



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
Tom Bunn, Legal Counsel
Jessica Rauch, Clerk of the Board

REGULAR MEETING WEDNESDAY, JULY 19, 2023

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

AND

17553 BROOKVILLE CT.
ROUNDHILL, VA 20141

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 July 5, 2023 Port Commission Regular 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 Out-of-Town Travel Requests

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the out-of-town travel requests for:

- a) Harbormaster, John Higgins to attend California JPIA Public Safety Academy from August 21 to 24, 2023 in San Diego, CA.
- b) Harbormaster, John Higgins to attend California JPIA Risk Management Symposium from August 29 to September 1, 2023 in Carlsbad, CA.
- c) Senior Harbor Patrol Officer, Pat Hummer to attend California JPIA Management Academy from October 23 to 26, 2023 in Indian Wells, CA.
- d) Sr. Business Operations Manager, Todd Mitchell to attend CMANC Fall Meeting from September 13 to 15, 2023 in Sacramento, CA.
- e) Sr. Business Operations Manager, Todd Mitchell to attend the Marine Recreation Association Annual Educational Conference from October 16 to 18, 2023 in Sacramento, CA.
- f) Business Operations Analyst, Jessica Snipas to attend the Innovating Commerce Serving Communities ICSC@Western Conference from October 25 to 27, 2023 in San Diego, CA.

- g) Sr. Business Operations Manager, Todd Mitchell to attend the Western Dredging Association Pacific Chapter Meeting from October 25 to 27, 2023 in Coronado Bay, CA.

B) Approval of Assignment and Assumption of Lease and Fourth Amendment for Brophy & Sons, Inc. to Bennett Bros. Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve:

- a) An assignment and assumption of Lease between Brophy & Sons, Inc., a California corporation, and Bennett Bros., Inc., a California corporation, for the premises located at 1559 Spinnaker Drive, (i) Suite #200 consisting of approximately 3,725 square feet of floor area and 2,211 of patio area, (ii) Suite #200B consisting of approximately 280 square feet of floor area, and (iii) Suite #100 consisting of approximately 1,864 square feet of floor area and 1,035 of patio area.
- b) A Fourth Amendment to Lease between Ventura Port District dba Ventura Harbor Village, Brophy & Sons, Inc., a California corporation, and Bennett Bros., Inc., a California corporation dba Brophy Bros. Restaurant & Clam Bar, as it relates to (i) adding Suite #205E consisting 662 square feet of floor area (connecting office space), (ii) adjusting Minimum Monthly Rent consistent with such addition, and including specifying the date for annual adjustments for each suite constituting the Premises, and (iii) confirmation of terms, including Marketing and Promotional Fund Payment annual adjustments, square footage and expiration date.

C) Approval of a New Office Lease Agreement with Coastal Cone, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. for the premises located at 1583 Spinnaker Drive #203A consisting of a total of 123 square feet for a three-year term with one two-year option.

D) Approval of Assignment and Assumption of Lease and Consent of Landlord for Eric Jones dba Jones Construction Management to Students for Eco Education and Agriculture, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve an Assignment and Assumption of Lease and Consent of Landlord between Eric Jones, an individual dba Jones Construction Management and Students for Eco Education and Agriculture, Inc., a non-profit California corporation for the premises located at 1575 Spinnaker Drive #205, consisting of 1,326 square feet.

STANDARD AGENDA:

1) Adoption of Ordinance No. 59 for a New 20-Year Lease between the Ventura Port District and Coastal Cone, Inc. dba Coastal Cone and The Parlor

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. 59.
- b) Waive reading and direct Clerk to place Ordinance No. 59 in the record of this meeting.
- c) Adopt Ordinance No. 59 authorizing execution of a new Restaurant Lease Agreement between Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. dba Coastal Cone and The Parlor with a commencement date of August 1, 2023.

ADJOURNMENT

Ventura Port District – Regular Meeting Agenda
July 19, 2023

*This agenda was posted on July 14, 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 JULY 19, 2023

APPROVAL OF MINUTES JULY 5, 2023 REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF JULY 5, 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.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair
Anthony Rainey, Secretary
Brian Brennan via Zoom
Chris Stephens

Commissioners Absent:

Jackie Gardina, Vice-Chair

Port District Staff:

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

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP via Zoom

Number of interested persons:

0 via zoom; 0 in-person

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

CONVENED TO CLOSED SESSION AT 6:47PM.

ADJOURNMENT: Closed Session was adjourned at 6:50PM.

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 7:00PM 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
Anthony Rainey, Secretary
Brian Brennan via Zoom
Chris Stephens

Commissioners Absent:

Jackie Gardina, Vice-Chair

Port District Staff:

Brian Pendleton, General Manager via Zoom
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board
John Higgins, Harbormaster
Will McReynolds, Intern
Jessica Snipas, Business Operations Analyst via Zoom
Dave Werneburg, Marina Supervisor via Zoom

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP via Zoom

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

0 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Commissioner Stephens moved to adopt the July 5, 2023 agenda.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Stephens, Brennan

NOES: None

ABSTAINED: None

ABSENT: Vice-Chair Gardina

Motion carried 4-0.

APPROVAL OF MINUTES

The Minutes of the June 21, 2023 Regular Port Commission Meeting were considered as follows:

ACTION: Commissioner Stephens moved to approve the Minutes of the June 21, 2023 Regular Port Commission meeting.

Commissioner Brennan seconded. The roll call vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Stephens, Brennan

NOES: None

ABSTAINED: None

ABSENT: Vice-Chair Gardina

Motion carried 4-0.

PUBLIC COMMUNICATIONS: None. Closed at 7:02PM.

CLOSED SESSION REPORT: Mr. Bunn stated that the Board met in closed session; discussed and reviewed all items 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.

BOARD COMMUNICATIONS: Commissioner Rainey announced that Ford and GM have chosen Tesla for electric vehicles and public agencies are now looking at this product for EV charging and the District should keep this in mind for the future. Toyota is also considering Tesla.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on the current, past and upcoming marketing promotions and events and tenant activities.

STANDARD AGENDA:

1) Adoption of Resolution No. 3482 Approving a Notice of Proposed Ordinance for a New 20-Year Lease between the Ventura Port District and Coastal Cone, Inc. dba Coastal Cone and The Parlor

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3482 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a New Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. dba Coastal Cone and The Parlor for the premises located at 1583 Spinnaker Drive #102 and #104 consisting of a total of 1,663 square feet of interior space, 1,186 square feet of patio, and 96 square feet of storage and mechanical equipment space for a five-year term with three five-year option.

Report by Brian D. Pendleton, General Manager.

Public Comment: None.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3482 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a New Restaurant Lease Agreement between the Ventura Port District dba Ventura

Harbor Village and Coastal Cone, Inc. dba Coastal Cone and The Parlor for the premises located at 1583 Spinnaker Drive #102 and #104 consisting of a total of 1,663 square feet of interior space, 1,186 square feet of patio, and 96 square feet of storage and mechanical equipment space for a five-year term with three five-year option.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Stephens, Brennan

NOES: None

ABSTAINED: None

ABSENT: Vice-Chair Gardina

Motion carried 4-0.

2) Adoption of Ordinance No. 58 for a New 10-Year Lease between the Ventura Port District and The Boatyard, Inc. dba The Boatyard Pub

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. 58.
- b) Waive reading and direct Clerk to place Ordinance No. 58 in the record of this meeting.
- c) Adopt Ordinance No. 58 authorizing execution of a new Restaurant Lease Agreement between Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. doing business as Boatyard Pub with a commencement date of August 1, 2023.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 7:12PM.

ACTION: Chair Blumenberg opened the public hearing at 7:11PM for the purpose of receiving input on Ordinance No. 58. The reading of proposed Ordinance No. 58 was waived. There were no public speakers. The public hearing was closed at 7:12PM.

ACTION: Commissioner Stephens moved to adopt Ordinance No. 58 as follows:

ORDINANCE NO. 58

**AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING A NEW
RESTAURANT LEASE AGREEMENT WITH OPTIONS
BETWEEN THE VENTURA PORT DISTRICT AND THE BOATYARD, INC. DBA
BOATYARD PUB**

(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 the New Restaurant Lease Agreement between Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. doing business as Boatyard Pub with a commencement date of August 1, 2023.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on July 5, 2023.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Stephens, Brennan

NOES: None

ABSTAINED: None

ABSENT: Vice-Chair Gardina

Motion carried 4-0.

3) Authorize Application for a Grant from the National Fish and Wildlife Foundation for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program - 2023

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners authorize the District to apply for a grant with the National Fish and Wildlife Foundation for up to \$200,000 for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program - 2023.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None. Closed at 7:16PM.

ACTION: Commissioner Brennan moved to authorize the District to apply for a grant with the National Fish and Wildlife Foundation for up to \$200,000 for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program - 2023.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Stephens, Brennan

NOES: None

ABSTAINED: None

ABSENT: Vice-Chair Gardina

Motion carried 4-0.

ADJOURNMENT: The meeting was adjourned at 7:17PM.

The next regular meeting is Wednesday, July 19, 2023.

Anthony Rainey, Secretary



BOARD OF PORT COMMISSIONERS JULY 5, 2023

DEPARTMENTAL STAFF REPORTS JUNE 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: July 19, 2023

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

ADA RESTROOMS UPGRADES 1567, 1575, 1691

Status: On Going

Budget: Over budget (Partially grant funded)

Tomar Construction (Tomar) has materially completed the restroom work for all three locations. Due to backorders for materials, some tasks were delayed and at this time only one task remains outstanding. Staff anticipates the punch list being completed and bringing the Notice of Completion to the Board on September 6th for approval.

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, exterior stucco, front entry door, stone veneer and all the exterior lighting. The exterior patio's designs provided by the architect are being resubmitted to City planning for approval. Once the patio designs are approved, the contractor will perform the final exterior work for the patio.





NEW TRASH ENCLOSURES 1559 AND 1691

Status: On going

Budget: On budget (Grant funded)

Carjul Engineering is currently experiencing an unforeseen administrative set back. We are waiting for the special-order stainless-steel mesh to arrive to finish the project. Staff has been in contact with Carjul's new project manager to help him expedite finishing the project. Both trash enclosures are largely complete and open for service.

The old enclosures have been removed and new pavers have been installed while making space for drought tolerant plants. Carjul has finished with the installation of all pavers.

1567 BUILDING A WATERPROOFING

Status: Ongoing

Budget: On Budget

The Capital Improvements Project budget for the previous fiscal year included roof replacement for the equipment area behind the Margarita Villa (Suite 200) patio. In addition, the rear (east) patio of Margarita Villa was due for resurfacing of waterproofing material.

The restaurant's patio work is 100% complete. The adjacent equipment roof is underway and is having minimal impact to the restaurant's operations due to good coordination between the contractor and Margarita Villa. The Contractor has been working with the restaurant's staff to make sure that the restaurant's walk-in fridge, that's located in the project area is accessible. The construction work for the project has been periodically inspected by City inspectors and District consultants. As of today, there have been no issues.



1559 WEST SIDE WATERPROOFING DECKING:

Status: Ongoing

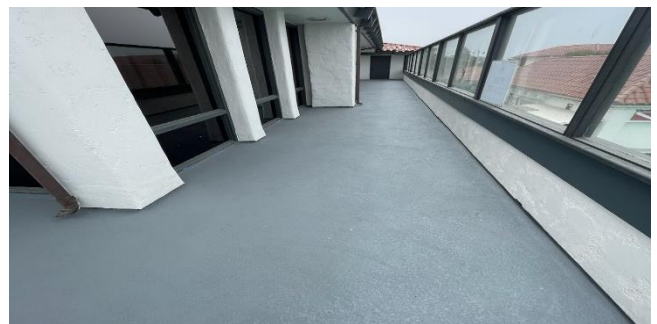
Budget: On budget

The Tenant Improvement Budget for the current fiscal year includes waterproofing for the 1559 west side second level walkway. New copper metal flashing will be installed rather than regular metal for longevity. The walkway work has begun and has advanced quickly despite some weather delays. The exterior walkway leaked into tenant spaces below during our past storms. The waterproofing materials were reviewed and approved by Port District Consultants. This will be a 100% new waterproofing that will help with longevity. Additionally, it's good timing for this project, since the District will be remodeling the adjacent space into multiple suites for prospect tenants.

Before



After



ADDITIONAL PROJECT:

- 1559 Suite 205 Tenant Improvements
- 1603 EV charging units' installation
- Marketing Promenade sign installation
- 1559 Suite #104 Tenant Improvements
- 1591 Suite # 117B Tenant Improvements

Status: Working on scheduling

Status: Started units' installation

Status: 100% Completed

Status: 100% Completed

Status: Started

**VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT**

Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
SUBJECT: June 2023 Dredging Report

OUTER HARBOR DREDGING (FEDERAL NAVIGATION CHANNEL)

During the CMANC Board Meeting, Mr. Mitchell was elected Chair of the Board of Directors for the 2023-2024 term effective July 1, 2023. This is consistent with the District's 5-Year Objectives for dredging.

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 is also engaged with FEMA to potentially obtain funding for inner harbor dredging needs that are advanced due to the influx of material during the atmospheric river events this past winter.

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.

INNER HARBOR DREDGING

Atmospheric Rain Events Will Mean Inner Harbor Dredging in 2024

Due to the inflow of sediment during the atmospheric river events in January, it has been determined that the inner harbor will need to be dredged in 2024. The principal area of infill is in the basin between Marina Park and the harbor entrance. This area generally acts as a "sand trap" for material, which it did in this event. There is no hazard to navigation here, but the basin needs to be dredged.

District staff are in discussions with FEMA regarding emergency funding being made available for the work. In order to perform the work, permits for inner harbor dredging must be obtained.

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 unofficially completed, but due to Corp staff workload, the permit itself will not be prepared until August.

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 was

held on June 2nd to review the questions and provide guidance for the District and Rincon on a response. Rincon and District staff are preparing additional information to respond to the CCC's questions.

The current Coastal Development Permit does not expire until 2026, so this effort is less time sensitive provided that the Santa Clara River mouth is open when dredging is to be performed.

ATTACHMENT:

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

FY 2024 Appropriations Update

In June, the House and Senate Appropriations Committees began work on the Fiscal Year (FY) 2024 appropriations bills. The debt deal reached between the Administration and House Republicans included a deal on spending caps—set at FY 2023 spending levels. However, House Republicans have agreed that these caps represent a “ceiling” on spending and will be marking up to levels below those listed in the debt deal. The Senate has announced that they will be marking up bills to the levels in the agreed package. Both the House and the Senate Appropriations Committee are expected to continue to work on their respective bills during the month of July.

With the FY24 Energy & Water Appropriations bill being one of the handful of appropriations measures to clear the House Committee process in June, we can confirm that **the House bill reflects the President’s recommendation of \$8.471M for the Ventura Harbor annual operation and maintenance dredging.**

Below is a chart that outlines the topline numbers for each of the twelve appropriations subcommittees in the House and Senate, as well as the status of each bill. Congress must approve FY 2024 appropriations bills before the end of the fiscal year on September 30th or approve a continuing resolution (CR) to keep the government funded beyond that date.

SUBCOMMITTEE	FY 2023 ENACTED (in billions)	FY 2024 HOUSE (in billions)	FY 2024 SENATE (in billions)	STATUS
Agriculture-FDA	\$25.48	\$17.83	\$25.99	House: Approved by Committee on June 14 th by a vote of 34-27. Senate: Approved by Committee on June 22 nd by a vote of 28-0.
Commerce-Justice-Science	\$82.44	\$58.67	\$69.63	House: TBD Senate: TBD

Defense	\$797.73	\$826.44	\$823.26	House: Approved by Committee on June 15 th by a vote of 34-24. Senate: TBD
Energy & Water	\$54	\$52.37	\$56.73	House: Approved by Committee on June 22 nd by a vote of 34-24. Senate: TBD
Financial Services	\$27.55	\$11.31	\$16.80	House: Approved by Subcommittee. Senate: TBD
Homeland Security	\$60.7	\$62.79	\$56.92	House: Approved by Committee on June 21 st by a vote of 33-25 Senate: TBD
Interior-Environment	\$38.85	\$25.41	\$37.85	House: TBD Senate: TBD
Labor-HHS-Education	\$207.36	\$147.09	\$195.23	House: TBD Senate: TBD
Legislative Branch	\$6.9	\$6.74	\$6.76	House: Approved by Committee on June 21 st by a vote of 33-24. Senate: TBD
MilCon-VA	\$154.16	\$155.70	\$154.35	House: Approved by Committee on June 13 th by a vote of 34-27. Senate: Approved by Committee by a vote of 28-0.
State-Foreign Ops	\$59.69	\$41.36	\$58.35	House: Approved by Subcommittee. Senate:
Transportation, Housing & Urban Development	\$87.33	\$65.20	\$88.09	House: TBD Senate: TBD

OMB Releases Spring 2023 Regulatory Agenda

The White House Office of Information and Regulatory Affairs (OIRA) released President Biden's latest Unified Regulatory Agenda. This agenda is a roadmap for which federal rules and regulations the agencies will be targeting over the next 6 months. The complete agenda, which can be searched by each individual federal agency, can be found [HERE](#).

IRS Releases Proposed Guidance on IRA Tax Credits Elective Pay and Transferability

The Internal Revenue Service (IRS) released proposed guidance on the following two clean energy tax credits that were included in the Inflation Reduction Act (IRA):

- **Elective pay** makes certain clean energy tax credits effectively refundable. With elective pay, an eligible entity (such as a local government) that qualifies for a clean-energy investment tax credit can notify the IRS of their intent to claim the credit and file an annual tax return to claim elective pay for the full value of the credit. The IRS would then pay the local government the value of the credit. NOTE: Elective pay is sometimes also known as "direct pay," which should not be confused with the [IRS payment method](#). Comments on the elective pay proposal are due by August 14th and a public hearing is scheduled for August 21st at 10:00 am ET. More information can be found [HERE](#).
- **Transferability** allows entities that qualify for a tax credit but are not eligible to use elective pay to transfer all or a portion of the credit to a third-party buyer in exchange for cash. The buyer and seller would negotiate and agree to the terms and pricing. Comments on the transferability proposal are due by August 14th and a public hearing is scheduled for August 23rd at 10:00 am ET. More information can be found [HERE](#).

EPA Releases Solar for All NOFO

The Environmental Protection Agency (EPA) released a Notice of Funding Opportunity (NOFO) for its Solar for All program. The Solar for All program is part of the Greenhouse Gas Reduction Fund that was created by the IRA. The NOFO will award a total of \$7 billion for up to 60 grants to states, territories, tribal governments, municipalities, and nonprofits to expand low-income and disadvantaged community access to residential solar. EPA will host a webinar on the NOFO on July 12th at 1:00 pm ET and registration can be found [HERE](#). Applicants must submit a Notice of Intent to apply by August 14th. Applications are due by September 26th and more information can be found [HERE](#).

NOAA Releases \$2.6 Billion Climate and Coastal Resilience Framework

The National Oceanic and Atmospheric Administration (NOAA) announced a \$2.6 billion framework to "protect coastal communities and restore marine resources." Elements of the framework include:

- **Climate Resilience Regional Challenge (\$575 million)**
- **Tribal Priorities (\$390 million)**

- **Climate-Ready Fisheries (\$349 million)**
- **Ocean-Based Climate Resilience Accelerators (\$100 million)**
- **Climate-Ready Workforce (\$60 million)**

More information on the framework and its programs can be found [HERE](#).

Senator Padilla Introduces Atmospheric Rivers Forecasting Bill

Senator Alex Padilla (D-CA) introduced the *Atmospheric Rivers Reconnaissance, Observation and Warning Act* ([S. 2203](#)), a bill that aims to improve accuracy and timeliness of West Coast Atmospheric River forecasts and warnings. The legislation would direct the Air Force and NOAA to provide aircraft, personnel, and equipment during the winter season (November to March) to improve data collection and stakeholder engagement. The bill was referred to the Senate Committee on Armed Services for consideration.

Bipartisan Senate Bill Seeks to Align FEMA Disaster Assistance Deadlines

Senators Gary Peters (D-MI) and Marco Rubio (R-FL) introduced the *Disaster Assistance Deadlines Alignment Act* ([S. 1858](#)) to create a single application for two Federal Emergency Management Agency (FEMA) disaster relief programs. The Disaster Unemployment Assistance (DUA) program the Individuals and Household Program (IHP) currently have different deadlines following a disaster. The DUA deadline is 30 days and the IHP deadline is 60 days after a federal disaster declaration. The legislation would require at least 60 days for disaster survivors to submit applications for both programs. The Senate Homeland Security and Governmental Affairs Committee approved the legislation, and the bill now awaits consideration on the Senate floor.

President Biden Announces New Director of Intergovernmental Affairs

President Biden announced that Tom Perez will serve as the new Director of White House Office of Intergovernmental Affairs. Perez, who previously served as Secretary of Labor during the Obama Administration, is replacing outgoing Director Julie Chávez Rodriguez.

Congressional Letters

Bipartisan Group of Senators Urge Treasury and OMB to Expedite SLFRF IFR. A bipartisan group of Senators, led by Senators John Cornyn (R-TX) and Alex Padilla (D-CA), sent a letter to Department of the Treasury Secretary Janet Yellen and White House Office of Management and Budget (OMB) Director Shalanda Young urging their offices to expedite the release of the Interim Final Rule (IRF) on how state and local governments can use *American Rescue Plan Act* (ARPA) State and Local Fiscal Relief Funds (SLFRF) for additional infrastructure. The FY23 omnibus appropriations package included the *State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act*, which allows state and local governments to use SLFRF for additional infrastructure projects. The letter asks for an updated timeline for the release of the IRF. The letter can be found [HERE](#).

Federal Announcements

FEMA Publishes Community Disaster Resilience Zone Act RFI. FEMA published an RFI for implementation of the *Community Disaster Resilience Zone Act of 2022*. The legislation allows FEMA to develop disaster resilience nationwide by designating resilience zones in at-risk communities. Comments are due by July 25th and more information can be found [HERE](#).

FEMA Requests Feedback on BRIC Program. FEMA is seeking feedback from state, local, and tribal government entities on the Building Resilient Infrastructure and Communities (BRIC) grant program to update and improve implementation of the program. Comments are due by August 16th and more information, including how to submit comments, can be found [HERE](#).

FHWA Publishes Climate Change and Extreme Weather in Transportation Asset Management Handbook. FHWA published a new handbook titled “Addressing Resilience to Climate Change & Extreme Weather in Transportation Asset Management”. The handbook explains how to develop a baseline understanding for transportation projects. The handbook also steps through the core elements of an asset management plan, providing ideas and emerging practices on how to consider natural hazard resilience in the asset inventory, the performance gap assessment, asset management objectives and targets, the risk management process, life-cycle planning, investment strategies and financial plans, and information on monitoring risks over time. The handbook can be found [HERE](#).

IRS Releases Updated Energy Community Bonus Eligibility Guidance for Clean Energy ITC and PTC. IRS released updated information regarding the energy community bonus for the clean energy Investment Tax Credit (ITC) and Production Tax Credit (PTC) authorized by IRA. The program provides eligible communities with an ITC or PTC boost of up to 10% for projects, facilities, and technologies located in energy communities. The new guidance includes updated local unemployment rate data and technical clarifications regarding eligibility for communities. More information can be found [HERE](#).

NOAA Announces Climate-Ready Workforce for Coastal Communities Competition. NOAA announced the Climate-Ready Workforce for Coastal States, Tribes, and Territories Initiative, a competitive funding opportunity for coastal communities to lead partnerships on workforce training and development for climate resiliency. Letters of Intent are due by November 30th and applications are due by February 13th. More information, including a list of upcoming information webinars, can be found [HERE](#).

President Biden Appoints New Executive Director of Federal Permitting Improvement Steering Council. President Biden appointed Eric Beightal as Executive Director of the Federal Permitting Improvement Steering Council, replacing Christine Harada. The 16-member council seeks to streamline the federal permitting process for large-scale infrastructure, including energy, coastal restoration, broadband, and electric transmission projects.

US Army Corps of Engineers to Host CWIFP Application Information Session. The U.S. Army Corps of Engineers will host a webinar on July 19th at 1:00 pm ET on the Corps Water Infrastructure Financing Program (CWIFP). The program will fund projects to maintain, upgrade, and repair dam infrastructure nationwide. Registration for the webinar can be found [HERE](#).

White House Launches Invest.gov. The White House launched a new resource that details federally funded infrastructure and energy projects. [Invest.gov](#) features an interactive map that shows projects funded and jobs created by projects funded through BIL and IRA.

##

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: July 19, 2023

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

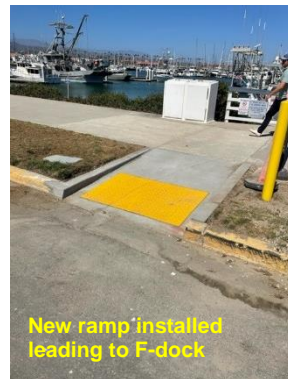
MAINTENANCE ACTIVITIES

VHV F-DOCK GANGWAY RAMP ADDITION

Status: Completed

Budget: Budgeted (Marina)

A dedicated loading and passage ramp was installed by a contractor leading from the VHV parking lot onto the F-Dock gangway. The dedicated ramp will help commercial boating tenants upload and off load their vessels without compromising the landscaping and utilities. Two bollards were also added to help protect utilities (Light poles).

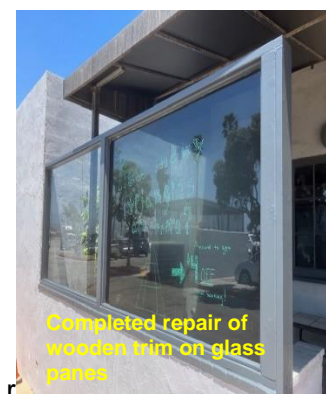


VHV 1591 ESCAPE ROOMS EXTERIOR PATIO

Status: COMPLETED

Budget: Budgeted (Building Maintenance)

VHV 1591 Ultimate Escape Room suite # 117C exterior patio glass partition wood framing was found to have termite damage, which is deemed a building maintenance issue. Maintenance staff worked to replace all the affected framing and replace with redwood lumber, prime, and paint to match. Project was initiated and completed by Maintenance Tech 2, Luis Quezada, and Lead Worker Abel Gamino.



VHV 1575 RESTROOM COURTYARD PLANTERS REHAB

Status: Completed

Budget: Budgeted (Ground Maintenance)

Through the efforts of Landscaper Manuel Valencia, the planters in front of VHV 1575 restrooms courtyard entrance were rehabilitated with new environmentally friendly vegetation, dedicated irrigation drip system, and topped with decomposed granite.



Men's restroom side planter before rehab



Men's restroom side planter after rehab. completed



Women's restroom side planter before rehab



Women's restroom side planter after rehab. Completed

HARBOR BLVD & SCHOONER DRIVE WAYFINDING STREET SIGNAGE INSTALATION

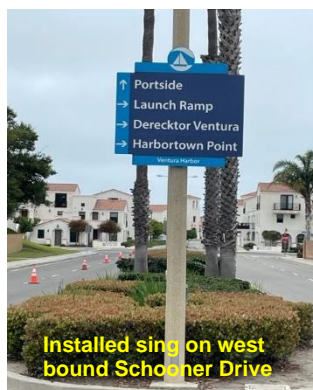
Status: Completed

Budget: Budgeted (Ground Maintenance)

Three waypoint signs on Harbor Blvd and one on Schooner Dr were removed and refurbished to improve direction finding to the north side of the Ventura Harbor via Harbor Blvd and Schooner Dr. The project was complete inhouse through the efforts of Lead Worker Abel Gamino, Maintenance Tech 2 Luis Quezada, and Maintenance Tech 1 Aaron Loft.



Crew installing sign on Schooner Drive



Installed sing on west bound Schooner Drive



Installed sign on north bound Harbor Blvd before Schooner Dr.



1 of 2 installed signs on south bound Harbor Blvd before Schooner Dr

HARBOR COVE BEACH RESTROOM HARBOR PATROL ASSISTANCE

Status: Completed

Budget: Budgeted (Building Maintenance/Harbor Patrol)

Maintenance staff assisted and completed Harbor Patrol requests to install a dedicated water heater inside the Harbor Cove beach restroom chase room to assist Harbor Patrol and Lifeguards with the treatment of sting ray bites which have been occurring with increased frequency at the beach. An air compressor was installed in the chase room for use by first responder vehicles.



VHV PROMENADE LIGHT POLES LIGHTING ISSUE

Status: Completed

Budget: budgeted (Grounds Maintenance)

An underground circuit short was identified that disabled a string of 9 light poles along the VHV Promenade next to the VHV lawn. After troubleshooting, the affected circuit was identified and replaced by Maintenance Tech 1 Aaron Loft and Maintenance Tech 2 Luis Quezada.



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: July 19, 2023

TO: Board of Port Commissioners
FROM: John Higgins, Harbormaster
Pat Hummer, Senior Patrol Officer
SUBJECT: June 2023 Harbor Patrol Report

PUBLIC SAFETY

Overview:

Harbor Patrol staff have seen an increase in all water activities. It is our primary mission to evaluate trends and educate the public on safe practices. Fortunately, the increase in recreational use is not complicated with commercial vessel traffic.



With the warm weather we have also seen an increase in visitors on land. This typically occurs during the summer and our staff does its best to help maintain order but relies on the Ventura Police to formally handle larger issues. One issue that typically manifests both at the peak of summer and then during the slow month of December is petty theft. In the past month there have been a couple of break ins to local businesses. In addition to these commercial thefts, there have been a few vehicles break ins. Both trends are not uncommon in California but are not ignored by our staff or the Ventura Police Department. In all cases, Port District staff have encouraged these victims to report the crimes to Ventura Police. Because of the current demand on the Police Departments, they deploy resources to areas of need. Reporting crime is not a negative and in fact helps result in a safer area. The most common method for these crimes that occurred without suspect information is the online police report.

The Port District will continue to try to work with the Police to identify and apprehend these criminals. Harbor Patrol staff remain vigilant and watchful while out in the trucks. This year they have spent just under 2,000 hours doing landside patrol. Additionally, several cameras have been purchased to replace units currently in use at the Harbor Village properties. The cameras will not necessarily decrease these crimes but may provide valuable clues for the Police investigations.

Character Pedal Boats:

As noted by a member of the public at the previous Board Meeting, the character pedal crafts have been extremely popular with visitors. Harbor Patrol have had to assist, tow, and educate the operators on a somewhat regular basis. While these crafts are primarily intended to be used on lakes and lagoons, we have been open to their use in the Harbor. The main issues noted is interaction with normal vessel traffic, sailboats, wind, and generally user inexperience.



The Port District Management Team and Harbormaster plan to meet with the Vendor to discuss how these operational issues could be better addressed to ensure the safety of visitors and local boaters.

Soundings:

No Soundings were performed as we are confident that there are no new hazards to navigation in the channels.

BEACHES

Lifeguarding:

The Summer Lifeguards have been kept busy with the preventative actions, large groups, and issues with the deceased marine mammals. The Harbormaster and Lifeguard Supervisor routinely communicate to ensure the highest level of services are being provided.

Numerous large school groups obtained permits and visited the Harbor over the month of June. These groups pay for additional Lifeguards, and all receive a safety talk prior to entering the water. Cities as far away as Bakersfield visited for a school sponsored beach day.

Port District Supplied Lifeguard Vehicle:

Early last month the Ford F-150 previously used for the beach operations had a transmission failure. After receiving a \$6,000 quote for the repair, it was determined that the vehicle would be retired. Fixing the transmission would only address that system but not ensure the motor, brakes, or other critical systems would continue to perform. The vehicle, being over 15 years old, will now be included in a future surplus sale.



As a quick solution to the problem, staff rented a small side by side 4x4 vehicle for the summer. With a cost of just over \$3,000, this ensured that the lifeguards have a vehicle to assist in their operations. The smaller vehicle is also better suited for traversing the narrow beach area between Harbor Cove and the Surfers Knoll Groin. We plan to offer them the 2017 Ford F-150 (aka Harbor 2) next year. This vehicle will be taken out of first line response but will provide a reliable platform for several years.

Stingray First Aid Station:

Last month we reported the newly installed sting ray warning signs. These signs advise beachgoers of the season and preferred method of walking in the water. This issue is not isolated to Ventura but is frequent throughout Southern California.

To better serve the injured victims we have installed a small hot water heater at the Harbor Cove restroom outside closet. This new equipment will provide the needed 110-115 degree hot water. This is on the border of causing burns so we have also provided a thermometer and cold water access to ensure that the temps stay within the range. The hot water treatment will help dissolve the poison and aid in a quicker recovery. Harbor Patrol Staff and Lifeguards have received training on the equipment and use.

Surplus Boat Update:

The conversations have continued, and California State Parks will be processing a formal letter with the Department of General Services requesting the boat be transferred to the Ventura Port District.

The Harbormaster has been working with State Parks Vessel Operators to determine what equipment will be removed and what will need to be replaced to be best prepared for its arrival.



The most recent update on July 12, 2023, is that the boat may be available in the next one to two weeks. They expect delivery of one of the new vessels on the 19th. They will need the slip for the new boat at or around that time. The plan on our side will be to take a crew of two to three people down there to transport it back to Ventura. This would be a day-long process with the departure in the early morning and the arrival later afternoon.

Harbor Cove:

Harbor Cove (also known as Mothers' Beach) is well suited for the large summer crowds. The relatively small area hosts two active outrigger clubs, six volleyball courts, surf instruction, restrooms, beach access trail mat, flat water, and Lifeguards.

It appears that all of these activities are happening daily throughout the week. Surprisingly, the busiest of the days is not Saturday or Sunday but rather Wednesdays. The Port District has partnered with California State Parks to host the Junior Lifeguards. One of the three groups go out to the Islands via Islands Packers and the other two groups will remain at the beach and learn about the Harbor and participate in kayaking, volleyball, swimming, and exploring. Because this is hosted by our current Lifeguard Vendor, they bring sufficient staffing to assist in the overall safety of beachgoers.

South Beach:

As we have noted this region has been hit with several marine mammal deaths because of the red tide and domoic acid event. South Beach has seen a record number of affected animals. The Harbor Patrol, Maintenance, and City of Ventura have worked effectively to identify and remove the affected sea life as soon as possible.

These same groups have worked with volunteers to identify and rescue animals who have a chance at recovery. To start the process, one member of any of the groups will identify the animal and clearly tape off the area and post a notice for people to stay clear. The status the animal will then be evaluated over time to determine what options are possible. This has taken up a fair amount of staff's time but also allowed for it to be an interpretive experience where the public is educated on these events. It is often a point to note that our area is rich in wildlife and because of this density it is normal to have these life cycles take place.

US MERCHANT MARINE LICENSE COURSE UPDATE (USCG CAPTAINS LICENSE)

Harbor Patrol Officer Brendan Donohue was the first of the new staff to complete the online Captains Course and pass the USCG course test. He will now prepare the application and submit related documents to receive his formal license.

The other Harbor Patrol Officers continue to make good progress and look forward to completing the course. As previously mentioned, this course is self-study and available for 12 months. We are still less than halfway through the available time and expect everyone will complete it before the deadline.

CITY, COUNTY, & STATE RELATIONS

Fire & Police:

We continue to respond and support rescue and law enforcement services in the Ventura region by way of water and land. Having solid relations with these units provides for efficient and effective responses.

California Fish & Wildlife:

We are currently hosting the new Fish and Wildlife boat at our Harbor Patrol dock. The boat was given to this region and is considered a rapid response boat for nearshore events and disasters. We are not charging the State any money but may have to relocate them to the long dock once we receive the additional boats.

US DHS Customs and Border Protection Marine Interdiction Vessel:

Last month we hosted the Air and Marine Interdiction Vessel at our facility. The crew was performing Homeland Security Missions in the region and required a safe place to secure for six days. The crew departed nightly to search the waters offshore for smuggling and illicit activities. They were accompanied by aircraft that launched from Camarillo Airport nightly. While the mission was uneventful, they were extremely appreciative of the accommodations.



The Harbormaster will again provide dockage possibly in August. During their stay numerous people from the public noted the big fancy boat. We noted it was the first time DHS Homeland Security has docked any vessels at the long dock which is a certified US Port of Entry.

**VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT**

Meeting Date: July 19, 2023

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

MARINA DEPARTMENT ACTIVITIES

Ventura Harbor Village Marina

Total Slip Count	103	100%
Slips Assigned	102	99%
Slips Occupied	83	80%
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.

There have been no significant commercial squid landings to date for the 2023-2024 season. A number of vessels have been, what is termed, scratching/sampling off Catalina and Monterey. Monterey has landed about 40 tons over a period of a month, but the counts (squid per pound) have been in the 16-19 count range, which is too small for the market. The market will accept 8-12 count per pound. It is very early in the season, though preliminary sampling shows promise with quantity of roe. Market squid only have a 12 to 18-month life cycle.

VENTURAWATERPURE PROJECT / DRY STORAGE

Parcel 19A (parking lot at corner of Harbor and Schooner) is currently being reconfigured to accommodate dry storage vessels from both Ventura Port District's Dry Storage lot on Anchor's Way as well as vessels from Derecktor Marine. A portion of the Port District's Dry Storage will be used to stage pipes for connecting to the outfall from Marina Park. Rob Weinerth, the Courtesy Dockmaster tasked with overseeing day-to-day operations of our Dry Storage, has done a stellar job of rearranging the proverbial "deck-chairs" so that less than 10 of our tenants (out of 71) will have to relocate to 19A for the duration of this project.

ATTACHMENT:

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

Commercial Fishing & Aquaculture Advocacy

Ventura Port District

Monthly Report – June 2023

Executive Summary

- Senator Roger Wicker (R-MS) reintroduced the Advancing the Quality and Understanding of American Aquaculture (AQUAA) Act to establish national standards for sustainable offshore aquaculture, designating the National Oceanic and Atmospheric Administration (NOAA) as the lead federal agency for marine aquaculture.
- Congresswoman Kat Cammack (R-FL) also reintroduced the AQUAA Act. The bill supports sustainable marine aquaculture to complement sustainable fisheries and ecosystem-based management; clarifies the federal regulatory regime for sustainable offshore aquaculture; supports research and technology; and reduces the U.S. seafood trade deficit by expanding the domestic supply of seafood.
- Senator Roger Wicker and Representative Chellie Pingree (D-ME) also introduced their bipartisan, bicameral legislation, the Sustaining Healthy Ecosystems, Livelihoods, and Local Seafood (SHELLS) Act, which would create a program office for aquaculture within the U.S. Department of Agriculture (USDA) to bolster shellfish harvesters and seaweed farmers, protect food security, and promote blue carbon ecosystems.
- 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.

Federal Legislation

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

[H.R.3542 - Promoting American Competition in Aquaculture Research Act](#)

Sponsor: Rep. Tokuda, Jill N. [D-HI-2]

Latest Action: June 23, 2023 (*Referred to Subcommittee*)

Summary: Amends the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to eliminate the prohibition on indirect costs with respect to aquaculture assistance.

[H.R.3951 - Establishing the Office of Aquaculture](#)

Sponsor: Rep. Bonamici, Suzanne [D-OR-1]

Latest Action: June 22, 2023 (*Introduced*)

Summary: Amends the Department of Agriculture Reorganization Act of 1994 to establish the Office of Aquaculture, and for other purposes.

[S.2211 - Establishing the Office of Aquaculture](#)

Sponsor: Sen. Whitehouse, Sheldon [D-RI]

Latest Action: June 22, 2023 (*Introduced*)

Summary: Amends the Department of Agriculture Reorganization Act of 1994 to establish the Office of Aquaculture, and for other purposes.

[H.R.4013 - AQUAA Act](#)

Sponsor: Rep. Cammack, Kat [R-FL-3]

Latest Action: June 12, 2023 (*Introduced*)

Summary: Establishes a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes.

[H.Res.486 - Recognizing World Oceans Day](#)

Sponsor: Rep. Bonamici, Suzanne [D-OR-1]

Latest Action: June 9, 2023 (*Introduced*)

Summary: Recognizes World Oceans Day and the necessity to protect, conserve, maintain, and rebuild our ocean and its resources.

[S.1861 - AQUAA Act](#)

Sponsor: Sen. Wicker, Roger [R-MS]

Latest Action: June 7, 2023 (*Introduced*)

Summary: Establishes a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes.

[H.R.3873 - Ocean Regional Opportunity and Innovation Act of 2023](#)

Sponsor: Rep. Pingree, Chellie [D-ME-1]

Latest Action: June 6, 2023 (*Introduced*)

Summary: Establishes Ocean Innovation Clusters to strengthen the coastal communities and ocean economy of the United States through technological research and development, job training, and cross-sector partnerships.

[S.1808 - Coastal Communities Ocean Acidification Act of 2023](#)

Sponsor: Sen. Murkowski, Lisa [R-AK]

Latest Action: June 6, 2023 (*Introduced*)

Summary: Amends the Federal Ocean Acidification Research and Monitoring Act of 2009 to require the Secretary of Commerce to collaborate with State and local governments and Indian Tribes on vulnerability assessments related to ocean acidification, and research planning.

[S.1806 - Ocean Regional Opportunity and Innovation Act of 2023](#)

Sponsor: Sen. Murkowski, Lisa [R-AK]

Latest Action: June 6, 2023 (*Introduced*)

Summary: Establishes Ocean Innovation Clusters to strengthen the coastal communities and ocean economy of the United States through technological research and development, job training, and cross-sector partnerships.

[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.

[NOAA Initiates Aquaculture Opportunity Area Efforts In Alaska](#)

NOAA and partners in the State of Alaska are announcing plans to identify Aquaculture Opportunity Areas (AOAs) in Alaska state waters. These areas will be selected through engagement with tribes and the public, a process that allows constituents to share their community, tribal and stewardship goals for sustainable aquaculture development in Alaska's coastal and marine waters. Alaska will join Southern California and the Gulf of Mexico as the third region in which NOAA is working with partners to identify AOAs.

[IMO Welcomes Adoption of New Oceans Treaty](#)

IMO has welcomed the adoption of a landmark agreement on a new oceans treaty to protect marine biodiversity on the high seas. IMO Secretary-General Kitack Lim says landmark treaty will reinforce efforts to protect biodiversity. The new legally binding international instrument on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction was adopted on June 19 at the United Nations headquarters in New York.

[EPA Finalizes New Renewable Fuel Standards to Expand Production of Low-Carbon Fuels](#)

The Environmental Protection Agency (EPA) issued a final rule under the Renewable Fuel Standard (RFS) program that establishes the biofuel volume requirements for 2023 to 2025. The final rule strengthens U.S. energy security by reducing reliance on foreign sources of oil by roughly 130,000 to 140,000 barrels of oil per day over the time frame of the final rule, 2023–2025. The final rule also discusses EPA’s intent to monitor the ongoing implementation of the RFS program and its impacts on domestic refineries.

[FMC Issues Supplemental Notice of Proposed Rulemaking on Unreasonable Refusal to Deal](#)

A Supplemental Notice of Proposed Rulemaking (SNPRM) issued by the Federal Maritime Commission proposes how the FMC would implement the prohibition on common carriers unreasonably refusing available cargo space to shippers. The SNPRM is a continuation of a rulemaking process mandated by the Ocean Shipping Reform Act of 2022 (PL 117-146).

On The Hill

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

[Wicker, Schatz Reintroduce AQUAA Act To Advance American Aquaculture](#)

Senator Roger Wicker (R-MS) reintroduced the bipartisan Advancing the Quality and Understanding of American Aquaculture (AQUAA) Act to establish national standards for sustainable offshore aquaculture. The bill would designate the National Oceanic and Atmospheric Administration (NOAA) as the lead federal agency for marine aquaculture. The legislation would also direct NOAA to harmonize the permitting system for offshore aquaculture for farms in federal waters and direct the agency to lead a research and development grant program to spur innovation throughout the industry.

[Cammack, Case Introduce AQUAA Act In Support Of Domestic Aquaculture](#)

Congresswoman Kat Cammack (R-FL) and Congressman Ed Case (D-HI), Co-Chairs of the Aquaculture Caucus, introduced the AQUAA Act. The bill supports the development of a sustainable marine aquaculture industry in the United States; advances access to investment capital; develops sustainable marine aquaculture to complement sustainable fisheries and ecosystem-based management; clarifies the federal regulatory regime for sustainable offshore

aquaculture; supports research and technology; and reduces the U.S. seafood trade deficit by expanding the domestic supply of seafood.

[Wicker Introduces Bipartisan Bill To Support Aquaculture Farmers And Harvesters](#)

Senator Roger Wicker introduced bipartisan, bicameral legislation to uplift and support aquaculture and aquaculture farmers and harvesters. The Sustaining Healthy Ecosystems, Livelihoods, and Local Seafood (SHELLS) Act will create a program office for aquaculture within the U.S. Department of Agriculture (USDA) to bolster shellfish harvesters and seaweed farmers, protect food security, and promote blue carbon ecosystems.

[Pingree Introduces Bipartisan Bill to Support Aquaculture Farmers and Harvesters](#)

Representative Chellie Pingree (D-ME) introduced bipartisan, bicameral legislation to uplift and support aquaculture and aquaculture farmers and harvesters. The SHELLS Act will create a program office for aquaculture within the USDA to promote blue carbon ecosystems, protect food security, and bolster shellfish harvesters and seaweed farmers. It will also establish an Aquaculture Advisory Committee to oversee program activities, support the development of best practices, provide technical assistance, and acknowledge the history, use, and preservation of Indigenous and traditional aquaculture practices and ecological knowledge.

[Carter, Peltola Submit Bill Delaying Funds For NOAA Speed Restriction Rules](#)

Reps. Buddy Carter (R-GA) and Mary Peltola (D-AK) introduced a bipartisan bill to delay funding for the National Oceanic and Atmospheric Administration's (NOAA) proposed speed restrictions for boats 35' to 65' until the Department of Commerce can fully implement new monitoring systems for North American Right Whales. This bill comes after boaters, harbor pilots, and business owners raised concerns that the new safety regulations, nobly designed to protect the right whale from extinction, will pose safety risks for commercial vessels, threaten up to 340,000 American jobs, and negatively impact nearly \$84 billion in economic contributions.

[Sullivan Fights To Close Loophole Hurting American Fishermen and Seafood Producers](#)

Senator Dan Sullivan (R-AK) took aim at a threat to Alaska fishermen and the Alaska seafood industry, attempting to address the continued import of Russian seafood into the U.S., despite there being a prohibition in place. Sullivan attempted to expedite passage of his recently-introduced U.S.-Russian Federation Seafood Reciprocity Act of 2023, bipartisan and bicameral legislation to close a loophole that is allowing Russian-origin seafood that has been reprocessed in other countries to be imported into the U.S. at the same time American fishermen are afforded zero access to the Russian market.

Federal Register Notices

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

[Management Measures for the 2023 Area 2A Pacific Halibut Directed Commercial Fishery](#)

Agency: National Marine Fisheries Service

Latest Action: June 26, 2023 (*Final Rule*)

Summary: NMFS is implementing harvest specifications and management measures for the 2023 non-tribal directed commercial Pacific halibut fishery that operates south of Point Chehalis, WA in the International Pacific Halibut Commission's regulatory Area 2A off Washington, Oregon, and California. Specifically, this final rule establishes directed commercial fishing periods and fishing period catch limits by vessel size class for the 2023 fishing season.

[Annual Specifications and Management Measures for Pacific Sardine](#)

Agency: National Marine Fisheries Service

Latest Action: June 23, 2023 (*Final Rule*)

Summary: NMFS is implementing annual harvest specifications and management measures for the northern subpopulation of Pacific sardine for the July 1, 2023, through June 30, 2024, fishing year. This final rule will prohibit most directed commercial fishing for Pacific sardine off the coasts of Washington, Oregon, and California. Pacific sardine harvest will be allowed only in the live bait fishery, minor directed fisheries, as incidental catch in other fisheries, or as authorized under exempted fishing permits.

[Modification of the West Coast Salmon Fisheries; Inseason Actions #51–#52](#)

Agency: National Marine Fisheries Service

Latest Action: June 8, 2023 (*Modification*)

Summary: NMFS announces two inseason actions for the 2023 portion of the 2022 ocean salmon fishing season (May 16, 2022–May 15, 2023). These inseason actions modify the commercial salmon troll fisheries in the area from the U.S./Canada border to Cape Falcon, OR.

[Pacific Halibut Fisheries of the West Coast; Catch Sharing Plan; Inseason Action](#)

Agency: National Marine Fisheries Service

Latest Action: June 6, 2023 (*Temporary Rule*)

Summary: NMFS announces inseason actions for certain subareas in the Pacific halibut recreational fishery in the International Pacific Halibut Commission's regulatory Area 2A off Washington, Oregon, and California. Specifically, this action increases the bag limit from one to two fish per day in the Oregon Central Coast and Southern Oregon subareas starting June 12. It also adds the season dates of June 9, 11, 16, 18, 23, 25, and 30 for the Washington North Coast subarea and June 13 and 20 for the Columbia River subarea.

[Port Access Route Study: The Pacific Coast From Washington to California](#)

Agency: U.S. Coast Guard

Latest Action: June 5, 2023 (*Notice*)

Summary: The Coast Guard announced the availability of the study results of the Pacific Coast Port Access Route Study. This study evaluated safe access routes for the movement of vessel traffic proceeding to or from ports or places along the western seaboard of the United States. As a result of the study data and public input, the Coast Guard recommends the establishment of voluntary shipping fairways for coastwise and nearshore vessel traffic to promote the safe, unobstructed navigation of vessels in the study area.

State Legislative Activity

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

[AB 809](#)

Sponsor: Steve Bennett (CA-38)

Latest Action: June 29, 2023 (*Amended in Senate*)

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.

[AB 3](#)

Sponsor: Rick Zbur (CA-51)

Latest Action: June 22, 2023 (*Amended in Senate*)

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: June 7, 2023 (*Referred to Committee*)

Summary: This bill would require the Ocean Protection Council, on or before January 1, 2026, in coordination and in consultation with various entities, including the State Air Resources Board, 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.

JUNE MARKETING REPORT - *Visitor Experience*

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



EVENT PROMO - *Jaws Movie Night*

Over **500 guests** gathered at Ventura Harbor Village for the highly-anticipated kick-off of the **Outdoor Summer Movie Series**. The event featured a special showing of **JAWS** (1975) at sunset, with former actress and **stuntwoman Susan Backlinie in attendance** to meet fans and sign autographs. Exciting highlights included an info station by the **CSULB Shark Lab**, **Universal Studios ticket** giveaways, a **Q&A session** with Mrs. Backlinie, music by **KRUZ 103.3 FM** radio, and a **community costume contest**.

VISITOR AMMENITIES - *Pride Promenade Art*

Guests enjoyed a **vibrant chalk mural** on the promenade for the duration of June, reinforcing Ventura Harbor as an **inclusive destination + celebrating love & diversity**. Photographer also hired to capture colorful merch & pride products for blog/social!



EVENT PROMOTIONS

Mental Wellness Festival

Ventura Harbor Village served as a beautiful backdrop for **Turning Point Foundation's new grass-roots festival** promoting mental wellness. Their goal was to provide exposure and expand awareness of local mental wellness programs. Event featured **art** exhibits, live **music**, **sound baths**, **yoga**, **horticulture**, community engagement, and a blend of **cultural, holistic, therapeutic & spiritual wellness** vendors. The first year festival aims to return to Ventura Harbor Village main lawn with big plans for next year!

ENTERTAINMENT - *Music*

Secured **eight live bands** to activate the Harbor Village's Seaside Stage in June:

June 3 | Vanise Terry Trio
June 4 | Morrison Drive
June 10 | Colin Kyffin
June 11 | The Coconuts
June 17 | Surfer Joe Band
June 18 | Unkle Monkey
June 24 | Karen Eden
June 25 | Blown Over

+ **various vendors** including face painting, floral arrangements, psychic readings & tropical bird photos.

VENUE & FILM RENTALS - *Revenue*

Ventura Harbor Events / Film Liaison welcomed the annual series of School Beach Days with Ventura Unified School District, plus two annual Harbor Cove events, the Hokulua Outrigger Challenge and World Oceans Day on June 10th. Revenue= \$1,425



JUNE MARKETING REPORT - Content Development

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

SOCIAL MEDIA - Cross Network Performance Metrics

68k

Total Audience

1.2mil

Impressions

64k

Engagements

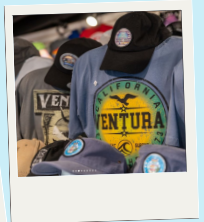
5k

Post Clicks



VISUALS - Sampling of Content

June content brought a **22% increase** in both impressions and engagements on social posts!



COPYWRITE - Enewsletters / Blog Performance

Village Topics included: **Father's Day + Graduation** Celebrations & Gifts, **Outdoor Movie Night**, **Pride Seaside**, and a **guide to Fourth of July** at Ventura Harbor .

3

E-Newsletters

17k

Subscribers

21k

Opens

805

Link Clicks



REELS - Short Video Compilations

Marketing Coordinator captured original content & repurposed user generated video to produce a series of stories and 3 reels on **Seaside Sunrises, Waterfront Fun** on Ventura Boat Rentals Pedal Boats, and an **Outdoor Movie Night** promotion. Collaborated with Foodie Influencer LyssEats805 to film at Brophy Bros - reel debut coming soon!

3

Reels

34k

Plays



ADVERTISING - Digital & Print

Promotion for Outdoor Movies in multiple print & digital local media outlets started in June for the series



JUNE MARKETING REPORT - Outreach & Stewardship

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

CULTURAL HIGHLIGHT - Juneteenth & Pride

Ventura Harbor honored **Juneteenth** with a collaborative re-post with the City of Ventura. The messaging focused on commemorating the emancipation of enslaved African Americans and promoted unity and diversity within the community. The LGBTQ+ community was celebrated for **Pride Month** as well! In addition to a dedicated photoshoot & pride chalk art, Marketing curated a rainbow banner as the lead image of the Village website and cross promoted colorful tenant offerings in a **blog + on social media**. These campaigns are intended to inspire conversations, foster education, and encourage a collective **commitment towards a more just and inclusive society**. All are welcome seaside.



MEDIA OUTREACH - PR & Editorial Coverage

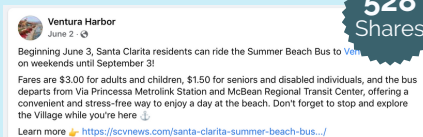


Ventura Harbor Village kicked off summer with on-air segment entitled, "On The Menu" on [ABC Television Channel 7 Los Angeles](#) by Reporter Rachel Brown, who focused on The Boatyard Pub and its delicious fresh seafood. Coverage was secured for Outdoor Movie Night Series in editorials in **LA Parent Magazine**, **Mommy Poppins**, **MomsLA** and **The Log Newspaper**, **Amigos 805**, among others. Summer Issue of **Valley Scene Magazine** featured Ventura Vintage Volkswagen Village Invasion show, Mental Health Wellness Festival & The Greek After Dark. Mental Health Wellness Festival at Harbor Village was showcased in **Ventura Breeze** & in **VC Reporter**.

TOURISM

- Beach Buses

Promotion of the Summer Beach Bus service from Moorpark, as well as Santa Clarita communities garnered the top post of interest on Facebook in June for visitation to Ventura Harbor beaches.



528 Shares



SUMMER VILLAGE MAP & GUIDE

10K Village Maps Published in June



VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: July 19, 2023

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

LEASING HIGHLIGHTS

- 1) Tenant Engagement
 - Held meeting with existing long-term tenant regarding mutual goals as part of a possible future new lease.
 - Worked with existing tenant regarding completing the tenant improvements required as part of their lease.
 - Worked with tenant relocating between spaces.
- 2) MRI Property Management Software
 - Twenty-four tenants paid their rent via the tenant portal.
 - Ongoing work with MRI to enhance user experience with the tenant portal.
- 3) Leasing Advertising, Showings, and Executions
 - Showed 1559 #205 and 1591 #117B to prospect tenants.
 - Completed and presented Leasing Strategy to Board, which was approved.

CURRENT VACANCY REPORT

- 1) 1559 Spinnaker Drive #205A-D (Office suites) & #205E (Restaurant suite)
 - 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). The City of Ventura has approved the plans for the remodel and bidding is completed. The suite will remain vacant during construction, however leasing efforts have begun.

CURRENT AVAILABILITY REPORT

- 1) 1583 Spinnaker Drive #109
 - Tenant is month-to-month while negotiating terms for a new lease.
- 2) 1583 Spinnaker Drive #102 & #104
 - 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 move out/end lease at 1591 #117B is June 30, 2023, and commencement of lease payments for 1559 #103 begins July 1, 2023.
- 4) 1591 Spinnaker Drive #205
 - After eighteen years of tenancy, tenant purchased their own office, and will move in when construction is complete. District agreed to go month-to-month until move out.

CATEGORY	TOTAL Square Footage	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %		City * Vacancy %	City * Available %
Office	38,591	3,679	10%	1,058	3%		18%	20%
Retail	20,196	0	0%	761	4%		18%	19%
Restaurant	33,622	0	0%	4,338	13%		3%	No data

> 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
1583 #102 104

*** 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 May were down 5.55% from the same time last year.

VEHICLE TRAFFIC COUNTS

	Spinnaker Drive Entrance		Schooner Drive Entrance	
Month	June	May	June	May
Car Count	145,948	136,148	50,910	51,204
Busiest Day	Friday: 25,414	Saturday: 23,518	Friday: 9,356	Tuesday: 7,929
Busiest Hour	Sunday: 1 PM	Sunday: 2 PM	Friday: 6 PM	Tuesday: 1 PM

ATTACHMENTS:

Attachment 1 – May 2023 Sales Report

ATTACHMENT 1

Ventura Harbor Village Tenant Sales Summary

Month of May			% Change
	<u>May-2023</u>	<u>May-2022</u>	
Restaurants	\$ 1,999,591	\$ 1,973,458	1.32%
Retail	\$ 499,675	\$ 594,364	-15.93%
Charters	\$ 802,699	\$ 617,132	30.07%
Total	\$ 3,301,965	\$ 3,184,954	3.67%

Year-to-date through May 2023

	<u>Jan - May 2023</u>	<u>Jan - May 2022</u>	% Change
Restaurants	\$ 8,388,263	\$ 8,657,507	-3.11%
Retail	\$ 1,979,553	\$ 2,284,678	-13.36%
Charters	\$ 2,514,564	\$ 2,697,022	-6.77%
Total	\$ 12,882,380	\$ 13,639,207	-5.55%



VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS JULY 19, 2023

CONSENT AGENDA ITEM A APPROVAL OF OUT-OF-TOWN TRAVEL REQUEST

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Approval of Out-of-Town Travel Requests

RECOMMENDATION:

That the Board of Port Commissioners approve the out-of-town travel requests for:

- a) Harbormaster, John Higgins to attend California JPIA Public Safety Academy from August 21 to 24, 2023 in San Diego, CA.
- b) Harbormaster, John Higgins to attend California JPIA Risk Management Symposium from August 29 to September 1, 2023 in Carlsbad, CA.
- c) Senior Harbor Patrol Officer, Pat Hummer to attend California JPIA Management Academy from October 23 to 26, 2023 in Indian Wells, CA.
- d) Sr. Business Operations Manager, Todd Mitchell to attend CMANC Fall Meeting from September 13 to 15, 2023 in Sacramento, CA.
- e) Sr. Business Operations Manager, Todd Mitchell to attend the Marine Recreation Association Annual Educational Conference from October 16 to 18, 2023 in Sacramento, CA.
- f) Business Operations Analyst, Jessica Snipas to attend the Innovating Commerce Serving Communities ICSC@Western Conference from October 25 to 27, 2023 in San Diego, CA.
- g) Sr. Business Operations Manager, Todd Mitchell to attend the Western Dredging Association Pacific Chapter Meeting from October 25 to 27, 2023 in Coronado Bay, CA.

SUMMARY:

Employees and Commissioners are encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District and their position. The General Manager is recommending staff participate in the events listed herein.

GUIDING PRINCIPLES:

- 1) Maintain a safe, navigable, and resilient harbor.
- 5) Building 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.

5-YEAR OBJECTIVE:

- 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.
- 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.
 - 2) Collaborate with City, regional, state, and federal agency officials in pursuit of mutually beneficial projects and programs.

BACKGROUND:California JPIA Risk Management Educational Forum

Harbormaster Higgins will attend the annual CA JPIA Risk Management Symposium. This annual event features world-class keynotes and knowledge experts in the field of risk. The program has a public safety track which focuses on best practices.

California JPIA Public Safety Academy

Harbormaster Higgins will attend the CA JPIA Public Safety Academy. This new academy provides information on best practices for managing risk within public safety departments including how to assist with mitigating risk through enhanced communication with city executives and staff, elected officials and department staff.

California JPIA Management Academy

SHPO Pat Hummer will attend the California JPIA Management Academy, a multi-day training that presents essential theories and techniques in order to provide pragmatic solutions to solving everyday issues. Academies are designed to expand the abilities of managers, supervisors, and leaders in areas including delegating, motivating, organizing and working under pressure.

CMANC Spring Meeting in Sacramento, CA from September 13-15, 2023

Sr. Business Operations Manager Mitchell will travel to Sacramento to participate in the CMANC Fall Meeting. As the newly elected Chair of CMANC, it is required to attend the CMANC meetings, including the Board meeting, which is held prior to the conference.

The benefit to the District for this travel is to meet with representatives of both local District and regional Division staff of the US Army Corps of Engineers to continue to advocate for full funding for dredging Ventura Harbor's entrance channel in Federal Fiscal Year 2025 and beyond. The CMANC conference will also enable collaboration with other California Ports and Harbors about the navigation goals for California and develop the implementation strategy for those goals, including Ventura Harbor. It is also an opportunity for in-person strategy meetings with our consultant Carpi & Clay.

2023 MRA Annual Education Conference in Coronado, CA from October 18-20, 2023

The Marine Recreational Association (MRA) is hosting its annual educational conference and trade show in Coronado from October 18 to October 20, 2023. The conference is an educational and training event with topics including coastal and inland climate change issues, marina safety and codes, enhancing guest services and customer satisfaction, improving operations, regulatory affairs/compliance, port/harbor trends, technology, and product demonstrations. Sr. Business Operations Manager, Todd Mitchell will travel to Coronado, California to participate in the training conference, including Mr. Mitchell serving on a panel regarding sea level change design considerations for marine civil works.

Innovating Commerce Serving Communities ICSC@Western October 25-27, 2023

Jessica Snipas, Business Operations Analyst II, will travel to San Diego attend the ICSC event. The event will focus on learning what is driving the marketplace industry in our region. With the knowledge of the latest trends, staff can make recommendations to shape our community for all for our visitors.

WEDA Pacific Chapter Fall Conference, San Francisco, October 26-28, 2022

The Sr. Business Operations Manager has been invited to participate in a panel discussion at the Pacific Chapter of the Western Dredging Association (WEDA) Fall 2023 conference in Coronado Bay, October 25 to 27. The Pacific Chapter of WEDA represents the West Coast of the United States and Canada. The panel is being hosted by Tori White, the Chief, Operations & Regulatory for the US Army Corps of Engineers' (Corps) South Pacific Division. Ms. White's department

reviews both funding requests and regulatory permit applications that come from the Los Angeles District regarding dredging (operations).

The conference also includes sessions on dredging regulatory approval processes, federal dredging program presentations, and additional technical presentations on best practices and project examples over the course of the three days of the conference.

FISCAL IMPACTS:

Travel costs related to these activities are included in the FY23-24 budget.

<u>JPIA Risk Management Symposium</u>	HIGGINS	<u>JPIA Public Safety Academy</u>	HIGGINS
Registration	n/a	Registration	n/a
Lodging	\$1001.70	Lodging	n/a
Meals	\$315.00	Meals	\$270.00
Mileage	\$214.98	Mileage	\$230.32
Miscellaneous (Transit/Parking)	\$100.00	Miscellaneous (Transit/Parking)	\$100.00
TOTAL	\$1,631.68	TOTAL	\$600.32
<u>JPIA Management Academy</u>	HUMMER	<u>CMANC</u>	MITCHELL
Registration	n/a	Registration	\$475.00
Lodging	\$375.00	Lodging	\$548.44
Meals	\$315.00	Meals	\$90.00
Mileage	\$247.94	Mileage	\$63.54
Miscellaneous (Transit/Parking)	\$100.00	Air Fare	\$258.00
TOTAL	\$1,037.94	Miscellaneous (Transit/Parking)	\$150.00
<u>MRA</u>	MITCHELL	TOTAL	\$1,584.98
Registration	\$767.00	<u>ICSC@Western</u>	SNIPAS
Lodging	\$957.75	Registration	\$450.00
Meals	\$190.00	Lodging	\$656.02
Mileage	\$214.19	Meals	\$220.00
Miscellaneous (Transit/Parking)	\$150.00	Mileage	\$217.46
TOTAL	\$2,271.94	Miscellaneous (Transit/Parking)	\$100.00
ATTACHMENTS:		TOTAL	\$1,643.48
None.		<u>WEDA</u>	MITCHELL
		Registration	\$400.00
		Lodging	\$840.75
		Meals	\$190.00
		Mileage	\$242.35
		Miscellaneous (Transit/Parking)	\$150.00
		TOTAL	\$1,823.10



BOARD OF PORT COMMISSIONERS JULY 19, 2023

CONSENT AGENDA ITEM B APPROVAL OF ASSIGNMENT AND ASSUMPTION OF LEASE AND FOURTH AMENDMENT FOR BROPHY & SONS, INC. TO BENNETT BROS. INC.

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Business Operations Manager
SUBJECT: Approval of Assignment and Assumption of Lease and Fourth Amendment for
Brophy & Sons, Inc. to Bennett Bros. Inc.

RECOMMENDATION:

That the Board of Port Commissioners approve:

- (a) An assignment and assumption of Lease between Brophy & Sons, Inc., a California corporation, and Bennett Bros., Inc., a California corporation, for the premises located at 1559 Spinnaker Drive, (i) Suite #200 consisting of approximately 3,725 square feet of floor area and 2,211 of patio area, (ii) Suite #200B consisting of approximately 280 square feet of floor area, and (iii) Suite #100 consisting of approximately 1,864 square feet of floor area and 1,035 of patio area.
- (b) A Fourth Amendment to Lease between Ventura Port District dba Ventura Harbor Village, Brophy & Sons, Inc., a California corporation, and Bennett Bros., Inc., a California corporation dba Brophy Bros. Restaurant & Clam Bar, as it relates to (i) adding Suite #205E consisting 662 square feet of floor area (connecting office space), (ii) adjusting Minimum Monthly Rent consistent with such addition, and including specifying the date for annual adjustments for each suite constituting the Premises, and (iii) confirmation of terms, including Marketing and Promotional Fund Payment annual adjustments, square footage and expiration date.

SUMMARY:

This action combines the assignment and assumption of lease with a fourth amendment to the lease. The assignment and assumption of lease changes the tenant from Brophy & Sons, Inc. to Bennett Bros., Inc. The lease amendment provides the tenant with an upstairs connecting office, storage, and staff breakroom, remedies an inconsistency associated with the Promotional Fee for the Restaurant Lease.

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:

Brophy & Sons, Inc. has been a long-standing tenant of the District since 2006. Because of the terms of that Lease, the escalation of the Promotional Fund for this suite (10% per year) has now increased to be higher than is proportionate for restaurants and retail spaces in Harbor Village.

To remedy this, this amendment retroactively freezes the Promotional Fee escalation for the remainder of the Lease.

Staff and the tenant have negotiated the assumption of an additional space to serve as an inter-connecting office, storage, and breakroom for Suite #200. This will add 662 square feet at suite #205E effective October 1, 2023.

Lastly, staff have been advised that the tenant wishes to change the business name on the lease from Brophy & Sons, Inc. to Bennet Bros., Inc. Susan Bennet is the CEO of both corporations, which both have a principal address of 119A Harbor Way, Santa Barbara, CA 93109.

FISCAL IMPACT:

The retroactive freeze of the Promotional Fee reduces future income for the suite, however continued escalation of the Promotional Fee will make the tenant's contribution far out of proportion to other Village tenants paying promotional fees per square foot.

1559 Spinnaker Drive Suites 205A through 205E (combined area is 4,105 square feet) are in planning at the City of Ventura for complete renovation. The anticipated remodel will convert the spaces from a previous restaurant/bar use to offices. The architect had estimated the cost of the remodel to be \$200 per square foot.

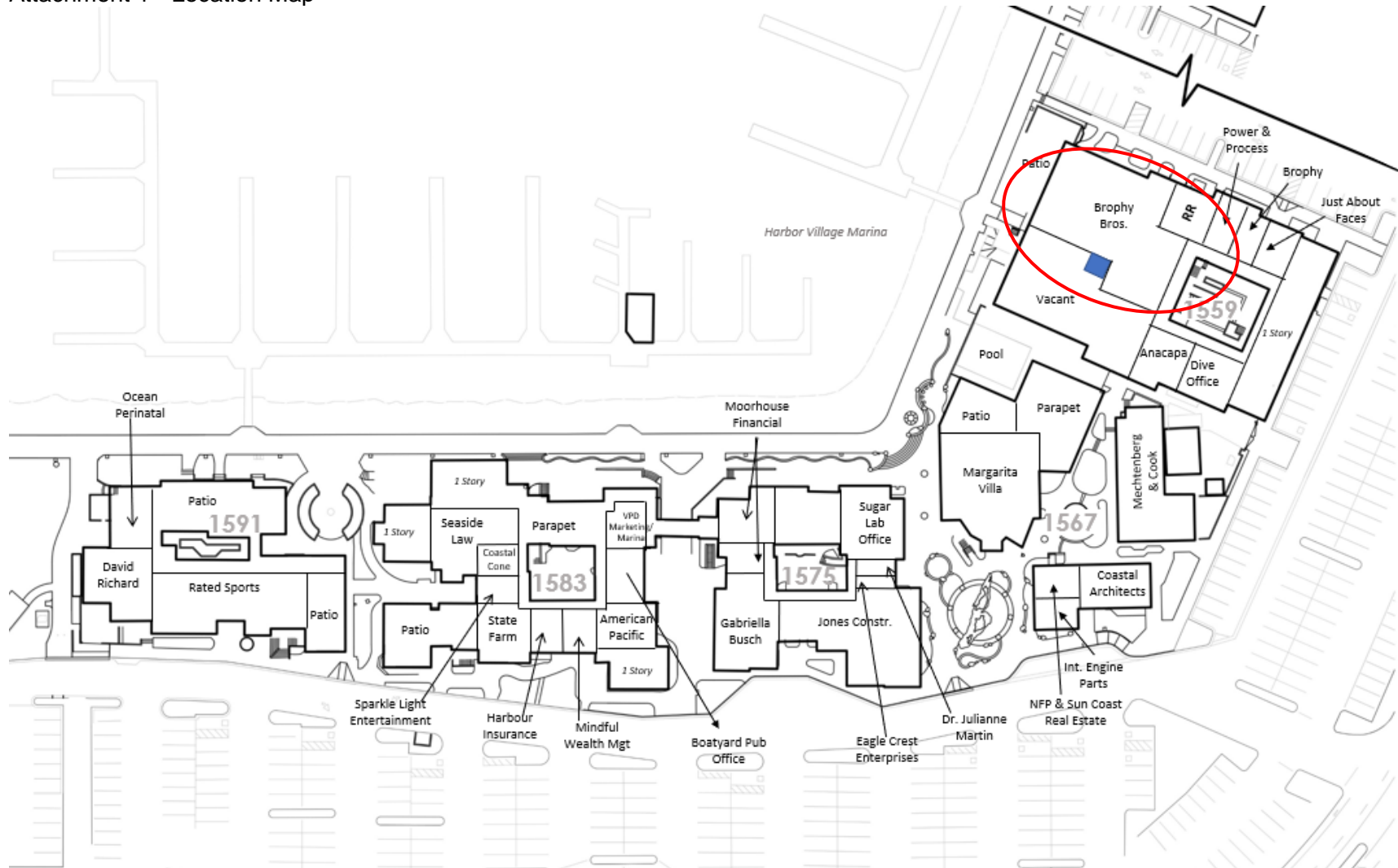
The addition of Suite 205E to Bennet Bros, Inc. existing Restaurant Lease will be charged at regular market rate for office space in Harbor Village.

There is no fiscal impact for the change of corporations.

ATTACHMENTS:

Attachment 1 - Location Map

Attachment 1 - Location Map





VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS JULY 19, 2023

CONSENT AGENDA ITEM C APPROVAL OF A NEW OFFICE LEASE AGREEMENT WITH COASTAL CONE, INC.

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM C
Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Approval of New Office Lease Agreement with Coastal Cone, Inc.

RECOMMENDATION:

That the Board of Port Commissioners approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. for the premises located at 1583 Spinnaker Drive #203A consisting of a total of 123 square feet for a three-year term with one two-year option.

SUMMARY:

Coastal Cone Inc. is seeking to renew a lease for an office suite for use as storage space at Ventura Harbor Village located in close proximity to the restaurant.

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:

During the pandemic, Coastal Cone's business flourished to the point where there was not sufficient storage space for products and packaging. At that time, a lease amendment was adopted providing Coastal Cone with this storage space. As the business enters into a new 20-year lease for the restaurant with the District, the storage space is being leased separately to allow more flexibility for the business in the future.

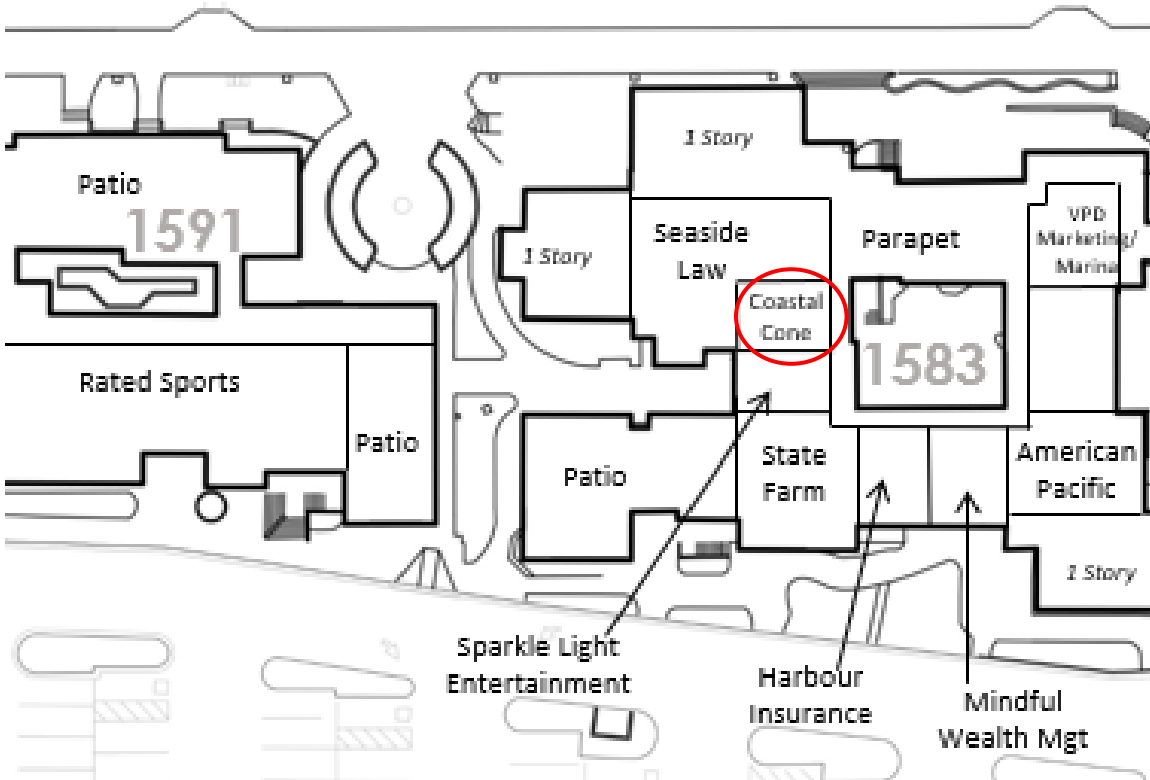
FISCAL IMPACT:

This lease reflects regular market rate for office rent at Ventura Harbor Village. The space is being leased as-is.

ATTACHMENTS:

Attachment 1 - Location Map

Attachment 1 – Location Map (2nd Floor)





BOARD OF PORT COMMISSIONERS JULY 19, 2023

CONSENT AGENDA ITEM D APPROVAL OF ASSIGNMENT AND ASSUMPTION OF LEASE AND CONSENT OF LANDLORD FOR ERIC JONES DBA JONES CONSTRUCTION MANAGEMENT TO STUDENTS FOR ECO EDUCATION AND AGRICULTURE, INC.

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM D
Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Jessica Snipas, Business Operations Analyst II
SUBJECT: Approval of Assignment and Assumption of Lease and Consent of Landlord for Eric Jones dba Jones Construction Management to Students for Eco Education and Agriculture, Inc.

RECOMMENDATION:

That the Board of Port Commissioners approve an Assignment and Assumption of Lease and Consent of Landlord between Eric Jones, an individual dba Jones Construction Management and Students for Eco Education and Agriculture, Inc., a non-profit California corporation for the premises located at 1575 Spinnaker Drive #205, consisting of 1,326 square feet.

SUMMARY:

The District was contacted by the existing tenant, Eric Jones dba Jones Construction Management, requesting that the District consider an Assignment and Assumption of Lease and Consent of Landlord to Students for Eco Education and Agriculture, Inc. (SEEAG). An assignment fee was received, SEEAG completed the application process and demonstrated sufficient financial capabilities to assume the lease, therefore staff is ready to recommend the assignment to SEEAG effective August 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.
 - V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

Eric Jones dba Jones Construction Management has been an office tenant of the District since 2018. Since the onset of the pandemic, their office dynamics have changed with employees remotely working from home. Therefore, Eric Jones began looking to assign his lease due to the office not being utilized.

SEEAG is a nonprofit corporation with a mission to connect and educate students about local farmers and the origins of their food. SEEAG has provided the necessary information to staff and legal counsel to verify the financial capability of the nonprofit corporation to assume the lease responsibilities. Mary Maranville is the founder and CEO as well as a farmworker's daughter.

Staff and legal counsel have reviewed SEEAG's ability to assume the responsibilities of the lease and have determined that they have met the District's requirements. Therefore, staff and legal

counsel are recommending the Assignment and Assumption of Lease and Consent of Landlord from Eric Jones dba Jones Construction Management to SEEAG.

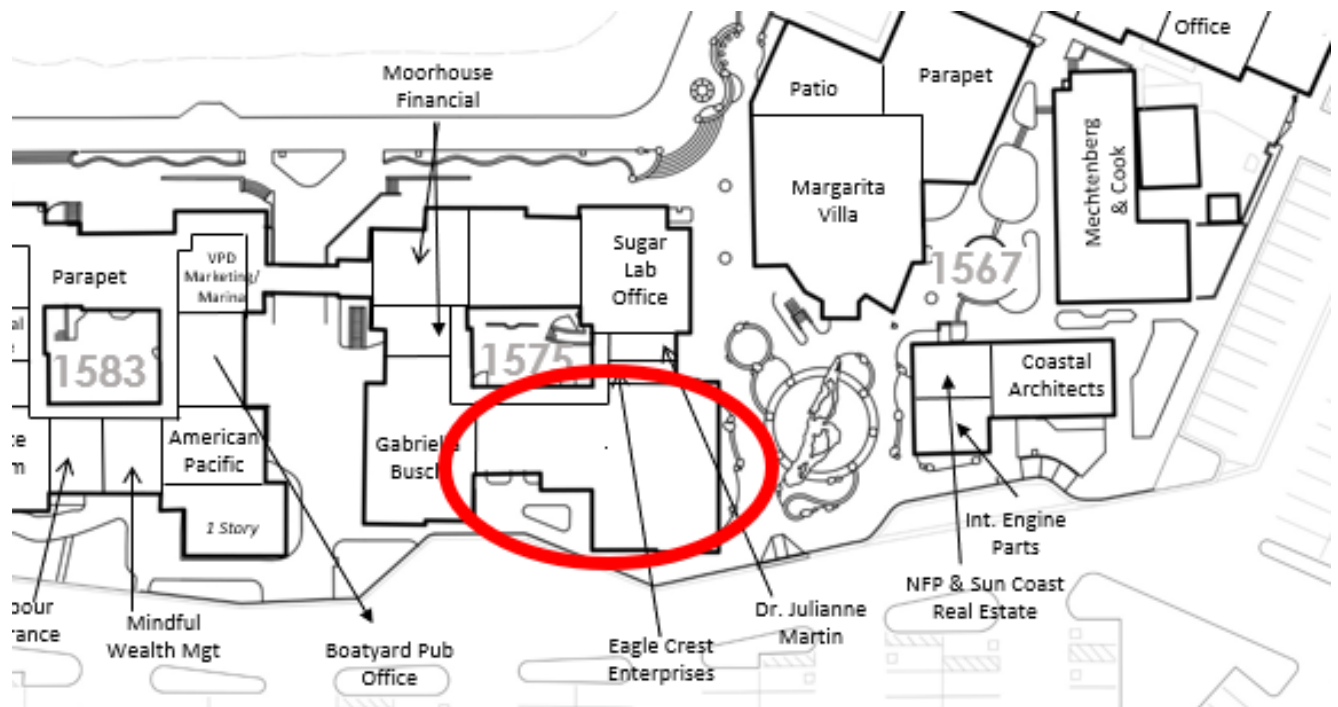
FISCAL IMPACT:

Per the lease, an assignment processing fee of \$500 has been received. As the assignment required no additional legal costs beyond the standard retainer fees, there will be no additional outside costs.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 1 – Location Map





BOARD OF PORT COMMISSIONERS JULY 19, 2023

STANDARD AGENDA ITEM 1 ADOPTION OF ORDINANCE NO. 59 FOR A NEW 20-YEAR LEASE BETWEEN THE VENTURA PORT DISTRICT AND COASTAL CONE, INC. DBA COASTAL CONE AND THE PARLOR

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: July 19, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Adoption of Ordinance No. 59 for a New 20-Year Lease between the Ventura Port District and Coastal Cone, Inc. dba Coastal Cone and The Parlor

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Conduct a public hearing for the purpose of receiving input on proposed Ordinance No. 59.
- b) Waive reading and direct Clerk to place Ordinance No. 59 in the record of this meeting.
- c) Adopt Ordinance No. 59 authorizing execution of a new Restaurant Lease Agreement between Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. dba Coastal Cone and The Parlor with a commencement date of August 1, 2023.

SUMMARY:

The existing tenant Coastal Cone, Inc. is seeking to enter into a new Lease Agreement for its existing space commencing August 1, 2023. The District has completed the noticing requirements under the California Harbors and Navigations Code Section 6270 and is returning to the Board for adoption of Ordinance No. 59 for the new lease.

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:

Coastal Cone, Inc. (doing business as both Coastal Cone as well as The Parlor) has been a tenant of Ventura Harbor Village since December 2004, when they assumed the lease from Coastal Cone Company. Their most recent Lease expired on April 30, 2023, and the tenant is seeking a new Lease with the District.

FISCAL IMPACT:

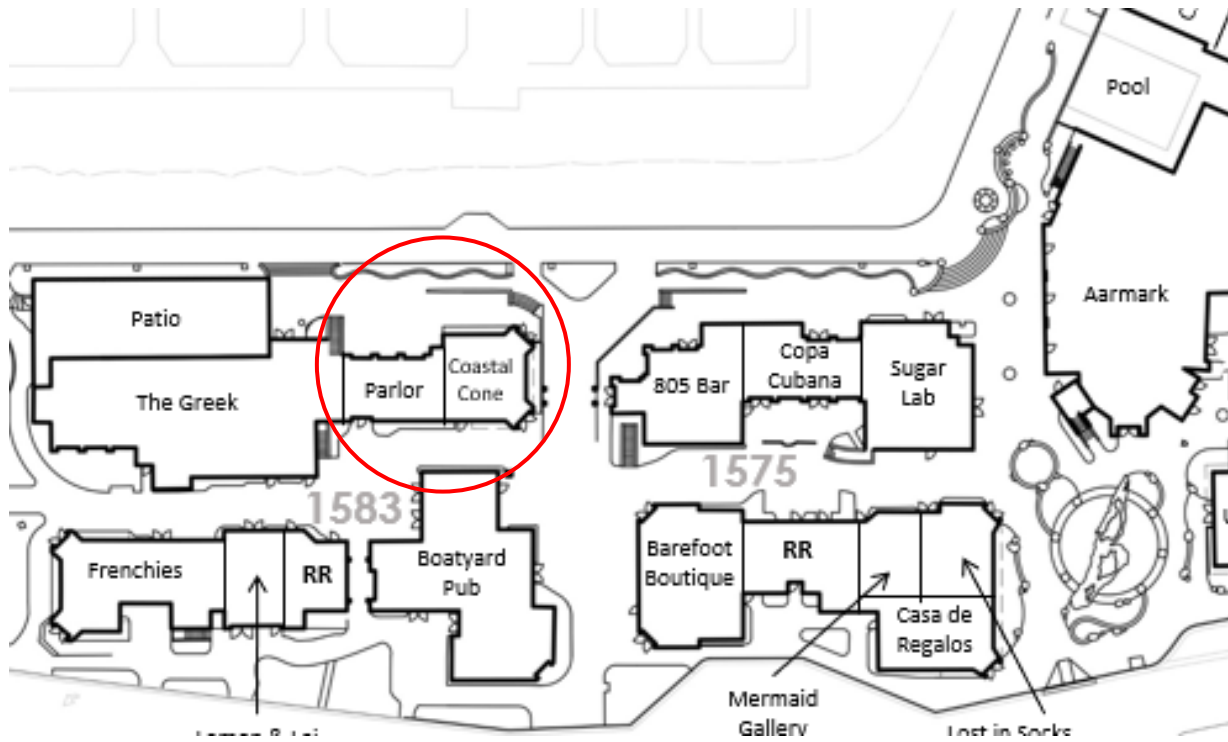
This Lease reflects regular market rate for restaurant rent at Ventura Harbor Village with annual increases. The tenant has committed to making an investment of approximately \$75,000 in improvements to the space including constructing physical improvements, furniture, fixtures, and equipment.

The District shall perform improvements to the concrete patio surface surrounding the restaurant in conjunction with the tenant's modernization of the patio structures and the District shall also reimburse the tenant up to \$20,000 in improvements performed by the tenant limited to those that are permanent improvements to the building and patios.

ATTACHMENTS:

Attachment 1 – Location Map
Attachment 2 – Ordinance No. 59

Attachment 1 – Location Map





ORDINANCE NO. 59

**AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING A NEW
LEASE AGREEMENT WITH OPTIONS BETWEEN THE VENTURA PORT DISTRICT AND
COASTAL CONE INC. DBA COASTAL CONE AND THE PARLOR
(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 the New Lease between Ventura Port District dba Ventura Harbor Village and Coastal Cone, Inc. doing business as Coastal Cone and The Parlor with a commencement date of August 1, 2023.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on July 19, 2023. This Ordinance was adopted by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

ATTEST:

Michael Blumenberg, Chair

Anthony Rainey, Secretary