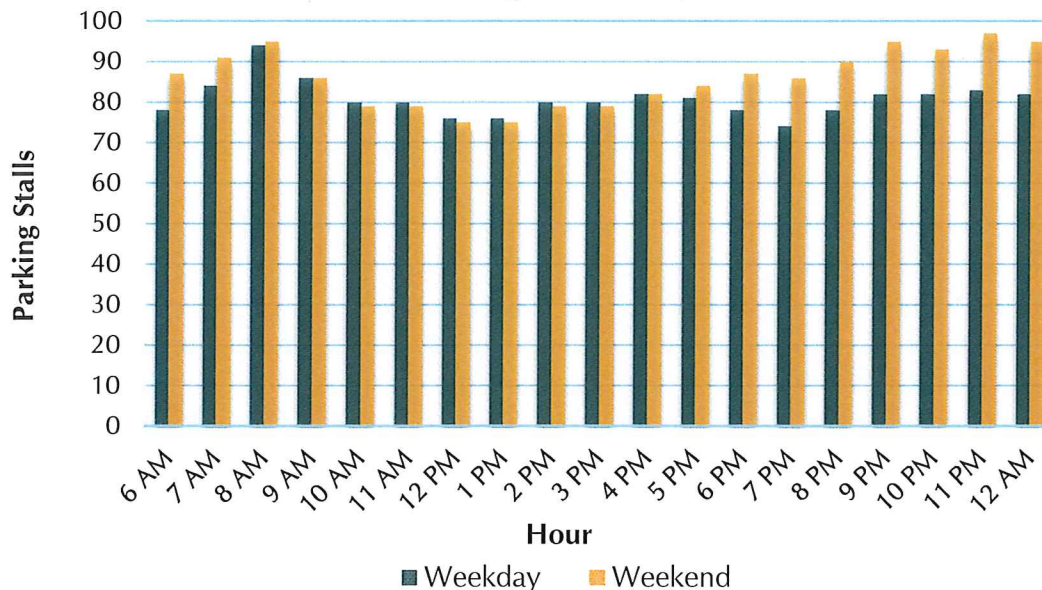
Parking Demand Comparison

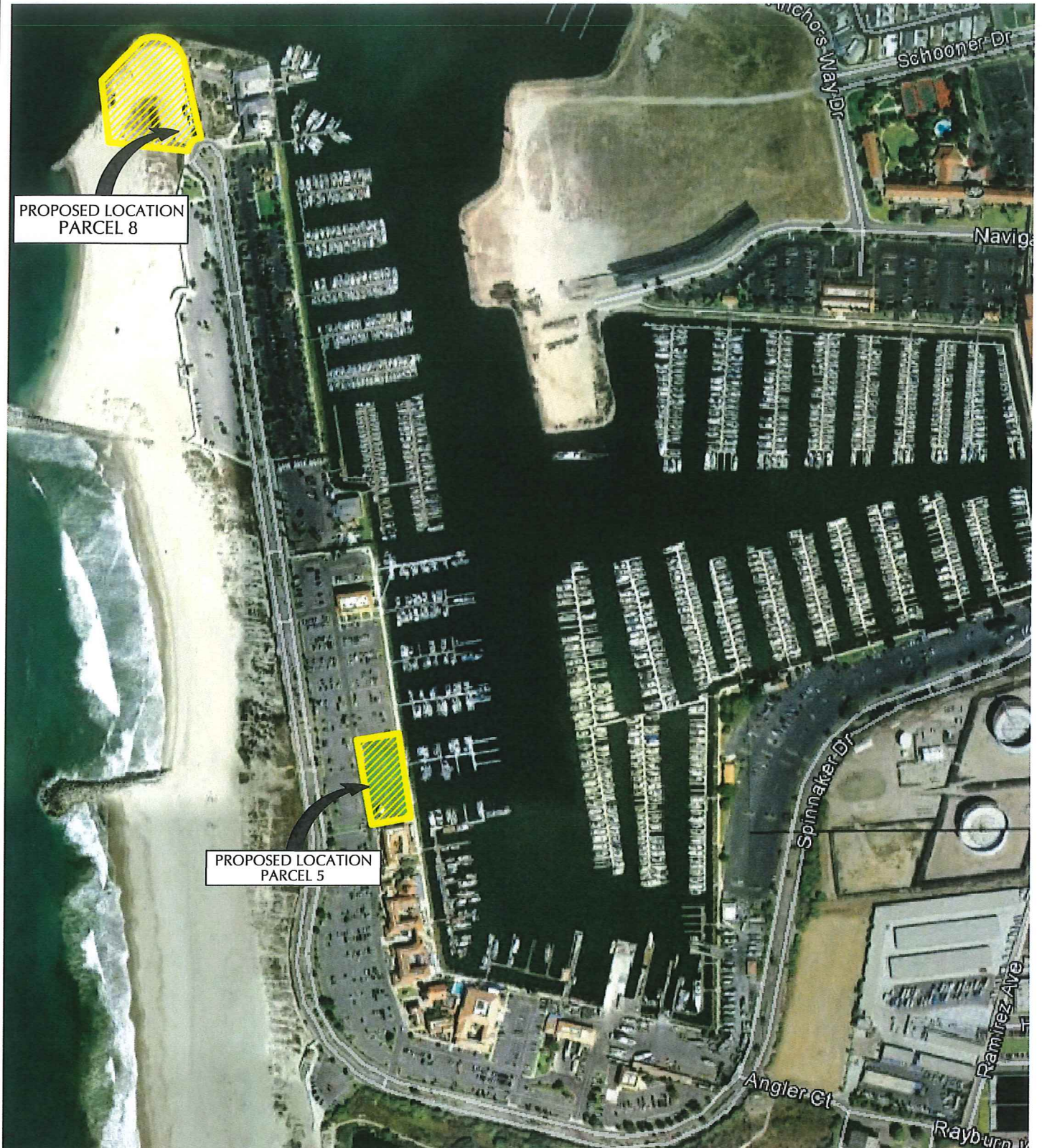


The District is also seeking proposals for the lease and development of visitor serving uses on two vacant parcels located in the Harbor Village area (see Figure 8). One of the challenges associated with increasing development within Harbor Village, regardless of the type of visitor serving use, is the need for parking. It is anticipated that development of these parcels with a hotel or other types of visitor serving uses would generate the demand of 75 to 80 parking spaces during the peak weekend afternoon periods when parking is most impacted within the Harbor Village area (see exhibit below).

Future Visitor Serving Uses

Peak Parking Demand by Hour





N
NOT TO SCALE



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VENTURA HARBOR FUTURE DEVELOPMENT SITES

FIGURE 8

EKM - #15072.01

PARKING MANAGEMENT PLAN RECOMMENDATIONS

The proposed Parking Management Plan is composed of a number of elements. These include short-term strategies that can be implemented in a reasonably short timeframe; mid-term strategies that can be considered over the next several years; and long-term options that will need to develop funding programs or have longer lead times. The long-term options are generally associated with capacity enhancements to provide additional parking at the harbor.

Short-Term Strategies

The short-term parking strategies include securing additional parking spaces from the adjacent marina parking lots that could be used for overnight and employee parking, restriping parking lots to increase the number of spaces provided, implementing employee parking programs, enhancing alternative transportation modes, and identifying locations for RV and tour bus parking.

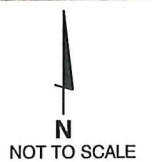
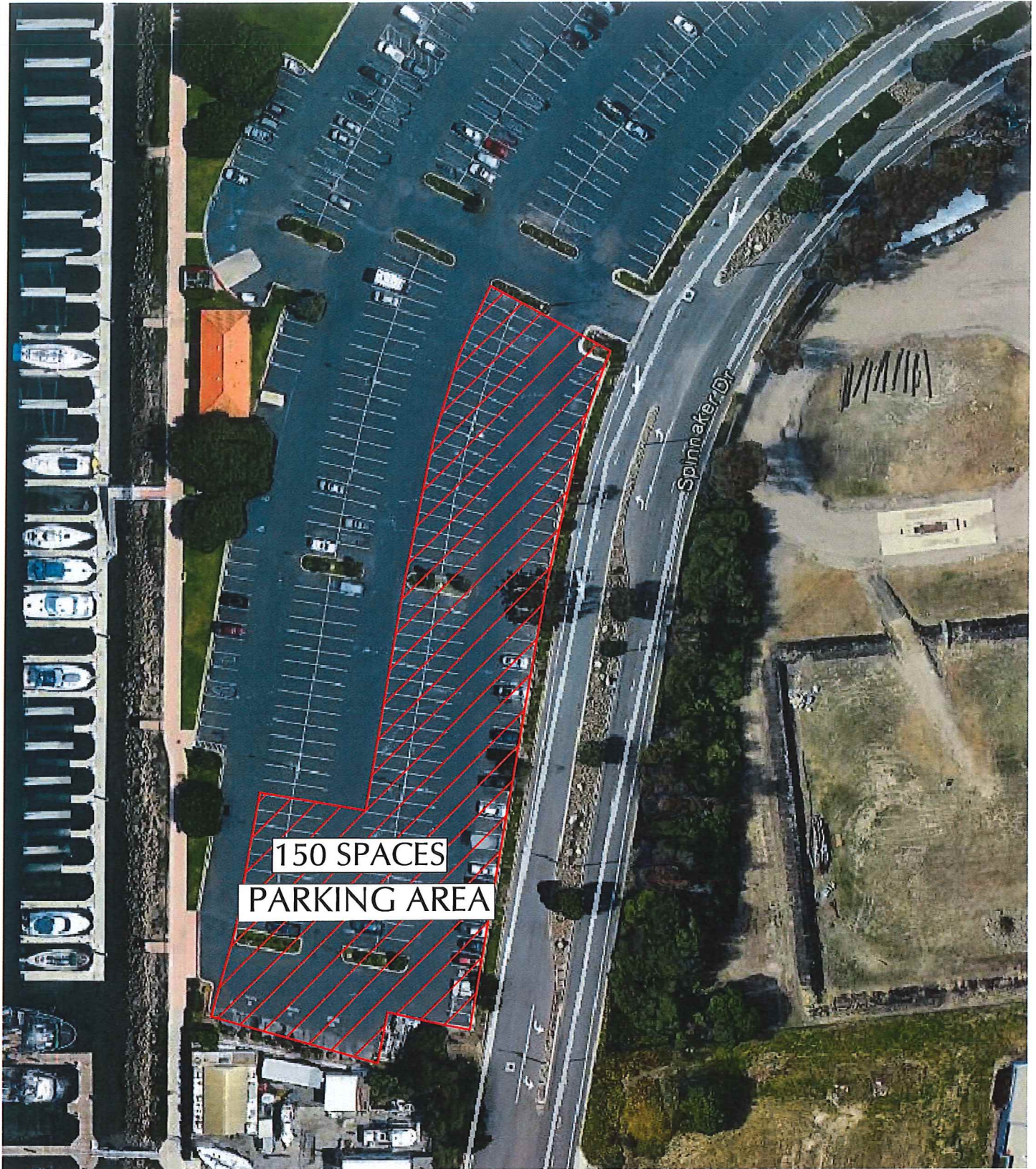
Ventura Isle Marina Parking Lot. The District has entered into a lease agreement to use 150 spaces within the VIM parking lot. Figure 9 illustrates the area of the parking lot that will be available for use by the Harbor. The parking spaces will be used to accommodate some of the overnight parking that currently occurs in the Harbor Village lots as well as additional employee parking.

Depending on the level of utilization by overnight permit holders and employees, additional visitor parking could also be accommodated in the VIM lot during peak weekend periods. This could be accomplished by placing a sign at the entrance to the VIM lot indicating "Additional Harbor Village Parking" during peak periods when the Harbor Village lots become full.



**ADDITIONAL
HARBOR VILLAGE
PARKING** →

Overnight Parking. As noted above, it is recommended that a portion of the overnight parking that currently occupies spaces in the Harbor Village parking lots be shifted to the VIM lot. This would be accomplished by limiting the number of parking spaces that are available for overnight parking and issuing citations for vehicles that park outside of the designated spaces. The area that is currently designated for overnight permit parking contains 180 spaces, which would remain unchanged. When the designated parking area becomes full, the overnight permit vehicles would need to park in the VIM parking lot. In addition, the yellow permits issued for the commercial fisherman would be subdivided to allow boat owners to park in the designated Harbor Village parking area and direct crew members to park in the VIM lot.



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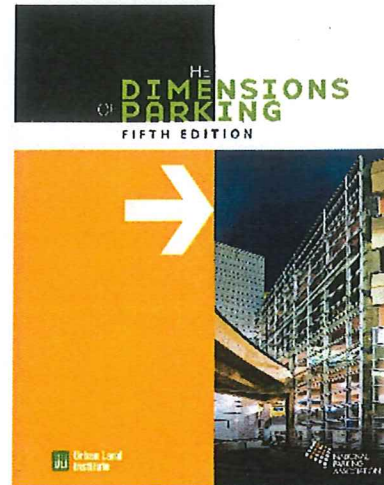
VENTURA ISLE MARINA LEASED PARKING SPACES

FIGURE 9

EKM - #15072.01

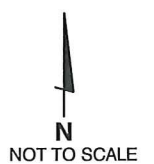
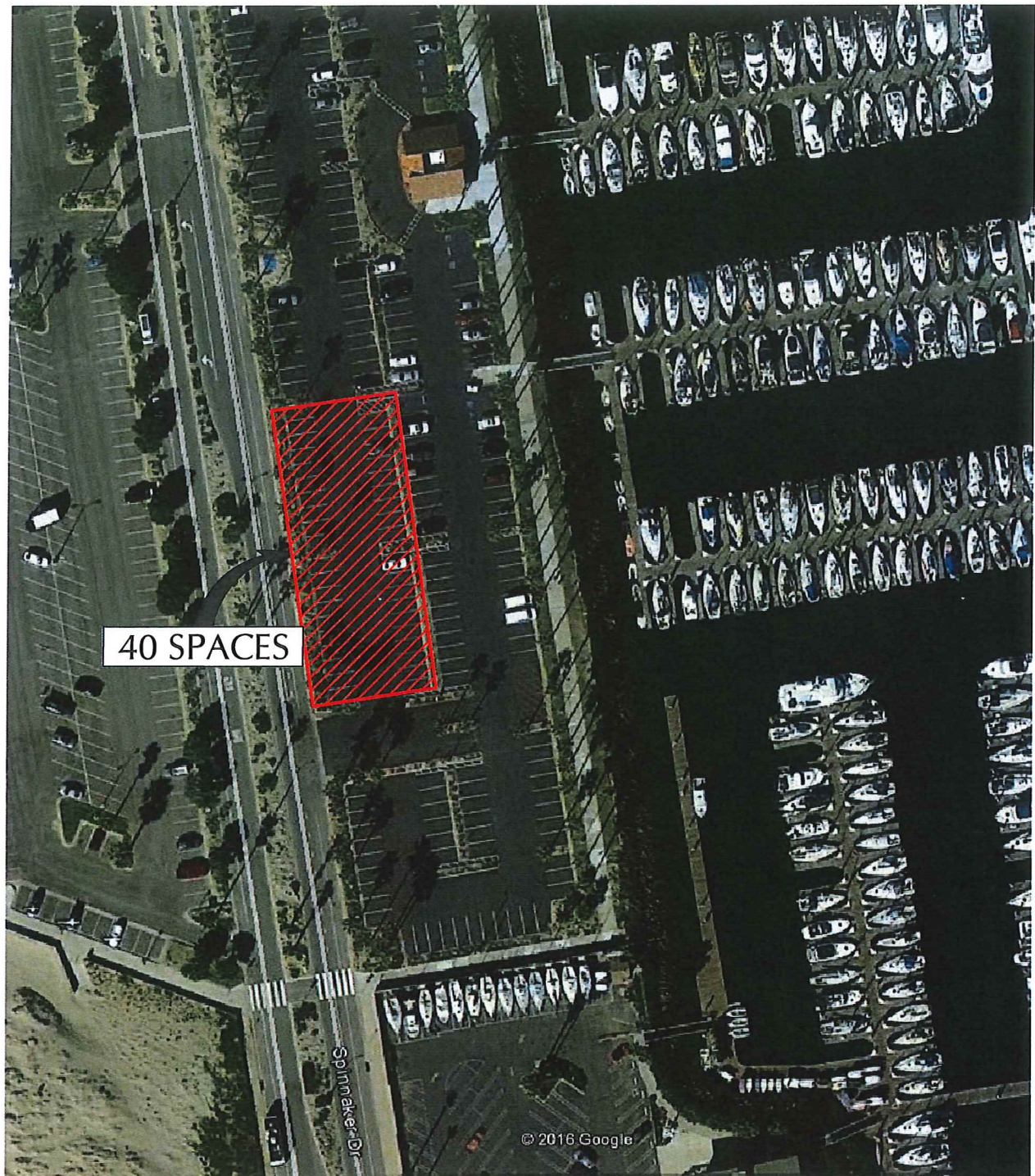
Ventura Marina West II Parking Lot. The District is exploring a lease agreement with the Ventura West II Marina to use approximately 40 spaces located in the southern portion of the marina parking lot (near the yacht club parking lot) to accommodate overnight and employee parking for tenants (e.g. Island Packers) during peak weekend and holiday periods. Figure 10 illustrates the area of the lot that could be considered for additional overnight parking.

Reconfigure Harbor Cove Lot. Another option that would increase the existing parking supply would be to reconfigure the southern portion of the Harbor Cove, which currently contains 163 parking spaces. The Harbor Cove was originally constructed years ago to City standards, which resulted in extra-large drive aisles. Parking standards have evolved since that time to be more conducive to the size and maneuverability of current vehicles and the high cost of land. Generally, current parking lot standards include smaller drive aisle and smaller parking spaces.¹



The Harbor Cove lot is designed as a one-way system. Vehicles enter the lot, then first circulate through the western drive aisle, and then circulate through the eastern drive aisle. The existing size of the parking lot would allow for an additional drive aisle based on current parking lot standards (see Figure 11). As shown, the lot would still be configured as a one-way system, with angled parking provided throughout the lot. This option would provide between 193 and 221 spaces – an increase of 30 to 58 spaces. The reconfigured lot would require modification to the end islands and the parking lot lighting system. The estimated cost of reconfiguring the lot \$45,000.

¹ The Dimensions of Parking, Urban Land Institute, Fifth Edition, 2010.

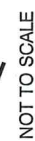


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VENTURA MARINA WEST II POTENTIAL LEASE PARKING SPACES

FIGURE 10

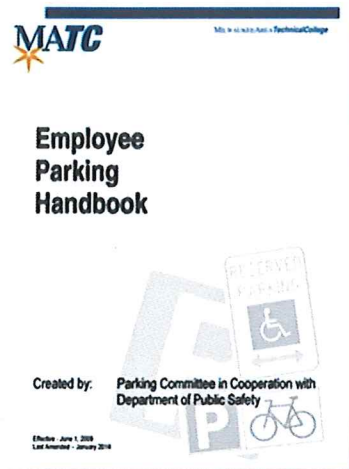
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HARBOR COVE PARKING LOT RECONFIGURATION (+ 30 SPACES)

EKM - #15072.01

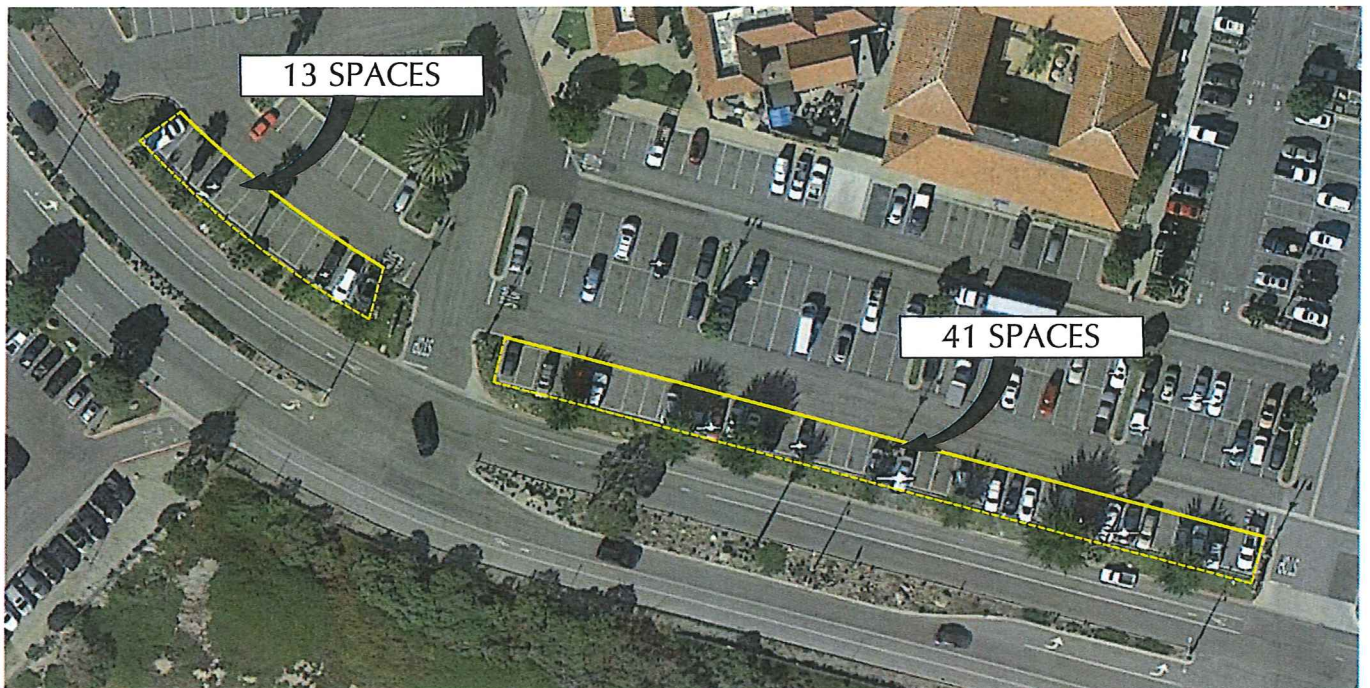
Employee Parking. Employees from the Harbor Village area should be directed to use parking on Spinnaker Drive and the existing employee parking lot at 1431 Spinnaker Drive. When these facilities become full, employees would park in the VIM parking lot. In addition, the existing yellow line within the parking lot that designates the parking area for business owners and employees should be redrawn to reduce the parking area from the existing 125 spaces to 75 spaces, which would be used primarily by Harbor Village business owners (see Figure 12).



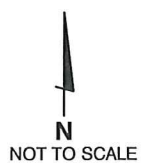
The District should continue to work with Harbor Village tenants to encourage employee parking in the designated employee parking lot and the VIM parking lot. The District could develop an employee parking handbook outlining the parking rules and showing the parking lot locations. The District could also consider an employee Transportation Demand Management (TDM) plan to reduce employee trips in single occupant vehicles, thus reducing parking demands in the Harbor Village area. The components of the TDM plan outlining the alternative commute options would also be provided in the employee parking handbook.

Bus and RV Parking. The lease agreement for the VIM parking lot does not allow for bus or RV parking. The District should direct tour busses to park in Lot 19a after dropping off their passengers. City staff have indicated that RV parking is prohibited on City streets, so RV parking would not be allowed on Spinnaker Drive. RVs would be directed to park in designated areas in the employee parking lot.





TOTAL = 75 SPACES



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PROPOSED EMPLOYEE (YELLOW LINE) PARKING ZONE

FIGURE 12

EKM - #15072.01



Alternative Transportation. The District should continue working with the Ventura Downtown Partners to run the Downtown Harbor Shuttle, with the possible expansion of shuttle stops in the Harbor Village area. This District should also consider developing a bike route and bike parking map so that visitors to the Harbor Village area know where bicycle parking is located.

Mid-Term Strategies

The mid-term strategy developed for the Ventura Harbor is to implement a paid parking program and to reconfigure Lot 19a to provide more parking. The vast majority of harbors along the Southern California coast charge for parking. This approach would reduce demands, create more parking turnover, and generate revenue for the District.

Paid Parking. It is recommended that the District implement a parking management fee system for the Harbor Village, Harbor Cove, and Surfers Knoll parking lots. The parking fee system should include state-of-the-art self-serve parking stations. There are several types of self-serve systems that are used for regulating parking using conveniently located machines within designated lots. The parking stations can accept a wide variety of bills, coins, and debit-credit cards, making it unnecessary for drivers to carry large amounts of change. Such systems differ from parking space meters in that one machine can service multiple vehicle spaces, resulting in lower set-up costs. In addition, these systems theoretically prevent drivers from taking advantage of parking meters that have time remaining; this factor alone has doubled parking revenues in cities that have switched to self-serve parking kiosks.



Based on the size and layout of the lots, it is estimated that 10 parking kiosks would be needed for the Harbor Village Lots, 2 kiosks for the Harbor Cove Lot, and 1 kiosk for the Surfers Knoll Lot. The following self-serve systems should be considered for the Ventura Harbor parking lots.

Pay by Space Parking. Pay by space is a parking control system that uses conveniently located self-service machines within designated lots (the lot entrances and exits are not controlled). Customers arrive at the lot and go to the pay station, enter their parking stall number into the pay station, purchase time, and are not required to return to their vehicle. This system is more convenient than the pay and display system reviewed below because customers are not required to return to their vehicles. Enforcement is easy and inexpensive to implement: parking enforcement personnel check vehicles remotely to verify that the consumer has purchased a parking space and that the time has not expired.



Pay and Display Parking. Pay and display parking is similar to the pay by space system in that it also uses conveniently located self-service machines within designated lots. Customers go to pay station and purchase time and then return to their vehicle and display a ticket on the dashboard. Enforcement is easy and inexpensive to implement: parking enforcement personnel simply check vehicle dashboards to verify the customer has purchased a permit and that it has not

expired. Details included on a printed ticket are generally the location and operator of the machine, time entered, expiration time, and fee paid.

Time Restrictions. Given the peaking of activity and associated parking demands in the Harbor Village area, it is recommended that the District's implement the parking fee system from 10:00 AM to 6:00 PM on Saturdays, Sundays, and holidays. A flat fee system could also be implemented for special events. Parking would remain free during off-peak parking periods (Monday – Friday) when parking demands in the lots are below capacity.



<div style="text-align: center;">  </div>	
DAILY PARKING RATES	
SATURDAY – SUNDAY - HOLIDAY	
HOURS	RATE
0-1	\$1.00
1-2	\$2.00
2-3	\$3.00
3-4	\$4.00
4-5	\$5.00
5-6	\$6.00
6-7	\$7.00
7-8	\$8.00

Parking Fee Rates. It is recommended that parking be charged on an hourly rate on Saturday, Sunday, and holiday periods when the paid parking system is in place. The pricing system could mirror the City of Ventura's downtown parking program which charges \$1.00 per hour.

The pay for parking system could be set up to allow for payment of a flat fee per day, say \$8 per day, for vehicles that park for 24 hours or more (Island Packers, dive boats, etc.) with a possible discount for multiple days. These vehicles would still need to park in the designated overnight parking area and display an overnight permit to avoid receiving a ticket. Free

overnight parking would continue to be provided in the VIM parking lot.

Free Time-Limited Parking. The district could consider designating areas within the Harbor Village parking lots as 'free' parking with time limits. For instance, the existing 3-hour limit zone, which contains 91 parking spaces, could be retained and reduced to two-hour free parking to allow for a limited number of free parking spots for Harbor Village customers.



Enforcement. Enforcement is critical to the success of any parking management program. As seen in the existing circumstances the lack of active parking enforcement results in diminished effectiveness of current parking strategies. The District will need to employ parking enforcement personnel to ensure that the pay stations are in working order, routinely check parked vehicles, and issue parking violations for those that violate the system.

Paid Parking Program Costs. Table 5 summarizes the rough cost estimates for implementing the pay parking system within the Ventura Harbor Village parking lots.

Table 5
Pay Parking System Cost Estimate

Component	Number of Units	Unit Cost	Total Cost
Pay Stations	18 Stations	\$10,000	\$180,000
Parking Lot Striping & Signage	4 Lots	\$6,000	\$24,000
Enforcement Vehicle	1 Vehicle	\$40,000	\$40,000
Total			\$244,000

Reconfigure Lot 19A. Another option that would increase the existing parking supply would be to reconfigure Lot 19A, which currently contains 156 parking spaces. While this lot is not used for day-to-day parking for the Harbor Village area, it does accommodate parking demands when large events are held at the Harbor. This lot was constructed years ago to City standards with generous drive aisles. Two options were developed to increase the number of spaces within the lot. Option 1, shown on Figure 13, would provide 190 spaces – an increase of 34 spaces. This option provides a two-way system with 90-degree parking throughout the lot. Most of the spaces would be 9 feet wide, with a few 8-foot wide compact spaces and a few extra-wide 10-foot spaces. This option could be implemented without modifying the end islands or requiring changes to the lighting system. The estimated cost of the parking lot restriping and reconfiguration is \$8,000.

Option 2 is shown on Figure 12. As shown, the existing size of the parking lot would allow for reconfiguration to provide 208 spaces – an increase of 52 spaces. The option provides a two-way system with 90-degree parking throughout the lot. All of the spaces would be 9 feet wide. This option would require modifications to the planter islands and the parking lot lighting system. Permits to reconfigure the lot would need to be obtained from the City of Ventura. The estimated cost of the parking lot reconfiguration is \$45,000.

Long-Term Strategies

The long-term strategies developed for the Harbor include constructing additional parking within the Harbor Village area.

Additional Beachside Parking. This alternative includes constructing a new surface parking lot on the west side of Spinnaker Drive between the existing Surfers Knoll and Harbor Cove parking lots. The District researched this option in the late 1980s and developed a conceptual plan, which is illustrated on Figure 15. This plan would provide an additional 163 spaces. It is noted that construction of the parking spaces within the dunes area of the beach would require substantial environmental review and Coastal Commission approval. The cost of the parking lot was estimated using a rough cost of \$4,000 per stall. With 163 stalls, the estimated cost to construct the surface parking lot would be \$652,000.



EXISTING PARKING = 156 SPACES
PROPOSED PARKING = 190 SPACES



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19a HARBOR COVE PARKING LOT RECONFIGURATION - OPTION 1 (+ 34 Spaces)

FIGURE 13

EKM - #15072.01



EXISTING PARKING = 158 SPACES
PROPOSED PARKING = 208 SPACES



NOT TO SCALE

FIGURE 14
19a HARBOR COVE PARKING LOT RECONFIGURATION - OPTION 2 (+ 50 SPACES)

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EKM - #15072.01



PARKING LOT CONCEPT PLAN

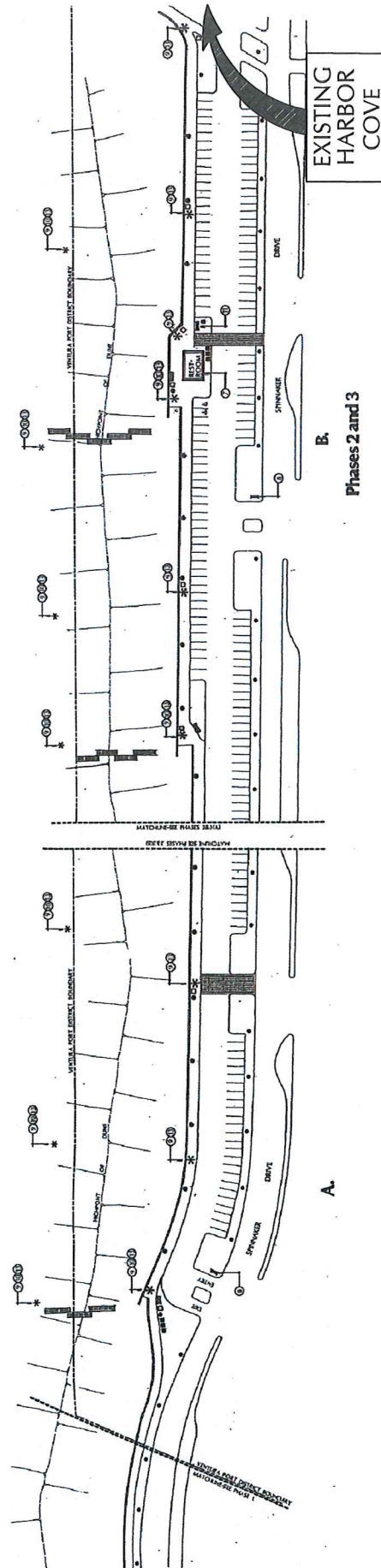


FIGURE 15

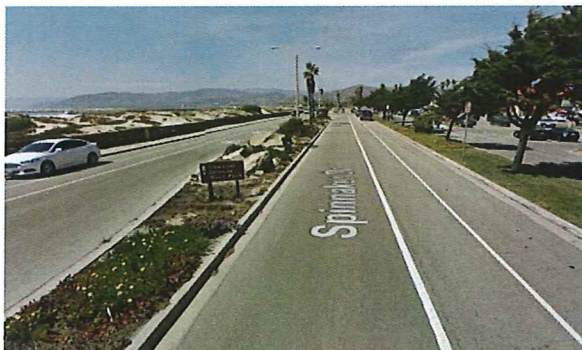
SPINNAKER DRIVE PARKING LOT EXPANSION

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ENGINEERS



EKM - #15072 .01

Parking Structure. The potential for the development of a parking structure was raised during the workshops held with District staff and the Harbor Village tenants. The concept has a number of facets including location, size, purpose, cost, and funding. The most practical location would be to add a second level deck to the northern Harbor Village parking lot (see Figure 16). This location would provide additional parking in the core Harbor Village area. The existing parking lot area has approximately 226 spaces and a second deck could be expected to add approximately 200 additional stalls. The cost of the parking structure was estimated using a rough cost of \$20,000 per stall. With a total of 426 stalls, the estimated cost to construct the parking structure would be \$8,520,000.



Angled Parking on Spinnaker Drive. Another option that was discussed at the parking workshops is to reconfigure Spinnaker Drive to provide angled parking on the roadway. Spinnaker Drive currently accommodates 211 parallel parking spaces on the east and west sides of the roadway. Reconfiguring Spinnaker Drive to narrow the existing median would allow for angled parking to be provided on the west side of the roadway while maintaining parallel parking on the east side of the roadway.

Given the location of the adjacent Class II bike and the large number of beach goers that use the parking, it is recommended that the design incorporate back-in angled parking, which is safer for bicycles and is easier for loading and unloading of vehicles.

It is noted that this option would require modification to the existing median and relocation of the existing street lights from the center of the roadway to the sidewalks on each side of the roadway. The proposed design for Spinnaker Drive is presented on Figure 17.



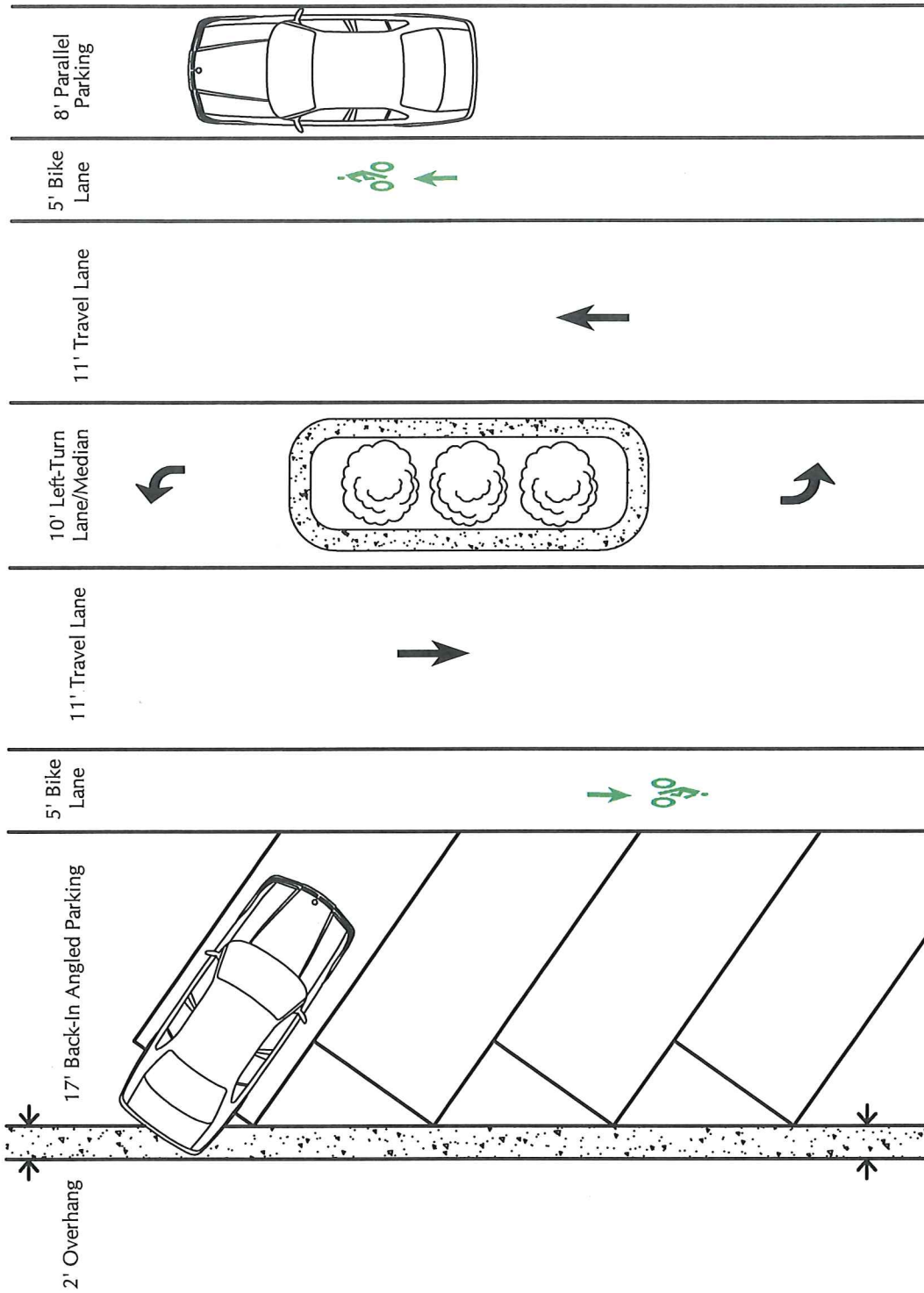


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HARBOR VILLAGE PARKING STRUCTURE (+ 200 SPACES)

FIGURE 16

EKM - #15072.01



SPINNAKER DRIVE BACK-IN ANGLED PARKING

ATTACHMENT 1

Providing angled parking on the west side of Spinnaker Drive and would increase the parking from 211 spaces to 296 spaces, a net gain of 85 spaces. This improvement would need to be approved and permitted by the City of Ventura. The estimated cost for the reconstruction of the median, relocation of the lighting, and restriping the roadway is \$430,000.

Table 6 compares of the number of spaces and the costs of each of the long term strategies to increase future parking supplies within the Harbor Village area.

Table 6
Long-Term Parking Strategy Comparison

Strategy	Net New Spaces	Cost/Space	Total Cost
Expand Beachside Parking	163 Spaces	\$4,000	\$652,000
Build Parking Structure	200 Spaces	\$42,600 (a)	\$8,520,000
Angled Parking on Spinnaker Drive	85 Spaces	\$5,800	\$430,000

(a) Cost based on 426 spaces @ \$20,000 per space with a net gain of 200 spaces.

CLOSING

The process of managing parking in the Harbor will require ongoing discussions, strategy coordination and periodic re-evaluation of parking demands. The District is beginning this continuous process by engaging the community and the responsible agencies in the preparation of this plan. Over the next several years, implementation of the proposed strategies will require careful thought and multi-agency coordination. In time, the management of the existing parking supply can be made more efficient and effective in meeting the Harbor's demands.



The Plan also charts the course for addressing the long term goal of providing improved access to the Harbor and the coast through implementation of parking management strategies as well as development of additional parking supplies. It is recommended that the Parking Management Plan be reviewed periodically and adjustments made to the analysis and strategies to fine-tune the program to reflect use of the Harbor, growth in the community and surrounding development.

■ ■ ■

REFERENCES AND PERSONS CONTACTED

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Luis R. Mejia, Transportation Engineer

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Parking Management Plan for the Port San Luis Harbor District, C2 Consult

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Harbor Village Merchants



BOARD OF PORT COMMISSIONERS

MAY 25, 2016

STANDARD AGENDA ITEM 3

APPROVAL OF UPDATED BOARD OF PORT COMMISSIONERS PROTOCOLS AND POLICIES MANUAL

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 3
Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Jessica Rauch, Clerk of the Board
SUBJECT: Approval of Updated Board of Port Commissioners Protocols and Policies Manual

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3307, approving the updates to the Board of Port Commissioners Protocols and Policies Manual and rescinding Resolution No. 3271.

SUMMARY:

The Protocols and Policies Manual for the Board needed to be updated due to changes in formatting to the agenda and the addition of section items.

The following is a list of the major updates:

- Added Section 2.3.4 New Board Member Training
- Added Section 3.5 Board Liaisons
- Updated Section 3.0 Port Commission Meetings
- Updated Section 4.0 Order of Business
- Added Section 5.11 Expense Reimbursement Policy for Employees
- Added Section 5.12 California Public Records Act Policy and Procedures

ATTACHMENTS:

Attachment 1 – Board of Port Commissioners Protocols and Policies Manual – Redlined
(Sections 5.0 thru Appendix not included in Redlined version)
Attachment 2 – Resolution No. 3307

BOARD OF PORT COMMISSIONERS PROTOCOLS AND POLICIES MANUAL



VENTURA PORT DISTRICT

Adopted March 25, 2015

Revised May 2016

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1.0 INTRODUCTION

1.1 Purpose and Intent

The adoption of written guidelines regarding the conduct of public officials provides a sound foundation on which to build public trust and confidence. The proper operation of the Ventura Port District (“District”) requires that decisions and policies be made within the proper channels of governmental structure, that public office not be for personal gain, and that the Board of Port Commissioners (“Board” or “Commissioner”) remains objective and responsive to the needs of the public and business owners they serve. The purpose of this manual is to set forth protocols and policies that govern the conduct of Board meetings and other District business. The intent of this manual is to ensure uniformity of procedure, access to the public, fairness to the public and interested parties, and compliance with legal requirements in all designated matters heard by the Board.

1.2 District Description

The District was established on April 8, 1952 by an election and majority vote of the citizens of the City 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 District is the owner and operator of the Ventura Harbor. The Ventura Harbor is a 274 acre multiple use recreational and commercial fishing small craft harbor. Other than the 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 Harbor was initially developed in the early 1960’s and still has approximately 23 acres of land area available for development.

The official address and principal place of business of the District is:

VENTURA PORT DISTRICT
1603 Anchors Way Drive
Ventura, CA 93001
(805) 642-8538; Fax (805) 658-2249

1.3 Ventura Port District Mission Statement

The Ventura Port District, home to the Channel Islands National Park, provides a safe and navigable harbor and a seaside destination that benefits residents, visitors, fishermen and boaters to enjoy Ventura Harbor’s exceptional facilities, events and services.

1.4 Ventura Port District Goals

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

2.0 GOVERNING BODY

2.1 Board of Port Commissioners

The Board of Port Commissioners consists of five members appointed by the mayor and City Council of Ventura, who shall govern the Ventura Port District. The Ventura City Council has the authority to remove commissioners from office during their term for cause by a vote of not less than five members of the Council. (H&N Code Section 6241.1)

Commissioners shall not be appointed to the Board of Port Commissioners unless they are, at the time of appointment, a taxpayer within the District and have resided within the District for at least one year. (H&N Code Section 6244)

Commissioners will serve a term of office of four years from the time of appointment. (H&N Code Section 6245)

2.2 Board Principles

The Board of Port Commissioners recognizes its actions affect the District's ability to fulfill its mission. Listed below are practices deemed essential for the Board to positively affect the District's ability to operate efficiently and effectively. To that end, the members of the Board of Port Commissioners affirm their commitment to act in accordance with the following practices:

1. Act in accordance with the District's Mission.
2. Maintain a high level of integrity and follow through with all commitments, especially with other government agencies.
3. Work only as a Board, with no independent, tangential, or hidden agendas.
4. Always strive for consensus, remembering unanimity is not required.
5. Once the Board has made a decision, acknowledge and act in accordance with it.
6. Understand the Board's role is to set policy and ensure staff understands this, while facilitating staff's ability to implement Board directed policy.
7. Recognize and abide by the separation of responsibilities between the Board, General Manager and Staff.
8. Clearly understand the expectations and the responsibilities of the Board Chair, Vice Chair, and Commissioners.
9. Correctly identify the issues.
10. Realistically select important issues related to the District's mission and worthy of the Board's energies and efforts.
11. Make sure all major policy decisions are well thought out from a legal perspective, all options have been explored, with each advantage and disadvantage, explored and weighed.
12. Communicate all facts accurately and fully.
13. Encourage open discussion by all Board members on all subjects.
14. Ensure everyone has a chance to give and explain his or her point of view.
15. Actively and courteously listen to each other in a genuine effort to understand opposing views.
16. Attend and actively participate in all meetings, keeping absences to a minimum.
17. Come to meetings prepared, having reviewed the materials provided by staff.
18. Ask the General Manager for background information as needed prior to Board meetings.
19. Never hesitate to ask questions at a Board meeting or request additional information, if required.

2.3 Responsibilities and Conduct of Commissioners

2.3.1 Oath of Office

Within ten days of a Commissioners appointment and before performing duties of his or her office, each Commissioner shall take and subscribe to an Oath of Office before the Clerk of the Board, that he or she will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of his or her office according to the best of their ability. (H&N Code Section 6243)

2.3.2 Conflict of Interest

Pursuant to Sections 87200 *et. seq.*, Government Code, newly appointed Commissioners are required to file a "Statement of Economic Interests" within ten days of assuming office; this Statement is filed with both the County and City Clerks offices and at the District office. After the initial statement is filed, each Commissioner is required to file an annual statement, usually after January 1 of each year but no later than April 1 of each year.

A Commissioner is required to conform to the Conflict of Interest provisions of the Political Reform Act, Section 87100 et. seq., California Government Code and the District's Conflict of Interest Code, which regulate financial conflicts of interest. The law imposes the responsibility to avoid financial conflicts of interest upon each Commissioner. Pursuant to state law, each Commissioner must undergo training in the obligations of the law to avoid conflicts of interest and to conform to all other applicable laws including those concerning ethics and conflict of interest.

A Commissioner is required to file a "Leaving Office Statement" within 30 days after leaving office.

2.3.3 Ethics Training

Each Commissioner shall receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service no later than one year from the first day of service. Thereafter, each Commissioner shall receive the training at least once every two years, without regard to the number of local agencies with which he or she serves. (Gov't Code Section 53235(b))

2.3.4 New Board Member Training

It is recommended that all new Board Members attend the California Special District Association's "How to be an Effective New Board Member" Training. The training has been designed specifically for special district board members and board chairs/presidents in order to provide the tools, background and overall knowledge necessary to help navigate the first year of governing a special district and be an effective leader. This training would qualify for travel and expense reimbursement.

2.3.45 Board/Clerk of the Board Interaction

All questions or requests regarding District meetings, travel requests, or forwarding information to staff or other Commissioners must come through the Clerk of the Board.

2.3.56 Staff/Commissioner Interaction

It is the policy of the Board that all Commissioners will address District staff in a professional, constructive, and considerate manner. This will ensure that Board interactions with staff will have a positive impact on the operations of the District.

Staff Members may act as advisors to the Board and Individual Commissioners and can provide research and administrative services.

Board members have no authority to direct staff to work on projects without the approval of the Chair and General Manager. To operate the District in an effective and professional manner, the General Manager needs to be aware of the projects on which each staff member is working.

The Commission has no authority to supervise or direct the work of staff. Correspondence and requests directed to the staff on behalf of Commissioners should be routed through the Chair and General Manager.

2.3.67 Commissioner/Port District Tenant Interaction

In an effort to ensure fair and efficient communication with tenants in the harbor, a Commissioner will provide a brief summary and disclose any contacts he or she may have had with any tenant at a subsequent Board meeting. This brief summary of such contact shall be provided as part of routine reporting during Board Communications at the next District public meeting, as appropriate.

To assure fair and consistent negotiations on all pending leasing agreements, no Commissioner shall discuss any aspect of a lease that is under negotiation or discussion between the tenant and the District General Manager or District staff. Should a tenant wish to meet or confer with a Commissioner at any point during lease negotiation regarding the terms of a lease, the Commissioner may only do so if a member of the District staff is also present.

2.4 Role of Chair

The Chair of the Board is to be elected by the Board of Port Commissioners for a term of two years. (H&N Code Section 6241.1) The Chair shall have the authority to preserve order at all Board meetings, to remove any person from any meeting for disorderly conduct, to enforce the rules of the Board and to determine the order of business.

The Chair shall have the authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the Board by ruling any such matter out of order. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is acting in good faith.

The Chair shall attend an agenda review meeting with the General Manager before each Board Meeting.

2.5 Role of Vice-Chair

In the absence of the Chair or his inability to act, the Vice-Chair shall preside at all meetings. The Vice Chair shall attend an agenda review meeting with the General Manager and Chair before each Board Meeting.

2.6 Role of Secretary

The Secretary ensures the Commission adheres to all adopted policies and must attest and sign all approved minutes, resolutions, and other official documents.

2.7 Commissioner and Staff Visibility to the Public

To ensure that Commissioners and senior District staff are easily recognized by the public, a Commissioner or senior District staff will wear an appropriate name badge to identify the individual and his or her affiliation with the District. The cost of the name badge will be borne by the District.

3.0 PORT COMMISSION MEETINGS

3.1 ~~Regular~~ Meetings

~~Regular~~ Meetings of the Board shall be held twice a month the second Wednesday of every month at 11:00AM and the fourth Wednesday of every month at 7:00PM; excluding August in the Ventura Port District Office located at 1603 Anchors Way Drive, Ventura, California. The Board may, at times, elect to meet at other locations within the City and upon such election shall give public notice of the change of location.

~~3.1.1 Other Locations~~

~~The Board may, at times, elect to meet at other locations within the City and upon such election shall give public notice of the change of location.~~

~~3.1.1 Workshop Meetings~~

Workshop Meetings are held the second Wednesday of every month (excluding August) at 12:00PM, with Closed Session at 11:00AM. Workshop Meetings are an opportunity for the Board to interact on items with staff and the public.

~~3.1.2 Regular Meetings~~

Regular Meetings are held the fourth Wednesday of every month (excluding August) at 7:00PM, with Closed Session before. Regular Meetings are for approval of Consent and Standard Agenda Items.

~~3.1.32 Special Meetings & Emergency Meetings~~

Special and Emergency meetings of the Board may be called and held from time to time pursuant to the procedures set forth in the Ralph M. Brown Act ("Brown Act").

~~3.1.42 Cancelled Meetings~~

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall be deemed cancelled unless otherwise provided by the Board. Any meeting of the Board may be cancelled in advance by a majority vote of the Board.

~~3.2 Special Meetings & Emergency Meetings~~

~~Special and Emergency meetings of the Board may be called and held from time to time pursuant to the procedures set forth in the Ralph M. Brown Act ("Brown Act").~~

~~3.32 Closed Sessions~~

The Board may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by law to be heard or considered in closed session.

The general subject matter for closed session consideration shall be agendized or publicly announced as may be allowed under the Brown Act, before such session is held.

Commissioners may not disclose to any unauthorized person(s) the nature of discussion, any confidential communications or the decision from a closed session unless required by law.

3.43 Sub-committees

In an effort to ensure transparency in the conduct of District business, the use of sub-committees is to be discouraged whenever possible. The District and public are better served when Board meetings are conducted openly. This will ensure that all five Commissioners have an equal opportunity to have input on all issues related to the District.

3.4 Board Liaisons

Board Liaison appointments can be raised by any commissioner and will follow the procedure of "Future Agenda Items," by getting consensus then bringing it back at a future meeting for approval.

3.5 Quorum and Voting

Three members of the Board shall constitute a quorum and three affirmative votes are required for the Board to take action. (H&N Code Section 6270)

Any Commissioner present at a meeting when a question comes up for a vote, should vote for or against the item unless he/she is disqualified from voting and abstains because of a conflict of interest. If the vote is a voice vote, the Chair shall declare the result. The Board may also vote by roll call vote at the request of any Board member.

3.6 Commissioner Absences

When a Commissioner plans on being absent from a meeting, prior notification shall be provided to the Clerk of the Board.

3.7 Attendance by the Public

All meetings of the Board, except Closed Sessions, shall be open and public in accordance with the terms, provisions and exceptions consistent with the Brown Act. A public comment period is available for members of the public to raise issues of concern within the Board's jurisdiction or authority at all regular meetings of the Board.

3.8 Agendas

The Clerk of the Board shall prepare, publish and distribute agendas for all meetings. Meeting agendas shall be posted at least 72 hours in advance and topics shall be limited to those on the agenda. Agendas are available on the Ventura Port District Website at <http://venturaharbor.com/category/public-notices/> <https://venturaharbor.com/port-commission/>.

3.9 Minutes and Recordings

Minutes and recordings of Board meetings will be kept and maintained as follows:

- a. "Action Minutes" will be prepared by the Clerk of the Board for all Commission meetings that are open to the public. Minutes are prepared after each commission meeting by the Clerk of the Board and approved by the Board at a subsequent meeting. These minutes are not actual transcripts of the meetings, but describe only the motion-maker and the contents of the motion, the Commissioner seconding the motion, the vote, and any conditions of approval. The minutes will also reflect the names of public speakers. If a Commissioner desires for a comment to be included in the minutes, it is his or her responsibility to indicate to the Clerk of the Board that the statement is "for the record" before making the comments.
- b. Board meetings are digitally recorded and maintained by the Clerk of the Board in accordance with the District's Record Retention Policy. Members of the public may listen to audio CD's of meeting upon request to the Clerk of the Board. Copies of CD's may be purchased at the Ventura Port District Office.

4.0 Order of Business

The business of the Commission at its meetings will generally be conducted in accordance with the following order unless otherwise specified on the agenda. A closed session may be held at any time during a meeting consistent with applicable law:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
ADOPTION OF AGENDA
APPROVAL OF MINUTES
PUBLIC COMMUNICATIONS
CLOSED SESSION REPORT (If a closed session is conducted)
~~LEGAL COUNSEL REPORT~~
BOARD COMMUNICATIONS
DEPARTMENTAL STAFF REPORTS
GENERAL MANAGER REPORT
~~LEGAL COUNSEL REPORT~~
CONSENT ~~ITEMS-AGENDA~~
~~STANDARD AGENDA~~
~~ACTION ITEMS~~
INFORMATIONAL ITEMS
~~ACTION ITEMS~~
REQUEST FOR FUTURE AGENDA ITEMS
ADJOURNMENT

Call to Order – The Chair opens the public meeting by calling it to order at the appropriate scheduled time.

Pledge of Allegiance – The Chair or designee will lead those present at the meeting in the Pledge of Allegiance.

Roll Call – The Clerk of the Board will take roll.

Adoption of the Agenda – The Board will consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item added to (in accordance with the requirements of the Brown Act), or removed/continued from the agenda. This motion is approved by voice vote.

Approval of the Minutes – The Commission will discuss, make possible amendments to and approve minutes of the past meetings.

Public Communications – This period is set aside to allow public communications on items not on the agenda, but within the jurisdiction and authority of the District. Each person may address the Board for up to three minutes or at the discretion of the Chair. Each person is required to fill out and return to the Clerk of the Board a speaker slip, which allows the Chair to recognize who would like to speak. No person may speak without first being recognized by the Chair.

Closed Session Report – Any reportable actions taken by the Board during Closed Session will be announced at this time by Legal Counsel.

~~**Legal Counsel Report** – Legal Counsel will report on progress on District assignments and any legislative matters.~~

Board Communications – This time period is set aside to allow Board members to briefly comment on District issues, such as seminars, meetings, projects and literature that would be of interest to the public and/or District, as a whole.

Departmental Staff Reports – District Staff will give the Board reports on their Department activities.

General Manager Report - The General Manager will report on items of general interest to the Board and members of the public.

~~**Legal Counsel Report** – Legal Counsel will report on progress on District assignments and any legislative matters.~~

Consent Agenda - Matters appearing on the Consent ~~Agenda~~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 item identified on the Consent agenda. Approval by the Board of Consent Items means that the recommendation by staff is approved by motion ~~or resolution~~ along with the terms set forth in the applicable staff reports.

Standard Agenda – The Standard Agenda consists of Action Items and Informational Items.

Action Items – In accordance with the Brown Act, the Board may not take action on any item that does not appear on the agenda posted at least 72 hours prior to the meeting, unless the item is added to the agenda in accordance with the Brown Act (Gov't Code Section 54954.2). Staff will give the Board a report, the Board will ask questions, the Chair will call for public comment, then Board discussion and deliberation, and then action may be taken, to be followed by a brief oral summary of the action taken by the Chair or the Board member presiding at the meeting. A voice vote or roll call vote will be taken, unless the item is continued or no motion or action is taken.

Informational Items – Staff will give a report on matters requested by the Board or a Commissioner or on a matter of general interest to the Board. Normally, no action is to be taken on an informational Item.

~~**Action Items** – In accordance with the Brown Act, the Board may not take action on any item that does not appear on the agenda posted at least 72 hours prior to the meeting, unless the item is added to the agenda in accordance with the Brown Act (Gov't Code Section 54954.2). Staff will give the Board a report, the Board will ask questions, the Chair will call for public comment, then Board discussion and deliberation, and then action may be taken, to be followed by a brief oral summary of the action taken by the Chair or the Board member presiding at the meeting. A voice vote or roll call vote will be taken, unless the item is continued or no motion or action is taken.~~

Request for Future Agenda Items – This item ~~on the agenda~~ is for a Commissioner to request a matter be placed on a future agenda. ~~However, A~~ consensus of the Board is needed for the request to move forward.

Adjournment – The current meeting is adjourned.

ACKNOWLEDGEMENTS

This handbook was based on similar handbooks from other municipalities. We thank the City of Ventura, County of Santa Barbara, Princeton, New Jersey Government, and Newhall County Water District. Also used as references were the Harbors and Navigation Code, Rosenberg's Rules of Order and the Brown Act.

For the Redline Version, these Policies, as well as, Section 6.0 and the Appendix will not be attached.

5.0 PORT COMMISSION AND PORT DISTRICT POLICIES BY RESOLUTION

Policies attached:

- 5.1 Records Retention Policy
- 5.2 Lease Negotiation and Administrative Policy
- 5.3 Slip Rate Policy
- 5.4 Capital Assets and Inventory Control Administration Policy
- 5.5 Reserve Policy
- 5.6 Investment Policy
- 5.7 Master Lease/Option Negotiation Administration Policy
- 5.8 Expense Reimbursement Policy for Commissioners
- 5.9 Procurement and Purchasing Policy
- 5.10 District Conflict of Interest Code
- 5.11 Expense Reimbursement Policy for Employees
- 5.12 California Public Records Act Policy and Procedures

Policies not attached:

- Ventura Port District Human Resources Manual
- Art Donation Policy
- Commercial Identification Card Policy

These policies can be found at the Ventura Port District Office at 1603 Anchors Way Drive, Ventura, California 93001.



RESOLUTION NO. 3307

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING THE BOARD OF PORT COMMISSIONERS
PROTOCOLS AND POLICIES MANUAL**

WHEREAS, the adoption of written guidelines regarding the conduct of public business by elected and appointed officials provides a sound foundation on which to build public trust and confidence;

WHEREAS, the proper operation of the Ventura Port District requires that decisions and policies be made within the proper channels of governmental structure, that public office not be for personal gain, and that the Board of Port Commissioners remains objective and responsive to the needs of the public and business owners they serve;

WHEREAS, the purpose of the Board of Port Commissioners Manual is to set forth protocols and policies that govern the conduct of business of and by the Ventura Port District and meetings of the Board of Port Commissioners;

WHEREAS, the intent of the Board of Port Commissioners Protocols and Policy Manual is to ensure uniformity of procedure, access to the public, fairness to the public and interested parties, and compliance with legal requirements in all designated matters heard and determined by the Board of Port Commissioners; and

WHEREAS, on March 25, 2015, the Board of Port Commissioners passed, approved, and adopted at a Regular Meeting Resolution No. 3271, wherein the Board adopted the Board of Port Commissioners Protocols and Policies Manual; and

WHEREAS, the Board has determined that it is in the best interest of the District to amend and restate the manual in its entirety and rescind the existing manual; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3271, which was previously passed, approved and adopted by the Board on March 25, 2015, and approves and adopts this Resolution No. 3307, updating the Board of Port Commissioners Protocols and Policies Manual in the form attached hereto.

PASSED, APPROVED AND ADOPTED by the Board of Port Commissioners, this 25th day of May 2016, by the following vote:



ATTACHMENT 2

AYES:
NOES:
ABSENT:
ABSTAINED:

Jim Friedman, Chairman

ATTEST:

Secretary
(Seal)

BOARD OF PORT COMMISSIONERS PROTOCOLS AND POLICIES MANUAL



VENTURA PORT DISTRICT

Adopted March 25, 2015

Revised May 25, 2016

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1.0 INTRODUCTION

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Commissioners will serve a term of office of four years from the time of appointment. (H&N Code Section 6245)

2.2 Board Principles

The Board of Port Commissioners recognizes its actions affect the District's ability to fulfill its mission. Listed below are practices deemed essential for the Board to positively affect the District's ability to operate efficiently and effectively. To that end, the members of the Board of Port Commissioners affirm their commitment to act in accordance with the following practices:

1. Act in accordance with the District's Mission.
2. Maintain a high level of integrity and follow through with all commitments, especially with other government agencies.
3. Work only as a Board, with no independent, tangential, or hidden agendas.
4. Always strive for consensus, remembering unanimity is not required.
5. Once the Board has made a decision, acknowledge and act in accordance with it.
6. Understand the Board's role is to set policy and ensure staff understands this, while facilitating staff's ability to implement Board directed policy.
7. Recognize and abide by the separation of responsibilities between the Board, General Manager and Staff.
8. Clearly understand the expectations and the responsibilities of the Board Chair, Vice Chair, and Commissioners.
9. Correctly identify the issues.
10. Realistically select important issues related to the District's mission and worthy of the Board's energies and efforts.
11. Make sure all major policy decisions are well thought out from a legal perspective, all options have been explored, with each advantage and disadvantage, explored and weighed.
12. Communicate all facts accurately and fully.
13. Encourage open discussion by all Board members on all subjects.
14. Ensure everyone has a chance to give and explain his or her point of view.
15. Actively and courteously listen to each other in a genuine effort to understand opposing views.
16. Attend and actively participate in all meetings, keeping absences to a minimum.
17. Come to meetings prepared, having reviewed the materials provided by staff.
18. Ask the General Manager for background information as needed prior to Board meetings.
19. Never hesitate to ask questions at a Board meeting or request additional information, if required.

2.3 Responsibilities and Conduct of Commissioners

2.3.1 Oath of Office

Within ten days of a Commissioners appointment and before performing duties of his or her office, each Commissioner shall take and subscribe to an Oath of Office before the Clerk of the Board, that he or she will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of his or her office according to the best of their ability. (H&N Code Section 6243)

2.3.2 Conflict of Interest

Pursuant to Sections 87200 *et. seq.*, Government Code, newly appointed Commissioners are required to file a "Statement of Economic Interests" within ten days of assuming office; this Statement is filed with both the County and City Clerks offices and at the District office. After the initial statement is filed, each Commissioner is required to file an annual statement, usually after January 1 of each year but no later than April 1 of each year.

A Commissioner is required to conform to the Conflict of Interest provisions of the Political Reform Act, Section 87100 et. seq., California Government Code and the District's Conflict of Interest Code, which regulate financial conflicts of interest. The law imposes the responsibility to avoid financial conflicts of interest upon each Commissioner. Pursuant to state law, each Commissioner must undergo training in the obligations of the law to avoid conflicts of interest and to conform to all other applicable laws including those concerning ethics and conflict of interest.

A Commissioner is required to file a "Leaving Office Statement" within 30 days after leaving office.

2.3.3 Ethics Training

Each Commissioner shall receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service no later than one year from the first day of service. Thereafter, each Commissioner shall receive the training at least once every two years, without regard to the number of local agencies with which he or she serves. (Gov't Code Section 53235(b))

2.3.4 New Board Member Training

It is recommended that all new Board Members attend the California Special District Association's "How to be an Effective New Board Member" Training. The training has been designed specifically for special district board members and board chairs/presidents in order to provide the tools, background and overall knowledge necessary to help navigate the first year of governing a special district and be an effective leader. This training would qualify for travel and expense reimbursement.

2.3.5 Board/Clerk of the Board Interaction

All questions or requests regarding District meetings, travel requests, or forwarding information to staff or other Commissioners must come through the Clerk of the Board.

2.3.6 Staff/Commissioner Interaction

It is the policy of the Board that all Commissioners will address District staff in a professional, constructive, and considerate manner. This will ensure that Board interactions with staff will have a positive impact on the operations of the District.

Staff Members may act as advisors to the Board and Individual Commissioners and can provide research and administrative services.

Board members have no authority to direct staff to work on projects without the approval of the Chair and General Manager. To operate the District in an effective and professional manner, the General Manager needs to be aware of the projects on which each staff member is working.

The Commission has no authority to supervise or direct the work of staff. Correspondence and requests directed to the staff on behalf of Commissioners should be routed through the Chair and General Manager.

2.3.7 Commissioner/Port District Tenant Interaction

In an effort to ensure fair and efficient communication with tenants in the harbor, a Commissioner will provide a brief summary and disclose any contacts he or she may have had with any tenant at a subsequent Board meeting. This brief summary of such contact shall be provided as part of routine reporting during Board Communications at the next District public meeting, as appropriate.

To assure fair and consistent negotiations on all pending leasing agreements, no Commissioner shall discuss any aspect of a lease that is under negotiation or discussion between the tenant and the District General Manager or District staff. Should a tenant wish to meet or confer with a Commissioner at any point during lease negotiation regarding the terms of a lease, the Commissioner may only do so if a member of the District staff is also present.

2.4 Role of Chair

The Chair of the Board is to be elected by the Board of Port Commissioners for a term of two years. (H&N Code Section 6241.1) The Chair shall have the authority to preserve order at all Board meetings, to remove any person from any meeting for disorderly conduct, to enforce the rules of the Board and to determine the order of business.

The Chair shall have the authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the Board by ruling any such matter out of order. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is acting in good faith.

The Chair shall attend an agenda review meeting with the General Manager before each Board Meeting.

2.5 Role of Vice-Chair

In the absence of the Chair or his inability to act, the Vice-Chair shall preside at all meetings. The Vice Chair shall attend an agenda review meeting with the General Manager and Chair before each Board Meeting.

2.6 Role of Secretary

The Secretary ensures the Commission adheres to all adopted policies and must attest and sign all approved minutes, resolutions, and other official documents.

2.7 Commissioner and Staff Visibility to the Public

To ensure that Commissioners and senior District staff are easily recognized by the public, a Commissioner or senior District staff will wear an appropriate name badge to identify the individual and his or her affiliation with the District. The cost of the name badge will be borne by the District.

3.0 PORT COMMISSION MEETINGS

3.1 Meetings

Meetings of the Board shall be held twice a month excluding August in the Ventura Port District Office located at 1603 Anchors Way Drive, Ventura, California. The Board may, at times, elect to meet at other locations within the City and upon such election shall give public notice of the change of location.

3.1.1 Workshop Meetings

Workshop Meetings are held the second Wednesday of every month (excluding August) at 12:00PM, with Closed Session at 11:00AM. Workshop Meetings are an opportunity for the Board to interact on items with staff and the public.

3.1.2 Regular Meetings

Regular Meetings are held the fourth Wednesday of every month (excluding August) at 7:00PM, with Closed Session before. Regular Meetings are for approval of Consent and Standard Agenda Items.

3.1.3 Special Meetings & Emergency Meetings

Special and Emergency meetings of the Board may be called and held from time to time pursuant to the procedures set forth in the Ralph M. Brown Act ("Brown Act").

3.1.4 Cancelled Meetings

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall be deemed cancelled unless otherwise provided by the Board. Any meeting of the Board may be cancelled in advance by a majority vote of the Board.

3.2 Closed Sessions

The Board may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by law to be heard or considered in closed session.

The general subject matter for closed session consideration shall be agendaized or publicly announced as may be allowed under the Brown Act, before such session is held.

Commissioners may not disclose to any unauthorized person(s) the nature of discussion, any confidential communications or the decision from a closed session unless required by law.

3.3 Sub-committees

In an effort to ensure transparency in the conduct of District business, the use of sub-committees is to be discouraged whenever possible. The District and public are better served when Board meetings are conducted openly. This will ensure that all five

Commissioners have an equal opportunity to have input on all issues related to the District.

3.4 Board Liaisons

Board Liaison appointments can be raised by any commissioner and will follow the procedure of “Future Agenda Items,” by getting consensus then bringing it back at a future meeting for approval.

3.5 Quorum and Voting

Three members of the Board shall constitute a quorum and three affirmative votes are required for the Board to take action. (H&N Code Section 6270)

Any Commissioner present at a meeting when a question comes up for a vote, should vote for or against the item unless he/she is disqualified from voting and abstains because of a conflict of interest. If the vote is a voice vote, the Chair shall declare the result. The Board may also vote by roll call vote at the request of any Board member.

3.6 Commissioner Absences

When a Commissioner plans on being absent from a meeting, prior notification shall be provided to the Clerk of the Board.

3.7 Attendance by the Public

All meetings of the Board, except Closed Sessions, shall be open and public in accordance with the terms, provisions and exceptions consistent with the Brown Act. A public comment period is available for members of the public to raise issues of concern within the Board's jurisdiction or authority at all regular meetings of the Board.

3.8 Agendas

The Clerk of the Board shall prepare, publish and distribute agendas for all meetings. Meeting agendas shall be posted at least 72 hours in advance and topics shall be limited to those on the agenda. Agendas are available on the Ventura Port District Website at <https://venturaharbor.com/port-commission/>.

3.9 Minutes and Recordings

Minutes and recordings of Board meetings will be kept and maintained as follows:

- a. “Action Minutes” will be prepared by the Clerk of the Board for all Commission meetings that are open to the public. Minutes are prepared after each commission meeting by the Clerk of the Board and approved by the Board at a subsequent meeting. These minutes are not actual transcripts of the meetings, but describe only the motion-maker and the contents of the motion, the Commissioner seconding the motion, the vote, and any conditions of approval. The minutes will also reflect the names of public speakers. If a Commissioner desires for a comment to be included in the minutes, it is his or her responsibility to indicate to the Clerk of the Board that the statement is “for the record” before making the comments.

- b. Board meetings are digitally recorded and maintained by the Clerk of the Board in accordance with the District's Record Retention Policy. Members of the public may listen to audio CD's of meeting upon request to the Clerk of the Board. Copies of CD's may be purchased at the Ventura Port District Office.

4.0 Order of Business

The business of the Commission at its meetings will generally be conducted in accordance with the following order unless otherwise specified on the agenda. A closed session may be held at any time during a meeting consistent with applicable law:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
ADOPTION OF AGENDA
APPROVAL OF MINUTES
PUBLIC COMMUNICATIONS
CLOSED SESSION REPORT (If a closed session is conducted)

BOARD COMMUNICATIONS
DEPARTMENTAL STAFF REPORTS
GENERAL MANAGER REPORT
LEGAL COUNSEL REPORT
CONSENT AGENDA
STANDARD AGENDA
ACTION ITEMS
INFORMATIONAL ITEMS
REQUEST FOR FUTURE AGENDA ITEMS
ADJOURNMENT

Call to Order – The Chair opens the public meeting by calling it to order at the appropriate scheduled time.

Pledge of Allegiance – The Chair or designee will lead those present at the meeting in the Pledge of Allegiance.

Roll Call – The Clerk of the Board will take roll.

Adoption of the Agenda – The Board will consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item added to (in accordance with the requirements of the Brown Act), or removed/continued from the agenda. This motion is approved by voice vote.

Approval of the Minutes – The Commission will discuss, make possible amendments to and approve minutes of the past meetings.

Public Communications – This period is set aside to allow public communications on items not on the agenda, but within the jurisdiction and authority of the District. Each person may address the Board for up to three minutes or at the discretion of the Chair. Each person is required to fill

out and return to the Clerk of the Board a speaker slip, which allows the Chair to recognize who would like to speak. No person may speak without first being recognized by the Chair.

Closed Session Report – Any reportable actions taken by the Board during Closed Session will be announced at this time by Legal Counsel.

Board Communications – This time period is set aside to allow Board members to briefly comment on District issues, such as seminars, meetings, projects and literature that would be of interest to the public and/or District, as a whole.

Departmental Staff Reports – District Staff will give the Board reports on their Department activities.

General Manager Report - The General Manager will report on items of general interest to the Board and members of the public.

Legal Counsel Report – Legal Counsel will report on progress on District assignments and any legislative matters.

Consent Agenda - Matters appearing on the Consent Agenda 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 item identified on the Consent agenda. Approval by the Board of Consent Items means that the recommendation by staff is approved by motion along with the terms set forth in the applicable staff reports.

Standard Agenda – The Standard Agenda consists of Action Items and Informational Items.

Action Items – In accordance with the Brown Act, the Board may not take action on any item that does not appear on the agenda posted at least 72 hours prior to the meeting, unless the item is added to the agenda in accordance with the Brown Act (Gov't Code Section 54954.2). Staff will give the Board a report, the Board will ask questions, the Chair will call for public comment, then Board discussion and deliberation, and then action may be taken, to be followed by a brief oral summary of the action taken by the Chair or the Board member presiding at the meeting. A voice vote or roll call vote will be taken, unless the item is continued or no motion or action is taken.

Informational Items – Staff will give a report on matters requested by the Board or a Commissioner or on a matter of general interest to the Board. Normally, no action is to be taken on an informational item.

Request for Future Agenda Items – This item is for a Commissioner to request a matter be placed on a future agenda. A consensus of the Board is needed for the request to move forward.

Adjournment – The current meeting is adjourned.

ACKNOWLEDGEMENTS

This handbook was based on similar handbooks from other municipalities. We thank the City of Ventura, County of Santa Barbara, Princeton, New Jersey Government, and Newhall County Water District. Also used as references were the Harbors and Navigation Code, Rosenberg's Rules of Order and the Brown Act.

5.0 PORT COMMISSION AND PORT DISTRICT POLICIES BY RESOLUTION

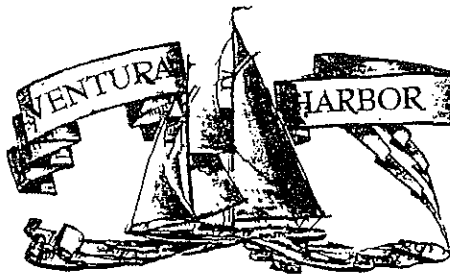
Policies attached:

- 5.1 Records Retention Policy
- 5.2 Lease Negotiation and Administrative Policy
- 5.3 Slip Rate Policy
- 5.4 Capital Assets and Inventory Control Administration Policy
- 5.5 Reserve Policy
- 5.6 Investment Policy
- 5.7 Master Lease/Option Negotiation Administration Policy
- 5.8 Expense Reimbursement Policy for Commissioners
- 5.9 Procurement and Purchasing Policy
- 5.10 District Conflict of Interest Code
- 5.11 Expense Reimbursement Policy for Employees
- 5.12 California Public Records Act Policy and Procedures

Policies not attached:

- Ventura Port District Human Resources Manual
- Art Donation Policy
- Commercial Identification Card Policy

These policies can be found at the Ventura Port District Office at 1603 Anchors Way Drive, Ventura, California 93001.



RESOLUTION NO. 2708

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT RELATING TO THE
RETENTION AND DESTRUCTION OF DISTRICT RECORDS

WHEREAS, under Government Code Section 6250 et seq. written documents relating to the District's business prepared, used or retained by the District are public records; and

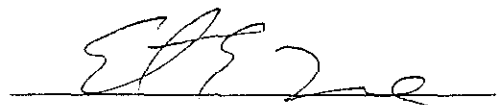
WHEREAS, despite the fact that the District may have public records, under Government Code Section 60200 et seq. special districts are provided with legislative guidance regarding retention and destruction of certain records; and


WHEREAS, the statutes provide specific retention periods for certain records but do not contain retention periods for all records; and

WHEREAS, in instances where the law does not expressly require retention, the Board may exercise its own discretion in setting the policy for retention and destruction.

NOW, THEREFORE, pursuant to the authority granted, the Board of Port Commissioners of Ventura Port District hereby adopts Appendix A attached to this Resolution as the District's policy for the retention and destruction of District records.

Passed and Adopted this 16th day of August, 1995


Chairman

Attest:

Secretary
(Seal)



APPENDIX A

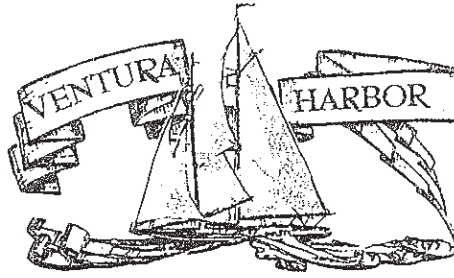
Following is a list of records and retention periods. Please note that this list is comprised primarily of records commonly found in the general business community and is not intended as an exhaustive listing of all District records. The periods begin at the end of the fiscal year during which the record was created, not from the date of the record. The retention period for items supporting tax returns begins on the filing date of the return or its due date (with extensions), whichever is later. If litigation is threatened or pending, the District's attorneys should be consulted before specific records are destroyed.

"P" means permanently; ; "AD" means after disposal of the underlying asset; "AE" means after expiration; "AFP" means after final payment; and "AT" means after termination.

Accident reports (settled)	7	Equipment repair records	3
Assessment records	7	Fidelity bonds	5 AT
Bank deposit slips	3	Financial reports (e.g., balance sheets, cash receipts and disbursements, profit and loss statements, statements of changes in fixed assets, etc.)	
Bank reconciliations	3	Audited	P
Bank statements	7	Annual	P
Bids:		Interim	3
Accepted	4	Fixed assets records	7 AD
Unaccepted	2	Garnishments	3 AT
Bills of lading	5	Insurance policies	P
Bonds:		Inventory records	7 AD
Records of issuance	P	Invoices	7
Repayment records	10 AFP	Labor records	
Budgets	3	Applications (employment)	7 AT
Capital asset records	7 AD	Contracts	7 AT
Check register	10	Daily time reports	5
Construction records:		Disability claims	7 AT
Specifications, change orders, correspondence, etc.	7	Earnings records	7
As-built plans	P	Employee service records	7 AT
Contracts:		Fidelity bonds	5 AT
Employee	7 AT	Insurance records	7 AT
Vendor	7 AT	Medical history	7 AT
For acquisition, operation or maintenance	P	Paychecks	7
Correspondence:		Personnel files (including job description, performance evaluations, changes of employment, etc.)	7 AT
Accounting	7	Salary and wage changes	7 AT
Construction	7	Salary receipts	7 AT
Credit and collection	7	Time cards, tickets and clock records	5
General	3	Unemployment claims	7 AT
Personnel	7 AT	Withholding certificates	7 AT
Cost accounting records	5	Workers compensation reports	10
Deposit slip copies	3	Leases	7 AT
Depreciation schedules	7 AD		
District formation records (including formation of improvement or assessment districts within District)	P		
Equipment leases	7 AE		

Section 5.1

Ledgers and journals:	
Accounts payable ledger	7
Accounts receivable ledger	7
Cash receipts journal	10
Deposit permit register	10
Expenditure ledger	10
General journal	10
General ledger	P
Journal entries - year-end	P
Payroll journal	10
Purchase journal	10
Revenue ledger	10
Taxes receivable ledger	10
Licenses	1 AT
Litigation files (resolved)	5
Judgments, orders, settlement agreements	P
Long-term debt records:	10 AFP
Maintenance records:	
Building	7
Machinery	7
Minute books, resolutions and ordinances	P
Mortgages	7 AT
Notes (cancelled)	7
Options	7 AT
Pension records	P
Petty cash records	3
Plant acquisition records	7 AD
Real estate development records:	
Design, engineering, construction records	7
As-built drawings evidencing District approval	P
Property records:	
Appraisals	P
Damage reports	7
Deeds, easements, licenses	P
Depreciation	7 AD
Plans and specifications	P
Purchases	P
Reconveyances	P
Sales	P
Taxes	10
Purchase orders	3
Purchase invoices	7
Receiving reports	3
Remittance statements	3
Surety bonds	3 AT
Tax records	10
Tax rolls	12
Travel records (employees)	3
Union contracts	P
Warrants	10 AFP



RESOLUTION NO. 2595

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF
VENTURA PORT DISTRICT ESTABLISHING A POLICY
REGARDING LEASE NEGOTIATIONS AND
FINANCIAL DISCLOSURE

WHEREAS, from time to time, Ventura Port District (the "District") enters into leases and grants other entitlements with respect to real property within Ventura Harbor; and

WHEREAS, the Board of Port Commissioners (the "Board") of the District desires to ensure fairness in the process of considering lease applicants, and negotiating and renegotiating leases, and to avoid any appearances of impropriety; and

WHEREAS, it is in the best interests of the District to clarify the procedure for negotiating such leases and entitlements, and to ensure that District lessees provide adequate assurances of their financial strength and capacity, and to provide for adequate disclosure of potential conflict of interest; and

WHEREAS, the Board of Port Commissioners of Ventura Port District desires to establish a policy regarding lease negotiations, and related financial disclosures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of Ventura Port District as follows:

1. The Board finds and determines that it is in the best interests of the District to establish a policy regarding the procedure for negotiating leases and other entitlements with respect to real property within Ventura Harbor, so as to ensure fairness in the process of considering lease applicants, to ensure that District lessees provide adequate assurances of their financial strength, and to avoid any actual or perceived financial conflicts in the leasing process.

2. The General Manager shall advise the Board of Port Commissioners regarding the availability for leasing or licensing or real property within Ventura Harbor, or the renewal of existing leases and licenses of real property within the Harbor.

3. The Board of Port Commissioners shall instruct the General Manager to receive proposals for leasing, licensing, or developing such a property. In the case of renegotiation of existing leases, consideration shall be given to the possible extension of such leases.

4. The Chairman of the Board of Port Commissioners may appoint a committee of less than a quorum of the Board to review proposals regarding such real property. The General Manager and appropriate staff shall be included on the committee.

5. The General Manager shall gather information regarding proposed transactions and proposed parties ("Party" or "Parties"), including:

- a. All transaction, financing and escrow documents;
- b. Evidence of the Parties' business history;
- c. Current financial statement(s) for the Parties;
- d. Last three year's income tax returns for the Parties;
- e. Business plan and financial projections;
- f. A statement of any litigation affecting the Parties;
- g. Identification of each operator or independent contractor the Parties intend to use in their business operations on the Premises;
- h. Copies of any management or operation agreements between the Parties and their independent contractors;
- i. Such other information and materials that evidences that the Parties have experience, reputation, business background and financial capacity to reasonably ensure the continued prompt performance of the obligations of the Parties after such transactions were to become effective; and
- j. Such other documents as may be required by the Board of Port Commissioners to determine the commercial reasonableness of the proposed transaction.

6. In addition to the information required above, Parties shall be required to disclose any loans to or from, any business dealings or other financial transactions with, and any past or prospective gifts having a value in excess of One Hundred dollars (\$100.00) to or from a member of the Board of Port Commissioners, the General Manager or the Harbormaster.

7. Upon any request by existing lessees or holders of entitlements to District property for action by the Ventura Port District, the requesting Party shall be required to disclose any loans to or from, any business dealings or any other financial transactions with , and any past or prospective gifts having a value in excess of One Hundred dollars (\$100.00) to or from a member of the Board of Port Commissioners, the General Manager or the Harbormaster.

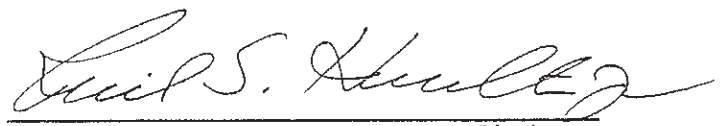
8. Should any lease applicant, existing lessee or holder of any entitlement to property of the District disclose any such loans, business dealings, other financial transactions or gifts with a member of the Board of Port Commissioners, the Commissioner so identified shall be excluded from participation in any decision of the Port affecting such applicant, lessee or licensee, unless otherwise required by law.

9. The disclosure and disqualification provisions of Paragraphs 7 and 8 shall not apply when such business dealings or financial transactions are not distinguishable from the lease applicant's, lessee's or entitlement holder's business dealings or financial transactions with the public generally.

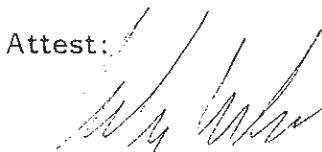
10. The committee appointed by the Chairman shall review the information provided by the General Manager, meet and confer and, if so determined to be in the best interests of the District, enter into negotiations with the parties regarding the terms and conditions of the proposed transaction. The committee shall prepare a report which includes its recommendations regarding the proposed transaction and submit the report to the Board of Port Commissioners.

11. The Board of Port Commissioners shall review the committee's report and recommendations and shall make the final determinations regarding modification, approval or rejection of the proposed transaction.

PASSED and ADOPTED this 24th day of November, 1992


Chairman

Attest:



Secretary

(Seal)

Section 5.2

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

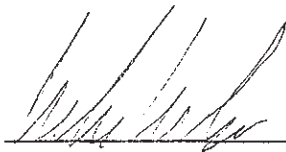
I, William W. Crew, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 24th day of November, 1992, by the following vote:

AYES: Commissioners Starr, Jacobs, Thorpe, Crew and
Chairman Hambleton

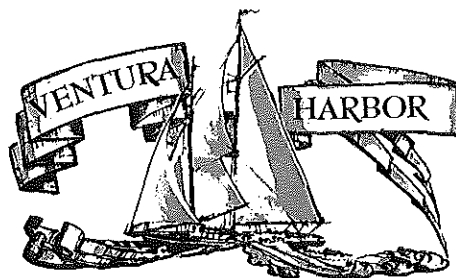
NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 24th day of November, 1992.


Secretary

(Seal)



RESOLUTION NO. 3038

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT ESTABLISHING
PROCEDURES FOR REVIEWING THE SLIP RATES AND CHARGES PROPOSED BY
VENTURA HARBOR SLIP OPERATORS**

WHEREAS, certain harbor leases contain language reserving to the District, acting by and through the General Manager, the right to review and determine whether prices charged for goods and services are fair and reasonable; and

WHEREAS, the Board of Port Commissioners has determined that Resolution No. 2194 which previously established procedures for approving or disapproving proposed prices, rates or changes should be rescinded and a new policy implemented.

NOW, THEREFORE, BE IT RESOLVED, Resolution No. 2194 is hereby rescinded; and


FURTHER RESOLVED that the General Manager shall adhere to the following procedures prior to final approval or disapproval of proposed slip rates and charges proposed to be imposed by Ventura Harbor Slip Operators that pay percentage rent to the District:

1. Upon receipt by the Ventura Port District of any changes regarding the slip rates and charges proposed by a Slip Operator, the General Manager shall post a Notice of a Public Hearing regarding said rate increase a minimum of 20-days prior to the hearing, at the affected leasehold facilities. The Public Notice will include the new proposed rates and charges, and reflect the date, time and location of the Public Hearing.
2. After completion of an investigation of the proposed slip rates and charges proposed to be imposed by a Slip Operator, the General Manager shall be present a report of his findings as to the fairness and reasonableness of said slip rates and charges, prior to final approval or disapproval by the Board of Port Commissioners.

Passed and Adopted this 27th day of July, 2005


Chairman

Attest:


Secretary
(Seal)



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

I, Robert Bravo, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 27th day of July 2005, by the following vote:

AYES: Commissioners Clark, Bravo, Turner, Deitch and Chairman McCombs
ABSENT: None
NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 27th day of July 2005.

Robert Bravo
Secretary

(Seal)

VENTURA PORT DISTRICT ADMINISTRATIVE POLICY

Policy Title: *Capital Asset and Inventory Control Policy*

The purpose of this policy is to provide the District with a system to safeguard and account for capital assets, assigning responsibility for custody of said assets, and inventory of data for proper management of District assets, including maintenance, insurance and replacement.

Capital Asset Policy

A record of capital assets shall be based on the following criteria:

1. The asset is of a tangible nature;
2. Life expectancy is longer than one year;
3. Asset with a minimum value as follows:

a. Buildings and building improvements	\$10,000
b. Vehicles, machinery and equipment	\$ 5,000
c. Works of art and historical treasures	\$ 5,000
d. Infrastructure	\$10,000

The District will maintain a list of all assets that meet the capitalization policy. Assets will be separated by the following classifications:

- Land and land improvements
- Building and building improvements
- Vehicles
- Vessels
- Machinery
- Equipment

Additions and deletions to capital asset inventory records shall be made as they occur.

Inventory Control

An inventory, of all assets shall be conducted on an annual basis. Applicable purchases for inclusion in the inventory shall be the following:

- A. Equipment and tools that individually have an original total cost of more than \$300.00;
- B. Building acquisitions regardless of price; and,
- C. Assets that are subject to theft. These include computerized equipment such as laptops, printers, etc.

When any item defined above is received, a tag with a unique identification number shall be affixed to said item, and the number recorded in the permanent inventory records.

Section 5.4

Inventory information shall be provided to, and maintained by the Facilities Manager. Inventory records shall include at least the following:

- Asset number;
- Description;
- Manufacturer's number;
- Storage location;
- Original cost;
- Acquisition date;
- Life expectancy; and
- Classification Code (e.g., office equipment, vehicle, etc.).

Permanent inventory records shall be maintained in either a paper file or electronic (computer data base) format. Said records shall be updated whenever a change in the status of a particular asset occurs (e.g., original purchase, sale, destruction, loss, theft, etc.).

After the conclusion of the annual inventory, the General Manager (or other responsible managing employee) shall certify its completeness and report the results to the Board of Port Commissioners at a regular monthly meeting.

Adopted: February 22, 2006



RESOLUTION NO. 3225

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT ADOPTING A RESERVE POLICY

WHEREAS, the Ventura Port District ("District") manages and operates a commercial and recreational boat harbor in the City of San Buenaventura, for the benefit of the city residents and the public generally; and

WHEREAS, the District maintains funds in unrestricted and restricted accounts for such purposes as capital improvements, debt service and emergency and disaster response; and

WHEREAS, the prudent management of the District requires that reserve funds be established and maintained to fund scheduled and unscheduled expenses, and to identify the amount of funds specifically dedicated for each purpose and to provide periodic review of the reserve funding levels to ensure such levels are and will be adequate to meet the projected needs of the District; and

WHEREAS, the Board of Port Commissioners has previously determined that it is in the best interest of the District to establish dedicated and restricted reserve funds for various purposes and to implement a formal policy regarding the level of funding and use of such reserve fund; and

WHEREAS, the Board of Port Commissioners adopted Resolution No.3190 on June 27, 2012, establishing the Ventura Port District Reserve Policy; and

WHEREAS, the Board of Port Commissioners has determined that it is in the best interest of the District to revise the District's Reserve Policy in the following manner: (i) all unexpended Unrestricted Reserve funds in excess of the minimum reserve amount will be transferred to the Capital Improvement Reserve Fund; and (ii) to allow for the balance of the Capital Improvement Reserve Fund to appreciate if necessary.

NOW THEREFORE, THE BOARD OF PORT COMMISSIONERS OF VENTURA PORT DISTRICT IS HEREBY RESOLVED, that the District's Reserve Policy adopted by Resolution No. 3190 on June 27, 2012 be deleted in its entirety and replaced as follows:



VENTURA PORT DISTRICT RESERVE POLICY

- 1) The District will maintain sufficient revenues to meet its operating expenses, debt service, depreciation expenses, and prescribed reserves.
- 2) The District will hold cash and/or investments in reserve as authorized by the District's Investment Policy, and in accordance with state and federal laws.
- 3) The District reserves should be examined and adjusted each year based on the operating surplus or deficit at the conclusion of each fiscal year, according to reserve fund prioritization.
- 4) The District will maintain a reserve of cash and/or investments for both unrestricted and restricted purposes as follows:

- **Unrestricted Reserve:** Unrestricted reserve funds are to be used to ensure the continued orderly operation of Ventura Harbor. Such funds are primarily to be used for operations and maintenance within the Harbor and are intended to provide a mechanism for the District to immediately undertake unanticipated operation and maintenance activities and to manage cash-flow fluctuations, including emergency repairs. A minimum reserve equal to 40% of the operating budget will be maintained to ensure service continuity. Any unrestricted reserve funds in excess of such minimum reserve amount that is not expended as of the last day of the then-current fiscal year will be moved to the Capital Improvement Reserve Fund.

The District Accounting Manager should invest unrestricted reserve funds in liquid money market accounts such as LAIF, so that the funds are immediately available for District use.

- **Restricted Reserves:** Restricted reserve funds are to be set in the following amounts and used for the specific purposes for which the restricted reserve funds are created. At the present time, the District maintains the following restricted reserve funds:

- **Capital Improvement Reserve Fund:** The Capital Improvement Reserve Fund is intended to establish available cash assets to fund capital expenditures to support the future capital needs of the District in accordance with the District's Capital Improvement Plan. The level of funding in this reserve fund for the next fiscal year should be established based on the projected need to pay for planned and unplanned capital improvements for such fiscal year. In establishing the level of funding based on the projected need to pay for planned and

unplanned capital improvements for any given fiscal year, the District may, but shall not be obligated to, take into account unexpended reserve funds from year-to-year and accumulations thereon including, but not limited to, any unrestricted reserve funds transferred to the Capital Improvement Reserve Fund. The minimum balance maintained should be at least equal to the asset depreciation for the preceding fiscal year.

- **Dredging Reserve Fund:** The funds in the Dredging Reserve Fund are required to be maintained at a minimum level of \$3,000,000 in order to comply with a judgment entered against the District in 1979. Funds in the Dredging Reserve Fund are to be used solely and only to pay the cost of dredging and related activities to maintain appropriate water depths in the channels into and within the Harbor, and specifically in the Stub Channel providing water access to Ventura Keys.
- **Fisheries Complex Reserve Fund:** Funds deposited in the Fisheries Complex Reserve Fund are intended to provide funding to upgrade and improve the District's commercial fishing pier. The District has a policy of requiring tenants involved in commercial fishing operations to contribute toward the cost of improving the commercial fishing pier when they renew their leases. All payments received from such commercial fishing tenants are deposited in the Fisheries Complex Reserve Fund and will be used to pay the cost of improving and upgrading the pier when it becomes necessary to do so.

The Accounting Manager of the District shall invest funds held in these restricted reserve funds in secure accounts such as LAIF and invested in accordance with the District's investment policy.

5) At least annually the Board should review all reserve accounts and make a determination regarding the continuing need for and purposes of the reserve funds, the appropriate levels of accumulation and the conditions precedent to utilization of the reserve funds.

6) When additional reserve funds are to be established, they should be established by Board resolution, which should include:

- (a) A statement of the purpose for which the reserve is created;
- (b) To the extent possible, specification of minimum and maximum parameters for the accumulation of the monies in the reserve fund; and

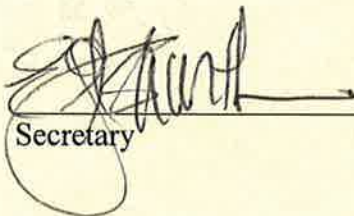
- (c) Specification of the conditions under which reserve funds shall be expended or transferred, consistent with Board directives.

7) This Ventura Port District Reserve Policy shall become effective on the date of its adoption and District staff is hereby directed to take all actions necessary to implement this Policy and to maintain the designated reserve funds.

PASSED AND ADOPTED at a regular meeting of the Board of Port Commissioners of the Ventura Port District held on August 28, 2013


Chairman

ATTEST:


Secretary

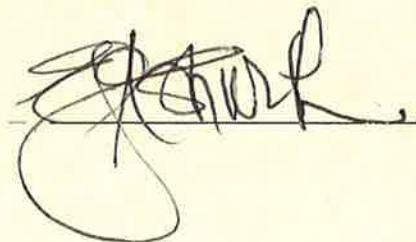
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Everard Ashworth, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3225 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 28th day of August 2013, by the following vote:

AYES: Commissioners Ashworth, Bravo, Friedman, Smith and Chairman Carson
NOES: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 28th day of August 2013.

(Seal)


Secretary



RESOLUTION NO. 3284

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF
THE VENTURA PORT DISTRICT
ESTABLISHING ITS INVESTMENT POLICY

1.0 POLICY

WHEREAS, the Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern; and

WHEREAS, the legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code Sections 53635 and 53601 et seq.; and

WHEREAS, the General Manager of the Ventura Port District ("District") must annually prepare and submit a statement of investment policy and such policy, and any changes thereto, shall be considered by the Board of Port Commissioners ("Board") at a public meeting,

NOW THEREFORE, it shall be the policy of the District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the District's daily cash flow demands and conforming to all statutes governing the investment of District funds.

2.0 SCOPE

This investment policy applies to all financial assets of the District. These funds are accounted for in the annual district audit.

3.0 PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the District, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (California Government Code Section 53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in



Section 5.6

accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 OBJECTIVES

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing District funds, the primary objectives, in priority order, of the investment activities shall be:

1. Safety: Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

2. Liquidity: The investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements which might be reasonably anticipated.

3. Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

5.0 DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from California Government Code Section 53600, et seq. Overall accountability and authority for implementation of this policy shall remain with the Board of Port Commissioners and overseen by the General Manager. Management responsibility for the investment program is hereby delegated to the General Manager who, where and when appropriate, shall establish written procedures for the operation of the investment program consistent with this investment policy. No person may engage in an investment transaction except as provided under the terms of this policy and such procedures that are established by the General Manager. The General Manager shall be responsible for all transactions undertaken and shall establish controls to regulate the activities of subordinate officials. Under the provisions of California Government Code Section 53600.3, the General Manager is a trustee and a fiduciary subject to the prudent investor standard.

6.0 ETHICS AND CONFLICTS OF INTEREST

The General Manager and officers and employees involved in the investment process shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

7.0 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The General Manager will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the General Manager shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the General Manager shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the District's account with that firm has reviewed the District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the District that are appropriate under the terms and conditions of the Investment Policy.

The District is a local agency authorized to invest surplus monies in the Local Agency Investment Fund (LAIF). LAIF is a special trust fund in the custody of the State Treasurer and the Local Investment Advisory Board created under Government Code Section 16429.2 advises the State Treasurer on the investment and reinvestment of LAIF deposits. Each local agency with LAIF deposits has a separate account within LAIF, but the total deposits in LAIF are managed as a pooled investment account. The securities eligible for LAIF investments are statutorily specified in Government Code Section 16430 and are more conservative than those investments permitted under Government Code Section 53601, which governs the management of invested surplus monies by local agencies. Accordingly, the General Manager need not be concerned with the qualifications of those financial institutions and broker/dealers with whom LAIF transacts business.

8.0 AUTHORIZED AND SUITABLE INVESTMENTS

The District is empowered by California Government Code Section 53601 et seq. to invest in the following:

- a. Bonds issued by the District.
- b. United States Treasury Bills, Notes, Bonds, and Certificate of Indebtedness.
- c. Registered state warrants or treasury notes or bonds issued by the State of California.

- d. Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of revenues from revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California.
- e. Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.
- f. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by, or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- g. Bankers' acceptances, otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchase of bankers' acceptances may not exceed one hundred eighty (180) days' maturity or forty percent (40%) of the District's money that may be invested pursuant to this policy. However, no more than thirty percent (30%) of the District's money can be invested in the bankers' acceptances of any single commercial bank.
- h. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall either be:
 - (1) organized and operating within the United States as a general corporation, shall have total assets in excess of Five Hundred Million Dollars (\$500,000,000), and shall issue debt, other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization; or
 - (2) organized within the United States as a special purpose corporation, trust, or limited liability company, have program-wide credit enhancements including, but not limited to, over-collateralization, letters of credit, or surety bond, and has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.Eligible commercial paper shall have a maximum maturity of two hundred seventy (270) days or less. The District shall invest no more than twenty-five percent (25%) of its money in eligible commercial paper. The District shall purchase no more than ten percent (10%) of the outstanding commercial paper of any single corporate issue.
- i. Negotiable certificates of deposit issued by a nationally or state chartered bank, a savings association or a federal association (as defined by Section 5102 of the

Financial Code), a state or federal credit union, or by a federal or state licensed branch of a foreign bank. Purchases of negotiable certificates of deposit shall not exceed thirty percent (30%) of the District's money which may be invested pursuant to this policy. The Board of Port Commissioners and the General Manager are prohibited from investing District funds, or funds in the District's custody, in negotiable certificates of deposit issued by a state or federal credit union if a member of the Board of Port Commissioners, or any person with investment decision making authority within the District also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

- j. Repurchase/Reverse Repurchase Agreements of any securities authorized by Section 53601. The market value of securities that underlay a repurchase agreement shall be valued at one hundred two percent (102%) or greater of the funds borrowed against those securities, and are subject to the special limits and conditions of California Government Code 53601(j).
- k. Medium term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five (5) years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated "A" or better by a nationally recognized rating service. Purchases of medium term notes shall not include other instruments authorized by this policy and may not exceed thirty percent (30%) of the District's money which may be invested pursuant to this policy.
- l. Shares of beneficial interest issued by diversified management companies (mutual funds) investing in the securities and obligations authorized by this policy, and shares in money market mutual funds, subject to the restrictions of Government Code Section 53601(l). The purchase price of investments under this subdivision shall not exceed twenty percent (20%) of the District's investments under this policy. However, no more than ten percent (10%) of the District's money may be invested in any one mutual fund.
- m. Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance

with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.

- n. Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Government Code Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Government Code Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank which is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.
- o. Any mortgage pass-through security, collateralized mortgage obligation, mortgage backed or other pay-through bond, equipment lease backed certificate, consumer receivable pass-through certificate, or consumer receivable backed bond of a maximum of five (5) years maturity. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and the securities shall be rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subdivision may not exceed twenty percent (20%) of the District's money that may be invested pursuant to this policy.
- p. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized under Government Code Section 53601. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible, the joint powers authority issuing the shares must have retained an investment advisor that is registered or exempt from registration with the Securities and Exchange Commission, have not less than five years of experience in investing in the securities and obligations authorized under Government Code Section 53601, and have assets under management in excess of five hundred million dollars (\$500,000,000.00).
- q. United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. These types of investments must be rated "AA" or better by a nationally recognized statistical rating organization and cannot exceed 30% of the District's moneys that may be invested pursuant to Section 53601.

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- r. Proposition 1A receivables sold pursuant to California Government Code Section 53999. A "Proposition 1A receivable" constitutes the right to payment of moneys due or to become due to a local agency, pursuant to clause (iii) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 25.5 of Article XIII of the California Constitution and Section 100.06 of the Revenue and Taxation Code.
- s. Any other investment security authorized under the provisions of California Government Code Sections 5922 and 53601.

A summary of the limitations and special conditions that apply to each of the above listed investment securities is attached and included by reference in this Investment Policy.

The District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

9.0 COLLATERALIZATION

All certificates of deposits must be collateralized by United States Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralizations on repurchase and reverse agreements will adhere to the amount required under California Government Code Section 53601(j)(2).

10.0 SAFEKEEPING AND CUSTODY

All security transactions entered into by the District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the District by book entry, physical delivery or by third party custodial agreement.

11.0 DIVERSIFICATION

The District will diversify its investments by security type and institution. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification strategies shall be reviewed and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

- a. Portfolio maturity dates shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.
- b. Maturities selected shall provide for stability of income and liquidity.

Section 5.6

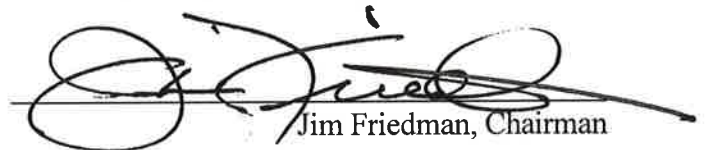
- c. Disbursement and payroll dates shall be covered through maturities of investments, marketable United States Treasury bills or other cash equivalent instruments such as money market mutual funds.

12.0 REPORTING

The General Manager shall submit an investment report to the Board of Port Commissioners at least quarterly. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for District by third party contracted managers. The report will also include the source of the portfolio valuation. For all funds that are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the District will meet its expenditure obligations for the next six (6) months, as required by Government Code Section 53646(b)(2) and (3), respectively. The General Manager shall maintain a complete and timely record of all investment transactions.


13.0 INVESTMENT POLICY ADOPTION shall be reviewed on an annual basis, and modifications must be approved by the Board of Port Commissioners. This Investment Policy replaces that which was set forth in Resolution No. 3253 on October 22, 2014.

PASSED, APPROVED AND ADOPTED this 9th day of September, 2015.



Jim Friedman, Chairman

ATTEST:



Oscar Peña, Secretary

(Seal)

Section 5.6

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

I, Oscar Peña, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3284 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 9th day of September 2015, by the following vote:

AYES: Commissioners Friedman, Carson, Smith, Valance

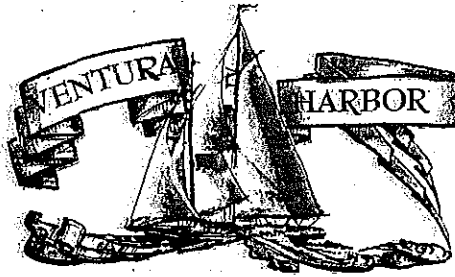
NOES:

ABSENT: Commissioner Ashworth

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 9th day of September, 2015.


Secretary

(Seal)



RESOLUTION NO. 2988

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT APPROVING AND ADOPTING A
MASTER LEASE/OPTION NEGOTIATION ADMINISTRATION POLICY**

WHEREAS, Ventura Port District ("District") and is a major provider of marine-oriented public services within the City of San Buenaventura, making commercial, tourist and recreational opportunities available to the public; and

WHEREAS, these commercial, tourist and recreational opportunities are, for the most part, provided by long-term ground lease tenants of the District; and

WHEREAS, the District regularly engages in negotiations with its ground lease tenants for changes and modifications to the existing leases and, from time to time, engages in discussions with prospective ground lease tenants relating to undeveloped portions of Ventura Harbor; and

WHEREAS, the Board of Port Commissioners has determined that it is in the best interests of the District, its current ground lease tenants, and prospective ground lease tenants, for the District to adopt a policy outlining the procedures for obtaining, amending and administering ground leases within Ventura Harbor and summarizing the basic ground lease terms the District considers essential to any new or updated long-term ground lease arrangement.

NOW THEREFORE BE IT RESOLVED, that the Board of Port Commissioners of the Ventura Port District hereby approves and adopts the Master Lease/Option Negotiation and Administration Policy in the form attached hereto and incorporated herein by reference; and

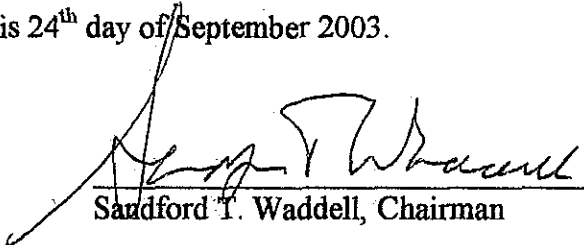
BE IT FURTHER RESOLVED, that the General Manager and other members of the District staff are hereby authorized to provide copies of this Policy to both existing and prospective ground lease tenants to assist those parties in the conduct of their master lease/option negotiations and lease administration affairs; and

BE IT FURTHER RESOLVED, that the General Manager and other members of the District staff are to be guided by this Policy in their conduct of their relations with both existing and prospective ground lease tenants; and



BE IT FURTHER RESOLVED, that the General Manager and staff at the District are hereby authorized and directed to take such other and further actions as may be necessary and appropriate to carry out and implement the purposes of this Resolution.

PASSED AND ADOPTED this 24th day of September 2003.


Sanford T. Waddell, Chairman

ATTEST:


Robert Bravo, Acting Secretary

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


I, Robert Bravo, Acting Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 24th day of September, 2003, by the following vote:

AYES: Commissioners McCombs, Bravo and Chairman Waddell

NOES: None

ABSENT: Commissioners Clark and Ortiz

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 24th day of September 2003.


Acting Secretary

(Seal)

MASTER LEASE/OPTION NEGOTIATION AND ADMINISTRATION POLICY

Introduction

The Board of Port Commissioners ("Board") governs the Ventura Port District ("District"). The Board delegates responsibility for the administration of District operations to the General Manager. This delegation includes responsibility for the negotiation and administration of the District's real estate and leasing affairs. This policy only applies to Master Leases in Ventura Harbor and is not applicable to the short-term office, retail and restaurant leases in Ventura Harbor Village administered by District personnel.

The General Manager is responsible for administering the District's affairs in accordance with policies, rules and regulations established by the Board. The Board has adopted this policy to provide guidance to the General Manager and to establish a framework for better communications with our master tenants to avoid misunderstanding about District Policy.

This document establishes the general policies and practices for the optioning and leasing of real properties owned and administered by the District. The policies and practices established herein may be reviewed and modified by the Board at any time in its discretion. This document is divided into four parts as follows:

- I. Lease negotiation procedures.
- II. Leasing authority.
- III. Lease terms.
- IV. Lease administration.

Though described as a "leasing" policy, the procedures and concepts stated herein apply to the option to lease process as well, which the District will require in connection with a lease of currently undeveloped property or redeveloped property in Ventura Harbor.

I. Lease Negotiation Procedures

The lease negotiation process should begin with preliminary discussions between the General Manager, or his representative, and the prospective tenant in an effort to identify issues and objectives in the proposed lease transaction. The General Manager should then bring the results of these discussions to the Board for consideration and possible determination of the District's position in and strategy for the lease negotiation. The Board, in its discretion, may delegate this responsibility to an ad hoc committee of the Board or the General Manager, but the Board shall retain ultimate authority for approval of any changes to an existing lease or a new lease.

The General Manager and District counsel shall then prepare a draft "term sheet" identifying the business deal points including proposed rent, permitted uses and improvements. The term sheet

should be reviewed by the committee or the Board, as the case may be, prior to presentation to the tenant. The business deal points are to be agreed upon by the District and tenant negotiators and reported to the Board before counsel will be authorized to prepare any lease document. The Board will not, however, formally approve business terms prior to approving the final lease document.

Once authorized, District counsel shall prepare the initial draft of the lease document based upon the term sheet and applicable ground leasing policies and practices in Ventura Harbor.

Once the terms of the lease have been successfully negotiated between the General Manager and the tenant and the draft master lease has been prepared, the lease shall be submitted to the Department of Boating and Waterways, and possibly to the Attorney General and the State Lands Commission if required by the Harbors and Navigation Code. After approval by the required agencies, notices inviting competitive bids and giving notice of the District's intention to authorize the entering into the lease by the adoption of an ordinance shall be given. The Board shall formally consider the lease, but only after the tenant has signed multiple copies of the lease and related lease transaction documents and delivered them to the District pending approval by the Board and the State agencies.

II. Leasing Authority

The authority for negotiating and approving master lease terms is divided between the Board, a committee of the Board, if established in the discretion of the Board, and the General Manager. District counsel shall advise the Board, any committee and the General Manager throughout the lease negotiation process.

The Board, as the governing body of the District, has the ultimate authority with respect to all leases. The Board shall approve all leases, lease extensions or lease amendments. Only the Board may act to bind the District, including commitments to negotiate. The General Manager, a Board committee and counsel shall always make it clear to a prospective tenant during negotiations that any commitments made during the negotiation process are subject to approval by the Board prior to such terms being enforceable.

Prior to commencement of detailed negotiations concerning a new lease, a lease extension, or an amendment to an existing lease, the General Manager will present objectives and lease negotiation issues to the Board. The Board will initially decide whether to pursue lease negotiations and, further, whether to appoint a committee to assist the General Manager in those negotiations. If the Board determines that negotiations should proceed, the Board may also give general policy direction to the negotiators, which might include the General Manager, the committee and counsel.

Finally, in the event there is any disagreement or dispute between the General Manager and the committee about issues arising in preparation for or during the lease negotiation, the Board shall determine how the negotiations shall proceed.

If the Board decides to appoint a committee to assist the General Manager in lease negotiations, the committee member(s) shall meet with and advise the General Manager regarding proposals and general negotiating strategy. The committee members should be the Board contact for the tenant and should participate in negotiations as appropriate as determined by the Board, the committee and the General Manager. Direct contact between master tenants and Board members who are not committee members authorized to participate directly in negotiations, is discouraged.

Also, if appointed, the committee should review all written proposals before presentation to the tenant and should report to the Board on negotiations in closed session along with the General Manager.

As the person charged with responsibility for the administration of all District's activities, the General Manager should be the chief negotiator in all lease negotiations, assisted by a committee, if appointed, and by counsel as required. The General Manager should discuss the negotiating position and strategy with the committee and, if no committee is appointed, directly with the Board.

As the chief negotiator, the General Manager should be responsible for preparing all proposals and term sheets in consultation with District counsel and the committee. The General Manager should also be the primary person responsible for reporting to the Board on the progress of lease negotiations.

The role of District counsel during negotiations is to initially advise the General Manager and the committee on the preparation of the term sheet. Counsel should prepare and review all lease language, and maintain all drafts and revisions on a computer system so that the progress of negotiations can be reconstructed in the future if necessary.

Finally, counsel should participate in negotiations as appropriate and as determined by the General Manager and the committee. Also, unless the lease documents expressly otherwise provide, the District should seek to recover from the tenant the costs and fees incurred by District counsel in the negotiation and lease drafting process, including legal fees.

III. Lease Terms

Unless the circumstances of the particular lease negotiation dictate otherwise, the following concepts should be incorporated in all new master leases and, if appropriate, in all renegotiated or restated ground leases. This listing of lease issue concepts is not intended to be all-inclusive and may be modified or supplemented by the Board in its discretion at any time.

- A. Lease Term.** The term of master leases should be tied to the useful life of existing improvements, or improvements to be constructed, but the maximum term cannot exceed 50 years per Harbors and Navigation Code Sections 6271 and 6304.1. Accordingly, the Board discourages tenants from seeking and will not agree to lease language which might grant the tenant an option to extend a lease beyond the 50-year term. If a lease is to be extended or a new lease negotiated, the District reserves the

right to update, renegotiate and restate all lease terms and to require appropriate consideration for any extension of a lease term or the granting of a new lease.

B. Rent.

1. Minimum annual rent providing a fair return to the District and the tenant shall be subject to adjustment every five years or sooner. Such adjustment should be to an amount equal to not less than 75% of the average total rent (minimum annual and percentage rent) for the previous five-year period.
2. Percentage rent, based on all uses within Ventura Harbor, including slip rental rates, shall likewise be subject to adjustment to market every five years or sooner. If the parties are unable to agree upon appropriate adjusted percentage rental rates, the dispute should be submitted to binding baseball-style arbitration.
3. Appreciation/participation rent should be payable to the District on a financing or refinancing where the loan proceeds exceed the tenant's capital investment in the project and are not to be invested in new capital improvements in the project. Likewise, appreciation/participation rent should be paid when the master lease is sold or assigned as a whole or in increments over time which result in a change of control of the tenant. In that event, the District should share in a percentage of the gross sale proceeds to the extent those proceeds exceed the lessee's investment in the project including acquisition and capital improvement costs.
4. Late payments of rent should be subject to a late charge equal to 10% of the amount due, plus interest from the date due at the rate of 10% per annum or the maximum rate allowed by law, whichever rate is less.

C. Permitted Uses. All leases shall specify the uses that will be permitted on the premises. Unless otherwise agreed by the District, no use shall be granted on an exclusive basis to any tenant. Additional uses should only be allowed in the sole discretion of the District.

D. Security Deposit. The District shall require a security deposit from all new master lease tenants and, if the circumstances of the transaction warrant, a personal guarantee. In the event of a renegotiation with an existing tenant, the requirement of a security deposit and a personal guarantee can be dispensed with in the discretion of the Board, provided that tenant has a superior history of performance under its lease and has demonstrated the financial commitment necessary to make the leasehold operation a success, as determined by the Board in its sole discretion. The amount of security deposits should be subject to adjustment at the same time interval applicable to the adjustment of minimum annual rent.

- E. Security for Completion of Construction.** The District shall require that all tenants post security to cover the estimated cost of constructing improvements on the premises, the planning and design of which has been approved by the District, and District's overhead and out-of-pocket expenses should District be required to assume control of the project. The amount of such security will normally be 125% of construction cost. Such security should be in the form of a bond, a letter of credit, or other forms of security reasonably satisfactory to the District.
- F. Additional Security for Lease Performance.** As a matter of policy and to ensure tenant's performance under any master lease, the District requires that the tenant execute a quitclaim deed and an absolute and irrevocable assignment of rents in favor of the District to be held by the District in accordance with the terms of such documents. Such documents cannot be recorded and implemented by the District unless and until there has been a failure of the tenant to comply with the lease and action by the District to terminate the rights of the tenant thereunder. The District understands the assignment of rents will be subordinated to any leasehold financing needed by tenant.
- G. Lessor's Breach.** Should it be determined that the District has breached the lease, then the remedies available to the lessee shall be limited to an action at law for compensatory monetary damages, but not consequential damages. No equitable relief or termination of the lease shall be permitted.
- H. Maintenance and Repair.** Lessee shall be solely responsible for the upkeep and maintenance of the premises, including revetted slopes within the premises. The maintenance obligation shall be one of maintaining the premises and improvements in a "first class" condition. With respect to existing improvements not previously required to be maintained in "first class" condition, however, the maintenance obligation shall be to keep the premises and improvements in good condition and repair, on par with, if not better than, similar marine environment operations in the counties of San Luis Obispo, Santa Barbara, Ventura, Los Angeles and San Diego. All newly-constructed or renovated improvements shall be subject to the "first class" standard for maintenance. District shall have the right, but not the obligation, to cure maintenance defaults by the tenant and expenditures incurred by District in that process shall become additional rent due and payable to District.
- I. Interim Modernization.** For any lease in excess of 30 years, and depending upon the age and condition of improvements on the premises, the District may require that between the 30th and 35th years of the lease term, the tenant shall undertake a modernization program to upgrade improvements (including infrastructure) to ensure that such improvements will remain attractive and structurally sound for the balance of the lease term and beyond. The District will consider a reasonable refinancing program to assist the tenant in funding the cost of the required modernization. The details of the modernization program should be based on engineering studies and inspections paid for by the tenant and approved by the District.

- J. Surrender.** District will reserve right/option to compel tenant to remove all improvements at lease expiration/termination and to provide appropriate security to ensure costs of removal are funded.
- K. Water Depth.** All tenants with a water area within the premises shall be responsible for maintaining adequate water depth within that water area to support the water-oriented operations conducted under the lease. Likewise, the District shall take all commercially-reasonable and prudent actions to maintain the common fairways within the Harbor at a reasonable depth, taking into account the District's financial limitations, governmental processing and permit requirements as well as the potential impact on all business operations within the Harbor.
- L. Leasehold Encumbrancing.** The District recognizes that the cost of developing leaseholds and constructing improvements will require leasehold financing. The District will not permit pledging of fee title as security for such financing; but, subject to reasonable limitations, the District will consider approval of the pledging of tenant's leasehold estate in order to obtain funds necessary to construct District-approved improvements and to complete an interim modernization program. The total amount of such indebtedness, however, should not exceed 75% of the fair market value of tenant's leasehold interest as determined by a District approved appraisal and the projected net operating income derived from the leasehold should be at a coverage ratio determined by the Board, in its discretion, to be appropriate.
- M. Other Refinancing.** All encumbrances of a tenant's leasehold are subject to the prior approval of the District. The District discourages, but is willing to consider in its discretion, requests from tenants to refinance their leaseholds, but only after the tenant and the lender have negotiated and conditionally signed loan documents which are submitted to the District for approval. Refinancings not related to funding capital improvements to be constructed on the premises or refinancing existing debt structure are subject to approval by the District in its sole discretion and, further, subject to the appreciation rent policy of the District.
- N. Insurance.** Tenant shall obtain adequate insurance to cover all operations conducted on the premises. All insurance language shall be submitted to the District's insurance carrier for review, approval and comment before approval and execution of the lease by the District. Insurance coverage shall be subject to review and adjustment concurrently with the adjustment of minimum annual rent.
- O. Indemnity.** Tenants shall be required to indemnify the District against any and all claims arising out of tenants' performance under the ground lease and all activities conducted on or related to the premises by the tenant or its subtenants. The District will not agree to make such indemnity mutual.

- P. Assignments.** The District recognizes that, from time to time, master leases will be assigned, conveyed or sold. The District does, however, have a genuine and legitimate interest in ensuring that the assignee has not only the business expertise and financial stability to ensure that the leasehold operation is a success, but also that the business reputation of the proposed assignee fits into the recreational and commercial environment of Ventura Harbor. Accordingly, all proposed assignments of the leasehold must be submitted to District for its prior written approval. Both the tenant and the proposed assignee must provide such information and documents as the District may reasonably require, including a substantial security deposit and personal guaranties. Further, the lease should provide that the District will have the option to recapture the premises on essentially the same terms and conditions as proposed, subject to having adequate time to obtain financing.
- Q. Tenant Requests.** The District recognizes that during the term of a master lease occasions will arise where the District, as lessor, will be requested to review and approve actions by the tenant. Such matters would include, but not be limited to, the review of and approval of plans and designs for new improvements, encumbrances, subleases, assignments and perhaps other requests. In such instances, the lease shall provide that the District is to be paid a reasonable fee based on the anticipated amount of staff time that will be required to process the request, plus the District's out-of-pocket expenses paid to third parties (i.e., attorneys, accountants and other consultants) who are retained in order to assist the District in properly processing the request. Further, such tenant requests will not be processed if there is a rental deficiency then existing or other unresolved breaches.
- R. Operating Hours and Procedures.** The District is required by law to maintain reasonable control and oversight of the operating hours and procedures of its tenants. Such hours of operation and procedures are to be approved by the General Manager and any change must likewise be approved by the General Manager, subject to referral to the Board.

IV. Lease Administration

The District recognizes that during the lease term, many instances will arise where the lease may need to be modified and the District should regularly evaluate and reevaluate its administrative practices. To assist District staff in dealing with these instances, the Board suggests the following:

- A. Lease Audits.** In order to ensure that the District receives the return in the form of minimum and percentage rents negotiated by the parties under the ground lease, the Board recommends that all master leases be audited on no less than a five year rotating basis. All leases should contain provisions that require the tenant to pay the costs of the audit if a discrepancy to the detriment of the District is discovered which exceeds 2%. Further, any changes in record keeping or other financial practices recommended by the auditor shall be promptly implemented by the tenant.

- B. Lease Amendments.** The District should consider any reasonable requests for amendments to leases. However, any and all costs and expenses incurred in connection with a request for a lease amendment by a tenant shall be paid by the tenant. Likewise, a reasonable processing fee should also be assessed. Payment of these fees should be a condition precedent to the effectiveness of any lease amendment. No lease amendment may extend the lease term beyond 50 years.
- C. Financial Stability of Tenants.** Though the District recognizes that commercial leaseholds such as exist in Ventura Harbor are very valuable assets and could be pledged as security for loans, such financings are and should be discouraged unless the proceeds are to be used to improve the leasehold or to reimburse the tenant for capital expenditures previously made by the tenant. Any requests for refinancing should be scrupulously reviewed by the District and staff to ensure that the tenant maintains a significant economic stake in the leasehold to ensure the tenant's unqualified commitment to maximizing revenues for the benefit of both the District and the tenant. Withdrawals of equity by a tenant are discouraged.

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**A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT ADOPTING THE VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR COMMISSIONERS**

RESOLUTION NO. 3303

WHEREAS, AB 1234 was enacted in order to respond to growing public concern over extensive misuse of public resources by special districts;

WHEREAS, AB 1234 requires that, if a local agency decides to provide expense reimbursement to members of its legislative body, it must adopt a written policy specifying the types of occurrences that qualify a member to receive reimbursement;

WHEREAS, on August 13, 2014, the Board of Port Commissioners (the "Board") passed, approved, and adopted at a Regular Meeting Resolution No. 3249, wherein the Board adopted an expense reimbursement policy for Board Commissioners (the "Policy");

WHEREAS, on March 11, 2015, at a Regular Meeting, the Board rescinded Resolution No. 3249, and passed, approved and adopted Resolution No. 3266 setting forth the amended Policy; and

WHEREAS, the Board has determined that it is in the best interests of the District to again amend said Policy in certain particulars outlining the reimbursement rules and procedures for specific expenses incurred by Board Commissioners while conducting District business.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3266, which was previously passed, approved, and adopted by the Board on March 11, 2015, and adopts in its place the following revised Expense Reimbursement Policy for Commissioners:

The purpose of this Expense Reimbursement Policy for Commissioners ("Policy") is to set forth the procedure of the Ventura Port District ("District") concerning the reimbursement of actual and necessary expenses incurred by the Commissioners of the Board of Port Commissioners ("Board") in the performance of official duties for the benefit of the District, pursuant to Government Code sections 53232 et seq.

1. **General Principles:** Each Commissioner is encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District. At the same time, Commissioners are encouraged to exercise prudence in all expenditures. Thus, reimbursement shall be made only for actual and necessary expenses that qualify under this Policy. Expenditures that are improper or otherwise not properly accounted for shall not be paid for or reimbursed by the District.



2. **Reimbursable Events and Authorized Expenditures:** Subject to the restrictions contained within this section, Commissioners shall be reimbursed for certain expenditures incurred while attending the following events ("Reimbursable Event(s)"):

- a. Educational conferences, workshops, seminars and similar events that are sponsored by industry associations or nonprofit entities for the purpose of discussing matters of interest to the District;
- b. Regional, state and national meetings or conferences where activities affecting the District's interests are discussed or presented, such as California Marine Affairs Navigation Conference and other water educational workshops, seminars and symposiums, and tours of other harbors;
- c. Events where a Commissioner receives ethics training;
- d. Governmental functions where a Commissioner attends as an authorized representative of the District; and
- e. Meetings with lobbyists and legislators concerning issues of importance to the District.

A Reimbursable Event must be approved in advance by a majority vote of the Board at a public meeting.

For each Reimbursable Event, only the Authorized Expenditures set forth in this Section 2 shall be reimbursed without further approval of the Board. To the extent possible, the Clerk of the Board shall arrange for and purchase all registrations, including conferences, hotels, rental cars, and aircraft travel directly. Once a Reimbursable Event is approved, the District shall pay for or reimburse the Commissioner incurring the expense, without further approval of the Board, for the following Authorized Expenditures:

i. **Registration Fees.** Whenever possible, the District shall directly pay the registration fees associated with attendance at a Reimbursable Event. If the Commissioner makes payment at his or her own expense, the District shall reimburse the Commissioner for the actual cost of registration fees incurred.

ii. **Personal Vehicle Mileage.** A Commissioner shall be reimbursed for costs associated with the use of a personal vehicle to travel to/from a Reimbursable Event at the then-current IRS Standard Mileage Rates. No reimbursement shall be provided for travel to/from regular or special Board or committee meetings or optional Ventura Port District Events. A Commissioner shall be reimbursed once the Commissioner has submitted an Expense Report in accordance with Section 5 of this Policy indicating actual miles traveled, business purpose of the travel, and date of travel. Mileage calculations may be verified using tools such as Google or MapQuest, attached to the Expense Report. If travel requires driving to/from an airport or train station, reimbursement will be allowed for those miles traveled. The District will not reimburse Commissioners for any other personal vehicle expenses.

iii. **Hotel Expenses.** Whenever possible, the District shall directly pay for reasonable lodging expenses incurred by a Commissioner while attending a Reimbursable Event. If the Commissioner makes payments at his or her own expense,

the District shall reimburse the Commissioner for reasonable lodging expenses incurred. Except when attending a conference, seminar or other meeting using the available group rate booked for the event, the District shall reimburse a Commissioner only for the actual amount of the hotel expenses incurred, excluding entertainment or related expenses.

iv. Meals. A Commissioner shall be reimbursed for the actual cost of meals, including tips not to exceed 20% of the subtotal, which are incurred as part of a Reimbursable Event, subject to the limitations in this paragraph. The cost of alcoholic beverages will not be reimbursed. If the event or hotel provides any meals, free of charge, Commissioners are encouraged to take advantage of such meals to lower the cost of the reimbursement. Commissioners must also attach to an Expense Report an itemized receipt of all meals taken. The cost of meals shall be reimbursed up to a maximum of the following amounts:

Breakfast.....	\$20.00
Lunch.....	\$30.00
Dinner.....	\$45.00

v. Incidental Allowance. The District shall reimburse a Commissioner for tips actually given to cabbies, baggage porters, bellhops and hotel housekeepers that are reasonable and customary for the area, as well as toll charges and parking fees up to the actual amount expended. Whenever possible, a Commissioner should obtain receipts for incidental expenses such as tolls and parking fees and attach to an Expense Report pursuant to Section 5.

vi. Common Carrier Travel. When personal vehicle use for District business is impractical due to time and/or distance, a Commissioner may use regularly-scheduled commercial carriers for travel. A Commissioner traveling by plane, train, rental vehicle, bus, or taxi should travel by the least-expensive fare actually available for the date and time of the travel, taking into account scheduling needs and the most direct route. Whenever possible, travel should be planned in advance to permit use of advance fares. The District shall directly pay for such travel arrangements, whenever possible, but shall reimburse the Commissioner for actual amounts incurred at his or her own expense.

3. Other Events and Expenditures: Only certain expenses incurred while attending an event outside of an approved Reimbursable Event may be reimbursed (e.g., meetings with Government Officials, Government Staff, or those individual doing business or wishing to do business with the Port District to confer on District business). **The event must first be approved by a majority vote of the Board, at a public meeting, prior to the Commissioner attending the event.** Once approved, only the following expenses may be reimbursed without further Board approval:

i. Personal Vehicle Mileage. A Commissioner may be reimbursed for costs associated with the use of a personal vehicle to travel to/from an outside event approved by the Board at the then-current IRS Standard Mileage Rates. Reimbursement shall be approved only for meetings or other events that are attended for the purpose of conducting District business. A Commissioner must account for such personal vehicle expenses by submitting an Expense Report pursuant to Section 5, indicating actual miles traveled, business purpose of the travel, and date of travel. Mileage calculations may be verified using tools such as Google or MapQuest, which can be attached to the

Section 5.8

Expense Report. If travel requires driving to an airport or train station, reimbursement will be allowed for those miles traveled. The District will not reimburse Commissioners for any other personal vehicle expenses.

ii. **Meals.** A Commissioner shall be reimbursed for the actual cost of meals and incidentals, including tips not to exceed 20% of the subtotal, incurred as part of an outside event approved by the Board, upon approval of the Expense Report by the General Manager pursuant to Section 5. The cost of alcoholic beverages will not be reimbursed and itemized receipts are required for all meals with the Expense Report. The cost of meals taken outside of such events shall be reimbursed up to a maximum of the following amounts per person:

Breakfast.....	\$20.00
Lunch.....	\$30.00
Dinner.....	\$45.00

4. **Unauthorized Expenditures:** In accordance with California law, the District shall not reimburse expenses incurred by a spouse, domestic partner, or other family member of a Commissioner, or for personal expenses such as charitable contributions, non-mileage vehicle expenses, the personal portion of any trip otherwise related to District business, or personal entertainment expenses that are not part of a professional or educational conference or seminar.

5. **Expense Report:** Expenses incurred by a Commissioner under this Policy shall be reimbursed only after the Commissioner seeking reimbursement completes and submits an Expense Report attached hereto as **Exhibit 1**. The Expense Report must be submitted within 10 days after the end of each month in which the Commissioner incurs the expense for which he or she seeks reimbursement. The Commissioner must attach to the Expense Report all relevant documentation and receipts authenticating the expense, such as the itemized bill issued by a hotel, credit card receipts, or boarding pass or other tickets. The General Manager shall review and approve each Expense Report submitted and may require additional proof of payment as necessary.

6. **Disclosure and Reporting:** To implement the reporting requirements of Government Code section 53232.3, the District shall prepare a list of the amount and purpose of each expense reimbursement paid by the District to each Commissioner. This information will be included with the agenda materials for each regular monthly Board meeting. At a regular Board meeting subsequent to an attended event, the Commissioner attending the event must also provide either an oral or written report of events for which he or she was reimbursed. If multiple officials attended the same event, a joint report may be made.

7. **Public Records:** All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act and pursuant to Government Code section 53232.3.

Section 5.8

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on March 23, 2016, Resolution No. 3303 was adopted by the following vote:

AYES: Commissioners Friedman, Ashworth, Smith, Carson, Valance

NOES:

Abstain:

Absent:

Attest:


Secretary


Chairman

(Seal)

EXHIBIT 1

EXPENSE REPORT

Commissioners seeking reimbursement must complete and submit this form to the District *within 10 days after the end of the month* in which the expense was incurred. Please provide a brief explanation of the District related purpose for the expenditure, and receipts or copies of receipts to document the expense.

Commissioner Name: _____

Date: _____
(Month) (Year)

Reimbursable Event(s) and Authorized Expenditures

(See Section 2 of Reimbursement Policy.)

Date	Event	Expense(s)	Amount
<i>Subtotal</i>			

Other Event(s) and Expenditure(s)

(See Section 3 of Reimbursement Policy.)

Date	Event/District Purpose (provide brief explanation)	Expense(s)	Amount
<i>Subtotal</i>			

TOTAL _____

Approved By: _____ Date: _____
General Manager



RESOLUTION NO. 3257

A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS OF VENTURA PORT DISTRICT ADOPTING A PROCUREMENT AND PURCHASING POLICY

WHEREAS, California Public Contract Code Section 20750 et seq. requires certain District contracts in excess of certain prescribed amounts to be let by the Board of Port Commissioners (the "Board") upon competitive bidding; and

WHEREAS, the District's existing Procurement and Purchasing Policy was adopted by the Board on April 25, 2012, Resolution No. 3183, establishing, among other things, the District's competitive bidding procedures as required under the Public Contract Code; and

WHEREAS, Public Contract Code Section 22000 et seq. establishes the Uniform Public Construction Cost Accounting Act (the "UPCCA"), which establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies, and authorizes local public agencies to perform public projects or maintenance work by force account, negotiated contract, or purchase order, and to use informal and formal bidding procedures when contracting for public projects or maintenance work, in accordance with the statutory limits set forth in the UPCCA; and

WHEREAS, on February 27, 2013, the Board adopted Resolution No. 3213 electing to become subject to the UPCCA, and further elected to utilize the bidding procedures in the UPCCA when contracting for public projects; and

WHEREAS, on May 8, 2013, the Board adopted Resolution No. 3219 electing to also utilize the UPCCA's bidding procedures when contracting for maintenance work; and

WHEREAS, as a result of the Board's election to become subject to the UPCCA, the Procurement and Purchasing Policy must be amended to reflect the fact that the District's public projects and maintenance work are now subject to the UPCCA requirements, and that the competitive bidding requirements of Public Contract Code section 20751 only applies to purchases by the District of supplies exceeding \$25,000.00 that are used in connection with or consumed on any work or project not subject to the UPCCA; and




WHEREAS, the Board finds it desirable and in the best interests of the District to rescind the existing Procurement and Purchasing Policy and to adopt a revised Procurement and Purchasing Policy in the manner set forth herein; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of Ventura Port District hereby rescinds Resolution No. 3183 and adopts in its place the revised Procurement and Purchasing Policy attached hereto as Exhibit "A."

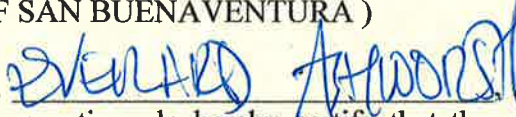
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on October 22, 2014.


Chairman, Board of Port Commissioners
Ventura Port District

Attest:


Acting Secretary
(Seal)

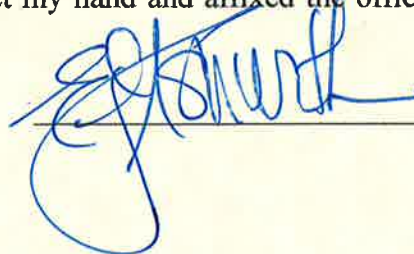
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

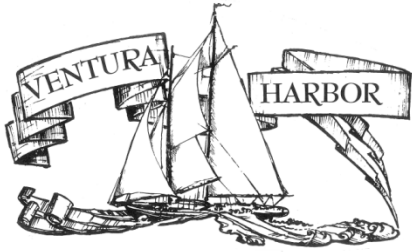
I,  Acting Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution 3257 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 22nd day of October 2014, by the following vote:

AYES: Commissioners Ashworth, Bravo, Smith and Chair Carson
NOES: None
ABSENT: Vice Chair Friedman

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 22nd day of October 2014.

(Seal)


Secretary



Ventura Port District

Procurement and Purchasing Policy

Effective October 22, 2014

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VENTURA PORT DISTRICT

PROCUREMENT AND PURCHASING POLICY

I. STATEMENT OF GENERAL POLICY

The goal of this Procurement and Purchasing Policy is to enable the Ventura Port District (the “District”) to obtain contracts for the purchasing of materials or supplies not used in connection with or consumed on any work or project that falls within the definition of “public projects” or “maintenance work” subject to the California Uniform Public Construction Cost Accounting Act (“UPCCA”) as defined in Public Contract Code Section 22002, and to procure services for the District at the best value and in a timely manner, while maintaining fairness to vendors, suppliers, service providers, and contractors, and abiding by applicable laws. The District’s Board of Port Commissioners (the “Board”) has adopted this Procurement and Purchasing Policy to establish the authority, limits, and procedures relating to the District’s procurement and purchasing activities in connection with such contracts. All such procurement and purchasing activities for the District shall be administered in accordance with the provisions of this policy, and with the express intent to promote open and fair conduct in all aspects of the procurement and purchasing process. This policy also establishes staff purchasing authority levels for contracts for the doing of any work or project which does fall within the definition of “public projects” or “maintenance work” subject to the UPCCA as defined in Public Contract Code Section 22002.

The District intends to maintain a cost effective purchasing system conforming to good management practices. The Procurement and Purchasing Policy is intended to accomplish the following objectives:

- A. Provide all vendors, suppliers, service providers, and contractors with full, fair, prompt and courteous consideration;
- B. Keep competition open and fair; and
- C. Observe strict truthfulness and highest ethics in all transactions.

In order to be successful, the system must be supported by the cooperation of all District personnel. Prior planning and the timely submission of requisitions are essential to expedite the District’s procurement and purchasing process and to ensure that this process is conducted in an orderly and lawful manner.

II. ETHICS IN PROCUREMENT AND PURCHASING

In dealing with the District’s procurement and purchasing needs, District personnel shall be mindful of the following:

- A. That public office is a public trust and to give primary consideration to the District’s interests as well as the interests of the public.

- B. Procurement and purchasing decisions shall be made without prejudice and to try to maximize the value of each dollar expended.
- C. District personnel must avoid unfair business practices or decisions and to give all qualified vendors, suppliers, service providers, and contractors an equal opportunity to participate in the procurement and purchasing process.
- D. We shall promote positive relationships with the District's vendors, suppliers, service providers, and contractors through courteous and impartial treatment in all phases of the purchasing cycle.
- E. We shall conduct ourselves with fairness and dignity, and demand honesty and truth in the purchasing process.
- F. We must avoid the appearance of unethical or compromising practice in relationships, actions, and communications in the procurement and purchasing process.
- H. We must refrain from soliciting or accepting money, loans, credits, prejudicial discounts, gifts, favors, or services from past, present or future suppliers, vendors, service providers, or contractors that might influence, or appear to influence, purchasing decisions.
- I. All District personnel shall discharge their duties impartially so as to ensure competitive access to governmental procurement by responsible contractors.
- J. All District personnel shall conduct themselves in such a manner as to foster public confidence in the integrity of District procurement and purchasing.

III. THE PROCUREMENT AND PURCHASING PROCESS

A. Contract Administration

The District routinely utilizes the services of vendors, suppliers, service providers, and contractors for a variety of operational needs. These include, but are not limited to, the acquisition of equipment, supplies, materials, goods, maintenance services, and construction or renovation of District facilities. All contracts should include, but shall not be limited to, the following provisions:

- (1) The term or length of contract;
- (2) Description of work to be performed or services/products to be provided;
- (3) Schedule for performance;

- (4) Indemnity, insurance and bonding requirements;
- (5) Warranties and/or guarantees if applicable;
- (6) Payment schedule; and
- (7) Conditions for termination of contract.

Except as otherwise provided in this Procurement and Purchasing Policy, this Policy shall not apply to the performance of, contracting for, or the doing of any “public project” or “maintenance work” as such terms are defined in Public Contract Code Section 22002. Any such “public project” or “maintenance work” shall be subject to (i) Resolution No. 3213 adopted by the Board on February 27, 2013; (ii) the procedures, terms, and conditions set forth in the UPCCA pursuant to California Public Contract Code Section 22000 et seq.; (iii) the California Uniform Construction Cost Account Commission’s (the “Commission”) policies and procedures manual and cost accounting review procedures; (iv) Ordinance No. 48 adopted by the Board on March 27, 2013; (v) Resolution No. 3219 adopted by the Board on May 8, 2013; and (vi) any other resolutions, policies, and procedures that may be adopted or promulgated by the Board from time to time, and until such time as the Board has adopted a resolution electing to discontinue the District’s participation under the UPCCA.

B. Purchasing of Supplies Used in Connection with or Consumed on any Work or Project not Subject to the UPCCA

(1) *Purchases less than or equal to \$1,000.00*

The General Manager and any Level 1, Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any orders or contracts for the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA with a contract price or purchase price less than or equal to \$1,000.00, without competitive bidding. Level 1 employees shall not be authorized to execute any such contract or to make any such purchase until such employee has obtained the prior approval of his/her immediate supervisor.

(2) *Purchases totaling \$1,000.01 - \$2,500.00*

The General Manager and any Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any orders or contracts for the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA with a contract price or purchase price greater than \$1,000.00 but less than or equal to \$2,500.00, without competitive bidding, so long as such contract or purchase has been included in the District’s then-current fiscal budget and at least one (1) quote is obtained from a vendor, supplier, service provider, or contractor concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has not been previously included in the District’s then-current fiscal budget or at least one (1) quote has not been obtained, such contract or purchase shall require prior approval from the Board at a regular

or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or to make any such purchase until such employee's immediate supervisor has reviewed and approved the written quote and proposed contract/order.

(3) *Purchases totaling \$2,500.01 - \$10,000.00*

The General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any orders or contracts for the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA with a contract price or purchase price greater than \$2,500.00 but less than or equal to \$10,000.00, without competitive bidding, so long as such contract or purchase has been included in the District's then-current fiscal budget and at least one (1) quote is obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has not been previously included in the District's then-current fiscal budget or at least one (1) quote has not been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board. Level 3 employees shall not be authorized to execute any such contract or to make any such purchase until the General Manager has reviewed and approved the written quotes and proposed contracts/orders.

(4) *Purchases totaling \$10,000.01 - \$25,000.00*

The General Manager and any Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any orders or contracts for the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA with a contract price or purchase price greater than \$10,000.00 but less than or equal to \$25,000.00, without competitive bidding, so long as such contract or purchase has been included in the District's then-current fiscal budget and at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has not been previously included in the District's then-current fiscal budget or at least two (2) quotes have not been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(5) *Purchases Over \$25,000.00*

Any order or contract for the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA with a contract price or purchase price greater than \$25,000.00 is subject to the competitive bidding procedures set forth in Section III(C), below, unless an applicable exception under Section IV, below, applies.

C. Competitive Bidding Procedures

As provided, among other things, in Public Contract Code section 20751, contracts for the purchasing of supplies (used in connection with or consumed on any District work or project

not subject to the UPCCA) must be let by competitive bidding where the amount of the contract exceeds \$25,000.00.

When the purchasing of supplies used in connection with or consumed on any District work or project not subject to the UPCCA is contemplated, the General Manager will make a recommendation to the Board with a cost estimate and other supporting documentation appropriate for the size and scope of the proposed purchase.

Upon approval by the Board, the General Manager shall cause to be prepared the appropriate plans, specifications and other descriptive information for the publication of a notice inviting sealed bids for performance for the proposed purchase. The notice shall be published in a newspaper of general circulation in accordance with the Public Contract Code.

The contract documents shall be prepared utilizing the District's standard forms, with such modifications as may be appropriate for the particular supplies or materials to be acquired and purchased. In the event of an emergency, applicable Public Contract Code provisions will be followed.

All bids shall be presented under sealed cover on forms furnished by the District. Sealed bids shall be opened at the time and place stated in the advertisement for bid with no less than two representatives of the District in attendance. When all bids have been evaluated, the General Manager shall make a recommendation to the Board regarding award of the contract to the lowest responsible bidder.

If the lowest bidder is disqualified for any reason, or if the bids exceed the cost estimates previously approved, the General Manager shall evaluate the options available and make a recommendation to the Board, which may include, but not be limited to, a recommendation of no award. The Board will make the final decision regarding the award of contract under this Section C. At the direction of the Board and after legal counsel review, the General Manager shall execute any such contract.

D. Contracts for the Doing of Any Public Project or Maintenance Work that is Subject to the UPCCA (The following policies in this Section D are at the discretion of the Board of Commissioners. They are equal to or above and beyond that which is required by the UPCCA)

(1) *Contracts less than or equal to \$1,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to \$1,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 1 employee, Level 2 employee, Level 3

employee, or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. Level 1 employees shall not be authorized to execute any such contract or purchase order until such employee has obtained the prior approval of his/her immediate supervisor. No notice inviting informal bid for any such public project or maintenance work need be provided.

(2) *Contracts totaling \$1,000.01 - \$2,500.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$1,000.00 but less than or equal to \$2,500.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 2, Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order), shall require prior approval from the Board at a regular or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or purchase order until such employee's immediate supervisor has reviewed and approved the proposed contract or purchase order. No notice inviting informal bid for any such public project or maintenance work need be provided.

(3) *Contracts totaling \$2,500.01 - \$5,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$2,500.00 but less than or equal to \$5,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. Level 3 employees shall not be authorized to execute any such contract or purchase order until the General Manager has reviewed and approved the proposed contract or purchase

order. No notice inviting informal bid for any such public project or maintenance work need be provided.

(4) *Contracts totaling \$5,000.01 - \$10,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$5,000.00 but less than or equal to \$10,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(5) *Contracts totaling \$10,000.01 - \$45,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$10,000.00 but less than or equal to 45,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(6) *Contracts totaling \$45,000.01 - \$175,000.00*

Any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$45,000.00 but less than or equal to 175,000.00, must

go through the UPCCA's informal bid process as set forth in the District's Ordinance No. 48 adopted March 27, 2013, as may be amended from time to time, and as summarized in the UPCCA Summary Sheet attached hereto as **Exhibit "E"** and incorporated herein by reference. The General Manager shall be authorized to send out a notice inviting informal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The informal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA as summarized on the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account. If all bids received are greater than \$175,000, the Board can adopt by resolution by a four-fifths vote and award the contract at \$187,500.00 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting informal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

(7) *Contracts over \$175,000.00*

Unless otherwise provided in Section III(D)(6), above, any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements - personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than \$175,000.00 is subject to the UPCCA's formal bidding procedures (including the notice inviting formal bids, adoption of plans, and the awarding of bid) as summarized on the attached UPCCA Summary Sheet. The General Manager shall be authorized to send out a notice inviting formal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The formal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA as summarized on the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account or by the informal bidding procedures detailed for public projects greater than \$45,000 but less than or equal to \$175,000. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting formal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

E. Change Orders

The General Manager shall have the authority to approve and execute on behalf of the District any change order to a contract (i) awarded by District personnel (including the General Manager) or the Board pursuant to Section III of this Procurement and Purchasing Policy; or (ii)

awarded by the Board (or by any person who the Board has delegated authority to) for a public project or maintenance work under the UPCCA, as follows:

- (1) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to \$10,000.00 that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.
- (2) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to \$10,000.00 that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.
- (3) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than \$10,000.00 (but within ten percent (10%) of the original contract amount) that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.
- (4) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than \$10,000.00 (but within ten percent (10%) of the original contract amount) that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.
- (5) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a "public project" or "maintenance work" under the UPCCA) greater than \$10,000.00 that are more than ten percent (10%) of the original contract amount, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board.

F. Professional Service Agreements

Architectural, engineering, project management, inspection and other such professional services may be required and shall be awarded using the District's standard Professional Services Agreement. The Board shall approve all Professional Services Agreements over the amount of \$25,000.00. The General Manager is authorized to enter into a Professional Services Agreement in an amount of \$25,000.00 or less without prior Board approval provided the services have been included in the District's then-current fiscal budget. Any Professional Services Agreement not included in the District's then-current fiscal year budget requires the prior approval of the Board. The Accounting Manager is authorized to approve routine invoices for contracts and services that have already been authorized by the Board or the General Manager.

G. Prohibition against Serial or Cumulative Expenditures

The authority for making expenditures or executing contracts as provided in this policy is intended to enable the General Manager and District staff to understand the scope of this authority in procurement activities made on behalf of the District. The structuring of transactions in a serial or cumulative manner so as to avoid the requirement of approval by the Board is strictly prohibited and will not be tolerated. In addition, for public projects or maintenance work of the District that is subject to the UPCCA, the UPCCA prohibits a local agency to split or separate into smaller work orders or projects any such public project or maintenance work for purposes of avoiding the UPCCA's formal bidding requirements. Thus, the costs associated with the purchase of materials or supplies, when purchased or used as part of a public project or maintenance work subject to the UPCCA, become part of the project cost and must be considered when applying the bid limits set forth in Section III(D) above. For example, on a public project that will pay a contractor \$100,000.00 for construction services and a separate vendor \$100,000.00 for the purchase of materials or supplies to be used on the project, such project will have a total contract price of \$200,000.00 and the contracting services and the separate purchase of materials and supplies will each be subject to the UPCCA's formal bidding procedures. Likewise, as an example, if maintenance work subject to the UPCCA will have a total cost of \$100,000.00 (e.g., \$50,000.00 to be paid for maintenance services to one contractor and \$50,000.00 to be paid to a separate vendor for materials and supplies), the maintenance services contract and the purchasing contract will each be subject to the UPCCA's informal bidding procedures.

IV. EXCEPTIONS TO COMPETITIVE BIDDING

The following exceptions shall apply to the competitive bidding procedures set forth in Section III(C) above:

A. Sole Source Procurement

There may be limited situations where the District requires particular contracts for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, for which there is no substantial equivalent and which are, in fact, available from

only one vendor, supplier, service provider, or contractor, and therefore, in such situations, the use of competitive bidding may be impractical.

The Board has determined that it is in the District's best interests to authorize the General Manager to engage in sole source procurement under limited circumstances. The General Manager, on behalf of the District, may execute a contract for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, on a sole source basis, and without competitive bidding, on the following conditions:

- (1) The General Manager determines, after conducting a good faith review of available sources, that there is only one source for such supplies required by the District.
 - (a) Examples of sole source procurements include, but shall not be limited to, the following:
 - (i) ***Licensed or Patented Applications:*** The vendor, supplier, service provider, or contractor is the sole provider of a licensed, patented, or proprietary application, product, material, supplies, or item required by the District that has unique design or performance features providing superior utility not obtainable from similar vendors, suppliers, service providers, or contractors.
 - (ii) ***Authorized Service Provider, Repair and Warranty Services:*** The District requires service or repair support for such supplies and the vendor, supplier, service provider, or contractor is either a factory authorized warranty service provider or such vendor, supplier, service provider, or contractor is required for warranty services pursuant to the terms and conditions of an existing District contract.
 - (iii) ***Unique Design:*** The District has a specialized need and the vendor, supplier, service provider, or contractor is the sole provider of such supplies that can meet the District's specialized needs or to perform the intended functions. This includes products with special features essential for the completion of a task or project, or with physical or artistic design characteristics that satisfy aesthetic requirements.
 - (iv) ***Trial and Evaluation Projects:*** A limited duration, limited scope, pilot, trial or evaluation of a product, range of products or services. A trial or evaluation project would typically be part of establishing a standard for a District

department, or to pilot a particular product or services for a District need.

- (2) Such sole-source contract has been included in the District's then-current fiscal budget.
- (3) The General Manager provides a written report to the Board containing the following information:
 - (a) A brief description of the circumstances surrounding the sole source procurement;
 - (b) A statement and/or justification of the General Manager's good faith determination that a sole source opportunity has been presented to the District; and
 - (c) A brief description of the supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the sole-source vendor, supplier, service provider, or contractor.
- (4) The Board has approved the sole-source contract at the next scheduled workshop or regular or special meeting of the Board.

If such sole source contract has not been previously included in the District's then-current fiscal budget or such contract exceeds the amount budgeted for that particular contract in the District's then-current fiscal budget, such contract shall require prior Board approval.

B. Piggybacking

Piggyback contracting occurs when a public agency enters into a contract, without competitive bidding, with a particular supplier, vendor, service provider, or contractor who has already been awarded a contract for the purchase of the same or similar materials or supplies by another public agency or governmental entity pursuant to such agency's or entity's competitive bidding process. Piggybacking on other public agency or governmental entity contracts can reduce administrative and project costs and achieve greater efficiency and economies of scale.

The Board has determined that it is in the District's best interests to authorize the General Manager to participate in piggybacking opportunities whenever possible. The District may piggyback on other public agency or governmental entity contracts for the purchase of the same or similar materials or supplies and the General Manager is authorized to execute on behalf of the District a contract for the purchasing of such materials or supplies used in connection with or consumed on any project or work not subject to the UPCCA without separate competitive bidding by the District, on the following conditions:

- (1) The General Manager has determined that it is in the District's best interest to engage in a piggybacking opportunity for the purchase or

contract of such materials or supplies with a particular vendor, supplier, service provider, or contractor if such opportunity will result in significantly reduced costs to the District (administrative costs, project costs, or otherwise), or will achieve greater efficiency or economies of scale for District projects.

- (2) Such vendor, supplier, service provider, or contractor has been previously awarded a contract with another local, state, or federal agency or governmental entity pursuant to such agency's or entity's competitive bidding process to provide materials or supplies that are same or similar or related to the District's proposed contract or purchase.
- (3) Such piggybacking contract has been included in the District's then-current fiscal budget.
- (4) The General Manager provides a written report to the Board containing the following information:
 - (a) A brief description of the circumstances surrounding the piggybacking opportunity;
 - (b) A brief description of the benefits and cost savings the District will receive as a result of the piggybacking opportunity; and
 - (c) A brief description of the materials or supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the vendor, supplier, service provider, or contractor.
- (5) The Board has approved the piggybacking contract at the next scheduled workshop or regular or special meeting of the Board.

Notwithstanding anything contained in Section III or this Section IV(B) to the contrary, the District's dredging projects located within the Ventura Harbor will be subject to Public Contract Code section 20751.2, which authorizes the District to award a contract for the performance of dredging work within the District's boundaries without competitive bidding, provided each of the following apply: (a) the dredging contractor was selected through a federal competitive bidding process for a federal dredging project then underway in the County of Ventura; and (b) the Board makes written findings, based on substantial evidence in the record, that the contract awarded pursuant to such section 20751.2 is likely to cost less than a contract awarded pursuant to Public Contract Code section 20751.

C. Emergencies

Pursuant to Public Contracts Code section 20751.1, in case of an emergency, the Board may, by resolution passed by a four-fifths vote of all of its members, declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard

life, health, or property, and thereupon proceed to expend any sum or enter into a contract involving the expenditure of any sum needed in the emergency without observance of the provisions requiring contracts, bids, or notice for any purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA. If notice for bid to let contracts will not be given, the Board shall also comply with Public Contracts Code section 22050. In the case of any emergency involving a public project or maintenance work under the UCCPA, the terms and conditions set forth in Public Contract Code Section 22035 shall control.

An “emergency” means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

D. Local Vendor Preference

In determining the lowest responsible bid pursuant to the District’s competitive bidding procedures set forth in Section III(C), above, or in determining the lowest responsible bid pursuant to the formal bidding procedures set forth in the UPCCA, the Board finds it desirable and in the best interests of the District to establish a local business preference program in order to reduce the competitive barriers faced by local businesses (the “Local Business Preference Program”).

This Local Business Preference Program shall be taken into account in determining the lowest responsible bid in awarding a contract subject to the District’s competitive bidding procedures set forth above, or in determining the lowest responsible bid pursuant to the formal bidding procedures set forth in the UPCCA.

(1) Local Business Preference Program.

In determining the lowest responsible bid, the General Manager shall include the following:

- (a) For (i) any District contract for the purchasing of materials or supplies used in connection with or consumed on any work or project not subject to the UPCCA reasonably estimated by the General Manager to have a contract amount greater than \$25,000.00; or (ii) any public project or maintenance work subject to the UPCCA’s formal bidding procedures, the District shall assign a five percent (5%) bid price reduction “preference” during the bid evaluation process (the “Local Business Preference”) to any bid from any person or entity that is determined by the General Manager to be a Local Business (as defined in subsection (b) of this Section IV(D)(1)).
- (b) “Local Business” shall mean a person or entity that has for at least twelve (12) months immediately preceding submittal of its bid

maintained its principal business office within the geographic boundaries of Ventura County, California.

- (c) Except as otherwise provided in this Section IV(D), the provisions set forth in this Section IV(D) shall not supersede the other provisions set forth in this Procurement and Purchasing Policy or the uniform public construction cost accounting procedures set forth in the UPCCA, whichever shall apply. If any inconsistency or conflict exists or arises between the terms of this Section IV(D) and the other provisions set forth in this Procurement and Purchasing Policy or the UPCCA, whichever shall apply, such other provisions shall control.
- (d) This Local Business Preference Program shall not be applied under the following circumstances:
 - (i) National contracts;
 - (ii) Revolving fund (petty cash) purchases;
 - (iii) Credit card purchases;
 - (iv) Contracts not subject to the District's competitive bidding procedures;
 - (v) Any contracts funded by the federal government where there are conflicting requirements for minority or women-owned business participation.
 - (vi) Where such preference is otherwise prohibited by law;
 - (vii) Emergency procurements;
 - (viii) Piggybacking or sole source procurements; or
 - (ix) Contracts or projects relating to dredging or dock rehabilitation and/or replacement.

(2) Procedures for the Local Business Preference Program

- (a) Once all bids are opened, the bids of those bidders who are Local Businesses shall be reduced by five percent (5%) for purposes of determining the lowest responsible bidder. If the bid of a Local Business, after applying the Local Business Preference, is then the lowest responsible bidder (the "Lowest Local Business Bidder"), that Lowest Local Business Bidder shall have the opportunity to

reduce its bid to match the bid of the actual lowest responsible bidder, in writing, within one (1) business day, whereupon the General Manager shall make a recommendation to the Board to award said Lowest Local Business Bidder with the contract if the General Manager determines, in his or her sole discretion, that such bid is responsive to all of the terms and conditions stated in the District's previously published notice inviting bids.

- (b) If the Lowest Local Business Bidder does not elect to reduce its bid to match the bid of the actual lowest responsible bidder, then the next lowest Local Business bidder (the "Second Lowest Local Business Bidder") shall be given the opportunity to match the bid of the actual lowest responsible bidder in the time and manner set forth in subsection (a) of this Section IV(D)(2), above; provided, however, the bid of such Second Lowest Local Business Bidder must also be within five percent (5%) of the actual lowest responsible bid.
- (c) An award may be made to the lowest aggregate responsible bidder for all items on the invitation to bid, on a group or an individual basis, whichever is found to be in the best interest of the District.
- (d) All bids are subject to rejection by the Board in its absolute and sole discretion, and in those instances where evaluation dictates the rejection of the lowest bid as not meeting the requirements established in the invitation to bid, the vendor shall be notified of the reason for rejection.

V. VENDOR AND CONTRACTOR REGISTRATION DIRECTORY

The District invites vendors to express their interest in doing business with the District. Vendors and contractors to which this Procurement and Purchasing Policy apply may download registration forms from the District's website located at www.venturaharbor.com. To properly register with the District, all such vendors and contractors interesting in doing business with the District shall be required to complete and fax the registration forms to the District at (805) 658-2249.

VI. BUDGETING FOR CAPITAL IMPROVEMENT PROJECTS

In developing the District's fiscal budget, District staff shall use the following guidelines in identifying, managing, administering, and budgeting for capital projects for the following fiscal year:

- A. Start early in the fiscal year to clearly define a project; involve a range of staff levels; take into consideration aesthetics, marketing, and maintenance issues in developing projects.

- B. Provide any reports, plans, drawings, specifications, design ideas, cost benefit studies and analysis, and other related materials that may be necessary or useful in assisting the Board in determining whether a particular capital improvement project should be approved in connection with the Board's approval of the District's proposed budget for a particular fiscal year;
- C. Work diligently with any ad hoc committees of the Board for purposes of making recommendations of potential capital improvement projects;
- D. After a particular project has been identified and budgeted, District staff should diligently engage in interviewing and selecting qualified design or engineering firms or consultants to assist the District in designing and preparing the plans and specifications of such project;
- E. District staff shall work with the design or engineering firm or consultant in establishing project targets and milestones in order to ensure that the project is proceeding according to schedule and to plan.

VII. PROCUREMENT FORMS

District staff shall use the following forms, where appropriate, in connection with the District's procurement and purchasing activities:

- 1. District Employee Procurement Status Chart (Exhibit "A")
- 2. Project/Goal Implementation Planning Form (Exhibit "B")
- 3. VPD – Request for Approval of New Project (Exhibit "C")
- 4. VPD – Request for Approval of a Contract Change (Exhibit "D")
- 5. UPCCA Summary Sheet (Exhibit "E")

Adopted and Effective Date: October 22, 2014

EXHIBIT "A"

Ventura Port District Employee Procurement Status Chart

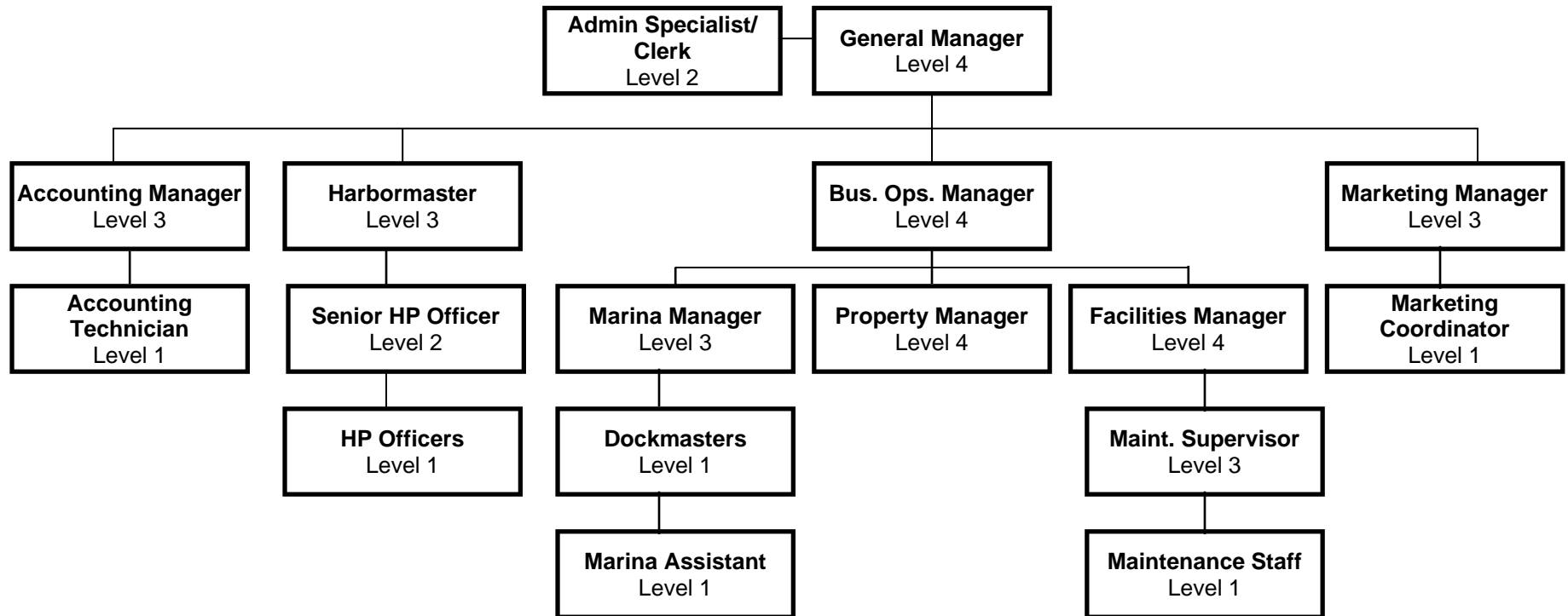


EXHIBIT "B"

SAMPLE -- CHECK OFF CONTROL FORM PROJECT / GOAL IMPLEMENTATION PLANNING FORM

Project/Goal Name: _____

Due Date: _____

General Ledger Acct: _____

	<i>NECESSARY TASKS, STEPS AND ACTIONS (First to Final)</i>	<i>Estimated Days</i>	<i>*Assigned to:</i>	<i>Target Date</i>	<i>Complete Date</i>
1					
2					
3					
4					
5					
6					
7					
8					
<i>* Each staff member develops his/her own project implementation plan to break the item down.</i>					

EXHIBIT “C”

VENTURA PORT DISTRICT – REQUEST FOR APPROVAL OF NEW PROJECT

Date: _____ Submitted by: _____ Title: _____

Date: _____ Reviewed by: _____ Title: _____

Description of work/services/products: _____

Estimated Start Date: _____ **Estimated End Date:** _____

Note: “FY Budget” refers to Current Year Board approved final budget for July 1 – June 30.

Type of Procurement:

- ☐ **Contracts for New Construction Work or Maintenance of Buildings and Improvements**
 - ☐ Contracts less than or equal to \$1,000.00
 - ☐ Level 1 employees shall not be authorized to execute any such contract until he/she has obtained the prior approval of his/her immediate supervisor.
 - ☐ Contracts totaling \$1,000.01- \$2,500.00
 - ☐ If contract is included in the District’s FY Budget, work can be performed (i) by the District’s employees by force account, (ii) by negotiated contract, or (iii) by purchase order.
 - ☐ If contract has not been previously included in the District’s FY Budget, such contract shall require prior approval from the Board at a regular or special meeting of the Board.
 - ☐ Level 2 employees shall not be authorized to execute any such contract until his/her immediate supervisor has reviewed and approved the proposed contract or purchase order.
 - ☐ Contracts totaling \$2,500.01 - \$5,000.00
 - ☐ If contract is included in the District’s FY Budget, work can be performed (i) by the District’s employees by force account, (ii) by negotiated contract, or (iii) by purchase order.
 - ☐ If contract has not been previously included in the District’s FY Budget, such contract shall require prior approval from the Board at a regular or special meeting of the Board.

- ☐ Level 3 employees shall not be authorized to execute any such contract until the General Manager has reviewed and approved the proposed contract or purchase order.
 - ☐ Contracts totaling \$5,000.01 - \$10,000.00
 - ☐ If contract is included in the District's FY Budget, work can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order.
 - ☐ If contract has not been previously included in the District's FY Budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board.
 - ☐ Level 4 employees and the General Manager shall be authorized to execute any such proposed contract or purchase order.
 - ☐ Contracts totaling \$10,000.01 - \$45,000.00
 - ☐ If contract is included in the District's FY Budget, work can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order.
 - ☐ If contract has not been previously included in the District's FY Budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board.
 - ☐ The General Manager shall be authorized to execute any such proposed contract or purchase order.
- ☐ **Purchase of Supplies, Goods, Materials, and Equipment not Subject to the UPCCA**
 - ☐ Purchases less than or equal to \$1,000.00
 - ☐ Level 1 employees shall not be authorized to execute any such contract or to make any such purchase until he/she has obtained the prior approval of his/her immediate supervisor.
 - ☐ Purchases totaling \$1,000.01 - \$2,500.00
 - ☐ No competitive bidding required if contract or purchase is included in the District's FY Budget and a written quote is obtained.
 - ☐ If contract or purchase has not been previously included in the District's FY Budget, or at least one (1) quote has not been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board..
 - ☐ Level 2 employees shall not be authorized to execute any such contract or to make any such purchase until his/her immediate supervisor has reviewed and approved the written quote and proposed contract/order.
 - ☐ Purchases totaling \$2,500.01 - \$10,000.00

- ☐ No competitive bidding required if contract or purchase is included in the District's FY Budget and at least one (1) written quote is obtained.
- ☐ If contract or purchase has not been previously included in the District's FY Budget, or at least one (1) quote has not been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board..
- ☐ Level 3 employees shall not be authorized to execute any such contract or to make any such purchase until the General Manager has reviewed and approved the written quote and proposed contracts/orders.
- ☐ Purchases totaling \$10,000.01 - \$25,000.00
 - ☐ No competitive bidding required if contract or purchase is included in the District's FY Budget and at least two (2) written quotes are obtained.
 - ☐ If contract or purchase has not been previously included in the District's FY Budget, or at least two (2) quotes have not been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.
 - ☐ Level 4 employees and the General Manager shall be authorized to execute any such written quotes and proposed contracts
- ☐ Purchases over \$25,000.00
 - ☐ Subject to competitive bidding procedures unless applicable exception applies.
- ☐ **Professional Services**
 - ☐ Professional Service Agreement in excess of \$25,000.00
 - ☐ Requires Board approval
 - ☐ Professional Service Agreement less than or equal to \$25,000.00
 - ☐ General Manager is authorized to enter into agreement without Board approval provided the services have been included in the District's FY Budget.
 - ☐ If not included in District's FY Budget, Board approval required.
- ☐ **Exceptions to Competitive Bidding Procedures**
 - ☐ Sole Source Procurement
 - ☐ Piggybacking Opportunity
 - ☐ Emergency Situation
 - ☐ Local Vendor Preference
- ☐ Bid tabulation sheet and all bids received are attached
- ☐ Attached for review – Invitation to bid and/or quotes
- ☐ Attached for approval – Contract from _____

History of the Project:

- ☐ Goals and Objectives Number/Description _____
- ☐ Sharing project costs with: _____
- ☐ Other: _____

Accounting/Finance:

- ☐ FY Budget project budget amount is: \$ _____
- ☐ General Ledger Account No. _____
- ☐ Funded by grant; Grant ID No. _____

Supporting Documentation Attached (check all that apply):

- ☐ Conditions for termination of contract
- ☐ Drawings, "As-Built"
- ☐ Drawings, "Proposed"
- ☐ Engineer's estimate for total project cost
- ☐ Equipment/furniture purchase or rental
- ☐ Insurance and bonding requirements
- ☐ Inspection/testing service cost estimate
- ☐ Jurisdictions/VPD Departments/Tenants/Visitors involved/ affected (describe)
- ☐ Labor Cost Estimate: In-house or Contractor
- ☐ Materials cost estimate: In-house OR Contractor
- ☐ Plans, specifications, drawings, or photographs
- ☐ Schedule for performance of contract
- ☐ Schedule for payment of contract (terms, required deposits, etc.)

☐ Approved ☐ Denied By: _____ Date: _____

Comments:

EXHIBIT “D”

VENTURA PORT DISTRICT – REQUEST FOR APPROVAL OF CONTRACT CHANGE

Date: _____ Submitted by: _____ Title: _____

Date: _____ Reviewed by: _____ Title: _____

Name of Project: _____

Name of Contractor/Vendor: _____

Note: “FY Budget” refers to Current Year Board approved final budget for July 1 – June 30.

Increase in Contract Amount:

- ☐ Change order less than or equal to \$10,000.00 that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District’s FY Budget.
 - General Manager may authorize change order without prior approval of the Board or the Procurement and Purchasing Committee.
- ☐ Change order less than or equal to \$10,000.00 that causes the total contract amount to exceed the amount budgeted for that particular contract in the District’s FY Budget
 - General Manager is prohibited from authorizing the change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.
- ☐ Change order greater than \$10,000.00 (but within ten percent (10%) of the original contract amount) that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District’s FY Budget.
 - General Manager may authorize change order without prior approval of the Board.
- ☐ Change order greater than \$10,000.00 (but within ten percent (10%) of the original contract amount) that causes the total contract amount to exceed the amount budgeted for that particular contract in the District’s FY Budget.

- General Manager is prohibited from authorizing the change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.
- ☐ Change order greater than \$10,000.00 that is more than ten percent (10%) of the original contract amount.
 - General Manager is prohibited from authorizing such change order until such time as the General Manager has obtained prior Board approval.

Project Manager's Recommendation: ☐ (Check this box if the recommendation is attached)

General Manager's Response:

☐ Approved ☐ Denied By: _____ Date: _____

Comments:

EXHIBIT “E”

VENTURA PORT DISTRICT –

UPCCA SUMMARY SHEET

Contracts for the Doing of “Public Projects”

- ☐ “Public Project” means any of the following:
 - Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased or operated facility.
 - Painting or repainting of any publicly owned, leased, or operated facility. A “facility” means any plant, building, structure, ground facility, utility system, real property, streets and highways, or other public work of improvement.
- ☐ Public Projects less than or equal to \$45,000
 - Can be performed by the District’s employees by force account, negotiated contract, or purchase order.
 - No notice inviting informal bid required.
- ☐ Public Projects greater than \$45,000 but less than or equal to \$175,000
 - Must send out notice inviting informal bids
 - Contents of notice:
 - Describe project in general terms and how to obtain more detailed information about the project.
 - State the time and place for the submission of bids.
 - Project title and contract number (if any).
 - Cost Range.
 - Location of project site.
 - District’s contact information.
 - Bid bond/performance bond/payment bond requirements.
 - Mailing of Notice:
 - Mail notice to all contractors for the category of work to be bid as shown on the qualified bidder’s list developed by the District.
 - Additional contractors and/or construction trade journals may be notified at the District’s discretion.
 - If no list of qualified contractors is maintained by the District for the particular category of work to be performed, the notice inviting informal bids shall be sent only to the construction trade journals specified by the California Uniform Construction Cost Accounting Commission’s (the “Commission”) current

Cost Accounting Policies and Procedures Manual (updated December 2012).

- If the product or service is proprietary in nature such that it can only be obtained from certain contractor(s), the notice inviting informal bids may be sent exclusively to such contractor(s).
- All mailing of notices to contractors and construction trade journals inviting informal bids must be completed not less than 10 calendar days before bids are due.
- Bids received in excess of \$175,000
 - If all bids received are greater than \$175,000, the Board can adopt by resolution by a four-fifths vote and award the contract at \$187,500 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable.
 - Otherwise formal bidding procedures must be used for public projects of more than \$175,000.
- Awarding of Bid
 - The District can reject any **and all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
 - Informs the lowest responsible bidder of the District's intent to reject the bid; and
 - Is mailed at least two business days prior to the hearing at which the District intends to reject the bid.
 - If the District rejects all bids received after the first invitation for informal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
 - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
 - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote of the Board declaring that the District's employees can perform the project more economically.
 - If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
 - If no bids are received, the project may be performed by employees of the District by force account.

□ Public Projects greater than \$175,000

- Must send out notice inviting formal bids
 - Contents of notice:
 - Describe project in distinct terms and how to obtain more detailed information about the project.

- State the time and place for the receiving and opening of sealed bids.
 - Project title and contract number (if any).
 - Cost Range.
 - Location of project site.
 - District's contact information.
 - Bid bond/performance bond/payment bond requirements.
- Publication of notice:
 - The notice inviting formal bids must be published in a newspaper of general circulation, printed and published in Ventura County, at least 14 calendar days before the date of the opening of the bids.
- Mailing/Emailing/Faxing of Notice:
 - The notice inviting formal bids must also be sent electronically, if available, by email or fax, and mailed to the construction trade journals specified in the Commission's current Cost Accounting Policies and Procedures Manual (updated December 2012).
 - Note: The District is not required to mail a notice to any specified trade journal if that trade journal is charging for its services or is out of business. Instead, the District should find some other method of notifying potential contractors of published jobs providing information on how to be added to the District's informal bidding lists (e.g., through the District's website).
- Adoptions of Plans
 - The board must adopt plans, specifications, and working details for all public projects exceeding \$175,000.
- Awarding of Bid
 - The District can reject any **and all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
 - Informs the lowest responsible bidder of the District's intent to reject the bid; and
 - Is mailed at least two business days prior to the hearing at which the District intends to reject the bid.
 - If the District rejects all bids received after the first invitation for formal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
 - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
 - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote of the Board declaring that the District's employees can perform the project more economically.

- If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
- If no bids are received, the project may be performed by employees of the District by force account or by the informal bidding procedures detailed for public projects greater than \$45,000 but less than or equal to \$175,000.

Contracts for the Doing of “Maintenance Work”

- “Maintenance Work” means any of the following:
 - Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
 - Minor repainting.
 - Resurfacing of streets and highways at less than one inch.
 - Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
 - Work to be performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher.
- Maintenance work less than or equal to \$45,000
 - Can be performed by the District’s employees by force account, negotiated contract, or purchase order.
 - No notice inviting informal bid required.
- Maintenance Work greater than \$45,000 but less than or equal to \$175,000
 - Same requirements as for public projects greater than \$45,000 but less than or equal to \$175,000 – see above.
- Maintenance Work greater than \$175,000
 - Same requirements as for public projects greater than \$175,000 – see above.



RESOLUTION NO. 3283

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT
APPROVING ITS NEW CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code Section 81000, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, pursuant to said Act, the Ventura Port District ("District") adopted its initial conflict of interest code ("Code") which has since been updated and amended several times, with the latest action being the adoption of Board Resolution No. 3060 on September 27, 2006; and

WHEREAS, it has been necessary from time to time to amend the District's Conflict of Interest Code to conform its disclosure obligations to recent changes in the law, and to identify new positions within the District for which the job duties entail the making of decisions having a potential financial impact on the District, such that employees holding such positions are required to file disclosure statements under the District's Code; and

WHEREAS, the Ventura County Board of Supervisors, as the Code reviewing body for the District, recommends that all agencies within its jurisdiction adopt the standard Conflict of Interest Code promulgated by the Fair Political Practices Commission ("FPPC"), and any amendments thereto; and

WHEREAS, the Board has determined that it is in the best interests of the District to amend the Code in certain particulars outlining new positions in the District; and

WHEREAS, as a result of such amendment, the Board finds it is desirable and in the best interests of the District to rescind the existing Code and adopt the new Code in the manner set forth herein as Exhibit B; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3060 and all prior versions of the Code, which were previously passed, approved, and adopted by the Board, and adopts in its place Exhibit B of its Conflict of Interest and Disclosure Code of the Ventura Port District, to include additional positions within the District, which are shown on Exhibit B attached hereto.



BE IT FURTHER RESOLVED that those individuals holding newly designated positions, as set forth in Exhibit B, shall file Statements of Economic Interests with the Clerk of the District within 30 days of the adoption of this Resolution.

BE IT FURTHER RESOLVED that a secretarially certified copy of this Resolution, including the attached Exhibit B, shall be forwarded to the Ventura Board of Supervisors as an amendment to the Conflict of Interest and Disclosure Code of the Ventura Port District.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Port Commissioners of Ventura Port District held on the 9th day of September 2015 by the following vote:

AYES: Commissioners Friedman, Carson, Smith, Valance

NOES:

ABSTAINED:

ABSENT: Commissioner Ashworth



Chairman

ATTEST:



Secretary

(Seal)

EXHIBIT A

CONFLICT OF INTEREST AND DISCLOSURE CODE OF THE VENTURA PORT DISTRICT

Disclosure Categories

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

Category 1 – BROADEST DISCLOSURE

[SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

Category 2 – REAL PROPERTY

[SEE FORM 700 SCHEDULE B]

All *interests in real property*, including *interests in real property* held by *business entities* and trusts in which the public official holds a business position or has an *investment* or other financial interest.

Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which engage in land development, construction, or real property acquisition or sale.

Category 4 – PROCUREMENT

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

Category 5 – REGULATION AND PERMITTING

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

Category 6 – FUNDING

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments, business positions* and sources of *income, gifts, loans and travel payments*, from sources which receive grants or other funding from or through the designated position's agency or department.

EXHIBIT B**CONFLICT OF INTEREST AND DISCLOSURE CODE
OF THE VENTURA PORT DISTRICT****Designated Positions**

# OF POSITIONS	POSITION TITLE	DISCLOSURE CATEGORY
5	Members of the Board of Port Commissioners	1, 2
1	General Manager	1, 2
1	Harbormaster	2
1	Business Operations Manager	2
1	Accounting Manager	2
1	Marketing Manager	2
1	Marina Manager	2
1	Property Manager	2
1	Facilities Manager	2

- The Business Operations Manager and Facilities Manager were added to the Designated Positions.

Notes:

- 1) The Filing Official for the Members of the Board and the General Manager is the Clerk of the Ventura County Board of Supervisors.
- 2) The Filing Official for all other positions is the Clerk of the Ventura Port District.

EXHIBIT C

CONFLICT OF INTEREST AND DISCLOSURE CODE OF THE VENTURA PORT DISTRICT

ADDITIONAL CODE PROVISIONS

The following additions to the FPPC Standard Code are hereby incorporated into the Conflict of Interest and Disclosure Code of the Ventura Port District:

DISQUALIFICATION

1. An investment, interest in real property, income or source of income of a designated employee shall not be a basis for disqualification under this Conflict of Interest Code where such interest will foreseeably be affected only by the decisions to fix an ad valorem property tax rate or uniform assessments for the District applicable to the public generally. (Cal. Code of Regs., Title 2, Section 18703)
2. After disqualification, a designated employee may make an appearance, submit information, or express views on the same basis as any other citizen on matters related solely to his personal interest, provided that it is done publicly and provided that the person clearly indicates he is acting in a private capacity.
3. Rule of Necessity: Item No. 1 (above) does not prevent a designated employee from making or participating in the making of a governmental decision to the extent that his participation is legally required for an action or decision to be made. The fact that a designated employee's vote is needed to break a tie does not make this participation legally required for the purposes of this section. The attorney for the District is empowered to advise any designated employee whether or not the "Rule of Necessity" is applicable in any particular instance.

OPINIONS OF COUNSEL AND OF THE COMMISSION

1. Opinion Requests. Any designated employee who is unsure of any right or obligation arising under this Code may, with the prior approval of the General Manager, request a formal opinion or letter of advice from the FPPC or a written opinion from the attorney for the District.
2. Evidence of Good Faith. If an opinion is rendered by the attorney for the District stating the facts and the law upon which the opinion is based, compliance by the designated employee with the conclusions of such an opinion of evidence of good faith in any civil or criminal proceeding brought pursuant to the Political Reform Act of 1974 on this Code. The designated employee's good faith compliance with the opinion of the District's attorney shall also act as a complete defense to any disciplinary action that the District may bring under Section 91003.5 of said Act of this Code. Immunity from prosecution may be obtained by requesting an opinion or advice letter from the FPPC pursuant to Government Code Section 83114.

STATUTE OF LIMITATIONS

1. No action based on a disqualification provision of this Code shall be brought pursuant to Government Code Section 91003(b) to restrain the execution of or to set aside official action of the District unless the complaint or petition is filed and served upon the District within 90 days following the official action.

DEFINITIONS

1. The definitions contained in the Political Reform Act of 1974 (Government Code Section 81000 et. seq.) and regulations adopted pursuant thereto are incorporated into this Conflict of Interest Code. Conflict of Interest disclosure reports shall be made on Fair Political Practices Commission Form 700, or any successor forms thereto.

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

I, Oscar Pena, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 9th day of September 2015 by the following vote:

AYES: Commissioners Friedman, Carson, Smith, Valance

NOES:

ABSTAIN:

ABSENT: Commissioner Ashworth

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 9th day of September 2015.



Secretary

(seal)

**CERTIFICATION OF THE SECRETARY OF
VENTURA PORT DISTRICT**

I, the undersigned, do hereby certify:

1. I am the duly elected and acting Secretary of the Ventura Port District.
2. The foregoing Resolution approving the new Conflict of Interest and Disclosure Code of the Ventura Port District was adopted at a regular meeting of the Board of Port Commissioners held on September 9, 2015.

IN WITNESS WHEREOF, I have executed this Certificate of Secretary of the District this 9th day of September 2015.



Oscar Peña, Secretary
Ventura Port District
Board of Port Commissioners



**A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT ADOPTING THE VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES**

RESOLUTION NO. 3302

WHEREAS, on December 14, 2005, the Board of Port Commissioners adopted Resolution No. 3046, establishing a Commissioners' and Employees' Expense Reimbursement Policy; and

WHEREAS, on August 13, 2014, the Board of Port Commissioners approved a separate Expense Reimbursement Policy for Commissioners, but did not approve a new Expense Reimbursement Policy for Employees.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3046, which was previously passed, approved, and adopted by the Board on December 14, 2005, and adopts in its place the following amended Expense Reimbursement Policy for Employees:

The purpose of this Expense Reimbursement Policy for Employees ("Policy") is to set forth the procedure of the Ventura Port District ("District") concerning the reimbursement of actual and necessary expenses incurred by District Employees while attending certain events and functions.

1. **General Principles:** Employees are encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District. At the same time, Employees are encouraged to exercise prudence in all expenditures. Thus, reimbursement shall be made only for actual and necessary expenses that qualify under this Policy. Expenditures that are improper or otherwise not properly accounted for shall not be paid for or reimbursed by the District.

2. **Reimbursable Events and Authorized Expenditures:** An employee's attendance to an event, for which reimbursement is sought, must be approved in advance by the Board. Subject to the restrictions contained in this Policy, Employees will generally be reimbursed for certain expenditures incurred while attending the following types of events:

- a. Educational conferences, workshops, seminars and similar events that are sponsored by industry associations or nonprofit entities for the purpose of discussing matters of interest to the District;
- b. Regional, state and national meetings or conferences where activities affecting the District's interests are discussed or presented, such as California Marine Affairs Navigation Conference and other water educational workshops, seminars and symposiums, and tours of other harbors; and



- c. Other governmental functions where an Employee might attend as an authorized representative of the District.

It is the District's policy that the Clerk of the Board shall arrange for and purchase all registrations, including conferences, hotels, rental cars, and aircraft travel, whenever possible. To the extent that an Employee is required to purchase these items individually, an Employee must make such a request in advance of approval by a majority vote of the Board.

A Reimbursable Event must be approved in advance by a majority vote of the Board at a public meeting. Once an event is approved, the District shall pay for or reimburse the Employee incurring the expense, without further approval of the Board, for the following Authorized Expenditures:

- i. Registration Fees. Whenever possible, the District shall directly pay the registration fees associated with attendance at an approved event. If the Employee makes payment at his or her own expense, the District shall reimburse the Employee for the actual cost of registration fees incurred.

- ii. Personal Vehicle Mileage. An Employee shall be reimbursed for costs associated with the use of a personal vehicle to travel to/from an approved event at the then-current IRS Standard Mileage Rates. An Employee shall be reimbursed once the Employee has indicated the actual miles traveled, the business purpose of the travel, and the date of travel on the approved Expense Report submitted in accordance with Section 5 of this Policy. Mileage calculations may be verified using tools such as Google or MapQuest, attached to the Expense Report. If travel requires driving to an airport or train station, reimbursement will be allowed for those miles traveled. For single full-day events, Employees will subtract miles to and from work. The District will not reimburse Employees for any other personal vehicle expenses.

- iii. Hotel Expenses. Whenever possible, the District shall directly pay for reasonable lodging expenses incurred by an Employee while attending an approved event. If the Employee makes payments at his or her own expense, the District shall reimburse the Employee for reasonable lodging expenses incurred. Except when attending a conference, seminar or other meeting using the available group rate booked for the event, the District shall reimburse an Employee only for the actual amount of the hotel fees incurred, excluding entertainment or similar expenses.

- iv. Meals. An Employee shall have a choice of a given daily allowance or breakdown of meals for any approved event. An Employee can choose a given daily allowance of \$30.00 for meals in advance of any approved event; provided, however, that (a) the Employee must attach to an Expense Report an itemized receipt of all meals taken using the per diem amount and (b) return any unused monies to the accounting office of the District. Employees may not add tip to the overall cost of a meal in excess of 20% of the subtotal. The cost of alcoholic beverages will not be reimbursed. If the event or hotel provides any meals, free of charge, Employees are encouraged to take advantage of such meals to lower the cost of the reimbursement. The second option is a breakdown of each meal for the day in the following amounts:

Breakfast.....	\$20.00
Lunch.....	\$30.00
Dinner.....	\$45.00

Section 5.11

v. Incidental Allowance. The District shall reimburse an Employee for tips actually given to cabbies, baggage porters, bellhops and hotel housekeepers that are reasonable and customary for the area, as well as toll charges and parking fees up to the actual amount expended. Employees should always obtain receipts for incidental expenses such as tolls and parking fees and attach to an Expense Report pursuant to Section 5.

vi. Common Carrier Travel. When personal vehicle use for District business is impractical due to time and/or distance, an Employee may use regularly-scheduled commercial carriers for travel. An Employee traveling by plane, train, rental vehicle, bus, or taxi should travel by the least-expensive fare available for the date and time of the travel, taking into account scheduling needs and the most direct route. Travel should be planned in advance to permit use of advance fares. The District shall directly pay for such travel arrangements, whenever possible, but shall reimburse the Employee for actual amounts incurred at his or her own expense.

3. Unauthorized Expenditures: In accordance with California law, the District shall not reimburse expenses incurred by a the spouse, domestic partner, or other family member of an employee, or for personal expenses such as charitable contributions, non-mileage vehicle expenses, the personal portion of any trip otherwise related to District business, or personal entertainment expenses that are not part of a professional or educational conference or seminar.

4. Expense Report: Expenses incurred by an Employee under this Policy shall be reimbursed only after the Employee seeking reimbursement completes and submits an Expense Report attached hereto as Exhibit 1. The Expense Report must be submitted within 10 days after the Employee incurs the expense. The Employee must attach to the Expense Report all relevant documentation and receipts authenticating the expense, such as the itemized bill issued by a hotel, credit card receipts, or boarding pass or other tickets. The General Manager shall review and approve each Expense Report submitted and may require additional proof of payment as necessary.

5. Public Records: All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act and pursuant to Government Code section 53232.3.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on March 23, 2016, Resolution No. 3302 was adopted by the following vote:

AYES: Commissioners Friedman, Ashworth, Smith, Carson, Valance

NOES:

Abstain:

Absent:

Attest:



Secretary


Chairman

EXHIBIT 1

EXPENSE REPORT

Employees seeking reimbursement must complete and submit this form to the District *within 10 days after* the expense is incurred. Please provide a brief explanation of the District related purpose for the expenditure, and receipts or copies of receipts to document the expense.

Employee Name: _____

Date: _____ (Month) _____ (Year)

Reimbursable Event(s) and Authorized Expenses

(See Section 2 of Reimbursement Policy.)

See Section 2 of Reimbursement Policy.			
Date	Event	Expense(s)	Amount
<i>Previously Paid by VPD</i>			
<i>Out of Pocket Expenses</i>			
<i>Subtotal</i>			

TOTAL REIMBURSEMENT _____

Approved By: Oscar Peña, General Manager **Date:** _____



RESOLUTION NO. 3274

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT TO APPROVE THE POLICY
AND PROCEDURES IMPLEMENTING THE CALIFORNIA PUBLIC RECORDS ACT**

WHEREAS, pursuant to the provisions of the California Public Records Act (Gov. Code Section 6250 et seq.), and hereafter referred to as the "Act"), in the interests of openness and transparency and in keeping with the public's right of access to all public records in the District's custody and control, and subject to certain exemptions as provided by law, Ventura Port District ("District") should adopt procedures and formal a policy to ensure compliance with the Act; and

WHEREAS, in adopting these procedures, it is the goal of the District to respond to all requests for information and documents under the Act in a prompt and consistent manner; and

WHEREAS, a public record is "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by an state or local agency regardless of physical form or characteristics (Gov. Code Section 6252(e)); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby adopts the Policy and Procedures Implementing the California Public Records Act for the Ventura Port District, in the form attached hereto as Exhibit A;

BE IT FURTHER RESOLVED that the General Manager and staff are hereby authorized and directed to take such additional and further actions as may be necessary and appropriate to carry out the purpose and intention of this resolution.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held this 8th day of April, 2015, adopted by the following vote:

AYES: Commissioners Ashworth, Carson, Smith

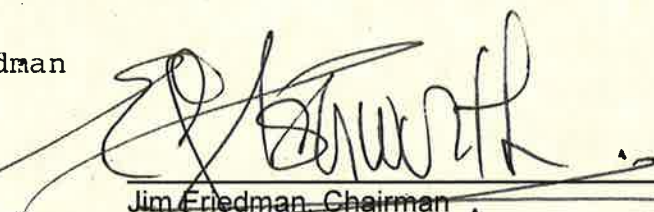
NOES:

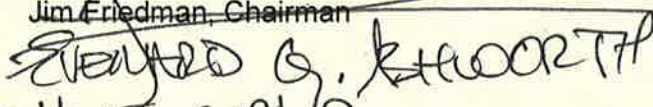
Absent: Commissioner Friedman

Abstain:

Attest:


Bruce Smith, Secretary


Jim Friedman, Chairman


Steven G. Ashworth

VICE CHAIR

(Seal)



EXHIBIT A

VENTURA PORT DISTRICT

Policy and Procedures Implementing
the California Public Records Act

Ventura Port District ("District"), pursuant to the California Public Records Act ("Act") (Government Code §§ 6250 et seq.) and in keeping with the public's right of access to all public records in the District's custody, and subject to certain exemptions as provided by law or necessary to protect the individual privacy rights, adopts the procedures outlined below. In adopting these procedures, it is the goal of the District to respond to all requests for information under the Act in a prompt and consistent manner.

Section I. Requesting Public Records.

- A. A public record is "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." (Gov. Code § 6252(e).)
- B. All requests for public records of the District must be in writing, and shall state whether the request is for examination of the records or for copies. The request must clearly identify the document, record or information requested and the person making the request, and shall be dated and signed. The District may provide forms to be utilized by those persons requesting examination or copies of District records.
- C. The Board of Port Commissioners of the District designates the General Manager as the "reviewing official" under this policy, but on a case by case basis, the General Manager may delegate this function to another District employee. The reviewing official shall have exclusive authority for reviewing and approving requests under the Act. Immediately upon District staff's receipt of a public records request, the request shall be submitted to the reviewing official.
- D. The reviewing official must review and approve each request for inspection or copying before any public record of the District is released to the requesting party. Requests to examine public records of the District, will be processed promptly, provided that the reviewing official is available to supervise the examination and retrieval of records without interfering with the ordinary business operations of the District. If the request presents no questions or issues and identifies records that are routinely provided to members of the public, the reviewing official may direct that the request be complied with immediately, if at all possible. If the request is vague or too broad, the reviewing official, or his or her designee, shall work with the requesting party to assist in focusing the request, pursuant to Gov. Code §6253.1.

Section II. Review for Exemption.

- A. In some cases, District staff will have to review the records further to determine whether all or any part may be privileged, confidential, or otherwise exempt from disclosure (for a list of some common exemptions, see Section V below). Where there is a question as to whether a particular exemption applies, the reviewing official may consult with District legal counsel prior to making a decision on a request. Where a portion of the record requested contains information which is exempt from disclosure under the Act, the reviewing official will make a determination as to whether the non-exempt portion of the record is reasonably segregable from the exempt portion of the record. Within ten (10) days from the date the request is received, the District will determine whether the request, in whole or in part, seeks copies or inspection of disclosable public records in the District's possession, and notify the requestor of such determination in writing. This written notice shall identify and be signed by the reviewing official. The District shall also determine the cost of reproducing the record or document (see Section IV, below), and include this information in the notice to the requesting party.
- B. If necessary, and notwithstanding Paragraph A, above, in unusual circumstances, as determined by the reviewing official in his/her reasonable discretion, the time to respond may be extended by not more than an additional fourteen (14) days. A notification of extension must be made in writing within ten (10) days of receipt of the initial request stating the reasons for the delay and the expected date of determination.
- C. If the reviewing official determines that the request is to be denied, then a written notice of determination shall be sent to the requesting party. Reasons for denial, include, but are not limited to: the record sought is privileged, confidential, or otherwise exempt from disclosure under the Act (see Section V below); or the record sought is not found in the District's files or records. All letters stipulating grounds for denial must be written only after consulting with District's legal counsel; sent only after it is approved by the General Manager; and must identify and be signed by the reviewing official. A copy of the denial will be provided to the General Manager and legal counsel.
- D. The District will retain in its records all written requests for inspection or copying of public records in accordance with the District's records retention policy and guidelines.

Section III. Examination of Public Records.

- A. Staff Response. Public inspection of files/documents shall be handled by the responding staff as follows:
 - 1. The requesting party will be contacted to schedule a time for public

record review or inspection. The District will provide an area at its offices for examination of the public records. Generally, public records should be open to inspection at all times during regular office hours of the District, but in scheduling an appointment for examination of public records, the reviewing official must be cognizant of the press of District business at any given time. Responding staff should endeavor to be as accommodating as possible to the requesting party regarding the scheduling of records inspections during those hours. Examinations must take place on District premises, and will be subject to observation by District personnel.

2. Before any public record, document, or file is provided for public review, inspection, or copying, the reviewing official or responding staff shall remove or redact any such materials, writings, or documents which statutes specifically make exempt or confidential (as described in Government Code § 6250 et seq. or in this policy).
3. The public record, document or file review will be monitored by assigned staff, as appropriate. This may include document or file review within view of assigned staff.

B. Guidelines For Requestor During Inspection. The following procedures are for the sole purpose of protecting original records against tampering or theft. Any examination of original District records will be subject to the following rules:

1. No document or record, or any part thereof, shall be removed from the District premises or from the file, notebook, folder, or other compilation in which it is contained.
2. No document or record shall be written on, marked on, or erased, nor shall any writing or information therein otherwise be removed, nor shall any person destroy, mutilate, deface, alter or falsify any document or record. Violations of this rule will be prosecuted pursuant to Government Code §6201.
3. The party examining records shall comply with all instructions of District personnel, provided, however, that any restriction or termination of an examination may be appealed to the reviewing official or General Manager. District personnel may terminate or restrict the examination as may be necessary to preserve District records.
4. The District may never make records available only in electronic form (Gov. Code § 6253.9(e)); and fees for “inspection” or “processing” are prohibited (Gov. Code § 6253).

Section IV. Recovery of Costs.

- A. District may charge a “statutory fee” set by the Legislature (not by local ordinance) if applicable, or the “direct cost of duplication.” (Gov. Code §6253(b).) No charge will be made for staff time expended in the search, retrieval, review, deletion, or copying of requested records and documents. (Gov. Code §6253(b).)
- B. If a request for electronic records either (1) is for a record normally issued only periodically, or (2) requires data compilation, extraction, or programming, copying costs may include the cost of the programming. (Gov. Code §6253.9(a), (b).)
- C. Payment of the cost of copying requested records may be by cash, check or money order, and must be made before the copies will be provided to the requesting party. Upon request and payment of mailing expenses in addition to the copying charges, the copied records will be mailed as directed by the requesting party.
- D. If reviewing official reasonably determines that the most efficient means of providing copies of requested documents is through the use of an outside or professional copying service, the District will notify the requesting party, and may require pre-payment of the estimated cost for the outside or professional service. The District will issue a refund to the requesting party if, after the outside or professional service has been completed, the cost was less than the amount pre-paid by the requesting party. Conversely, if the cost is greater than estimated, the requesting party shall pay the difference before the copies are released to the requesting party.

Section V. Exempt and Non-exempt Records.

- A. Exempt Records. The following District records are exempt from disclosure. However, this list is not all inclusive of applicable exemptions, nor is it meant to cover every exemption. If reviewing staff or the reviewing official is unsure whether an exemption not listed here applies, District’s legal counsel should be consulted for guidance.
 - 1. Preliminary drafts, notes, interagency and intra-agency memoranda which are not retained by the District as permanent records, where circumstances justify nondisclosure. (Gov. Code § 6254(a).)
 - 2. Records pertaining to pending litigation to which the District is a party, or to claims filed against the District, which were created in connection with the litigation and were intended to be confidential, until the pending litigation or claim has been finally adjudicated or otherwise settled. (Gov. Code § 6254(b).)

3. Personnel records of District staff and public employees. (Gov. Code § 6254(c).)
4. Medical, dental and other insurance records of District employees and Commissioners, if applicable. (Gov. Code § 6254(c).)
5. Geological and geophysical data and similar information relating to utility systems development which are obtained in confidence from any person. (Gov. Code § 6254(e).)
6. Home addresses of District employees and Commissioners. (Gov. Code § 6254.1.)
7. Test questions, scoring keys and other examination data used for employment tests administered by the District. (Gov. Code § 6254(g).)
8. The contents of real estate appraisals or engineering or feasibility estimates and evaluations prepared relative to the acquisition of property or to construction or supply contracts, until the property or agreement has been obtained. (Gov. Code § 6254(h).)
9. Closed session minutes and legal memoranda and other materials distributed in a closed session of the Board of Port Commissioners held pursuant to Government Code § 54956.9. (Gov. Code § 6254.25.)
10. Attorney-Client discussions are confidential, even if the District is the client. (Gov. Code §§ 6254(k), 6254.25, 6276.04.)
11. Records, the disclosure of which, would violate the Evidence Code. (Gov. Code § 6254(k).)
12. Records, which assess vulnerability to a terrorist attack or other criminal act intended to disrupt the District's operations. (Gov. Code §§ 6254(aa); 6254.19.)
13. Records, which contain critical infrastructure information, as defined in Gov. Code § 6254(ab).
14. Where the facts of a particular case dictate that the public interest served by not making the record public clearly outweigh the public interest served by disclosure of the record, the request may be denied. The reviewing official should consult with District legal counsel prior to making such a determination. (Gov. Code § 6255.)
15. Sensitive financial information submitted to the District by tenants as part of the District's real estate operations, which are intended to be confidential by the tenant and which are received by the District with

the understanding they will be dealt with confidentially to the extent allowed by law.

B. Non-Exempt Records. The following District records are subject to disclosure under the Act:

1. Minutes of Board meetings and agenda materials provided to Commissioners.
2. Auditors' reports, budgets and financial reports of the District.
3. All District ordinances, resolutions, regulations, policies and procedures.
4. All Political Reform Act filings by District officers and Commissioners.
5. All correspondence or memoranda maintained in the ordinary course of District business and not subject to any statutory exemption.
6. Employment contracts (Gov. Code § 6254.8).

**VENTURA PORT DISTRICT
Public Records Request Form**

Requesting Party (NAME): _____
(PLEASE PRINT)

Mailing Address: _____

Phone Number: _____

1. The Requesting Party requests (CHECK ONE):

_____ That the Ventura Port District provide the documents, records and information described below for the Requesting Party to examine at the District's offices during District business hours.

_____ That the Ventura Port District provide the Requesting Party with photocopies of the documents, records and information described below.

2. Description of the documents, records and information requested. (Description must be specific enough to identify the public records sought).

3. If the request is for copies of public records, the Requesting Party (CHECK ONE):

_____ Will return to pick up the copies and will pay for copying costs at the time of pickup. (Requesting Party should leave a phone number at which they may be contacted when the copies are ready.)

_____ Requests that the copies be mailed to the address specified above. (All copying and postage costs must be paid before the copies will be mailed. The District will notify the Requesting Party of the amount of copying costs and postage by telephone or mail at the Requesting Party's choice.)

Dated: _____

Signature of Requesting Party

FOR OFFICE USE ONLY

Reviewing Official _____

Received On _____

Approved By _____

Number of Copies _____

Copying Cost _____

Date Paid _____

6.0 CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING POLICIES & PROCEDURES

Documents attached:

- 6.1 Resolution No. 3213
- 6.2 Resolution No. 3219
- 6.3 Ordinance 48



RESOLUTION NO. 3213

A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT
ELECTING TO BECOME SUBJECT TO THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act (the "Act"), establishes such a uniform cost accounting standard; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (the "Commission") established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, pursuant to Public Contract Code Section 22003, a public agency which has, by resolution, elected to become subject to such uniform public construction cost accounting procedures, may utilize the bidding procedures set forth in the Act when contracting for "maintenance work," as defined in Public Contract Code Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002; and

WHEREAS, when contracting for such "maintenance work" or when contracting for any other work which does not fall within the definition of such "public project" under the Act, the District shall continue to comply with the District's Procurement and Purchasing Policy, as adopted by Resolution No. 3183, on April 25, 2012, and as may be amended from time to time, or applicable law, whichever shall apply.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby elects under Public Contract Code Section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the



Section 6.1

Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the General Manager notify the State Controller forthwith of this election; and

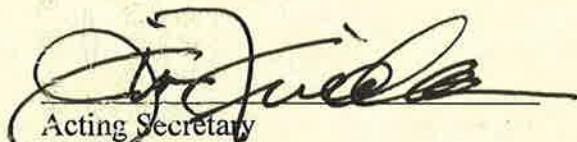
BE IT FURTHER RESOLVED that the District shall implement such uniform public construction cost accounting procedures effective on the date Ordinance No. 48 (providing informal bidding procedures under the Act) goes into effect.

BE IT FURTHER RESOLVED that the General Manager and the District staff are hereby authorized and directed to take such other and further action as may be necessary to carry out the purposes and intentions of this resolution.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on February 27, 2013.


Chairman, Board of Port Commissioners
Ventura Port District

Attest:


Acting Secretary
(Seal)

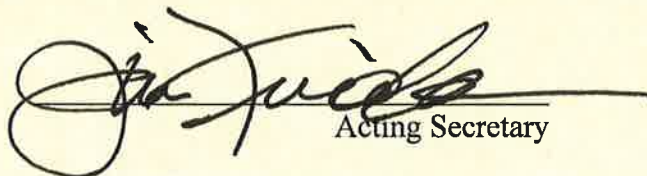
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, JIM FRIEDMAN, Acting Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 27th day of February 2013, by the following vote:

AYES: Commissioners Bravo, Deitch, Friedman and Chairman Carson
NOES: None
ABSENT: Commissioner Ashworth

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 27th day of February 2013.

(Seal)


Acting Secretary



RESOLUTION NO. 3219

A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT
AMENDING RESOLUTION NO. 3213
TO AUTHORIZE USE OF UNIFORM PUBLIC CONSTRUCTION COST
ACCOUNTING ACT PROCEDURES FOR MAINTENANCE WORK

WHEREAS, on February 27, 2013, the Board of Port Commissioners (the "Board") passed, approved, and adopted at a Regular Meeting of the Board Resolution No. 3213, wherein the Board elected to become subject to the Uniform Public Construction Cost Accounting Act as set forth in Public Contract code Section 22000 et seq. (the "Act"); and

WHEREAS, pursuant to Public Contract Code Section 22003, a public agency which has, by resolution, elected to become subject to such uniform public construction cost accounting procedures, may utilize the bidding procedures set forth in the Act when contracting for "maintenance work," as defined in Public Contract Code Section 22002; and

WHEREAS, in adopting Resolution No. 3213, the Board did not elect to utilize the bidding procedures set forth in the Act when contracting for such "maintenance work" and instead elected to continue to comply with the bidding procedures set forth in the District's Procurement and Purchasing Policy, as adopted by Resolution No. 3183, on April 25, 2012; and

WHEREAS, the Board has determined that it is in the best interests of the District to utilize the bidding procedures set forth in the Act when contracting for such "maintenance work."

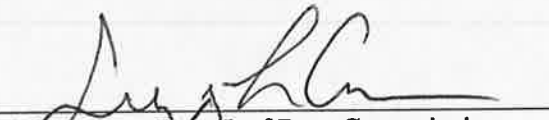
NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby elects to amend Resolution No. 3213, which was previously passed, approved, and adopted by the Board on February 27, 2013, to authorize the District to utilize the bidding procedures set forth in the Act when contracting for "maintenance work," as defined in Public Contract Code Section 22002.

BE IT FURTHER RESOLVED that the Board of Port Commissioners directs the General Manager to notify the State Controller forthwith of this election and the amendment of Resolution No. 3213; and




BE IT FURTHER RESOLVED that the General Manager and the District staff are hereby authorized and directed to take such other and further action as may be necessary to carry out the purposes and intentions of this resolution.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on May 8, 2013.


Chairman, Board of Port Commissioners
Ventura Port District

Attest:


Secretary
(Seal)


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

I, Everard Ashworth, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 8th day of May 2013, by the following vote:

AYES: Commissioners Ashworth, Bravo, Deitch, Friedman and Chairman Carson
NOES: None
ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 8th day of May 2013.

(Seal)


Secretary



ORDINANCE NO. 48

AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT
TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(California Public Contract Code Section 22000 et seq.)

The Board of Port Commissioners of the Ventura Port District ordains as follows:

- Section 1 Informal Bid Procedures. Public projects, as defined by the Uniform Public Construction Cost Accounting Act (the "Act") pursuant to California Public Contract Code Section 22000 et seq., and in accordance with the limits listed in Public Contract Code Section 22032, may be let to contract by informal procedures as set forth in Public Contract Code Section 22032 et seq.
- Section 2 Contractors List. A list of contractors shall be developed and maintained in accordance with the provisions of Public Contract Code Section 22034 and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission ("Commission").
- Section 3 Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 2, above, or to all construction trade journals as specified by the Commission in accordance with Public Contract Code Section 22036. Additional contractors and/or construction trade journals may be notified at the discretion of the District, provided, however:
- (a) If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.



- (b) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

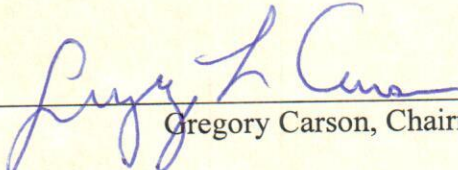
The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

Section 4 Mailing of Notices. All mailing of notices to contractors and construction trade journals pursuant to Section 3, above, shall be completed not less than 10 calendar days before bids are due.

Section 5 Award of Contracts. The Board may delegate the authority to award informal contracts to the general manager or other appropriate persons pursuant to Public Contract Code section 22034(e). If all bids received by the District are in excess of \$175,000.00, the Board of Port Commissioners may, by adoption of a resolution by a four-fifths vote, award the contract, at \$187,500 or less, to the lowest responsible bidder, if it determines the cost estimate of the District was reasonable.

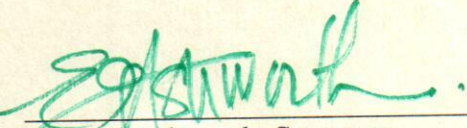
This Ordinance shall be published in the Ventura County Star, a newspaper of general circulation published in the County of Ventura, at least once before final passage, and shall take effect and be in force thirty (30) days from and after the date after final passage.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on March 27, 2013.



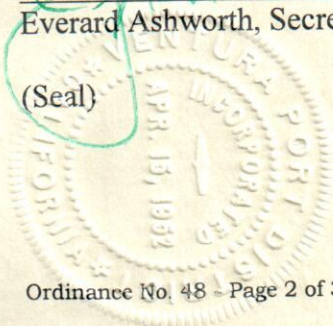
Gregory Carson, Chairman

Attest:



Everard Ashworth, Secretary

(Seal)



Section 6.3

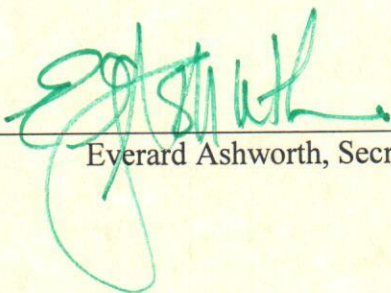
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Everard Ashworth, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Ordinance No. 48 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 27th day of March 2013, by the following vote:

AYES: Commissioners Ashworth, Bravo, Friedman and Chairman Carson
NOES: None
ABSENT: Commissioner Deitch
ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 27th day of March 2013.





Everard Ashworth, Secretary

APPENDIX

Harbors and Navigation Code

General Provisions

6200. "District," as used in this part, refers to any port district formed pursuant to this part.

6201. "Board," as used in this part, means the board of port commissioners described in Chapter 2 (commencing with Section 6240).

6202. This part does not repeal, modify or otherwise affect the provisions of any other law relating to port or harbor districts, and no other law providing for the creation of port or harbor districts repeals, modifies or otherwise affects this part or any of its provisions.

6203. Any property owned by any city which is used or held for the purpose of aiding or developing navigation, commerce or fishing may be transferred to the district to be used for the same purposes, and any lands of the State which may have been transferred to any such city may be transferred to the district subject to the trusts and other provisions for the transfer of the lands from the State to the city. A city which is governed by a freeholders charter may only transfer or turn over property if authorized by the provisions of its charter or an amendment thereof.

6204. If any land under a navigable stream is by virtue of any work or improvement by the United States or the State, freed from the easement of navigation and fishing, it reverts to the district, to be used for the purposes for which the district was organized. But if any land is not used or held for such purposes, it reverts to the State.

6205. If the district is dissolved, lands which were granted to it by a municipal corporation revert to that municipal corporation.

Formation

6210. A district may be organized pursuant to this part. It shall include one municipal corporation and any contiguous unincorporated territory in any one county but a municipal corporation shall not be divided in the formation of a district.

Territory which may be annexed to a municipal corporation, which is in a district, is by virtue of the annexation a part of the district.

6211. The formation of a district is initiated by a petition presented at a regular meeting of the board of supervisors of the county in which the proposed district is situated.

The petition shall be signed by a number of registered voters, residing within the proposed district, equal to not less than five per cent of the number of registered voters, residing in the district, who voted at the last preceding general State election at which a Governor was elected. The petition may consist of any number of instruments.

6212. The petition shall state the name of the proposed district, and describe the proposed boundaries and it shall pray that the territory included be created a district pursuant to this part.

6213. Upon presentation, the petition shall be filed with the clerk of the board of supervisors, and upon filing, or at its next regular meeting, the board of supervisors shall fix a time for hearing it, which shall not be less than thirty nor more than sixty days from the date of filing.

6214. A notice of the time and place of the hearing of the petition, including a copy of the petition, excepting the names thereon, shall be published at least four times in a newspaper of general circulation published in the territory included within the proposed district, and in case no such newspaper is published in the territory, then in a newspaper published in the county in which the proposed district is situated.

6215. At the hearing of the petition, the board of supervisors shall hear those appearing in support, and all protests or objections. The hearing may be adjourned from time to time, not exceeding sixty days in all.

6215.5. If the board of supervisors finds that protests have been made, prior to its final determination for formation of the district, by the owners of real property within the proposed district the assessed value of which, as shown by the last equalized assessment roll, constitutes more than one-half of the total assessed value of the real property within the proposed district, the proceeding shall terminate. The board of supervisors shall order the proceeding terminated when such protests are received.

6216. The board of supervisors may make such changes in the proposed boundaries of the district as are advisable, and it shall define and establish the boundaries.

If the board of supervisors deems it proper to include any territory not included within the boundaries proposed in the petition, it shall first give notice of its intention so to do, by publication of notice in a newspaper published in the county in which the district is located, for two times. The hearing on a proposed inclusion of additional territory shall not be continued beyond sixty days after the board determines to give notice of its intention to increase the boundaries. Within ten days of the final hearing of the matter, the board of supervisors shall make its order fixing the boundaries of the district.

6217. The boundaries of any district shall be fixed by the board of supervisors so as not to include more than fifty square miles of unincorporated territory. This area shall have a frontage upon the waterway which it is contemplated will be improved, and the board of supervisors shall only include within the boundaries land which will be benefited by the creation and operation of the district.

6218. At the time of making its order fixing the boundaries of the district the board of supervisors shall call an election to determine whether the proposed district shall be organized.

A defect in the contents of the petition or in the title to or in the form or publication of the notice shall not vitiate any proceedings thereon, if the petition has a sufficient number of qualified signatures.

6230. An election shall be held within 130 days of the call, to determine whether the district shall be organized. The election shall be conducted in conformity with the general election laws. At the election the proposition shall be placed on the ballot, permitting each voter to vote "yes" or "no."

6231. The board of supervisors shall canvass the results of the election and if a majority of those voting have voted "yes" the proposition is carried, and the board of supervisors shall certify the result to the Secretary of State, who shall file it. From and after the filing of the certificate by the Secretary of State, the district is in existence.

6232. A certified copy of the certificate filed with the Secretary of State, shall be recorded in the office of the county recorder in the county in which the district is situated.

6233. Any informality in procedure or in the conduct of the election shall not invalidate the establishment of the district.

Any proceedings in which the validity of its establishment is denied shall be commenced within sixty days after the date of filing in the office of the Secretary of State of the certificate mentioned in this article. Otherwise, the establishment and legal existence of the district and all proceedings in respect thereto are valid in every respect and incontestable.

Board of Port Commissioners

6240. The district shall be governed by a board of port commissioners. The board consists of five members. Two of the commissioners shall be appointed by the board of supervisors of the county in which the district is located. Two of the commissioners shall be appointed by the city council of the municipal corporation situated in the district. The board of supervisors, together with five members of the city council, appointed by the mayor of the municipality in the district constitute a board of election to appoint the other commissioner. This commissioner shall be chairman of the board. A majority vote is necessary for the appointment of the chairman of the board. An auditor shall be appointed by the board of port commissioners and approved by the board of supervisors and the city council.

6241. These appointments shall be made within thirty days after the formation of the district.

6241.1. Port districts in Ventura County shall be governed by a board of port commissioners consisting of five members appointed by the mayor of the municipal corporation in the district, with the approval of the city council.

The chairperson of the board shall be elected by the commissioners for a term of two years. An auditor shall be appointed by the board with the approval of the city council.

After a public hearing, the city council may remove commissioners from office during their term for cause by a vote of not less than five members of the city council.

6242. A vacancy on the board shall be filled by the body which appointed the commissioner whose office is vacated, and the new appointee shall hold his office for the unexpired term.

6243. Each commissioner shall, within ten days after his appointment and before entering upon the discharge of the duties of his office, take and subscribe to an oath or affirmation before an officer authorized by law to administer oaths, that he will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of his office according to the best of his ability. The oaths or affirmations shall be filed in the office of the district.

6244. A person shall not be appointed a member of the board unless he is, at the time of his appointment, a taxpayer within the district and has resided within the district for at least one year.

6245. The term of office of each commissioner is four years from the time of his appointment, except that the chairman first appointed shall hold office for two years, and the remaining commissioners first appointed to the board shall classify themselves by lot, so that they hold office respectively for one, two, three, and four years.

6246. The chairman is the presiding officer of the board and he shall vote on propositions passed upon by the board.

6247. The first meeting of the board shall be held within ten days of the appointment of its chairman. The board may make its own rules of procedure and determine the place and time of its meeting.

6248. The board shall select one of its members vice chairman, who shall preside in the absence of the chairman.

The board shall provide for and select such officers, except the auditor, as it deems necessary to conduct the affairs of the district.

6249. The board may prescribe rules and regulations pertaining to the selection of officers and employees of the district, other than the auditor. It shall also fix the salary or wages of all officers and employees of the district. The term of each officer appointed by the board shall be during the pleasure of the board.

The board may adopt and carry into effect a contract or contracts of group insurance or a system of group annuities or both for the benefit of such of the officers and employees of the district as accept the same and who have authorized the board to make deductions from their compensation for the payment of a portion of the premium thereon. Contracts of group insurance or systems of group annuities which include benefits to dependents of officers and employees are contracts of group insurance or systems of group annuities for the benefit of officers and employees for the purpose of this section.

The board may make such deductions and may pay the remainder of such premiums from any funds of the district not required to be devoted to a specific purpose. The board may pay such portion of the premiums thereon or attributable thereto as it determines to be advisable. The board may arrange or contract for a contract or contracts of group insurance or a system of group annuities or both with any public agency or any insurance company or agent authorized by or pursuant to law to transact such business within this State.

6250. A corporation may be selected as treasurer or the board may provide that the duties of the treasurer shall be performed by the county treasurer of the county in which the district is located, or by the city treasurer of the city within the district.

6251. The commissioners shall serve without salary or compensation.

6252. The auditor of the district shall hold office during the pleasure of the board of election, and it shall fix his salary and require him to file a bond for the faithful performance of his duties in such amount as it may determine. The bonds shall be filed in the office of the board.

6253. The mayor of the city within the district, or the chairman of the board of supervisors of the county in which the district is located, may call meetings of the board of election.

6254. The fiscal year of any district shall begin on the first day of July of each year and shall end on the thirtieth day of June in the following year, unless otherwise fixed with the consent of the board of supervisors of the county in which the district is located.

6255. The board shall annually file a report of the affairs and financial condition of the district for the preceding year. This report shall show the sources of all receipts and purposes of all disbursements during the year.

6270. The powers of a district established pursuant to this part shall be exercised by the board, by ordinance or resolution passed by a majority vote of the board. All ordinances shall be published in a newspaper of general circulation, printed or published in the county in which the district is situated, at least once before final passage.

Franchises and leases for a period of more than ten years shall not be valid, unless authorized by ordinance.

6271. A grant of a franchise or lease of property of the district shall not be made for a longer period than 50 years.

6272. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

6273. The district may itself, without letting contracts therefor, do work and make improvements. The work shall be done under the direction of its officers or employees.

6275. An officer of the district, and any of its employees, shall not be interested, directly or indirectly, in any contract or transaction with the district; or become surety for the performance of any contract made with or for the district, upon bonds given to the district.

An officer or employee of the district shall not receive any commission or thing of value, or derive any profit, benefit, or advantage, directly or indirectly, from or by reason of any dealings with or service for the district by himself or others, except as lawful compensation as such officer or employee.

The violation of the provisions of this section by an officer or employee works a forfeiture of his office or employment.

6276. (a) In lieu of the benefits afforded pursuant to Division 4 (commencing with Section 3200) and Division 4.7 (commencing with Section 6200) of the Labor Code, the district may agree to provide workers' compensation benefits to its stevedore employees in amounts, and under such conditions, as would be payable to stevedore employees of private employers pursuant to the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 901, et seq.).

(b) Such an agreement shall be binding upon the parties only if it is in writing and signed by the employee and by a representative of the district. It shall acknowledge, in writing, that the benefits agreed upon are authorized by this section and are expressly in lieu of any benefits available under Division 4 (commencing with Section 3200) and Division 4.7 (commencing with Section 6200) of the Labor Code.

(c) All claims for benefits against the district which are authorized by this section shall be determined pursuant to law and the rules and regulations of the Workers' Compensation Appeals Board.

To the fullest extent possible, the Workers' Compensation Appeals Board shall attempt to apply the Longshoremen's and Harbor Workers' Compensation Act to employees covered by this section in the same manner as applicable to private employees.

(d) Notwithstanding the provisions of Sections 11779 and 11870 of the Insurance Code or any other provision of law, the State Compensation Insurance Fund or any private insurer may provide insurance coverage for the benefits authorized by this section.

District Powers

6290. A district created under this part is a public corporation created for municipal purposes.

6291. It has perpetual succession.

6292. It may sue and be sued.

6293. It may adopt a seal.

6294. It may take by grant, purchase, gift, devise or lease or otherwise acquire and hold and enjoy, and lease or dispose of, real and personal property of every kind, within or without the district, necessary to the full or convenient exercise of its powers.

6295. A district may acquire, purchase, takeover, construct, maintain, operate, develop, and regulate wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, lighterage, lands, towage facilities, and any and all other facilities, aids, or public personnel, incident to, or necessary for, the operation and development of ports, waterways, and the district.

6296. It may exercise the right of eminent domain to take any property necessary to carry out any of the objects or purposes of the district.

6297. It may incur indebtedness and issue bonds or other evidence of indebtedness for its purposes.

If any bonds issued for port improvement purposes by any part of a district prior to its creation are refunded, the refunding bonds are a lien only upon the lands upon which the original bonds were a lien at the time of the creation of the district.

6298. It may levy and collect or cause to be levied or collected taxes as in this part provided.

6299. It has exclusive jurisdiction over, and it may provide for and supervise pilots and the pilotage of sea-going vessels from the end of jurisdiction of existing pilot authorities to points lying upon any navigable waterway project of the United States, entering the district.

6300. It may contribute money to the Federal or the State Government or to the county in which it is located or to any city within the district, for the purpose of defraying the whole or a portion of the cost and expenses of work and improvement to be performed, either within or without the territorial limits of the district, by the Federal, State, county or city government, in improving rivers, streams, or in doing other work, when such work will improve navigation and commerce, in or to the navigable waters in the district.

6301. A district may do any work or make any improvement within or without the territorial limits of the district, which will aid in the development or the improvement of navigation or commerce to or within the district.

6302. A district may enact necessary police regulations providing for control of any waterway project of the United States, entering the district, and adopt rules and regulations concerning the construction of wharves, docks, buildings, and improvements of all types, contemplated.

6303. A district may provide for the opening and laying out of streets leading to the waterfront.

6304. A district may regulate and control the construction, maintenance, and operation or use of all wharves, warehouses, structures, improvements, or appliances used in connection with or for the accommodation and promotion of transportation or navigation on any improvement project of the federal government applying to the main waterway entering the district and on other navigable streams improved or unimproved which lie within the district, and it may make and enforce necessary police and sanitary regulations in connection therewith.

6304.1. Notwithstanding any other provision of law, any port district which has received, or is receiving, money pursuant to the provisions of Division 1 (commencing with Section 30) for the construction or improvement of a small craft harbor or facilities in connection therewith, may enter into a lease of any portion of its land and water area which has been freed from the public

trust for commerce, navigation, or fisheries for the development of marine-oriented apartments and townhouses. Such lease may authorize the lessee to sublet individual dwelling units, but such lease shall not exceed a term of 50 years, after which time any improvements constructed pursuant to the lease shall revert to the district. Land rental units constructed pursuant to such lease shall be available to all persons on equal and reasonable terms. Any such lease shall contain express provisions requiring the lessee to provide for reasonable public access across the leased lands to adjacent port water areas.

Nothing in this section shall be construed to allow the use of tide or submerged lands in any manner inconsistent with the California Constitution or with the public trust for commerce, navigation, or fisheries.

Any lease of real property so freed from the public trust which is proposed to be let under the provisions of this section shall first be submitted to the State Lands Commission and to the Attorney General for review and approval, and no such lease shall be let unless the State Lands Commission and the Attorney General find that the proposed lease would be in the public interest and would not be in violation of any provision of the California Constitution or of any term of a grant of tidelands or submerged lands and would not be inconsistent with the public trust for commerce, navigation, or fisheries.

6305. It may fix, regulate and collect the rates or charges for the use of wharves, warehouses, vessels, railroads and other facilities, structures and appliances owned, controlled or operated by it, in connection with or for the promotion and accommodation of transportation or navigation, and it may also fix, regulate and collect the rates or charges for pilotage and towage.

6306. It may lay out, plan and establish the general plan and system of harbor and harbor district improvements and modify the plan and prescribe the specifications for such improvements.

6307. It may perform the functions of warehousemen, stevedores, lighterers, reconditioners, shippers and reshippers of properties of all kinds.

6308. It may manage the business of the district and promote the maritime and commercial interests by proper advertisement of its advantages, and by the solicitation of business, within or without the district, within other States or in foreign countries, through such employees and agencies as are expedient.

6309. Except as otherwise provided in Section 660, the board may adopt all ordinances necessary for the regulation of the district with respect to the parking of vehicles, the speed and operation on vehicles and vessels, berthing of vessels, fire safety ashore and afloat, prohibiting the pumping of raw sewage or waste into port waters, and littering.

6309.2. Before any ordinance may be adopted, the ordinance shall be published in its entirety on three separate occasions in a newspaper of general circulation published within the district, or if none, in any newspaper of general circulation published in the county in which the district, or a part thereof, is located, together with a notice of the date on which the board will meet for the purpose of adopting the ordinance. The first publication shall occur at least 20 days prior to the date of such meeting, and the second and third publications shall occur at seven-day intervals. The general public shall be allowed to appear at the meeting and be heard on the proposed ordinance. The ordinance shall become effective as provided in Section 9141 of the Elections Code, unless another effective date is set forth by the board.

6309.4. Every person who violates any of the provisions of a district ordinance adopted pursuant to Sections 6309 and 6309.2 is guilty of an infraction and shall be subject to a fine not to exceed one hundred dollars (\$100).

6309.6. The district's manager, harbormaster or wharfinger, or any duly authorized representative of one of these persons, shall have the power to issue citations for violation of district ordinances in the manner provided by Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.

6310. Notwithstanding the enumeration and specific statement herein of particular powers, the district may do and perform all acts and things necessary and appropriate to carry out the purposes of this part and the powers of the district.

6311. Upon a four-fifths vote of all the members of the board, it may issue negotiable promissory notes bearing interest at a rate of not exceeding 7 percent per annum; provided, however, that said notes shall be payable from revenues and taxes levied for purposes of the district other than the payment of principal and interest on any bonded debt of the district; and provided further, that the maturity shall not be later than 20 years from the date thereof and that the total aggregate amount of such notes outstanding at any one time shall not exceed 1 percent of the assessed valuation of the taxable property in the district, or if said assessed valuation is not obtainable, 1 percent of the county auditor's estimate of the assessed valuation of the taxable property in the district evidenced by his certificate.

Bonds

6330. A district may create a bonded debt pursuant to Article 1 (commencing with Section 43600) of Chapter 4 of Division 4 of Title 4 of the Government Code. Bonds may be issued for the purpose of raising money for use in carrying out any of the powers and purposes of the district.

6331. Bonds issued by any district pursuant to this part are legal investments for all trust funds, and for the funds of all insurers, banks, both commercial and savings, and trust companies, and for the State school funds, and whenever any money or funds may, by law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts or municipalities in this State, such money or funds may be invested in bonds of districts organized pursuant to this part.

6340. Pursuant to this article a district may create a revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

6341. The issuance of said bonds shall be authorized by ordinance adopted by two-thirds of all the members of the board, to take effect upon its publication.

6342. The secretary shall publish said ordinance once in a newspaper of general circulation printed in said district, and if there is none, then in such newspaper published in the county in which said district is located.

6343. Said ordinance shall specify the total amount, denomination, method of maturity, and the rate or maximum rate of interest of said bonds, and in general terms, the acquisitions and improvements to be constructed thereby; and, in addition, shall contain such other and further provisions as in the judgment of the board are deemed advisable.

6344. The proceeds of said bonds shall be placed in an account in the treasury of the district to be entitled ____ Port District Revenue Construction Fund No. ____ and used exclusively for the objects and purposes mentioned in the ordinance.

6345. The lien of said bonds of the same issue shall be prior and superior to all revenue bonds subsequently issued.

6346. Proceedings for the issuance of said bonds shall be had, the board shall have such powers and duties, and the bondholders shall have such rights and remedies, all in substantial accordance with and with like legal effect as provided in Sections 54344 to 54346, inclusive, 54347, 54348, 54350, 54351, 54352, and in Articles 4 (commencing at Section 54400) to 11 (commencing at Section 54660), inclusive, of Chapter 6, Part 1, Division 2, Title 5 of the Government Code. As used therein the word "resolution" shall mean ordinance, the word "local agency" shall mean district, and the words "legislative body" shall mean board.

6355. Whenever, upon the creation of a district any municipality therein or any county in which the district is located which has theretofore authorized or incurred a bonded indebtedness for any work or improvement for which the district may incur a bonded debt pursuant to this part, and such municipality or such county thereafter sells such bonds or any portion thereof, the proceeds of the sale may, upon the order of the appropriate board of supervisors or city council, be paid by the custodian into the treasury of the district and shall be applied by the board, exclusively to the purposes and objects for which the bonds were authorized by the municipal corporation or the county issuing them.

Finances and Taxation

6360. On or before June first of each year, the port director shall submit to the board a detailed statement of the money required for the ensuing fiscal year for the purpose of conducting the business of the district. There shall be submitted with such estimate, such data and schedules as the board may require.

6361. Annually, on or before the date set for the consideration of the budget by the board of supervisors of the county in which the district is located, the board of each district shall furnish to the board of supervisors of the county in which the district is situated, an estimate in writing of the amount of money needed for all purposes by the district during the ensuing fiscal year. Thereupon, it is the duty of the board of supervisors to levy a special tax, on all taxable property of the county lying within the district, sufficient in amount to raise that sum.

6362. The tax shall in no event exceed the rate of ten cents (\$0.10) on each one hundred dollars (\$100) of the assessed value of all taxable property within the district, exclusive of the amount necessary to be raised by taxes to meet bond and promissory note interest and redemption. The tax shall be computed, entered upon the tax rolls and collected in the same manner as county taxes are computed, entered and collected. All money collected shall be paid into the county treasury to the credit of the particular district fund and shall be paid to the treasurer of the district upon the order of the board of port commissioners.

6363. From the time of the organization of any district until the next succeeding July first, the district may incur indebtedness for the purpose of operating the port and in the first tax levy, the rate shall be in an amount sufficient to operate the port for the first full fiscal year as well as to pay the obligations thus incurred before the first of the July succeeding the creation of the district.

6364. A district may impose a special tax pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. The special taxes shall be applied uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property.

6365. (a) The district may, in any year, levy assessments, reassessments, or special taxes and issue bonds to finance waterway construction projects and related operations and maintenance, or operations and maintenance projects independent of construction projects in accordance with, and pursuant to, the Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code), the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code), the Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code), the Benefit Assessment Act of 1982 (Chapter 6.4 (commencing with Section 54703) of the Government Code), the Integrated Financing District Act (Chapter 1.5 (commencing with Section 53175) of Division 2 of Title 5 of the Government Code), the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code), and the Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code).

(b) Sections 5116, 5117, 5118, 5119, 5190, 5191, 5192, 5193, 10104, and 10302 of the Streets and Highways Code shall not apply to assessment proceedings undertaken pursuant to this section.

(c) Notwithstanding the related provisions of any assessment act which the district is authorized to use, any assessment diagram which any of those acts requires to be prepared prior to final approval of the assessment district may show only the exterior boundaries of the assessment district and the boundaries of any assessment zones or improvement areas within the district. The diagram may refer to the county assessor's maps and records for a detailed description of each lot or parcel.

(d) Notwithstanding any other provision of law, the district may levy and collect assessments and reassessments in the same manner as provided in Article 3 (commencing with Section 51320) of Chapter 2 of Part 7 of Division 15 of the Water Code, to pay any or all of the following:

(1) For the operation and maintenance of projects, including maintenance of lands, easements, rights-of-way, dredge material disposal areas, and remediation.

(2) For the satisfaction of liabilities arising from projects.

(3) To accumulate a fund which may be used to advance the cost of district projects, provided that the advances be repaid, with interest as determined by the commissioners, from assessments, reassessments, special taxes, or fees charged by the district pursuant to this section.

(4) To acquire real property, easements, or rights-of-way for a navigation project or the maintenance of a navigation project.

(5) To acquire real property within the district for disposal of dredged material.

(e) For purposes of this section, functions designated by Article 3 (commencing with Section 51320) of Chapter 2 of Part 7 of Division 15 of the Water Code to be performed by the board of supervisors, the board of trustees, or valuation commissioners shall be performed by the district's board.

(f) For purposes of this section, the board may order the creation of a separate assessment roll to pay the allowable expenses of any single project or any group or system of projects.

(g) Notwithstanding any other provision of law, all assessments, reassessments, and taxes levied by the district may be collected together with, and not separately from, taxes for county purposes.

Any county in which the district is located may collect, at the request of the district, all assessments, reassessments, and special taxes levied by the district and shall cause those revenues to be deposited into the county treasury to the credit of the district.

Each county may deduct its reasonable collection and administrative costs.

(h) Notwithstanding any other provision of law, any assessment or reassessment levied pursuant to this section may be apportioned on the basis of land use category, tonnage shipped

on the waterway, size and type of vessel using the waterway, front footage, acreage, capital improvements, or other reasonable basis, separately or in combination, as determined by the district commissioners.

(i) Notwithstanding any other provision of law, Division 4 (commencing with Section 2800) of the Streets and Highways Code shall not apply to any assessment levied by the district.

(j) Notwithstanding any other provision of law, no bond issued pursuant to this section shall be used to fund the routine maintenance dredging of channels.

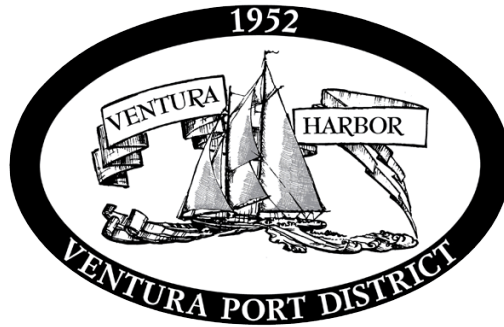
6370. All claims for money or damages against the district are governed by Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto. All claims not governed thereby shall be filed with the auditor on forms and blanks prescribed by him. A claim shall not be paid without the endorsement of the auditor certifying to its correctness.

The auditor shall keep a record, which shall be a public record, of all claims against the district showing by whom made, for what purpose, the amount thereof and when paid.

6371. If there is not sufficient money in any fund to pay the demands made against it, the demand shall be registered in a book kept by the treasurer, showing its number, when presented, date, amount, name of payee, and on what account allowed and out of what fund payable, and when so registered, the demand shall be returned to the person presenting it with the endorsement of the word "Registered" dated and signed by the treasurer. All registered demands are payable in the order of their registration.

This section does not prevent the payment by the treasurer of bonds of the district or of any city or county, and interest coupons thereof, in accordance with the Constitution of this State and the provisions of this part authorizing the issuance and payment of such bonds.

6372. Wages and salaries shall be paid at such intervals as the board may direct, but at least once each month.



BOARD OF PORT COMMISSIONERS

MAY 25, 2016

STANDARD AGENDA ITEM 4

DISCUSSION ON CREATING A NON- PROFIT ORGANIZATION FOR THE VENTURA PORT DISTRICT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 4

Meeting Date: May 25, 2016

TO: Board of Port Commissioners
FROM: Jessica Rauch, Clerk of the Board
SUBJECT: Discussion on Creating a Non-Profit Organization for the Ventura Port District

RECOMMENDATION:

That the Board of Port Commissioners discuss the possibility of creating a non-profit organization for the Ventura Port District to help in raising funds for projects around Harbor Village.

SUMMARY:

At the April 27, 2016 meeting, Commissioner Valance asked for a future agenda item to discuss the possibility of creating a non-profit organization for the District to fundraise to cover the cost of landscaping and enhancement projects throughout the District.

The Commission should consider the following questions:

- Is there Board consensus to create a 501(c)(3) organization?
- What does the Commission hope to accomplish by creating a 501(c)(3) organization?
- Where are the funds going to come from for the application and startup (website, advertising, letterhead, bank account, etc.) of this organization?
- Who will apply for 501(c)(3) Tax-Exempt Status?
- Who will serve as the Commissioner Liaison for the organization?
- Who will serve as the Ventura Port District Ex-Officio member?
- Who will recruit the non-profit Board of Directors?
- Who will prepare the non-profit Articles of Incorporation for the State?
- Who will prepare the non-profit Corporate Bylaws?
- Who will prepare the non-profit Conflict of Interest Policy?
- Who will apply for the Employee Identification Number (EIN)?

Creating and running a non-profit organization can be challenging especially when Port District staff is precluded from dedicating their time to the endeavor. The fact that there are many already established non-profit organizations that are competing for donation dollars, fundraising for a startup non-profit can be difficult. It will be particularly important to have a well thought out plan in place to get members of the public involved. Non-profit organizations are stand-alone entities and the Board of Directors without the help of staff must take on the responsibility of creating an agenda, taking minutes, distributing materials, creating and updating a website, brainstorming events/ideas, planning events and running events. Meetings can occur monthly, bi-monthly or quarterly or an hour or longer. Dedicated people with time and energy to do these tasks are needed.

FISCAL IMPACT:

The IRS charges a one-time fee to review and approve an application. The filing fee is based on the projected budget. If you expect annual revenues of \$10,000.00 or less in your Nonprofit's first three years, the filing fee will be \$400.00. For an organization whose projected revenues exceed \$10,000.00 per year, the filing fee will be \$850.00.

There are also start-up costs associated with a non-profit organization. There will need to be a website created, letterhead and envelopes, brochures or rack cards, advertising for Board members, etc. A bank account will need to be opened under the non-profits name, as well as, a Post Office Box.

Port District staff encourages a full vetting of this discussion and will be available to answer questions at your next meeting.

ATTACHMENTS:

Attachment 1 – Applying for 501(c)(3) Tax-Exempt Status - IRS



Applying for 501(c)(3) Tax-Exempt Status

Inside:

Why apply for 501(c)(3) status?

Who is eligible for 501(c)(3) status?

What responsibilities accompany
501(c)(3) status?

How do you apply for 501(c)(3)
tax-exempt status?

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Applying for 501(c)(3) Tax-Exempt Status

Federal tax law provides tax benefits to nonprofit organizations recognized as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code (IRC). It requires that most organizations apply to the Internal Revenue Service (IRS) for that status.

This IRS Publication 4220 presents general guidelines for organizations that seek tax-exempt status under section 501(c)(3) of the IRC. Content includes references to the statute, Treasury regulations, other IRS publications that explain the requirements for tax-exempt status, and IRS forms with instructions. Publication 4220 is neither comprehensive nor intended to address every situation. As an alternative to applying for exemption, an organization may obtain many of the benefits of 501(c)(3) status by affiliating with an existing charity that acts as its agent. It is important to note that the existing charity must be given full control and authority over the program.

To learn more about the rules and procedures that pertain to organizations applying for exemption from federal income tax under section 501(c)(3) of the IRC, see Publication 557, *Tax-Exempt Status for Your Organization*. For assistance on 501(c)(3) status, you may also want to consult a tax adviser.

Why Apply for 501(c)(3) Status?

The benefits of having 501(c)(3) status include exemption from federal income tax and eligibility to receive tax-deductible charitable contributions. To qualify for these benefits, most organizations must file an application with, and be recognized by, the IRS as described in this publication. Another benefit is that some organizations may be exempt from certain employment taxes.

Individual and corporate donors are more likely to support organizations with 501(c)(3) status because their donations can be tax deductible. Recognition of exemption under section 501(c)(3) of the IRC assures foundations and other grant-making institutions that they are issuing grants or sponsorships to permitted beneficiaries.

An IRS determination of 501(c)(3) status is recognized and accepted for other purposes. For example, state and local officials may grant exemption from income, sales or property taxes. In addition, the U.S. Postal Service offers reduced postal rates to certain organizations.

Who is Eligible for 501(c)(3) Status?

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There are three key components for an organization to be exempt from federal income tax under section 501(c)(3) of the IRC. A not-for-profit (i.e., nonprofit) organization must be organized and operated exclusively for one or more exempt purposes.

Organized – A 501(c)(3) organization must be organized as a corporation, trust, or unincorporated association. An organization's organizing documents (articles of incorporation, trust documents, articles of association) must:

- limit its purposes to those described in section 501(c)(3) of the IRC;
- not expressly permit activities that do not further its exempt purpose(s), i.e., unrelated activities; and
- permanently dedicate its assets to exempt purposes.

Operated – Because a substantial portion of an organization's activities must further its exempt purpose(s), certain other activities are prohibited or restricted including, but not limited to, the following activities. A 501(c)(3) organization:

- must absolutely refrain from participating in the political campaigns of candidates for local, state, or federal office;
- must restrict its lobbying activities to an insubstantial part of its total activities;

- must ensure that its earnings do not inure to the benefit of any private shareholder or individual;
- must not operate for the benefit of private interests such as those of its founder, the founder's family, its shareholders or persons controlled by such interests;
- must not operate for the primary purpose of conducting a trade or business that is not related to its exempt purpose, such as a school's operation of a factory; and
- must not have purposes or activities that are illegal or violate fundamental public policy.

Exempt Purpose – To be tax exempt, an organization must have one or more exempt purposes, stated in its organizing document. Section 501(c)(3) of the IRC lists the following exempt purposes: charitable, educational, religious, scientific, literary, fostering national or international sports competition, preventing cruelty to children or animals, and testing for public safety.

501(c)(3) Organizations

The most common types of 501(c)(3) organizations are charitable, educational, and religious.

CHARITABLE

Charitable organizations conduct activities that promote:

- relief of the poor, the distressed, or the underprivileged
- advancement of religion
- advancement of education or science
- erection or maintenance of public buildings monuments, or works
- lessening the burdens of government
- lessening neighborhood tensions
- eliminating prejudice and discrimination
- defending human and civil rights secured by law
- combating community deterioration and juvenile delinquency

EDUCATIONAL

Educational organizations include:

- schools such as a primary or secondary school, a college, or a professional or trade school
- organizations that conduct public discussion groups, forums, panels, lectures, or similar programs
- organizations that present a course of instruction by means of correspondence or through the use of television or radio
- museums, zoos, planetariums, symphony orchestras, or similar organizations
- nonprofit day-care centers
- youth sports organizations

RELIGIOUS

The term church includes synagogues, temples, mosques, and similar types of organizations. Although the IRC excludes these organizations from the requirement to file an application for exemption, many churches voluntarily file applications for exemption. Such recognition by the IRS assures church leaders, members, and contributors that the church is tax exempt under section 501(c)(3) of the IRC and qualifies for related tax benefits. Other religious organizations that do not carry out the functions of a church, such as mission organizations, speakers' organizations, nondenominational ministries, ecumenical organizations, or faith-based social agencies, may qualify for exemption. These organizations must apply for exemption from the IRS. See Publication 1828, *Tax Guide for Churches and Religious Organizations*, for more details.

Public Charities and Private Foundations

Every organization that qualifies for tax-exempt status under section 501(c)(3) of the IRC is further classified as either a public charity or a private foundation. Under section 508(b) of the IRC, every organization is automatically classified as a private foundation unless it meets one of the exceptions listed in sections 508(c) or 509(a).

For some organizations, the primary distinction between a classification as a public charity or a private foundation is the organization's source of financial support. Generally, a public charity has a broad base of support while a private foundation has very limited sources of support. This classification is important because different tax rules apply to the operations of each. Deductibility of contributions to a private foundation is more limited than deductibility of contributions to a public charity. See Publication 526, *Charitable Contributions*, for more information on deductibility of contributions. In addition, private foundations are subject to excise taxes that are not imposed on public charities. For more information about the special tax rules that apply to private foundations, see Publication 4221-PF, *Compliance Guide for 501(c)(3) Private Foundations*, and the *Life Cycle of a Private Foundation* website on www.irs.gov/eo.

Organizations statutorily classified as public charities under section 509(a) of the IRC are:

- churches;
- schools;
- organizations that provide medical or hospital care (including the provision of medical education and in certain cases, medical research);
- organizations that receive a substantial part of their support in the form of contributions from publicly supported organizations, governmental units, and/or from the general public;

- organizations that normally receive not more than one-third of their support from gross investment income and more than one-third of their support from contributions, membership fees, and gross receipts from activities related to their exempt functions; and
- organizations that support other public charities.

If the organization requests public charity classification based on receiving support from the public, it must continue to seek significant and diversified public support in later years. Beginning with the organization's sixth year of existence and for all succeeding years, the organization must demonstrate in its annual return that it receives the required amount of public support. If the organization does not meet the public support requirement, it could be reclassified as a private foundation.

In addition, to avoid unexpectedly losing its public charity classification, the organization should keep careful track of its public support information throughout the year, so that it will have the information it needs to complete Schedule A, Form 990 or 990-EZ. Unless the organization is committed to raising funds from the public, it may be more appropriate to consider an alternate statutorily based public charity classification. See Publication 557, *Tax-Exempt Status for Your Organization*, for assistance with determining how your organization would be classified.

What Responsibilities Accompany 501(c)(3) Status?

While conferring benefits on 501(c)(3) organizations, federal tax law also imposes responsibilities on organizations receiving that status.

Recordkeeping

Section 501(c)(3) organizations are required to keep books and records detailing all activities, both financial and nonfinancial. Financial information, particularly information on its sources of support (contributions, grants, sponsorships, and other sources of revenue) is crucial to determining an organization's private foundation status. See Publications 4221-PC and 4221-PF, Publication 557, and the instructions to Forms 990, 990-EZ, and 990-PF for more information.

Filing Requirements

Annual Information Returns – Organizations recognized as tax exempt under section 501(c)(3) of the IRC may be required to file an annual information return: Form 990, Form 990-EZ, 990-N (see below) or Form 990-PF along with certain schedules that may be required for your organization. Certain categories of organizations are excepted from filing Form 990 or Form 990-EZ, including churches.

See the instructions with each of these forms for more information. See the listed publications and instructions in the “Recordkeeping” section above for more information and guidance.

Annual Electronic Notice – To meet their annual filing requirement, organizations with gross receipts normally \$50,000 or less may choose to submit an annual electronic notice using Form 990-N, *Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required To File Form 990 or 990-EZ*. The e-Postcard can only be filed electronically; there is no paper version. For more information about the e-Postcard, go to www.irs.gov/Charities-&-Non-Profits.

Any organization that fails to file a required annual return or notice for three consecutive years will automatically lose its tax-exempt status, by act of law, as of the due date of the return for the third consecutive year.

Unrelated Business Income Tax – In addition to filing Form 990, 990-EZ, or 990-PF, an exempt organization must file Form 990-T if it has \$1,000 or more of gross income from an unrelated trade or business during the year. The organization must make quarterly payments of estimated tax on unrelated business income if it expects its tax liability for the year to be \$500 or more. The organization may use Form 990-W to help calculate the amount of estimated payments required. In general, the tax is imposed on income from a regularly carried-on trade or business that does not further the organization’s exempt purposes (other than by providing funds). See Publication 598, *Tax on Unrelated Business Income of Exempt Organizations*, and the Form 990-T instructions for more information.

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Disclosure Requirements

Public Inspection of Exemption Applications and Returns – Section 501(c)(3) organizations must make their applications (Form 1023 or 1023-EZ) and the annual returns (Form 990, Form 990-EZ or Form 990-PF) available to the public for inspection, upon request and without charge (except for a reasonable charge for copying). Each annual return must be made available for a three-year period starting with the filing date of the return. The IRS is also required to make these documents available for public inspection and copying. These documents must be made available at the organization’s principal office during regular business hours. The requests may be made in person or in writing. See Publication 557 for more information.

For tax years beginning after August 17, 2006, section 501(c)(3) organizations that file unrelated business income tax returns (Forms 990-T) must make them available for public inspection, and the IRS must make those returns publicly available. Organizations should not include private information of donors or other individuals, such as a social security number, in any information return.

Charitable Contributions—Substantiation and Disclosure – Organizations that are tax exempt under section 501(c)(3) of the IRC must meet certain requirements for documenting charitable contributions. The federal tax law imposes two general disclosure rules: 1) a donor must obtain a *written acknowledgment* from a charity for any single contribution of \$250 or more before the donor can claim a charitable contribution on his/her federal income tax return; 2) a charitable organization must provide a *written disclosure* to a donor who makes a payment in excess of \$75 partly as a contribution and partly for goods and services provided by the organization. See Publication 1771, *Charitable Contributions – Substantiation and Disclosure Requirements*, for more information.

Recordkeeping Requirements

A donor cannot claim a tax deduction for any contribution of cash, a check or other monetary gift made on or after January 1, 2007, unless the donor maintains a record of the contribution in the form of either a bank record (such as a cancelled check) or a written communication from the charity (such as a receipt or a letter) showing the name of the charity, the date of the contribution, and the amount of the contribution.

How Do You Apply for 501(c)(3) Status?

Organizations that want to apply for 501(c)(3) status should be aware of the forms required, the user fee, the filing deadline, and the processing procedures.

FORMS TO FILE

FORM SS-4

An Employer Identification Number (EIN) is your account number with the IRS and is required regardless of whether the organization has employees. Include the organization's EIN on all correspondence to the IRS. Apply for an EIN by completing Form SS-4, *Application for Employer Identification Number*, by calling toll-free (866) 816-2065, or by submitting an online version of the form via www.irs.gov. Form SS-4 is available at Social Security Administration offices, by request through the IRS at (800) 829-3676, and by downloading the form from the IRS Web site at www.irs.gov. For more information about EINs, see Publication 1635, *Understanding Your EIN*.

Do not apply for an EIN until your organization is legally formed. Applying for an EIN signals to IRS computer systems that an organization has been created, and therefore triggers filing requirements.

TYPES OF APPLICATIONS

FORM 1023

Complete Form 1023, *Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*, and mail to the address indicated in the instructions. The required user fee must accompany Form 1023. The IRS will not process an application until the user fee is paid.

FORM 1023-EZ

Small organizations may file Form 1023-EZ, *Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*, instead of Form 1023, and pay the required user fee. Form 1023-EZ must be filed electronically. For more information, see Form 1023 and 1023-EZ.

FORM 1023, Interactive

Interactive version of Form 1023, *Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*, includes helpful hints and links to help applicants submit a complete application.

FORMS 2848 and 8821

Attach Form 2848, *Power of Attorney and Declaration of Representative*, if someone other than your principal officer or director will represent you on matters about the application. Attach Form 8821, *Tax Information Authorization*, if you want the IRS to be able to provide information about your application to someone other than a principal officer or director.

When to File

Most organizations must file this application by the end of the 27th month after they were legally formed.

Formation date: A corporation is legally formed when its articles of incorporation are filed with the state; an unincorporated association is legally formed when its organizing document is adopted by the signature of at least two individuals; and a trust is legally formed when all non-charitable interests in the trust property expire, or when it is funded if there are no non-charitable interests.

An organization that is not a private foundation is not required to file an application unless its annual gross receipts are normally more than \$5,000. An organization must file an application within 90 days of the end of the tax year in which it exceeds this threshold.

Example 1: An organization that was created on January 1, 2013, and exceeds the gross receipts threshold, must file an application by April 30, 2015.

Example 2: An organization that was created on January 1, 2012, but did not exceed the gross receipts threshold until its tax year ending December 31, 2013, must file an application by March 31, 2014.

An organization that files its application before the deadline will usually be recognized as tax exempt under section 501(c)(3) of the IRC from the date of its creation, if it meets exemption requirements. An organization that files an application after the deadline will usually be recognized as tax exempt from the date of the application. It may also request exemption retroactive as of the date of creation. See the instructions to the application form for more information.

Determination Letter

The IRS tax specialist reviewing an application may request additional information in writing. If all information received establishes that an organization meets the requirements for exemption, the IRS will issue a determination letter recognizing the organization's exempt status and providing its public charity classification. This is an important document that should be kept in the organization's permanent records.

While Your Application is Pending

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While an organization's application is waiting for processing by the IRS, the organization may operate as a tax-exempt organization.

Most organizations are required to file an annual information return (Form 990, Form 990-EZ or Form 990-PF) or electronic notice (Form 990-N) while their application for exemption is pending. An organization's exempt status can be automatically revoked while its application is pending if it has not filed a required return or notice for three consecutive tax periods after its *formation date*. These returns are subject to public disclosure. If the organization has unrelated business income of more than \$1,000, it must also file a Form 990-T. See Publication 4221-PC or 4221-PF for more information.

Although donors have no assurance that contributions are tax-deductible for federal income tax purposes until the application is approved, contributions made while an application is pending would qualify if the application is approved. However, if the application is disallowed, contributions would not qualify. Moreover, the organization would be liable for filing federal income tax returns unless its income is otherwise excluded from federal taxation.

The EO website (www.irs.gov/charities) provides information about how to find out about the status of an application for tax-exempt status.

How Do You Get IRS Assistance and Information?

The IRS offers help through live telephone assistance and with reading material that is accessible either online, via mail, or at IRS walk-in offices in many areas across the country. IRS forms and publications can be downloaded from the Internet and ordered by telephone.

Specialized Assistance for Tax-Exempt Organizations

Get help with questions about applying for tax-exempt status, annual filing requirements, and information about exempt organizations through the IRS Exempt Organizations (EO).

EO Web Site

[irs.gov/Charities-&-Non-Profits](https://www.irs.gov/Charities-&-Non-Profits)

Highlights:

- The *Life Cycle of a Public Charity and Life Cycle of a Private Foundation* describes the compliance obligations of 501(c)(3) organizations.
- Subscribe to the *EO Update*, an electronic newsletter with information for tax-exempt organizations and tax practitioners who represent them.

Web-based Training Modules

www.stayexempt.irs.gov

EO Customer Service

(877) 829-5500

EO Determinations Office Mailing Address

Internal Revenue Service
TE/GE, EO Determinations Office
P.O. Box 2508
Cincinnati, OH 45201

Tax Publications for Exempt Organizations

Get publications via the Internet or by calling the IRS at (800) 829-3676.

Pub 15, *Circular E, Employer's Tax Guide*

Pub 15-A, *Employer's Supplemental Tax Guide*

Pub 463, *Travel, Entertainment, Gift, and Car Expenses*

Pub 517, *Social Security and Other Information for Members of the Clergy and Religious Workers*

Pub 526, *Charitable Contributions*

Pub 538, *Accounting Periods and Methods*

Pub 557, *Tax-Exempt Status for Your Organization*

Pub 583, *Starting a Business and Keeping Records*

Pub 598, *Tax on Unrelated Business Income of Exempt Organizations*

Pub 1771, *Charitable Contributions—Substantiation and Disclosure Requirements*

Pub 1828, *Tax Guide for Churches and Religious Organizations*

Pub 3079, *Tax-Exempt Organizations and Gaming*

Pub 3833, *Disaster Relief, Providing Assistance Through Charitable Organizations*

Pub 4302, *A Charity's Guide to Vehicle Donations*

Pub 4303, *A Donor's Guide to Vehicle Donations*

Pub 4221-NC, *Compliance Guide for Tax-Exempt Organizations (other than 501(c)(3) Public Charities and Private Foundations)*

Pub 4221-PC, *Compliance Guide for 501(c)(3) Public Charities*

Pub 4221-PF, *Compliance Guide for 501(c)(3) Private Foundations*

Forms for Exempt Organizations

Get forms via the Internet or by calling the IRS at (800) 829-3676.

Form SS-4, *Application for Employer Identification Number*

Form 941, *Employer's Quarterly Federal Tax Return*

Form 990, *Return of Organization Exempt From Income Tax*

Form 990-EZ, *Short Form Return of Organization Exempt From Income Tax*

Form 990-PF, *Return of Private Foundation or Section 4947(a)(1) Nonexempt Charitable Trust Treated as a Private Foundation*

Form 990-N, *Electronic Notice (e-Postcard) For Tax-Exempt Organizations Not Required to File Form 990 or 990-EZ* (available electronically only)

Form 990-T, *Exempt Organization Business Income Tax Return*

Form 990-W, *Estimated Tax on Unrelated Business Taxable Income for Exempt Organizations*

Form 1023, *Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*

Form 1023-EZ, *Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*

Form 1023, *Interactive*

Form 1041, *U.S. Income Tax Return for Estates and Trusts*

Form 4720, *Return of Certain Excise Taxes Under Chapters 41 and 42 of the Internal Revenue Code*

Form 5578, *Annual Certification of Racial Non-Discrimination for a Private School Exempt from Federal Income Tax*

Form 5768, *Election/Revocation of Election by an Eligible Section 501(c)(3) Organization to Make Expenditures to Influence Legislation*

Form 8282, *Donee Information Return*

Form 8283, *Noncash Charitable Contributions*

Form 8868, *Extension of Time To File an Exempt Organization Return*

FinCEN Form 114, *Report of Foreign Bank and Financial Accounts*
(filed with Treasury Department)

