



VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS

Michael Blumenberg, Chair
Jackie Gardina, Vice-Chair
Anthony Rainey, Secretary
Brian Brennan, Commissioner
Chris Stephens, Commissioner

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

REGULAR MEETING

WEDNESDAY, MAY 17, 2023

VENTURA PORT DISTRICT OFFICE
1603 ANCHORS WAY DRIVE
VENTURA, CA 93001

OPEN SESSION – 7:00PM

PUBLIC PARTICIPATION OPTIONS

MEETINGS WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

WATCH THE MEETING LIVE

<https://us02web.zoom.us/j/83276329300>

Webinar ID: 832 7632 9300

1-669-900-6833

1-253-215-8782

PUBLIC COMMENT VIA ZOOM

To request to speak on an item, use the “raise hand” button to notify the Clerk. The Clerk will announce public speakers and unmute participants to speak. Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

SUBMIT PUBLIC COMMENT VIA EMAIL

To submit written comments on a specific agenda item, please do so via email by 4:00PM on the day of the meeting. When sending an email, please indicate in the subject line, the agenda item number (i.e. General Public Comment or Consent Item A). Written comments should be no more than 1,000 characters in length. Written comments will be distributed to the Commission and will be posted as a supplemental packet on the District’s website at <https://venturaharbor.com/board-meeting-documents/>. Please submit your comment to the Clerk of the Board at jrauch@venturaharbor.com.

OPEN SESSION 7:00PM

CALL TO ORDER: *By Chair Michael Blumenberg.*

PLEDGE OF ALLEGIANCE: *By Chair Michael Blumenberg.*

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

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

The Minutes of the May 3, 2023 Port Commission Regular Meeting and April 19, 2023 Public Facilities Corporation Meeting will be considered for approval.

PUBLIC COMMUNICATIONS

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.

BOARD COMMUNICATIONS

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

STAFF AND GENERAL MANAGER REPORTS

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

CONSENT AGENDA:

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

A) Approval of a New Restaurant Lease Agreement with The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for the premises located at 1575 Spinnaker Drive #105A-B consisting of a total of 1,330 square feet for a one-year term with two two-year options.

B) Approval of Amendment No. 3 to a Professional Services Agreement with Rincon Consultants, Inc. for Dredging Support Services

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 3 to a Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation to \$105,000 from \$85,000 for maintenance dredging environmental consulting, monitoring and permitting services.

C) Approval of a Professional Services Agreement with Jensen Design & Survey, Inc. to Provide Services for the Beach Restrooms and Showers ADA Access Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Jensen Design & Survey, Inc. in the amount of \$51,500 to perform civil engineering, design, permitting, and construction management services for the Beach Restrooms and Showers ADA Access Project.

STANDARD AGENDA:

1) Fiscal Year 2023-2024 Budget Study Session

Recommended Action: Informational.

That the Board of Port Commissioners conduct a Fiscal Year 2023–2024 Budget Study Session and provide direction to the General Manager in preparation of the Preliminary Budget and Five-Year Capital Improvement Plan.

2) Adoption of Resolution Nos. 3473 and 3474 Approving Updates to the Expense Reimbursement Policies for Employees and Commissioners and Rescinding Resolution Nos. 3302 and 3303

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt:

- a) Resolution No. 3473 approving the updates to the Expense Reimbursement Policy for Employees and rescind Resolution No. 3302.
- b) Resolution No. 3474 approving the updates to the Expense Reimbursement Policy for Commissioners and rescind Resolution No. 3303.

ADJOURNMENT IN HONOR OF CHUCK ORMSON

*This agenda was posted on May 12, 2023 by 5:30 p.m. at the Port District Office and online at
<https://venturaharbor.com/board-meeting-documents/>*

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 or the California Relay Service at 711 or (800) 855-7100. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)



VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS MAY 17, 2023

APPROVAL OF MINUTES
MAY 3, 2023
REGULAR MEETING
APRIL 19, 2023
PUBLIC FACILITIES CORP MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MAY 3, 2023



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 6:45PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting. The Ventura Board of Port Commissioners reconvened in Regular Closed Session at 8:11PM.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair
Jackie Gardina, Vice-Chair at 8:11PM
Anthony Rainey, Secretary
Brian Brennan
Chris Stephens

Commissioners Absent:

Jackie Gardina, Vice-Chair at 6:45PM to 7:01PM

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board via Zoom

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP
Jeremy Shulman, Lagerlof Lawyers at 8:11PM

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 6:46PM.

CONVENED TO CLOSED SESSION AT 6:46PM.

ADJOURNMENT: Closed Session was adjourned at 7:01PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair Blumenberg at 7:04PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Commissioner Rainey.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair
Jackie Gardina, Vice-Chair
Anthony Rainey, Secretary
Brian Brennan
Chris Stephens

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board via Zoom
John Higgins, Harbormaster
Gloria Adkins, Accounting Manager
Joe Gonzalez, Capital Projects Manager
Jessica Snipas, Business Operations Analyst via Zoom
Dave Werneburg, Marina Supervisor via Zoom
Jessica Perkins, Accountant via Zoom

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

0 via zoom; 1 in person

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the May 3, 2023 agenda.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens

NOES: None
ABSTAINED: None
ABSENT: None

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the April 19, 2023 Regular Port Commission and Public Facilities Corporation Meetings were considered as follows:

ACTION: Commissioner Brennan moved to approve the Minutes of the April 19, 2023 Regular Port Commission meeting.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens
NOES: None
ABSTAINED: None
ABSENT: None

Motion carried 5-0.

PUBLIC COMMUNICATIONS: None. Closed at 7:06PM

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed Item 1a on the closed session agenda. The Board gave direction to staff as to how to proceed. No action was taken that is reportable under The Brown Act. The Board will reconvene in Closed Session after open session to discuss and review Item 2.

BOARD COMMUNICATIONS: Vice-Chair Gardina recognized Harbor Cove Café, who was one of the restaurants that attended the Surfrider presentation, for their sustainability efforts. Chair Blumenberg announced that there is an opening for one seat on the Commission and applications are due May 8th. Commissioner Brennan announced the BEACON Sand Summit on May 11th.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton attended a meet and greet with Senator Limón's staff organized by CSDA. He also reported on the upcoming marketing promotions and events.

CONSENT AGENDA:

A) Authorization to Execute Three Grants of Easement to Southern California Edison Company

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to execute three Grants of Easement to Southern California Edison Company (SCE) and its successors an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time underground electrical supply systems (utilities) in three areas to facilitate the installation and operation of EV Charging Stations.

Public Comment: None.

ACTION: Commissioner Stephens moved to authorize the General Manager to execute three Grants of Easement to Southern California Edison Company (SCE) and its successors an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time underground electrical supply systems (utilities) in three areas to facilitate the installation and operation of EV Charging Stations.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

STANDARD AGENDA:

1) Adoption of Ordinance No. 57 Authorizing Execution of Amendment No. 7 to the Existing Parcel 20 Master Lease and an Amendment to the Assignment and Option Agreement between Ventura Port District and Derecktor Marine Holdings for a New 50-Year Master Lease for Parcel 20

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Conduct a public hearing for the purpose of receiving input on proposed Ordinance No. 57.
- b) Waive reading and direct Clerk to place Ordinance No. 57 in the record of this meeting.
- c) Adopt Ordinance No. 57 authorizing execution of Amendment No. 7 to the existing Parcel 20 Master Lease and an Amendment to the Assignment and Option Agreement between Ventura Port District and Derecktor Marine Holdings for a New 50-Year Master Lease for Parcel 20.

Report by Brian D. Pendleton, General Manager.

Public Comment: Tom Derecktor, owner of Derecktor Ventura, commented that these amendments will give them the flexibility they need to weather the impact of the uncertainty from the VenturaWaterPure project and help them move forward with their improvements. He also thanked staff, Legal Counsel and Commissioners.

ACTION: Chair Blumenberg opened the public hearing at 7:18PM for the purpose of receiving input on proposed Ordinance No. 57. The reading of proposed Ordinance No. 56 was waived. There was one public speaker. The public hearing was closed at 7:20PM.

ACTION: Commissioner Stephens moved to adopt Ordinance No. 57 as follows:

ORDINANCE NO. 57

**AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING
AMENDMENT NO. 7 TO THE EXISTING PARCEL 20 MASTER LEASE, AND AMENDMENT
OF THE ASSIGNMENT AND OPTION AGREEMENT BETWEEN THE DISTRICT AND**

**DEREKTOR MARINE HOLDINGS FOR A NEW 50-YEAR MASTER LEASE
FOR PARCEL 20**

(California Harbors and Navigation Code section 6270)

The Board of Port Commissioners of the Ventura Port District hereby ordains as follows:
The General Manager of the Ventura Port District is authorized and directed to execute Amendment No. 7 and the Amended Assignment and Option Agreement between Ventura Port District and Derektor Marine Holdings for a New 50-Year Master Lease for Parcel 20, with a commencement date of May 3, 2023."

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on May 3, 2023.

Vice-Chair Gardina seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens

NOES: None

ABSTAIN: None

ABSENT: None

2) Quarterly Update on the Ventura Port District 5-Year Objectives

Recommended Action: Voice Vote.

That the Board of Port Commissioners receive and file the quarterly update on the Ventura Port District 5-Year Objectives.

Report by Brian D. Pendleton, General Manager.

Public Comment: None.

ACTION: The Board of Port Commissioners received an quarterly update on the Ventura Port District 5-Year Objectives.

3) Approval of Amendment No. 1 to Agreement for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure Project and Budget Adjustment to the 5-Year Capital Improvement Plan for Harbor Village Trash Enclosures

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve:

- a) Amendment No. 1 to the Agreement with Carjul Engineering and Construction Corporation for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure Project in the amount of \$98,000.00 for a total of \$275,000.00.
- b) A Budget Adjustment to the 5-Year Capital Improvement Plan for the Harbor Village Trash Enclosures from \$225,000.00 to \$275,000.00.

Report by Joe Gonzalez, Capital Projects Manager.

Public Comment: None.

- ACTION:** Commissioner Brennan moved to approve:
- a) Amendment No. 1 to the Agreement with Carjul Engineering and Construction Corporation for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure Project in the amount of \$98,000.00 for a total of \$275,000.00.
 - b) A Budget Adjustment to the 5-Year Capital Improvement Plan for the Harbor Village Trash Enclosures from \$225,000.00 to \$275,000.00.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

4) Approval of Amendment No. 1 to the At Will Employment Agreement for General Manager

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Approve and authorize the Chair to sign Amendment No. 1 to the “At Will Employment Agreement for General Manager”, dated May 1, 2022, authorizing a 1.5% merit-based increase to the annual base salary.
- b) Approve and authorize a one-time payment of \$5,000 to General Manager Brian D. Pendleton in recognition of his excellent performance over the past year.
- c) Align evaluation date to consider future merit-based increases to be consistent with other non-represented District employees, as defined by the District’s Human Resources Manual.

Report by Chair Michael Blumenberg.

Public Comment: Tom Derecktor, owner of Derecktor Ventura, commented that Brian does an excellent job. He stated that Brian welcomed both Tom and Leonora in a way that is unique for this day and age. He said that Brian has been incredibly helpful and have gone over and above to help Derecktor along the way.

- ACTION:** Commissioner Stephens moved to:
- a) Approve and authorize the Chair to sign Amendment No. 1 to the “At Will Employment Agreement for General Manager”, dated May 1, 2022, authorizing a 1.5% merit-based increase to the annual base salary.
 - b) Approve and authorize a one-time payment of \$5,000 to General Manager Brian D. Pendleton in recognition of his excellent performance over the past year.
 - c) Align evaluation date to consider future merit-based increases to be consistent with other non-represented District employees, as defined by the District’s Human Resources Manual.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey, Brennan, Stephens

NOES: None
ABSTAINED: None
ABSENT: None

Motion carried 5-0.

RECONVENED TO CLOSED SESSION AT 8:11PM

CLOSED SESSION WAS ADJOURNED AT 8:45PM

OPEN SESSION WAS RECONVENED AT 8:47PM

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed Item 2 on the closed session agenda. The Board gave direction to Counsel as to how to proceed. No action was taken that is reportable under The Brown Act.

ADJOURNMENT: The meeting was adjourned at 8:48PM.

The next regular meeting is Wednesday, May 17, 2023.

Anthony Rainey, Secretary

VENTURA PORT DISTRICT

PUBLIC FACILITIES CORPORATION MINUTES OF APRIL 19, 2023 MEETING

I. CALL TO ORDER:

At 7:13PM, President Stephens called to order the Meeting of the Ventura Port District Public Facilities Corporation. The meeting was held in the offices of the Ventura Port District located at 1603 Anchors Way Drive, Ventura, California and via Zoom.

II. ROLL CALL

Present: Chris Stephens, President
Michael Blumenberg, Vice-President
Brian Brennan, Secretary
Anthony Rainey, Director

Absent: Jackie Gardina, Director

Staff Present: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board
Gloria Adkins, Accounting Manager
Sergio Gonzalez, Facilities Manager
Wayne Hatch, Maintenance Supervisor
Jennifer Talt-Lundin, Marketing Manager
Dave Werneburg, Marina Manager via Zoom
Jessica Snipas, Business Operations Analyst via Zoom

Legal Counsel: Andy Turner

III. PUBLIC COMMENT: None.

IV. ADOPTION OF RESOLUTION NO. 130 APPROVING THE DISSOLUTION OF THE VENTURA PORT DISTRICT PUBLIC FACILITIES CORPORATION

Recommended Action: Roll Call Vote.

That the Board of Directors adopt Resolution No. 130 to approve the dissolution of the Ventura Port District Public Facilities Corporation.

Report by Andy Turner, Legal Counsel, Lagerlof Lawyers LLP.

Public Comment: None.

ACTION: Director Brennan moved to adopt Resolution No. 130 to approve the dissolution of the Ventura Port District Public Facilities Corporation.

Director Rainey seconded. The vote was as follows:

AYES: Directors Stephens, Blumenberg, Brennan, Rainey

NOES: None.

ABSENT: Director Gardina

Motion carried 4-0.

V. **ADJOURNMENT:** The meeting was adjourned at 7:16PM.

Brian Brennan, Secretary



BOARD OF PORT COMMISSIONERS MAY 17, 2023

DEPARTMENTAL STAFF REPORTS APRIL 2023 & GUIDING PRINCIPLES FIVE-YEAR OBJECTIVES INDEX

GUIDING PRINCIPLES	
1)	Maintain a safe, navigable, and resilient harbor.
2)	Advance the harbor's vibrant, working waterfront in support of commercial and recreational fishing and boating.
3)	Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
4)	Establish and implement harbor-wide environmental sustainability policies and practices through collaboration with our business partners.
5)	Build respectful, productive relationships with employees, tenants, residents, visitors, stakeholders, public officials, and elected representatives while promoting diversity, equity, and inclusion.
6)	Provide exceptional public service and organizational transparency.
7)	Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.
8)	Support the Channel Islands National Park in its efforts to provide a first-class visitor center, educational resources, and ferry boat services to the islands.

5-YEAR OBJECTIVES		STRATEGY	
D)	Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.	1)	Support and advocate for congressional funding to the Army Corps of Engineers in support of the Harbor's annual dredging program
		2)	On-going leadership and participation with California Marine Affairs and Navigation Conference (CMANC) and other relevant organizations in support of federal and state assistance
		3)	Ventura Port District Dredging
E)	Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.	1)	Collaborate with business partners and stakeholders through increased engagement, communication, and participation.
		2)	Collaborate with City, regional, state, and federal agency officials in pursuit of mutually beneficial projects, programs
		3)	Public and Civic Engagement Planning
		4)	Updates to District policies to reflect improved transparency and DEI
F)	Support current and future commercial fishing and sustainable aquaculture industries. Maintain and improve working waterfront facilities and infrastructure.	1)	Engage with commercial fishing and sustainable aquaculture interests in Ventura Harbor
		2)	Continue improvements of District's Working Waterfront infrastructure
		3)	Continue to pursue opportunities for diversifying commercial fishing and sustainable aquaculture
M)	Collaborate with Master Tenants and National Park Service to plan, improve, and develop the Harbor in a financially and environmentally sustainable way.	1)	Engagement and support of Master Tenants for successful business operations at the Harbor
		2)	Evaluate opportunities for Parcel Development
		3)	Implement sustainability technologies at the Harbor
		4)	VenturaWaterPure
N)	Maintain and grow Channel Islands National Park Service (NPS) presence and customer visitation to the Harbor.	1)	Work with NPS and harbor visitors regarding enhancement of visitor experience.
		2)	Coordinate with NPS Superintendent to evaluate long-term goals and improvement needs for the Channel Islands National Park Visitor Center
		3)	Coordinate with National & California State Parks, and City to develop destination-based ecotourism offerings
P)	Implement parking management, traffic circulation, and multi-modal transportation strategies.	1)	Work with City to improve access between the City and Harbor
		2)	Evaluate alternative and active methods for people to travel to and within the Harbor and pursue needed improvements and strategies in partnership with the City
		3)	Pursue and implement parking management solutions to increase vehicle circulation
R)	Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.	1)	Utilize grant funding opportunities for sustainable Harbor infrastructure
		2)	Seek additional grant funding for improving/replacing District capital assets.
		3)	Leasing/Property Management
		4)	Update of Financial Management System
		5)	Financial Reporting
V)	Maintain and improve Harbor Village facilities, infrastructure, and amenities.	1)	Ongoing investment in Harbor Village Infrastructure
		2)	Develop and implement an Annual Visitation Plan for Ventura Harbor Village.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Joe A. Gonzalez, Capital Projects Manager
SUBJECT: April 2023 Capital Projects Report

ADA RESTROOMS UPGRADES 1567, 1575, 1691

Status: On Going

Budget: Over budget (Partially grant funded)

Tomar Construction (Tomar) has nearly completed the restroom work for all locations. The Contractor is currently working on the final punch list. The quality of work has been inspected and staff is very pleased with the results of the project. All three restroom facilities have been open to the public. Staff has received a lot of positive feedback and appreciate the patience of the public and Village businesses while these projects were carried out. Staff anticipates bringing the Notice of Completion to the Board on the June 7th for Boards approval.

1567 WOMEN'S RESTROOM



1575 WOMEN'S RESTROOM



1575 MEN'S RESTROOM



1567 MEN'S RESTROOM



1691 FAMILY RESTROOM



RESTROOM LOCATIONS



Ventura Harbor Village: 2022 ADA Upgrade Restroom Remodel Projects

- 1** 1691 Spinnaker Drive: single-user restroom: 50 sf
- 2** 1575 Spinnaker Drive: women's restroom: 427 sf
- 3** 1575 Spinnaker Drive: men's restroom: 350 sf
- 4** 1567 Spinnaker Drive: women's restroom: 178 sf
- 5** 1567 Spinnaker Drive: men's restroom: 178 sf

1567 SPINNAKER DR. SUITE 101, FACADE RENOVATION

Status: On Going

Budget: On Budget

The contractor has finished installing all windows and doors, including the bi-fold doors, and exterior stucco. VPD consultants reviewed and approved all materials prior to the installation.

The stone veneer was delivered and reviewed and approved by staff and VPD's consultants prior to installation. The installation of the stone veneer is going as planned. The Contractor has started installing new exterior lighting and is now awaiting inspection from the City.





NEW TRASH ENCLOSURES 1559 AND 1691

Status: On going

Budget: On budget (Grant funded)

Carjul Engineering has nearly completed the project; both trash enclosures have been constructed, primed, and painted and have been open for service. Staff have requested that the mesh be upgraded from the architect's specification to stainless-steel.

The old enclosures have been removed and new pavers have been installed while making space for drought tolerant plants. This improvement is something the District would like to expand to other planters closest to the Village buildings. The Board approved an Amendment to reflect an increased



cost to the current contract with Carjul Engineering at the May 3rd Meeting to address expansion to other planters.

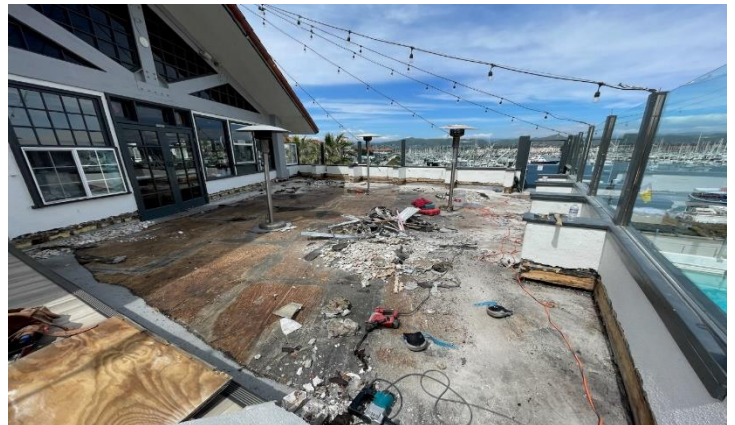
1567 BUILDING A WATERPROOFING

Status: Ongoing

Budget: On Budget

This Capital Improvements Project budget for the current fiscal year includes roof replacement for the equipment area behind the Margarita Villa (Suite 200) patio. In addition, the rear (east) patio of Margarita Villa is due for resurfacing of waterproofing material.

The roof work has begun and has advanced quickly despite some weather delays. The restaurant's patio was started first with the objective of being complete prior to May 5 (Cinco de Mayo), since it is a busy weekend for the restaurant. The adjacent equipment roof will be starting after the restaurant's decking has been 100% completed. The construction work for the project has been periodically inspected by City inspectors and District consultants. as of today, there has been no issues.



ADDITIONAL PROJECTS

- 1431 NPS Fire alarm system Installation
- 1431 Dockmaster's office TI's
- 1559 Suite 205 Tenant Improvements
- 1603 Administration Emergency Generator
- 1603 EV charging units' installation

Status: Waiting on City inspection

Status: Completed

Status: Working on job walk/schedule

Status: 98% Completed

Status: Permitted; working on schedule.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: April 2023 Dredging Report

POLITICAL ACTIVITIES

2024 Dredging Funding

The PBUD was released on March 9th and the Ventura Harbor entrance channel dredging was included in the amount of \$8.471 million – an exceptional amount for the harbor's maintenance dredging. This amount is anticipated to cover:

1. 2024 dredging, which will be slightly higher due to some sand remaining in the sand trap
2. An update to the Environmental Impact Statement (required every six years)
3. Soliciting for dredging prior to 2025.

The District has been very fortunate in the support it has received from our representatives and is in an excellent position for 2024.

2025 Dredging Funding

The Corps is expected to provide their recommendations on funding to OMB in late summer/early fall. The District has re-engaged the local Corps Los Angeles District to discuss an appropriate funding amount for FY25 with the intention of discussion during the upcoming dredging program. The LA District Commander, Deputy District Engineer, and supporting staff will be visiting the District on May 22.

INNER HARBOR DREDGING

Permit Amendments (Long-Term)

District staff and Rincon Consultants (Rincon) have been working on renewals and amendments to the inner harbor dredging permits with the Corps and the Los Angeles Regional Water Quality Control Board for over two years.

The Water Board issued a new permit in April and the Corps' permit is anticipated shortly.

On February 22nd, Rincon submitted a Coastal Development Permit application to the California Coastal Commission (CCC) to mirror the updated Corps and Water Board permits. The CCC responded with a number of additional questions and comments. A meeting with the CCC is being scheduled for May or June to review the questions and provide guidance for the District and Rincon on a response. The current Coastal Development Permit does not expire until 2026, so this effort is less time sensitive.

ATTACHMENT:

Attachment 1 – April 2023 Federal Advocacy Reports by Carpi & Clay

Federal Update

May 1, 2023

President Biden Signs Resolution Ending COVID-19 National Emergency

On April 10th, President Biden signed a joint resolution ([H.J. Res. 7](#)) to terminate the national emergency related to the COVID-19 pandemic. The national emergency was declared March 12th, 2020.

President Biden Announces New Environmental Justice Office

President Biden signed an Executive Order (EO), *Revitalizing Our Nation's Commitment to Environmental Justice for All*, that outlines additional Administration environmental justice (EJ) policy goals and establishes the Office of Environmental Justice within the White House Council on Environmental Quality. The office will be led by a Federal Chief Environmental Justice Officer and will coordinate the implementation of EJ policies across the federal government. Text of the EO can be found [HERE](#), and fact sheet can be found [HERE](#).

President Biden Vetoes WOTUS Disapproval Resolution

On April 6th, President Biden vetoed a joint resolution under the Congressional Review Act ([H.J. Res. 27](#)) disapproving of the Administration's new Waters of the United States (WOTUS) rule. The rule went into effect in all states in March except Idaho and Texas due to an injunction issued by a federal judge. The injunction will remain until the Supreme Court issues its opinion in the upcoming *Sackett v. EPA* case.

EPA Issues Proposed Rules Updating Vehicle Emissions Standards

EPA announced new proposed vehicle emissions standards designed to accelerate the transition to clean vehicles. The proposed rules would establish new emissions standards for model years (MY) 2027 through 2032. More information can be found [HERE](#).

Legislation to Restore Tax-Exempt Status of Advance Refunding Bonds Introduced in the House

Representatives Dutch Ruppersberger (D-MD) and David Kustoff (R-TN) reintroduced the *Investing in Our Communities Act* ([H.R. 1837](#)). This legislation would restore the tax-exempt status of advance refunding municipal bonds used by state and local governments to finance infrastructure and capital projects. The *Tax Cuts and Jobs Act* in 2017 eliminated the tax-exempt status as a spending offset. The bill was referred to the Ways and Means Committee.

Disaster Relief Legislation Introduced in the House

Representatives Dina Titus (D-NV) and Garret Graves (R-LA) introduced the *Disaster Survivors Fairness Act of 2023* ([H.R. 1796](#)). The legislation would streamline the disaster recovery application process by creating a universal federal disaster assistance application, requiring coordination between federal agencies, enabling individuals to receive direct assistance for home repairs and mitigation activities, and would expand the Federal Emergency Management Agency's (FEMA) ability to provide disaster mitigation funding for damaged homes. The bill was referred to the Committees on Transportation and Infrastructure, Financial Services, and Small Business.

Federal Funding Opportunities & Announcements

DOL Publishes Building Pathways to Infrastructure Jobs NOFO. The Department of Labor (DOL) issued a notice of funding opportunity (NOFO) for the availability of \$80 million through the Building Pathways to Infrastructure Jobs grant program. The program funds public-private partnerships to develop, strengthen, and scale promising and evidence-based training models in H-1B industries and occupations critical to meeting the goals of the Bipartisan Infrastructure Law (BIL) and to maximize the impact of these investments. Applications are due by July 7th and information can be found [HERE](#).

FEMA Announces Panel on Obtaining Funding for Microgrids. FEMA announced it will host a panel on obtaining Building Resilient Infrastructure and Communities (BRIC), Hazard Mitigation Grant Program (HMGP), and Department of Energy (DOE) funding for microgrids to promote energy resilience and reliability. The panel will occur on May 3rd at 1:00 pm ET. More information can be found [HERE](#).

FHWA Issues PROTECT Grants NOFO. The Federal Highway Administration (FHWA) issued a NOFO for the availability of \$848 million through the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) discretionary grant program. The program will invest in projects to make the country's surface transportation system – including highways, public transportation, pedestrian facilities, ports, and intercity passenger rail – more resilient to impacts of climate change and aim to reduce long-term costs by minimizing future maintenance and rebuilding. Applications are due by August 18th and more information can be found [HERE](#).

Federal Agency Personnel & Regulatory Announcements

DOE Releases Report on Advancing Offshore Wind Energy. DOE issued a report entitled *Advancing Offshore Wind Energy in the United States: U.S. Department of Energy Strategic Contributions Toward 30 Gigawatts and Beyond*. The report details DOE plans to achieve goals set by the Biden administration to deploy 30 gigawatts (GW) of offshore wind capacity by 2030, and 110 GW or more of capacity by 2050. The report can be found [HERE](#).

EPA Grants Preemption Waivers for California Heavy-Duty Vehicle and Engine Emissions Standards. EPA granted two waivers of preemption to the California Air Resource Board related to heavy-duty vehicle and engine emissions standards. The waivers for regulations include:

- **2018 Heavy-duty Warranty Amendments:** extends the emissions warranty periods for 2022 and subsequent model year on-road heavy-duty diesel engines and for 2022 and subsequent model year diesel vehicles with a gross vehicle weight rating exceeding 14,000 pounds powered by such engines.
- **The Advanced Clean Trucks (ACT) Regulation:** requires manufacturers to produce and sell increasing quantities of medium- and heavy-duty zero-emission vehicles (ZEVs) and near zero emission vehicles (NZEVs) in California. This waiver request also includes two additional regulations:
 - **Zero Emission Airport Shuttle Bus Regulation:** establishes steadily increasing zero-emission airport shuttle fleet composition requirements for airport shuttle fleet owners who service the 13 largest California airports.
 - **Zero Emission Powertrain (ZEP) Certification Regulation:** establishes certification requirements and optional emission standards for 2021 and subsequent model year medium- and heavy-duty ZEVs and the zero-emission powertrains installed in such vehicles.

More information on the California waivers can be found [HERE](#).

EPA Publishes PFAS ANPRM. EPA published an Advanced Notice of Proposed Rulemaking (ANPRM) seeking public input on future hazardous substance designations of per- and polyfluoroalkyl substances (PFAS) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), known as Superfund. EPA is seeking input on whether to designate additional PFAS, including HFPO-DA, sometimes called GenX, and compounds that degrade in the environment by processes such as biodegradation, photolysis, and hydrolysis, to form certain PFAS. EPA is also seeking information on whether some PFAS compounds can or should be designated as a group or category. Comments are due by June 12th and more information can be found [HERE](#).

##

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Sergio Gonzalez, Facilities Manager
SUBJECT: April 2023 Facilities Report

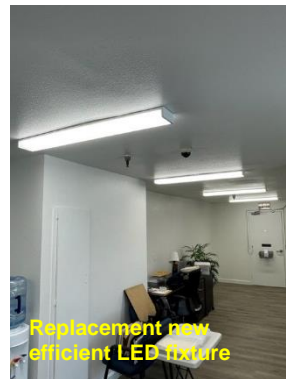
MAINTENANCE ACTIVITIES

VHV 1449 COURTESY PATROL OFFICE TENANT IMPROVEMENT

Status: Completed

Budget: Budgeted (Building Maintenance)

Assisted Capital Projects with the 1449 Courtesy Patrol tenant improvements by providing in-house electrical and communications work. Our Maintenance Tech 2 (Luis Quezada) replaced all outdated fluorescent ceiling light fixtures with new efficient LED fixtures. Mr. Quezada also assisted in establishing a dedicated fiber optic internet connection.



VPD 1603 ADMINSTRATIVE BUILDING GAS METER

Status: COMPLETED

Budget: Budgeted (Building Maintenance)

During the installation of the new emergency backup generator, which runs on natural gas, it was identified that the dedicated gas meter for the District administration building had no seismic valve installed. A contractor was brought in to install a seismic shut off valve independent of the emergency generator natural gas line to protect the building in case of an earthquake.



VHV 1559 SUITE # 104 ROOF DRAIN LINE REPLACEMENT

Status: Completed

Budget: Budgeted (Building Maintenance)

The primary and secondary cast iron drain lines from the equipment room above the Harbor Market at 1559 failed, leaking into the market storage room. A contractor was outsourced to remove and replace the corroded cast iron pipes with ABS, patch, and paint the exterior stucco wall. In-house repairs were completed to replace, patch, and paint the damaged wall inside of the Market storage room.



Contractor removing corroded drain lines



Exposed wall with drain lines removed



Condition of cast iron drain line from wall to foundation.



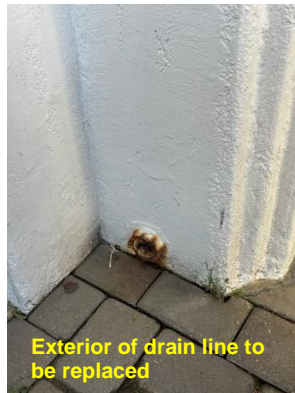
Repaired wall with internal ABS drain lines

1575 SECOND FLOOR WALKWAY DRAIN LINE REPLACEMENT

Status: Completed

Budget: Budgeted (Building Maintenance)

A second-floor walkway cast iron drain line failed creating a small leak inside the 1575 Suite #101 805 Bar & Grilled Cheese reception area. An outside contractor was sourced to replace the corroded cast iron drain line with ABS. The contractor patched and painted the exterior stucco after repair. In-house personnel painted the newly exposed ABS line in the suite's reception area.



Exterior of drain line to be replaced



Contractor replacing exterior drain line



Interior portion of drain line replaced to be painted to match



Finished exterior wall after drain line replacement

VHV PARKING LOT CURB PAINTING

Status: Ongoing

Budget: Budgeted (Grounds Maintenance)

District staff have started prepping and painting parking lot curbs along the Ventura Harbor Village inner frontage road. Loading and unloading sections have been identified with detailed stenciling. Staff have initiated the project on the west side of the Village and will move on to other frontage sides.

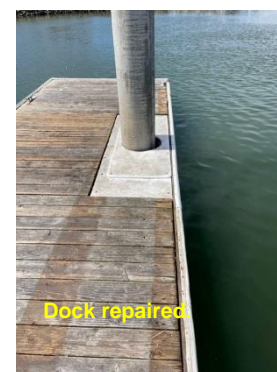
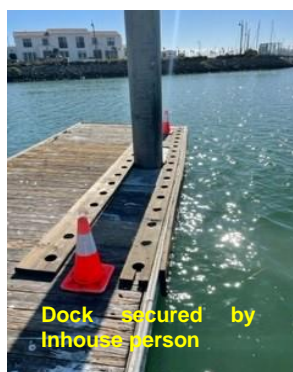


LAUNCH RAMP WESTERLY DOCK REPAIR

Status: Completed

Budget: Unbudgeted (Docks) – Storm Damage

Contractor completed the structural repair of the Launch Ramp westerly dock next to the outmost pylon caused by the winter storms. The dock was first secured by inhouse staff to prevent further damage till the work was completed. This work is anticipated to be largely reimbursed through FEMA grants related to the Atmospheric River storm.



FACILITIES:

Staff continues to perform everyday maintenance and on the spot repairs throughout Ventura Harbor Village, other District properties, equipment, vehicles, and vessels. Also assists other Departments on special projects.

**VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT**

Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Dave Werneburg, Marina Manager / Commercial Fisheries
SUBJECT: April 2023 Marina Report

MARINA DEPARTMENT ACTIVITIES

Ventura Harbor Village Marina

Total Slip Count	103	100%
Slips Assigned	102	99%
Slips Occupied	87	84%
Slips Available	1	1%

Port District Dry Storage

Total Spaces	88	100%
Active Contracts	71	81%
Available	17	19%

COMMERCIAL FISHING

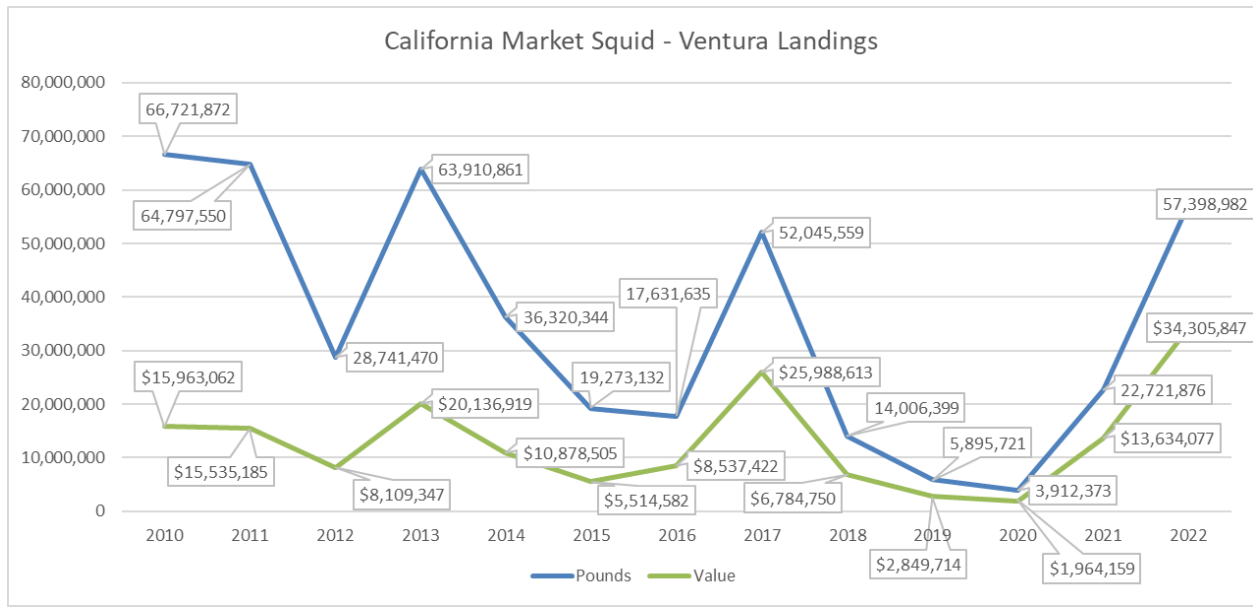
California Market Squid Harvest – Ventura Harbor

- 2023-24 Squid Season opened April 1, 2023

California Market Squid Statistics		
State-wide Seasonal Squid Limit:	118,000 tons	236,000,000 lbs.
Ventura April '23 Squid Landings:	0 tons	0 lbs.
Ventura Season-to-date:	0 tons	0 lbs.

For the 2021-2022 Squid Season, the combined landings for Ventura and Port of Hueneme represented **88% of the entire season's catch**. The remaining 12% was split between San Pedro and northern California (Monterey, Half Moon Bay, etc.). This is significant in that we have been in preliminary discussions with the Port of Hueneme to absorb their fish offloading operations. The Port of Hueneme is a deep-water port with a primarily focus on containers, produce, and autos. Their commercial fish offloading facility occupies approximately one acre of prime waterfront space plus all of the access roads to reach it, which could be repurposed for cargo operations. The District has engaged WSP's Marine Engineering experts to evaluate the District's current offloading facilities and to assess the feasibility of such an undertaking. This could include modifications to current infrastructure, new facilities, ice production, truck traffic, etc., provided funding were identified. Most of the vessels that currently offload in Hueneme are berthed in our Marina as the Port of Hueneme has no berthing for anything other than large cargo/container ships. Assimilating the Port of Hueneme's offloading operations would define Ventura as the de facto squid enterprise on the entire west coast.

(See chart on reverse side.)



ATTACHMENT:

Attachment 1 – Commercial Fishing and Aquaculture Advocacy Report by K&L Gates

The logo for K&L GATES, featuring the text "K&L GATES" in white, sans-serif capital letters on a dark gray rectangular background.

Commercial Fishing & Aquaculture Advocacy
Ventura Port District
Monthly Report – April 2023

Executive Summary

- Several federal bills were introduced or advanced in committee, including: legislation that would amend the Agricultural Act of 2014 to include certain farm-raised fish losses under the livestock indemnity payment program; and a bill to combat illegal, unreported, and unregulated fishing at its sources globally.
- The National Oceanic and Atmospheric Administration (NOAA) released the 2022 Status of Stocks report, providing a snapshot of the more than 490 fish stocks managed by NOAA Fisheries. In 2022, U.S. fisheries data revealed that 93% of stocks are not subject to overfishing and 81% are not overfished.
- United States Trade Representative Katherine Tai signed and presented the United States' official instrument of acceptance of the Fisheries Subsidies Agreement to World Trade Organization (WTO) Director-General Ngozi Okonjo-Iweala. The Agreement determines disciplines for WTO members engaged in harmful fisheries subsidies, and marks the first ever multilateral agreement that has environmental sustainability at its core.
- Representative Jared Huffman (D-CA) and Senator Alex Padilla (D-CA) led their colleagues in an urgent letter to President Joe Biden and Secretary of Commerce Gina Raimondo calling for them to swiftly declare a federal fishery disaster, joining California Governor Gavin Newsom in his request.
- Several state level bills were introduced or advanced in committee, including: efforts to implement a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast; and require the Department of Fish and Wildlife to establish the California Monitoring Program to collect comprehensive data on coastal and inland anadromous salmonid populations.

Federal Legislation

The following fisheries-related bills were passed, considered, or introduced this month:

[H.R.1020 - BAITS Act](#)

Sponsor: Rep. Moore, Barry [R-AL-2]

Latest Action: April 28, 2023 (*Referred to Subcommittee*)

Summary: Amends the Agricultural Act of 2014 to include certain farm-raised fish losses under the livestock indemnity payment program, and for other purposes.

[H.R.215 - WATER for California Act](#)

Sponsor: Rep. Valadao, David [R-CA-22]

Latest Action: April 28, 2023 (*Passed in Committee*)

Summary: Provides long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.

[S.1227 - FISH Act of 2023](#)

Sponsor: Sen. Sullivan, Dan [R-AK]

Latest Action: April 20, 2023 (*Introduced*)

Summary: Combats illegal, unreported, and unregulated fishing at its sources globally, including improved management at regional fisheries management organizations.

[H.R.1461 - Coastal Seaweed Farm Act of 2023](#)

Sponsor: Rep. Huffman, Jared [D-CA-2]

Latest Action: April 14, 2023 (*Referred to Subcommittee*)

Summary: Directs the Secretary of Agriculture and the Administrator of the National Oceanic and Atmospheric Administration to carry out a study on coastal seaweed farming.

In The Agencies

The following agency press releases have implications for activities related to commercial fisheries and aquaculture:

[U.S. Marine Fish Stocks Show Improvements In 2022](#)

NOAA released the 2022 Status of Stocks report, providing a snapshot of the more than 490 fish stocks managed by NOAA Fisheries. In 2022, U.S. fisheries data revealed that 93% of stocks are not subject to overfishing and 81% are not overfished. These numbers show slight improvements compared to the 2021 figures of 92% and 80%, respectively. Positive trends were seen this year with the number of stocks on the overfishing list decreasing by two stocks to 24, and the number of overfished stocks decreasing by three stocks to 48. The latest data show that U.S. commercial and recreational fishing supports 1.7 million jobs across the broader economy, generated over \$253 billion in sales impacts and contributed \$79.4 billion to the gross domestic product.

[U.S. Formally Accepts WTO Agreement on Fisheries Subsidies](#)

United States Trade Representative Katherine Tai signed and presented the United States' official instrument of acceptance of the Fisheries Subsidies Agreement to World Trade Organization (WTO) Director-General Ngozi Okonjo-Iweala. The Agreement determines disciplines for WTO members engaged in harmful fisheries subsidies, and marks the first ever multilateral agreement that has environmental sustainability at its core. The Agreement also demonstrates the Administration's commitment to sustained engagement at the WTO to ensure that the institution delivers tangible results, fit for the times.

[NOAA Recommends 2023 Species Recovery Grants Projects](#)

NOAA Fisheries recommended \$6.3 million in funding for state and tribal projects through the Species Recovery Grants Program. Over the years, the Program has supported collaboration to recover and conserve marine species under the Act, and this year, NOAA is recommending \$1.5 million for six new projects (through eight new awards) to five states, a territory, and one federally recognized tribe. Another \$4.8 million will support the continuation of 20 multi-year projects that were approved in prior grant cycles. Recommended and ongoing projects will address five Species: North Atlantic right whale; White abalone; Atlantic salmon Gulf of Maine; Southern resident killer whale DPS; and Hawaiian monk seals.

[Administration Recommends \\$562 Million to Make Communities Resilient To Climate Impacts](#)

The Department of Commerce has recommended \$562 million in funding — including investments in nearly 150 projects across 30 coastal and Great Lakes states and territories — to make communities and the economy more resilient to climate change. The awards are made under NOAA's Climate-Ready Coasts Initiative and are funded by the Bipartisan Infrastructure Law, including \$477 million for high-impact projects that create climate solutions; \$46 million in additional funding through the National Fish and Wildlife Foundation National Coastal Resilience Fund; and \$39.1 million in non-competitive funding to the 34 state and territorial coastal management programs and 30 national estuarine research reserves.

[Administration Announces \\$35 Million for National Fish Passage Projects](#)

The Department of the Interior announced a \$35 million investment in FY23 funding for 39 projects in 22 states that will address outdated or obsolete dams, culverts, levees, and other barriers fragmenting our nation's rivers and streams. The announcement is part of the Department's five-year \$200 million commitment to restore free-flowing waters, allowing fish migration and protecting communities from flooding rivers and streams. Projects will be funded in Alaska, Arizona, California, Idaho, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Montana, New Hampshire, New Jersey, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, South Dakota, Washington, West Virginia, and Wyoming.

[NOAA Names Jennifer Quan to Lead Fisheries' West Coast Region](#)

NOAA Fisheries announced Ms. Jennifer Quan as the new Regional Administrator for NOAA Fisheries West Coast Region. Quan is currently an advisor to Chair Senator Maria Cantwell and other members of the U.S. Senate Committee on Commerce, Science, and Transportation. She began her NOAA career as a supervisory fish biologist in the West Coast Region leading the South Puget Sound Branch of the Oregon/Washington Coastal Office. She succeeds Barry Thom, who left the agency in 2020 to lead the Pacific States Marine Fisheries Commission. In her new role, Quan will direct NOAA Fisheries' science-based stewardship of marine species and habitat within the coasts and watersheds of Washington, Oregon, California, and Idaho.

On The Hill

The following congressional press releases have implications for activities related to commercial fisheries and aquaculture:

[Huffman, Padilla Call on Administration to Declare Emergency](#)

Representative Jared Huffman (D-CA) and Senator Alex Padilla (D-CA) led their colleagues in an urgent letter to President Joe Biden and Secretary of Commerce Gina Raimondo calling for them to swiftly declare a federal fishery disaster, joining California Governor Gavin Newsom in his request. In the FY23 Omnibus Appropriations bill, Huffman was able to help secure an additional \$300 million for fishery disaster declarations. The letter specifically asks that a portion of these funds go towards affected Californians. Congress also authorized new bipartisan fishery disaster relief language based on Congressman Huffman and Senator Roger Wicker's Fishery Resource Disasters Improvement Act.

[Whitehouse, Sullivan Re-Introduce Fish Act to Combat Illegal Foreign Seafood Harvest](#)

Senators Sheldon Whitehouse (D-RI), Dan Sullivan (R-AK), Brian Schatz (D-HI), Lisa Murkowski (R-AK), and Roger Wicker (R-MS) reintroduced the Fighting Foreign Illegal Seafood Harvest (FISH) Act, legislation to combat foreign illegal, unreported, and unregulated (IUU) fishing by blacklisting offending vessels from U.S. ports and waters. The legislation would bolster the U.S. Coast Guard's enforcement capabilities and advance international and bilateral negotiations to achieve enforceable agreements and treaties. Whitehouse and Sullivan first introduced the FISH Act in August 2022. The bipartisan FISH Act would build on prior landmark legislation against IUU fishing signed into law in December 2019 as part of the FY20 National Defense Authorization Act.

[Huffman Applauds Funding of \\$60.3 Million for Projects in Northern California](#)

The Department of Commerce recommended \$60.3 million for projects across northern California to make communities and the economy resilient to climate change. Across Northern California, 13 projects will create jobs and boost economic and environmental outcomes for coastal communities. The awards are made under the Administration's Climate-Ready Coasts

initiative funded through the Bipartisan Infrastructure Law. The initiative is focused on investing in high-impact projects that create climate solutions by storing carbon; build resilience to coastal hazards such as extreme weather events, pollution and marine debris; restore coastal habitats that help wildlife and humans thrive; build the capacity of underserved communities and support community-driven restoration; and provide employment opportunities.

[Matunuck Shellfish Hatchery and Research Center will Cultivate Aquaculture Innovation](#)

After years of planning and local input from residents, Senator Jack Reed (RI) joined leading researchers from URI and members of the East Coast Shellfish Growers Association to officially break ground on the Matunuck Shellfish Hatchery and Research Center. This new 4,118 square-foot facility, a partnership between URI and Matunuck Oyster Farm, will serve as a full-scale nursery/hatchery, growing and supplying oyster seed in Rhode Island and beyond. The hatchery will be a resource for the state's shellfish farmers, serving as a hub for research and technology to help growers improve productivity and increase output.

Federal Register Notices

The following fisheries or aquaculture-related rules and regulations were published this month in the Federal Register:

[Pacific Halibut Fisheries of the West Coast; Management Measures for Area 2A](#)

Agency: National Marine Fisheries Service

Latest Action: April 14, 2023 (*Proposed Rule*)

Summary: NMFS proposes to implement harvest specifications and management measures for the 2023 non-tribal directed commercial Pacific halibut fishery that operates south of Point Chehalis, WA in the IPHC's regulatory Area 2A off Washington, Oregon, and California. NMFS is proposing the 2023 directed commercial fishing periods and fishing period catch limits by vessel size class. The proposed action includes two 58-hour fishing periods for the directed commercial fishery. Comments must be received by May 15, 2023.

[Pacific Halibut Fisheries Catch Sharing Plan and Recreational Management Measures](#)

Agency: National Marine Fisheries Service

Latest Action: April 11, 2023 (*Final Rule*)

Summary: This final rule approves changes to the Pacific Halibut Catch Sharing Plan for the IPHC's regulatory Area 2A off of Washington, Oregon, and California. In addition, this final rule implements management measures governing the 2023 recreational fisheries that are not implemented through the IPHC. Management measures include the recreational fishery seasons and subarea allocations for Area 2A. These actions are intended to conserve Pacific halibut and provide angler opportunity where available.

[Initiation of Antidumping and Countervailing Duty Administrative Reviews](#)

Agency: Department of Commerce

Latest Action: April 11, 2023 (*Review*)

Summary: The Department of Commerce has received requests to conduct administrative reviews of various antidumping duty and countervailing duty orders with February anniversary dates. In accordance with Commerce's regulations, they are initiating administrative reviews.

[Amendment 20 to the Coastal Pelagic Species Fishery Management Plan](#)

Agency: National Marine Fisheries Service

Latest Action: April 6, 2023 (*Proposed Rule*)

Summary: This proposed rule would implement two minor changes to Federal regulations, prompted by the proposed Amendment 20 to the Coastal Pelagic Species Fishery Management Plan. Amendment 20 would remove management category terminology from use in the FMP, but not to revise the manner in which the CPS stocks are managed. The Pacific Fishery Management Council recommended Amendment 20 for clarity and consistency with other Council FMPs.

[Harvest Specifications for Pacific Whiting and Pacific Whiting Tribal Allocation](#)

Agency: National Marine Fisheries Service

Latest Action: April 6, 2023 (*Proposed Rule*)

Summary: This proposed rule would establish the domestic 2023 harvest specifications for Pacific whiting including the 2023 tribal allocation for the Pacific whiting fishery, the non-tribal sector allocations, and set-asides for incidental mortality in research activities and non-groundfish fisheries. The proposed measures are intended to help prevent overfishing, achieve optimum yield, ensure that management measures are based on the best scientific information available, and provide for the implementation of tribal treaty fishing rights.

[West Coast Groundfish Trawl Economic Data](#)

Agency: National Marine Fisheries Service

Latest Action: April 6, 2023 (*Request for Comments*)

Summary: This request is for revision and renewal of a currently approved information collection. The Northwest Fisheries Science Center needs economic data on all harvesters, quota share permit owners, first receivers, shore-based processors, catcher processors, and motherships participating in the West Coast groundfish trawl fishery. The current approval covers collection of data for the 2019–2021 operating years. The renewed approval will cover years 2022–2024.

State Legislative Activity

The following fisheries-related bills were passed, considered, or introduced this month in the state of California:

[SB 286](#)

Sponsor: Mike McGuire (CA-2)

Latest Action: April 27, 2023 (*Passed in Committee*)

Summary: This bill would require the California Coastal Commission to process a consolidated coastal development permit for any new development that requires a coastal development permit and that is associated with, appurtenant to, or necessary for the construction and operation of offshore wind energy projects and transmission facilities needed for those projects.

[SB 500](#)

Sponsor: Mike McGuire (CA-2)

Latest Action: April 27, 2023 (*Passed in Committee*)

Summary: This bill would require the Fish and Game Commission to adopt regulations related to commercial sea urchin diving permits, and to the vessels used to commercially fish for sea urchin, to better manage the number of permits issued. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program.

[AB 3](#)

Sponsor: Rick Zbur (CA-51)

Latest Action: April 26, 2023 (*Passed in Committee*)

Summary: This bill would require the State Energy Resources Conservation and Development Commission to develop a 2nd-phase plan and strategy for seaport readiness that further analyzes the recommendations and alternatives in the strategic plan for offshore wind energy developments, and additional potential alternatives, as specified.

[AB 953](#)

Sponsor: Damon Connolly (CA-12)

Latest Action: April 19, 2023 (*Passed in Committee*)

Summary: This bill would require the Ocean Protection Council to implement a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast in order to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts.

[AB 809](#)

Sponsor: Steve Bennett (CA-38)

Latest Action: April 19, 2023 (*Hearing Held*)

Summary: This bill would require the Department of Fish and Wildlife to establish the California Monitoring Program to collect comprehensive data on coastal and inland anadromous salmonid populations, in coordination with relevant federal and state agencies, to inform salmon and steelhead recovery, conservation, and management activities.

APRIL MARKETING REPORT -

Visitor Experience

*April 2023 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

EVENT PROMOTIONS - *Earth Day Cleanup*

Marketing team hosted a **community Clean Up throughout the Village & beaches** the afternoon before Earth Day to help keep our ocean environment healthy! The activation featured complimentary cleanup supplies, temporary Earth tattoos, Village stickers, a re-usable bottle giveaway and more! Special thank you to **Coastal Cone** who incentivized volunteers with **free ice cream** and **Island Packers** who donated **colorful plush animals** with sustainability messaging as giveaways.

Plus! RRM Design team came as a group, and 50+ participants of all ages joined in the fun! Marketing Coordinator produced reel to garner interest in the cleanup & showcased scenic shots of the Harbor Village.



EVENT PROMOTIONS - *Road to Stagecoach*

On April 1, we coordinated a live remote broadcast with **KHAY 100.7** (Ventura County's #1 radio station) to **attract customers to "enter to win" tickets to Stagecoach**. They gave away 16 pairs of tickets (\$12,000 value) & attracted a crowd along the promenade!



EVENT PROMO - *Harbor is Hopping*

Although skies were overcast, the Harbor was hopping with **complimentary photos & visits** with the **Cottontail Bunny** on Easter Weekend. Earlier in the week, a hybrid virtual and onsite a contest, "Egg-cellent Day Seaside", drove folks to the Village to **hunt for eggs** (made of paper), plus a golden egg inside a retailer. Garnered **172** contest entries & subscribers.



ENTERTAINMENT - *Music*

Hosted **live entertainment weekly during Spring Break** weekends + on site vendors:

April 1 | Teresa Russell
April 2 | Blown Over
April 8 | Surfer Joe Band
April 9 | Barrelhouse Wailers
April 29 | Sunrise Steel Drum
April 30 | Tony Lee Reggae

+ Face painting & Tropical birds

VENUE & FILM RENTALS - *Revenue*

Hosted on Ventura Beaches: Easter Sunrise Services, Firefighter's Fundraiser Hotshot Up Volleyball Tournament, and a Commercial Shoot.

March + April Event Fee Revenue = \$5,380



APRIL MARKETING REPORT - Content Development

*April 2023 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

SOCIAL MEDIA - Cross Network Performance Metrics

65k

Total Audience

1.1mil

Impressions

42k

Engagements

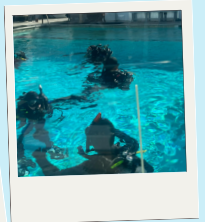
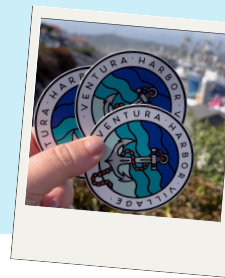
2k

Post Clicks



VISUALS - Sampling of Content

Engaged visitors with more video in April! Video views on our social media profiles increased by 38%!



COPYWRITE - Enewsletters / Blog Performance

Topics included: Harbor is Hopping Activities, Earth Day Community Clean Up, and National Park Week Promotions.

3

E-Newsletters

15k

Subscribers

19k

Opens

411

Link Clicks



REELS - Short Video Compilations

Collaborated with local content creator, LyssEats805, to produce a foodie feature for **On the Alley** (garnering over **36k** views on a single reel!) Marketing Coordinator captured & repurposed content to produce 4 reels (on **Earth Day Cleanup**, **Ventura Dive & Sport**, the **Raptor Dive Boat**, the new Water Refill **Hydration Station**, and **National Park Week**)

7

Reels

67k

Plays



ADVERTISING - Digital

Spring Break, **National Park Week**, and **KHAY Stagecoach Ticket Giveaway** were some campaign themes featured in April. National Park Week & Junior Ranger Day content garnered over **50k** post impressions alone!

Meta Ad Performance

389k

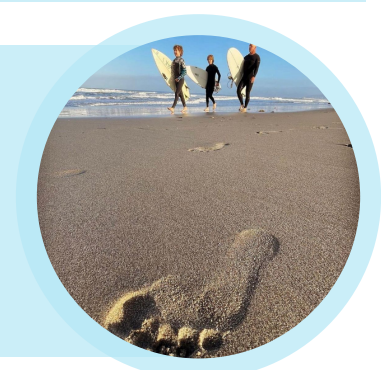
Reach

2k

Clicks

\$2000

Spend



APRIL MARKETING REPORT -

Outreach & Stewardship

*April 2023 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

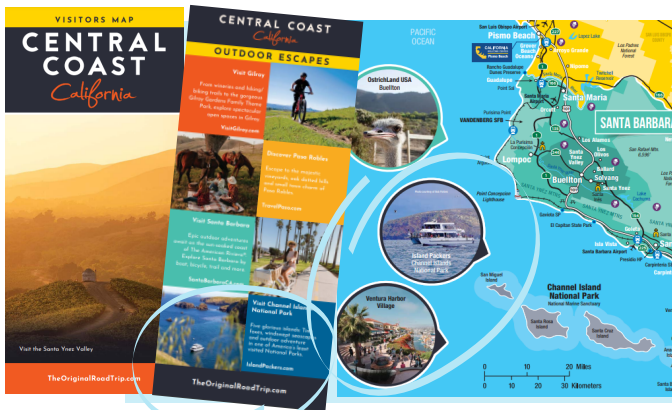
CHANNEL ISLANDS - National Park Week



Cross Promotion of National Park Week via reel, paid social, dedicated E-newsletter, and website coverage to cross promote **Jr. Ranger Day** at the Channel Islands Visitor Center & Channel Islands National Park (CINP). **CINP reported large visitor attendance** with 60 kids sworn in as Jr. Rangers in one afternoon.

SUSTAINABILITY - Hydration Station

Promotion of new **"Hydration Station"** water refill helping to reduce single-use plastic waste + launched a **giveaway** with an **Ocean Bottle made of recycled ocean plastic**.



TOURISM REACH - Central Coast Tourism

Marketing Manager attended Central Coast Tourism's Annual Retreat. Event featured **Visit California VP of Marketing**, plus information on consumer sentiment, travel forecast, and marketing. **New maps**, featuring Ventura Harbor Village, Island Packers, and Channel Islands National Park also released! **200k distributed** in California Welcome Centers, hotels, & more upon traveler request!

MEDIA OUTREACH - PR & Editorial Coverage

Island Packers new evening Summer/Fall Evening Cruises - publicist assisted in distribution of press release resulting in: **NBC Los Angeles & NBC San Diego** coverage, plus **NBC's Facebook & Twitter**. Also featured in **Santa Barbara News-Press, SheBuysTravel, Visit Ventura**, among others.

Village mentioned in "Ventura A Quintessential Beach Town Getaway" on **Yahoo.com**. Front page on **Ventura Breeze** for Ventura Port District's dredging & beach replenishments. Online editorials on "Where to Find Fresh Seafood and World Class Views," also appeared in **VisitCalifornia.com**. Coverage of Sugar Lab Bake Shop's new cookie decorating class in **Amigos 805** as well!



VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Snipas, Business Operations Analyst II
SUBJECT: April 2023 Property and Leasing Report

CURRENT VACANCY REPORT

- 1) 1559 Spinnaker Drive #205A-D (Office suites)
 - Previous tenant departed in June 2022. Plans were prepared by an architect to divide the suite into five separate suites (#1 addresses four out of the five suites). First review by the City complete and second submission to City is in process. Suite will remain vacant for several months during the design/permitting/construction/leasing process.
- 2) 1559 Spinnaker Drive #205E (Restaurant suite)
 - Previous tenant departed in June 2022. Plans were prepared by an architect to divide the suite into five separate suites (#2 addresses one out of the five suites). First review by the City complete and second submission to City is in process. Suite will remain vacant for several months during the design/permitting/construction/leasing process. The District is in discussions to lease suite to a current tenant.

CURRENT AVAILABILITY REPORT

- 1) 1575 Spinnaker Drive #105A&B
 - Tenant is month-to-month while negotiating terms for a new lease. Lease expected to be completed in May.
- 2) 1583 Spinnaker Drive #109
 - Tenant is month-to-month while negotiating terms for a new lease.
- 3) 1591 Spinnaker Drive #117B
 - Tenant is relocating to suite 1559 #103 and is month-to-month at current suite while suite 1559 #103 is being remodeled. Estimated remodel completion/move into new suite/end lease at 1591 #117B is June 2023.
- 4) 1591 Spinnaker Drive #205
 - After eighteen years of tenancy, tenant purchased their own office, and will move in when construction is completed. District agreed to go month-to-month until move out.

LEASING OUTREACH

- 1) Prospective Tenant Waiting List
 - Staff maintains a list of prospective tenants in each class (office, retail, restaurant) and contacts when a vacancy exists.
- 2) Leasing Outreach
 - Listed on Ventura Harbor Village and Ventura Harbor websites, posted on Ventura Harbor's Twitter and Facebook accounts, as well as with window leasing signage on available properties.
- 3) Per the new Ventura Harbor Village Leasing Strategy and Action Plan, District staff will be collaborating with other local resources to research additional channels to market suite availability to reach a broader range of potential tenant applicants in order to promote diversity, equity, and inclusion.
 - Listed 1559 Spinnaker Drive #103 in Vida Newspaper on print and digitally September 29 – October 5, 2022.
 - *Our Community USA* (a business and service directory for the LGBTQ+ community) advertisement 2023.

Availability as of April 30, 2023:

CATEGORY	TOTAL Square Footage	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %		City * Vacancy %	City * Available %
Office	38,591	3,062	8%	1,058	3%		19%	22%
Retail	20,196	0	0%	761	4%		16%	18%
Restaurant	33,622	617	2%	4,005	12%		4%	3%

> Harbor Vacancy --- No tenant or lease

Office: 1559 #205A-E
 Retail: None.
 Restaurant: None.

> Harbor Available --- Tenant on MTM lease, including Harbor Vacancy numbers

Office: 1591 #205
 Retail: 1591 #117B
 Restaurant: 1583 #109
 1575 #105A/B

* City: Based on comparable square footage within Ventura 93001 area

** City Restaurant vacancy/available as reported by CoStar Program

*** Definition of available includes MTM status

(Note that total square footage values have been updated as of the April reporting period to reflect recategorization of some units and the addition of the GSA lease for National Park Service offices which were not previously included).

SALES REPORTS

The attached summary of sales for three Harbor Village business categories: restaurants, retail, and charters. The reports compare the monthly sales for 2022 and 2023. They also include year-to-date comparisons.

The year-to-date overall sales for Harbor Village Tenants through the month of March were down 13.00% from the same time last year.

VEHICLE TRAFFIC COUNTS

	Spinnaker Drive Entrance		Schooner Drive Entrance	
Month	April	March	April	March
Car Count	133,909	86,083	51,304	50,504
Busiest Day	Saturday: 28,751	Friday: 15,663	Saturday: 9,189	Thursday: 8,321
Busiest Hour	Saturday: 1 PM	Friday: 12 PM	Saturday: 3 PM	Thursday: 4 PM

ATTACHMENTS:

Attachment 1 – March 2023 Sales Report

ATTACHMENT 1

Ventura Harbor Village Tenant Sales Summary

Month of March	<u>March-2023</u>	<u>March-2022</u>	<u>% Change</u>
Restaurants	\$ 1,673,936	\$ 1,771,255	-5.49%
Retail	\$ 390,573	\$ 453,576	-13.89%
Charters	\$ 422,817	\$ 582,865	-27.46%
Total	\$ 2,487,326	\$ 2,807,696	-11.41%

Year-to-date through March 2023

	<u>Jan - Mar 2023</u>	<u>Jan - Mar 2022</u>	<u>% Change</u>
Restaurants	\$ 4,353,731	\$ 4,738,916	-8.13%
Retail	\$ 1,003,046	\$ 1,154,934	-13.15%
Charters	\$ 952,766	\$ 1,358,748	-29.88%
Total	\$ 6,309,543	\$ 7,252,598	-13.00%



VENTURA
PORT DISTRICT

Established 1952

BOARD OF PORT COMMISSIONERS
MAY 17, 2023

CONSENT AGENDA ITEM A
APPROVAL OF A NEW RESTAURANT
LEASE AGREEMENT WITH THE SUGAR
LAB BAKE SHOP, LLC DBA SUGAR LAB
BAKE SHOP

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Approval of New Restaurant Lease Agreement with The Sugar Lab Bake Shop,
LLC dba Sugar Lab Bake Shop

RECOMMENDATION:

That the Board of Port Commissioners approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for the premises located at 1575 Spinnaker Drive #105A-B consisting of a total of 1,330 square feet for a one-year term with two two-year options.

SUMMARY:

The existing tenant The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop is seeking to enter into a new Lease Agreement for its existing space commencing June 1, 2023.

GUIDING PRINCIPLES:

- 3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
- 5) Build respectful, productive relationships with employees, tenants, residents, visitors, stakeholders, public officials, and elected representatives while promoting diversity, equity, and inclusion.

5-YEAR OBJECTIVES:

- R) Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.
- 3) Leasing/Property Management

BACKGROUND:

The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop has been a tenant of Ventura Harbor Village since April of 2020. That Lease expired on March 31, 2023, and the tenant is seeking a new, shorter-term lease, but with the opportunity to extend for up to four additional years. Staff is recommending this new lease.

FISCAL IMPACT:

This Lease reflects regular market rate for restaurant rent at Ventura Harbor Village with annual increases. No improvements were required by the District for the new Lease.

ATTACHMENTS:

Attachment 1 - Location Map

Attachment 1 – Location Map





BOARD OF PORT COMMISSIONERS
MAY 17, 2023

CONSENT AGENDA ITEM B
APPROVAL OF AMENDMENT NO. 3 TO A
PROFESSIONAL SERVICES AGREEMENT
WITH RINCON CONSULTANTS, INC. FOR
DREDGING SUPPORT SERVICES

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Approval of Amendment No. 3 to a Professional Services Agreement with Rincon Consultants, Inc. for Environmental Support Services

RECOMMENDATION:

That the Board of Port Commissioners approve Amendment No. 3 to a Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation to \$105,000 from \$85,000 for maintenance dredging environmental consulting, monitoring, and permitting services.

SUMMARY:

The proposed Third Amendment to the Professional Service Agreements (PSA) with Rincon Consultants, Inc. is to supplement the environmental consulting, permit processing, and project management support that was approved by the Board on June 29, 2022. This amendment increases the amount of the PSA from \$85,000 (per Amendment No. 2) to \$105,000. This amendment is to cover ongoing discussions with the Coastal Commission to consider the approval of a new dredging permit and to prepare an application for a new beach sand management permit.

GUIDING PRINCIPLES:

- 1) Maintain a safe, navigable, and resilient Harbor

FIVE-YEAR OBJECTIVES:

- D) Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.
 - 3) Ventura Port District Dredging

BACKGROUND:

Ventura Port District requires the support of an outside consultant on an annual basis to complete the environmental monitoring and reporting for the outer and inner harbor dredging programs. The existing contract also includes services to provide consulting expertise to the Sr. Business Operations Manager.

The amendments of dredging permits with the US Army Corps of Engineers and the Los Angeles Regional Water Quality Control Board have been completed, although they did require slightly more effort than expected at the time of the second amendment to the contract.

Discussion with the California Coastal Commission (CCC) continues in response to a variety of questions and comments received upon the CCC's review of the District's Coastal Development Permit (CDP) application.

Staff has also received a letter from the CCC suggesting a new CDP should be developed for management of sand around the beach parking lots.

Staff is recommending the contract be further amended to allow Rincon to continue to prepare the necessary responses to the CCC on both items in order to have the permits processed.

FISCAL IMPACTS:

The FY22-23 budget originally included \$55,000 for services provided by Rincon. On November 16, 2022, the contract was increased to \$85,000. A further increase is required to the contract which totals \$105,000.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS
MAY 17, 2023

CONSENT AGENDA ITEM C
APPROVAL OF A PROFESSIONAL
SERVICES AGREEMENT WITH JENSEN
DESIGN & SURVEY, INC. TO PROVIDE
SERVICES FOR THE BEACH RESTROOMS
AND SHOWERS ADA ACCESS PROJECT

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM C
Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Joe Gonzalez, Capital Projects Manager
SUBJECT: Approval of a Professional Services Agreement with Jensen Design & Survey, Inc. to Provide Services for the Beach Restrooms and Showers ADA Access Project

RECOMMENDATION:

That the Board of Port Commissioners approve a Professional Services Agreement with Jensen Design & Survey, Inc. in the amount of \$51,500 to perform civil engineering, design, permitting, and construction management services for the Beach Restrooms and Showers ADA Access Project.

SUMMARY:

The proposed Professional Service Agreements (PSA) with Jensen Design & Survey, Inc. (Jensen) in the amount of \$51,500 is to perform civil engineering, design, permitting and construction management services for the Beach Restrooms and Showers ADA Access Project. This project has already been partially grant funded through the State Lands Commission (SLC) COVID-19 Fiscal Recovery Funds Grant.

GUIDING PRINCIPLES:

7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

FIVE-YEAR OBJECTIVES:

V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.
1) Ongoing investment in Harbor Village Infrastructure.

BACKGROUND:

Harbor Cove and Surfers Knoll are two popular public beaches located at Ventura Harbor each with a dedicated parking lot, restroom, and shower facilities maintained by the District. Although both restrooms and parking lots have been upgraded to be ADA compliant, the shower facilities and connecting sidewalks require rehabilitation and would benefit from additional ADA improvements at both sites. These improvements require a civil engineer to perform a topographic survey, prepare civil engineering drawings to submit to the City of Ventura, to assist with procurement, and provide construction management. These tasks are covered within this contract.

Supplemental Funding

The State Lands Commission (SLC) COVID-19 Fiscal Recovery Funds Grant awarded to the District on December 8, 2021, included this project as one eligible for the awarded funding. At that time, the project was contemplated to have a project cost of approximately \$175,000.

Since that time, Staff have evaluated the overall conditions of the restrooms and have subsequently submitted a pre-application to the National Fish and Wildlife Fund's (NFWF) Refugio Beach Oil Spill Settlement - South Coast Shoreline Parks and Outdoor Recreation Grants Program. The program has identified \$200,000 available for projects in Ventura County and the

District has submitted a pre-proposal for the entire amount to further upgrade both restrooms as well as the restrooms at the Public Launch Ramp. Completing the original scope of work is not contingent upon the second grant being awarded, however Staff are optimistic about being awarded part or all of this grant in late 2023.

FISCAL IMPACTS:

The contract with Jensen is for \$51,500 covering their services through the entire contract (anticipated to be one year). The cost of this work is eligible under the SLC grant, which has already been received. Further work associated with this project has been applied for through an NFWF grant, which may be used to offset some of the construction management services later in the contract period.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS MAY 17, 2023

STANDARD AGENDA ITEM 1 FISCAL YEAR 2023-2024 BUDGET STUDY SESSION

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: May 17, 2023

To: Board of Port Commissioners
From: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Gloria Adkins, Accounting Manager
Subject: Fiscal Year 2023–2024 Budget Study Session

RECOMMENDATION:

That the Board of Port Commissioners conduct a Fiscal Year 2023–2024 (FY23-24) Budget Study Session and provide direction to the General Manager in preparation of the Preliminary Budget and Five-Year Capital Improvement Plan.

SUMMARY:

The District implemented the study session as a new step in the budget adoption process three years ago. This provides the opportunity for Board and stakeholder engagement in the discussion of funding priorities as the budget is being developed. The study session this year will benefit from consideration of Guiding Principles and Five-year Objectives adopted by the Board, before presenting the Preliminary Budget on June 7.

GUIDING PRINCIPLES

- 1) Maintain a safe, navigable, and resilient harbor.
- 2) Advance the harbor's vibrant, working waterfront in support of commercial and recreational fishing and boating.
- 3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
- 4) Establish and implement harbor-wide environmental sustainability policies and practices through collaboration with our business partners.
- 5) Build respectful, productive relationships with employees, tenants, residents, visitors, stakeholders, public officials, and elected representatives while promoting diversity, equity, and inclusion.
- 6) Provide exceptional public service and organizational transparency.
- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.
- 8) Support the Channel Islands National Park in its efforts to provide a first-class visitor center, educational resources, and ferry boat services to the islands.

FIVE-YEAR OBJECTIVES

- D) Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.
- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.
- F) Support current and future commercial fishing and sustainable aquaculture industries. Maintain and improve working waterfront facilities and infrastructure.
- M) Collaborate with Master Tenants and National Park Service to plan, improve, and develop the Harbor in a financially and environmentally sustainable way.
- N) Maintain and grow Channel Islands National Park Service (NPS) presence and customer visitation to the Harbor.
- P) Implement parking management, traffic circulation, and multi-modal transportation strategies.

- R) Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.
- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

The current budget process began in April after the conclusion of the Midyear Budget. At the direction of the General Manager, the management team began evaluating expenses which will be presented in detail as part of the Preliminary Budget at the next Board Meeting.

Operating Revenues:

The management team has begun discussing revenue projections with master tenants, and forecasting Village, Village Marina, charters, dry storage, and commercial fishing revenues. This process is on-going and will likely result in refinements of revenue and expense projections before the Preliminary Budget is presented to the Board.

Master Tenants

District staff have been meeting with Master Tenants while developing the Budget Study Session. Most of the Master Tenants have expressed optimism for the coming fiscal year, however a small number have predicted that the VenturaWaterPure construction project (which will likely last through most of the coming fiscal year) will have a negative impact on revenue. Generally, District staff anticipate modest overall growth of 4-6% over the current year's Master Tenant rental income.

Harbor Village

The atmospheric rain events in late December 2022 through March 2023 impacted most visitor-serving Harbor Village tenants, including restaurant, retail/entertainment, and charter businesses. However, these impacts were rather exceptional and not anticipated to have such an impact in the coming fiscal year. Some new businesses will come online in the coming fiscal year and vacancy is expected to remain low, therefore staff are anticipating approximately a 3% increase in Harbor Village rental income.

Commercial Fishing

The commercial fishing industry rebounded in the current fiscal year, with stronger landings than have been seen for many years. This has resulted in increased revenues related to landings, slip revenue, fuel sales, and other activities related to commercial fishing. It is anticipated by industry that commercial fishing will remain strong in the coming fiscal year.

Recreational Fishing

Recreational fishing, including dry boat storage and public launch ramp parking, could be impacted by the VenturaWaterPure project, which is expected to take place through most of the coming fiscal year.

Operating Expenses:

A modest increase of between 3% and 4% in overall operating expenses is anticipated due to inflationary pressures for on-going expenses, increased Village marketing events, proposed staffing changes, cost of living adjustments, labor agreements, employee compensation and benefits, and pension costs. Department managers are being prudent in projecting budgetary needs. Where changes are proposed, these are in relation to planned increases in service offerings.

Dredging

Due to the sediment deposition in the Harbor during the atmospheric rain events, staff are planning for inner harbor dredging in late winter after the federal dredging project is complete. This is earlier than was anticipated had there not been such significant rain events. Staff are preparing for the dredging and are pursuing FEMA grant funding for all or part of the work. Because the outcome of the grant funding cannot be known at this time, staff are budgeting half of the costs to come from operating revenue and half to come from the Dredging Reserve Fund, which can be replenished in the following Fiscal Year (2024-2025), ideally from FEMA grant monies.

Staffing Considerations

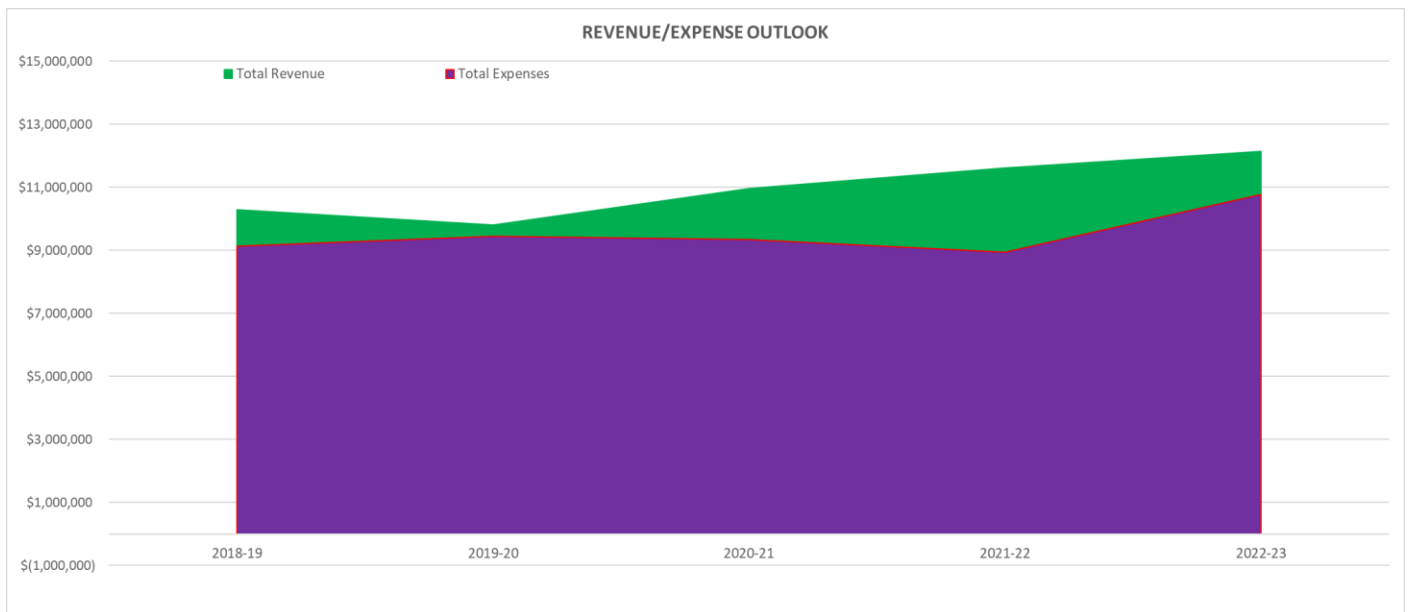
As part of the FY23-24 budget process, the General Manager and the management team are evaluating the staffing needs for each department. A formal recommendation, if necessary, will come before the Board as part of the budget approval process in subsequent meetings. Recruitments are also ongoing to fill existing vacancies.

California Public Employee Retirement System (CalPERS)

The District will receive a report and presentation by Mary Beth Redding of Foster & Foster Consulting Actuaries regarding the CalPERS actuarial obligations, the Districts plan benefits, and future payment outlook for the District employees' retirement plans.

FY23-24 Operating Revenue/Expense Outlook

The graph below plots the Operating Expenses (purple) overlapping the Operating Revenue (green) demonstrating a positive cash flow consistent with previous years.



Note: The State Lands Commission COVID-19 grants were received prior to incurring the expenses and therefore these funds show up as revenue (green), which are being spent in the current and next Fiscal Year (purple).

The District generates approximately 88% of its total revenues from real estate leases, user fees, and grant awards in the Harbor. The other 12% of non-operating revenues are derived from the Port District's share of property taxes within the City of Ventura and directed by the Board to Harbor Patrol to help fund public safety costs. The District does not receive a share of sales and transient occupancy taxes generated in the Harbor.

GRANT REVENUE

Revenue received via grants is not considered non-operating revenue (rather than operating revenue) and is considered separately. Staff reflects grant revenue in the annual budget with the capital improvement projects that will be funded by the grant.

Over the past two years, the District has successfully applied for several grants, including:

- Three grants addressing COVID-19 financial relief from the State Lands Commission.
- Six grants for electric vehicle charging at three locations at the harbor.
- One grant from California State Parks Division of Boating and Waterways.
- One grant from the National Fish and Wildlife Fund.
- Multiple grants awaiting award decisions.

This increase in grant funding is considered by staff when proposing future projects. However, where the grant outcome is uncertain, the associated projects are not yet considered within the Capital Improvement Plan.

CAPITAL IMPROVEMENTS:

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

- Ongoing accessibility improvements throughout Harbor Village.
- Various roof replacements at Harbor Village.
- Painting of Harbor Village buildings.
- Replacement of Harbor Village Marina Docks C, D, G, & H;
- Commercial fishing infrastructure upgrades.
- Building improvements to increase lease value and to continue to attract tenants.

Priorities for FY23-24 continue to take into account updates to the District's Guiding Principles and 5-Year Objectives.

FY23-24 Proposed Capital Improvements:

Staff has identified the following Capital Improvement Projects that are being recommended to the Board for consideration in FY23-24.

Capital Improvement Project	Budgeted Cost
Launch Ramp Floating Dock Replacement, Washdown Station ADA Improvement, Restroom Upgrades (This project has been delayed by permitting and engineering review by DBW)	\$ 650,000
Restrooms & Interior Plumbing Upgrades: 1559 Downstairs restrooms (New project)	\$ 235,000
Restrooms & Interior Plumbing Upgrades: 1583 Downstairs restrooms (New project)	\$ 200,000
Paid Parking Infrastructure (Procurement will require all agency approvals to be complete)	\$ 175,000
Promenade Curved Wall & Patio Upgrades (New Project)	\$ 150,000
Harbor Village Buildings – Roof Replacement (Modification to previous plan – partial deferment)	\$ 100,000
Vehicle Replacement - Harbor Patrol Dept.	\$ 95,000
Vehicle Replacement - Maintenance Dept. (EV) (2)	\$ 90,000

EV Charging Stations (Continued deferment due to SCE schedule)	\$ 84,000
Harbor Cove & Surfers Knoll – Restroom & Shower Area Improvements (Grant funded)	\$ 75,000
1575/1583 Pass-Through Repaving	\$ 60,000
Harbor Patrol Boathouse Repairs (New Project)	\$ 55,000
Sustainable Transportation Program	\$ 50,000
1567 Spinnaker #100 - Building Improvements (Anticipated carry over for installation of the upgraded electrical switch gear)	\$ 50,000
Vehicle Purchase - Administration (EV)	\$ 45,000
Boat Replacement – Harbor Patrol (Grant funded)	\$ 35,000
1583/1591 ADA Path of Travel Ramps	\$ 35,000
National Park Service Building (1691 Building) HVAC System Replacement	\$ 33,000
Harbor Village Trash Enclosures (Carry over to complete paver change-over for small islands)	\$ 30,000
Harbor Village Wayfinding Signage, Entry Awnings	\$ 25,000

FY23-24 Proposed Tenant Improvements:

Staff use lease expiration dates, probabilities, and anticipated costs for suite remodeling to estimate a comprehensive budget for District costs associated with addressing tenant turnover. During the previous fiscal year, the Board-approved leasing strategy included focus on tenant retention which has been successful in reducing turnover and thus the need to spend funds on preparing suites for new tenants. Staff continue to secure multi-year terms for new leases and lease renewals, as this provides security and reduces risk for both tenants and District.

For FY23-24, Staff is planning for a significant increase in Tenant Improvement costs associated with the modernization of ~4,000 square feet of office space as well as in-kind investments in three restaurant spaces.

FISCAL IMPACT:

Based on current forecasts and future Capital Improvements planned, the Revenue/Expense and Cash Position Outlook shows that the reserves will continue to exceed the District's Reserve Policy threshold (40% of annual operating costs) at the end of FY23-24. After completion of the Capital Improvement and Tenant Improvement projects proposed for FY23-24, Staff project that there will be \$2.7M in the Capital Improvement Reserve Fund and \$4.98M set aside as the District's required reserves.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS MAY 17, 2023

STANDARD AGENDA ITEM 2 ADOPTION OF RESOLUTION NOS. 3473 AND 3474 APPROVING UPDATES TO THE EXPENSE REIMBURSEMENT POLICIES FOR EMPLOYEES AND COMMISSIONERS AND RESCINDING RESOLUTION NOS. 3302 AND 3303

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 2
Meeting Date: May 17, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Oliver Yee, Liebert Cassidy Whitmore
Jessica Rauch, Clerk of the Board
SUBJECT: Adoption of Resolution Nos. 3473 and 3474 Approving Updates to the Expense Reimbursement Policies for Employees and Commissioners and Rescinding Resolution Nos. 3302 and 3303

RECOMMENDATION:

That the Board of Port Commissioners adopt:

- a) Resolution No. 3473 approving the updates to the Expense Reimbursement Policy for Employees and rescind Resolution No. 3302.
- b) Resolution No. 3474 approving the updates to the Expense Reimbursement Policy for Commissioners and rescind Resolution No. 3303.

SUMMARY:

The purpose of the Expense Reimbursement Policy is to set forth procedures regarding the reimbursement of actual and necessary expenses incurred by District Employees and Commissioners for the benefit of the District. Employees and Commissioners are encouraged to attend conferences, meetings, seminars, and other activities regarding matters of interest to the District and to further educational goals.

GUIDING PRINCIPLES:

- 6) Provide exceptional public service and organizational transparency.

FIVE-YEAR OBJECTIVES:

- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.
 - 4) Updates to District policies to reflect improved transparency and DEI

BACKGROUND:

These policies were last updated in 2016. The current policies would benefit from improved clarity as well as additional direction for staff and separately for Commissioners, particularly in relation to travel. The recommended updates simplify these policies and provide additional specificity for various procurements with updated guidance for reporting. No substantive changes to the policies' intent have been made. Liebert Cassidy Whitmore, the District's Human Resources Legal Counsel, reviewed the proposed changes and provided their suggestions, which were incorporated.

FISCAL IMPACTS:

None.

ATTACHMENTS:

- Attachment 1 – Resolution No. 3302 – Current Policy for Employees
- Attachment 2 – Resolution No. 3303 – Current Policy for Commissioners
- Attachment 3 – Expense Reimbursement Policy for Employees - Redlined
- Attachment 4 – Expense Reimbursement Policy for Commissioners – Redlined
- Attachment 5 – Resolution No. 3473
- Attachment 6 – Resolution No. 3474



**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

ATTACHMENT 1

- 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

ATTACHMENT 1

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

Date: _____



**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.

ATTACHMENT 2

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,

ATTACHMENT 2

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

ATTACHMENT 2

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.

ATTACHMENT 2

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)

ATTACHMENT 2

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.)

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.)

See Section 5 of Reimbursement Policy.			
Date	Event/District Purpose (provide brief explanation)	Expense(s)	Amount
<i>Subtotal</i>			

TOTAL _____

Approved By: _____, General Manager **Date:** _____



**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~~ 3473

WHEREAS, District Employees are encouraged to participate in outside activities and organizations as a representative of the District to further the interests of the District.

WHEREAS, such activities may involve the employee incurring ~~of~~ expenses which should be reimbursable by the District.

WHEREAS, the California State Legislature adopted Assembly Bill No. 1234 which establishes certain minimum requirements regarding expenses and reimbursements to members of the governing boards of special districts.

WHEREAS, on November 17, 1982, the Board of Port Commissioners (the "Board") adopted Resolution No. 2033, establishing a Travel and Expense Policies and Procedures for Commissioners and Employees.

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.

WHEREAS, on March 23, 2016, the Board adopted Resolution No. 3302 approving a new employee policy to reflect the same rules and regulations as the Commissioner Policy.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. ~~3046~~3302, which was previously passed, approved, and adopted by the Board on December 14, 2005, and adopts in its place the ~~following~~ Expense Reimbursement Policy for Employees attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on ~~March 23, 2016~~ May 17, 2023, Resolution No. 3302 was adopted by the following vote:

ATTACHMENT 3

AYES:
NOES:
ABSTAINED:
ABSENT:

ATTEST:

Michael Blumenberg, Chair

Anthony Rainey, Secretary

EXHIBIT A
VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

The purpose of this Expense Reimbursement Policy for Employees ("Policy") is to set forth the procedures of the Ventura Port District ("District") ~~concerning~~ regarding the reimbursement of actual and necessary expenses incurred by District Employees ~~while attending certain events and functions~~ for the benefit of the District.

1. General Principles: Employees are encouraged to attend conferences, meetings, seminars, and other activities ~~that provide an opportunity to be informed concerning~~ regarding matters of interest to the District and to further educational goals, which may require an Employee to incur an expense on behalf of the District. From time to time, employees may need to make purchases of supplies on behalf of the District as well. ~~At the same time,~~ Employees are ~~encouraged~~ expected 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 be reimbursed for certain authorized expenditures incurred by Employee for the benefit of the District while attending for the following ~~types of events~~:
 - a. Educational conferences, workshops, seminars and similar training 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.
 - d. Purchase of supplies for District business purposes.

An employee's attendance at an overnight event, for which reimbursement is sought, must be approved in advance by the Board. ~~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 expense is approved,~~ The District shall pay for or reimburse the Employee for incurring ~~the expense, without further approval of the Board,~~ for the following aAuthorized eExpenditures:

- i. Registration Fees. ~~Whenever possible, the District~~The Department Manager shall use their District credit card to 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. Hotel Expenses. Whenever possible, the Department Manager shall use their District credit card to 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 and only for the actual hotel fees incurred, excluding entertainment, or similar personal expenses. 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.
- iii. 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 maywillbe verified using common mapping tools such as Google or MapQuest, which is to be attached to the proper request and reporting forms. 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. The start and end point (roundtrip) shall be point of origin to and from the approved destination.
- ~~i. Hotel Expenses. Whenever possible, the DistrictThe Department Manager shall use their District credit card to 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 be allowed the following not to exceed per diem amounts for meals during travel: ~~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~~

ATTACHMENT 3

day in the following amounts:

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

These amounts include sales tax and tip (which is not to exceed 20% pretax total) and are not to be exceeded. All meal receipts must be itemized to receive reimbursement. ~~If exceeded, employee will reimbursement the District the difference.~~ If the event registration includes meals, Employees are ~~encouraged~~ expected to take advantage of such meals ~~to lower the cost of the reimbursement.~~ The cost of alcoholic beverages will not be reimbursed.

Employees that attend a conference that includes a meal, but they cannot consume that meal due to dietary, religious, or schedule restrictions for official business, the District may allow the employee to claim the full meal allowance to cover the cost of a substitute meal. An Employee must first make a reasonable effort to make alternative meal arrangements.

- 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 service, as well as toll charges and parking fees up to the actual amount expended. Employees must provide ~~should always obtain~~ receipts or documentation for incidental expenses such as tolls and parking fees and attach to an the expense reporting form. ~~pursuant to Section 5. Undocumented cash tips and payment will not be reimbursed.~~
- 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 Department Manager, using their District credit card, 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 for personal expenses, non-mileage vehicle expenses, nor for expenses incurred by an Employee's guest, the spouse, domestic partner, or other family member of an employee, or for personal expenses such as charitable contributions, non-mileage vehicle expenses, ~~I~~ the personal portion of any trip ~~otherwise related before, during or after the to authorized~~ District business, or any other unapproved expenses will not be reimbursed. ~~or personal entertainment expenses that are not part of a professional or educational conference or seminar.~~
- 4. Expense Reporting: Expenses incurred by an Employee under this Policy shall be reimbursed only after the Employee seeking reimbursement completes and submits an Expense Report the proper expense reporting documentation currently in use by the District. ~~attached hereto as Exhibit 1.~~ The Expense Report ~~documentation~~ must be submitted within 10-30 days after the Employee incurs the expense or completes the

ATTACHMENT 3

~~expensetravel~~. The Employee must attach ~~to the Expense Report~~ all relevant documentation and receipts authenticating the expenses, such as the itemized bill receipts or proof of payment issued by a hotel, ~~credit card receipts~~restaurant, or boarding pass or other ticketsor other vendors. ~~The General Manager shall review and approve each Expense Report submitted and may require additional proof of payment as necessary.~~ The Employee, Manager and General Manager will be required to review and approve the requested reimbursement.

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:~~

~~NOES:~~

~~ABSTAINED:~~

~~ABSENT:~~



**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~~3474

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~~ approved 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.

WHEREAS, on March 23, 2016, the Board adopted Resolution No. 3303 updating the policy and rescinding Resolution No. 3266.

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~~3303, which was previously passed, approved, and adopted by the Board on March ~~14~~23, ~~2015~~2016, and adopts in its place the ~~following revised~~ Expense Reimbursement Policy for Commissioners attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on ~~March 23, 2016~~ May 17, 2023, Resolution No. 3303 was adopted by the following vote:

AYES:

NOES:

Abstained:

Absent:

ATTACHMENT 4

Michael Blumenberg, Chair

ATTEST:

Anthony Rainey, Secretary

EXHIBIT A
VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR COMMISSIONERS

The purpose of this Expense Reimbursement Policy for Commissioners ("Policy") is to set forth the procedures of the Ventura Port District ("District") ~~concerning~~ regarding 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~~ Commissioners ~~is~~ are encouraged to attend conferences, meetings, seminars, and other activities ~~that provide an opportunity to be informed concerning~~ regarding matters of interest to the District and to further educational goals, which may require a Commissioner to incur an expense on behalf of the District. ~~At the same time,~~ Commissioners are ~~encouraged~~ expected 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,~~ Policy, Commissioners shall be reimbursed for certain authorized expenditures incurred by Commissioners for the benefit of the District 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. Other Governmental functions where a Commissioner attends as an authorized representative of the District.
 - ~~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 for incurring the expense, without further approval of the Board, for the following~~ aAuthorized eExpenditures:

ATTACHMENT 4

- i. Registration Fees. ~~Whenever possible, the~~ 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.~~
- ~~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 and only for the actual hotel fees incurred, excluding entertainment, or similar personal 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.~~
- iii. 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~~ will be verified using common mapping ~~tools such as Google or MapQuest, which is to be~~ attached to the ~~Expense Report~~ proper request and reporting forms. ~~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. The start and end point (roundtrip) shall be point of origin to and from the approved destination.
- ~~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 allowed the following not to exceed per diem amounts for meals during travel: ~~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, Commissioner 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:~~

ATTACHMENT 4

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

These amounts include sales tax and tip (which is not to exceed 20% pretax total) and are not to be exceeded. All meal receipts must be itemized to receive reimbursement. If the event registration includes meals, Commissioners are expected to take advantage of such meals. The cost of alcoholic beverages will not be reimbursed.

Commissioners that attend a conference that includes a meal, but they cannot consume that meal due to dietary, religious, or schedule restrictions for official business, the District may allow the Commissioner to claim the full meal allowance to cover the cost of a substitute meal. Commissioners must first make a reasonable effort to make alternative meal arrangements.

- 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 service, as well as toll charges and parking fees up to the actual amount expended. ~~Whenever possible, a Commissioner should obtain~~ must provide receipts or documentation for incidental expenses ~~such as tolls and parking fees~~ and attach to ~~an the~~ expense reporting form. ~~pursuant to Section 5. Undocumented cash tips and payments will not be reimbursed.~~
- 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, t~~ 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 individuals 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~~

ATTACHMENT 4

~~travel, and date of travel. Mileage calculations may be verified using tools such as Google or MapQuest, which can be attached to the 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~~

~~34. Unauthorized Expenditures: In accordance with California law, the District shall not reimburse for personal expenses, non-mileage vehicle expenses, nor for a expenses incurred by a spouse, domestic partner, or other family member of a Commissioner, or for Commissioner's guest, personal expenses, such as charitable contributions, non-mileage vehicle expenses, t~~The personal portion of any trip otherwise related before, during or after the approved to District business, or personal entertainment expenses that are not part of a professional or educational conference or seminar~~any other unapproved expenses will not be reimbursed.~~

~~54. Expense Reporting: 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 4~~the proper expense reporting documentation currently in use by the District.~~The Expense Report documentation must be submitted to the Clerk of the Board within 10-30 days after the end of each month in which the Commissioner incurs the expense or completes for which he or she seeks reimbursement~~the travel.~~The Commissioner must attach to the Expense Report all relevant documentation and receipts authenticating the expenses, such as the itemized bill receipts or proof of payment issued by a hotel, restaurant credit card receipts, or boarding pass or other tickets~~other vendors.~~The Clerk of the Board and General Manager shall review and approve each Expense Report submitted and may require additional proof of payment as necessary~~the requested reimbursement.

~~65. 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~~shall also provide either an oral or written a brief report of on the events attended~~for which he or she was reimbursed. If multiple officials attended the same event, a joint report may be made.~~

~~76. Public Records: All documents related to reimbursable agency expenditures are~~

ATTACHMENT 4

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. 3303 was adopted by the following vote:-~~

~~AYES:~~

~~NOES:~~

~~Abstained:~~

~~Absent:~~



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

RESOLUTION NO. 3473

WHEREAS, District Employees are encouraged to participate in outside activities and organizations as a representative of the District to further the interests of the District.

WHEREAS, such activities may involve the employee incurring expenses which should be reimbursable by the District.

WHEREAS, the California State Legislature adopted Assembly Bill No. 1234 which establishes certain minimum requirements regarding expenses and reimbursements to members of the governing boards of special districts.

WHEREAS, on November 17, 1982, the Board of Port Commissioners (the "Board") adopted Resolution No. 2033, establishing a Travel and Expense Policies and Procedures for Commissioners and Employees.

WHEREAS, on December 14, 2005, the Board adopted Resolution No. 3046, establishing a Commissioners' and Employees' Expense Reimbursement Policy; and

WHEREAS, on August 13, 2014, the Board approved a separate Expense Reimbursement Policy for Commissioners but did not approve a new Expense Reimbursement Policy for Employees.

WHEREAS, on March 23, 2016, the Board adopted Resolution No. 3302 approving a new employee policy to reflect the same rules and regulations as the Commissioner Policy.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3302, which was previously passed, approved, and adopted by the Board on December 14, 2005, and adopts in its place the Expense Reimbursement Policy for Employees attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on May 17, 2023, by the following vote:

Ayes:

Noes:

Abstained:

Absent:

Michael Blumenberg, Chair

ATTEST:

Anthony Rainey, Secretary

EXHIBIT A
VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

The purpose of this Expense Reimbursement Policy for Employees ("Policy") is to set forth the procedures of the Ventura Port District ("District") regarding the reimbursement of actual and necessary expenses incurred by District Employees for the benefit of the District.

1. General Principles: Employees are encouraged to attend conferences, meetings, seminars, and other activities regarding matters of interest to the District and to further educational goals, which may require an employee to incur an expense on behalf of the District. From time to time, employees may need to make purchases of supplies on behalf of the District as well. Employees are expected 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 Expenditures: Subject to the restrictions contained in this Policy, Employees will be reimbursed for certain authorized expenditures incurred by Employee for the benefit of the District for the following:
 - a. Educational conferences, workshops, seminars and similar training events.
 - b. Regional, state and national meetings or conferences where activities affecting the District's interests are discussed.
 - c. Other governmental functions where an Employee might attend as an authorized representative of the District.
 - d. Purchase of supplies for District business purposes.

An employee's attendance at an overnight event, for which reimbursement is sought, must be approved in advance by the Board. The District shall pay for or reimburse the Employee for incurring the following authorized expenditures:

- i. Registration Fees. The Department Manager shall use their District credit card to directly pay the registration fees associated with attendance at an approved event.
- ii. Hotel Expenses. Whenever possible, the Department Manager shall use their District credit card to 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 and only for the actual hotel fees incurred, excluding entertainment, or similar personal expenses.
- iii. 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. Mileage calculations will be verified using common mapping tools which is to be attached to the proper request and reporting forms. The District will not reimburse Employees for any other personal vehicle expenses. The start and end point (roundtrip) shall be point of origin to and from the approved destination.

- iv. Meals. An Employee shall be allowed the following not to exceed per diem amounts for meals during travel:

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

These amounts include sales tax and tip (which is not to exceed 20% pretax total) and are not to be exceeded. All meal receipts must be itemized to receive reimbursement. If the event registration includes meals, Employees are expected to take advantage of such meals. The cost of alcoholic beverages will not be reimbursed.

Employees that attend a conference that includes a meal, but they cannot consume that meal due to dietary, religious, or schedule restrictions for official business, the District may allow the employee to claim the full meal allowance to cover the cost of a substitute meal. An Employee must first make a reasonable effort to make alternative meal arrangements.

- v. Incidental Allowance. The District shall reimburse an Employee for tips actually given, that are reasonable and customary for the service, as well as toll charges and parking fees up to the actual amount expended. Employees must provide receipts or documentation for incidental expenses and attach to the expense reporting form. Undocumented cash tips and payments will not be reimbursed.
- 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 Department Manager, using their District credit card, shall directly pay for such travel arrangements whenever possible.
3. Unauthorized Expenditures: In accordance with California law, the District shall not reimburse for personal expenses, non-mileage vehicle expenses, nor for an Employee's guest. The personal portion of any trip before, during or after the authorized District business, or any other unapproved expenses will not be reimbursed.
4. Expense Reporting: Expenses incurred by an Employee under this Policy shall be reimbursed only after the Employee seeking reimbursement completes and submits the proper expense reporting documentation currently in use by the District. The documentation must be submitted to the Employee's Supervisor within 30 days after the Employee incurs the expense or completes the travel. The Employee must attach all relevant documentation and receipts authenticating the expenses, such as itemized receipts or proof of payment issued by a hotel, restaurant, or other vendors. The Employee, Manager and General Manager will be required to review and approve the requested reimbursement.
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.



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

RESOLUTION NO. 3474

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") adopted Resolution No. 3249, wherein the Board approved an expense reimbursement policy for Board Commissioners (the "Policy").

WHEREAS, on March 11, 2015, the Board rescinded Resolution No. 3249, and adopted Resolution No. 3266 setting forth the amended Policy.

WHEREAS, on March 23, 2016, the Board adopted Resolution No. 3303 updating the policy and rescinding Resolution No. 3266.

WHEREAS, the Board has determined that it is in the best interest of the District to again amend said Policy 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. 3303, which was previously passed, approved, and adopted by the Board on March 23, 2016, and adopts in its place the Expense Reimbursement Policy for Commissioners attached hereto as Exhibit A.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on May 17, 2023, by the following vote:

Ayes:

Noes:

Abstained:

Absent:

ATTEST:

Michael Blumenberg, Chair

Anthony Rainey, Secretary

EXHIBIT A
VENTURA PORT DISTRICT
EXPENSE REIMBURSEMENT POLICY FOR COMMISSIONERS

The purpose of this Expense Reimbursement Policy for Commissioners ("Policy") is to set forth the procedures of the Ventura Port District ("District") regarding the reimbursement of actual and necessary expenses incurred by 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: Commissioners are encouraged to attend conferences, meetings, seminars, and other activities regarding matters of interest to the District and to further educational goals, which may require a Commissioner to incur an expense on behalf of the District. Commissioners are expected 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 Policy, Commissioners shall be reimbursed for certain authorized expenditures incurred by Commissioners for the benefit of the District while attending the following events ("Reimbursable Event(s)"):
 - a. Educational conferences, workshops, seminars and similar events.
 - b. Regional, state and national meetings or conferences where activities affecting the District's interests are discussed.
 - d. Other Governmental functions where a Commissioner attends as an authorized representative of the District.

A Reimbursable Event must be approved in advance by a majority vote of the Board at a public meeting. The District shall pay for or reimburse the Commissioner for incurring the following authorized expenditures:

- i. Registration Fees. The District shall directly pay the registration fees associated with attendance at a Reimbursable Event.
- ii. 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 and only for the actual hotel fees incurred, excluding entertainment, or similar personal expenses.
- iii. 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 District events. Mileage calculations will be verified using common mapping tools, which is to be attached to the proper request and reporting forms. The District will not reimburse Commissioners for any other personal vehicle expenses. The start and end point (roundtrip) shall be point of origin to and from

the approved destination.

- iv. Meals. A Commissioner shall be allowed the following not to exceed per diem amounts for meals during travel:

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

These amounts include sales tax and tip (which is not to exceed 20% pretax total) and are not to be exceeded. All meal receipts must be itemized to receive reimbursement. If the event registration includes meals, Commissioners are expected to take advantage of such meals. The cost of alcoholic beverages will not be reimbursed.

Commissioners that attend a conference that includes a meal, but they cannot consume that meal due to dietary, religious, or schedule restrictions for official business, the District may allow the Commissioner to claim the full meal allowance to cover the cost of a substitute meal. Commissioners must first make a reasonable effort to make alternative meal arrangements.

- v. Incidental Allowance. The District shall reimburse a Commissioner for tips actually given that are reasonable and customary for the service, as well as toll charges and parking fees up to the actual amount expended. Commissioners must provide receipts or documentation for incidental expenses and attach to the expense reporting form. Undocumented cash tips and payments will not be reimbursed.
 - 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 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.
- 3. Unauthorized Expenditures: In accordance with California law, the District shall not reimburse for personal expenses, non-mileage vehicle expenses, nor for a Commissioner's guest. The personal portion of any trip before, during or after the approved District business, or any other unapproved expenses will not be reimbursed.
 - 4. Expense Reporting: Expenses incurred by a Commissioner under this Policy shall be reimbursed only after the Commissioner seeking reimbursement completes and submits the proper expense reporting documentation currently in use by the District. The documentation must be submitted to the Clerk of the Board within 30 days after the Commissioner incurs the expense or completes the travel. The Commissioner must attach all relevant documentation and receipts authenticating the expenses, such as itemized receipts or proof of payment issued by a hotel, restaurant, or other vendors. The Clerk of the Board and General Manager shall review and approve the requested reimbursement.

ATTACHMENT 6

5. Disclosure and Reporting: To implement the reporting requirements of Government Code section 53232.3, the Commissioner shall provide a brief report on the event attended for which he or she was reimbursed. If multiple officials attended the same event, a joint report may be made.
6. 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.