



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, OCTOBER 4, 2023

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

CLOSED SESSION – 6:45PM
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.

CLOSED SESSION 6:45PM
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CALL TO ORDER: *By Vice-Chair Gardina.*

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

PUBLIC COMMUNICATIONS (3 minutes)

The Public Communications period is set aside to allow public testimony on items only on the Closed Session Agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair.

CONVENE IN CLOSED SESSION

CLOSED SESSION AGENDA

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - PER GOVERNMENT CODE SECTION 54956.8:

- a) Property: **1591 Spinnaker Drive #205**
Negotiating Parties: Brian D. Pendleton, Todd Mitchell, Tom Bunn
Rothstein Insurance Services, Inc.
Under Negotiation: **Terms of New Office Lease Agreement (NEW)**

- b) Property: **1575 Spinnaker Drive #106A & B**
Negotiating Parties: Brian D. Pendleton, Todd Mitchell, Tom Bunn
Barefoot Boutique LLC
Under Negotiation: **Terms of Amendment No. 1 to Retail Lease Agreement**

ADJOURNMENT

OPEN SESSION 7:00PM

CALL TO ORDER: *By Chair Vice-Chair Jackie Gardina.*

PLEDGE OF ALLEGIANCE: *By Vice-Chair Jackie Gardina.*

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 September 20, 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.

CLOSED SESSION REPORT

Closed Sessions are not open to the public pursuant to the Brown Act. Any reportable actions taken by the Commission during Closed Session will be announced at this time.

BOARD COMMUNICATIONS

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: Voice Vote.

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

- a) Wayne Hatch, Maintenance Supervisor to attend the CA JPIA Management Academy from October 23, 2023 - October 26, 2023 in Indian Wells, California.
- b) Pat Hummer, Senior Harbor Patrol Officer to attend the CA JPIA Management Academy from October 23, 2023 - October 26, 2023 in Indian Wells, California.
- c) Jennifer Talt-Lundin, Marketing Manager to attend the Visit California Outlook Forum from March 10, 2024 - March 13, 2024 in Rancho Mirage, CA.
- d) Ruby Hedrick, Marketing & Events Coordinator II to attend the Visit California Outlook Forum from March 10, 2024 - March 13, 2024 in Rancho Mirage, CA.
- e) John Higgins, Harbormaster to attend and instruct a California Division of Boating Coastal Boat Operator Class October 29, 2023 - November 3, 2023 at Pillar Point Harbor, San Mateo, California.
- f) Sergio Gonzalez, Facilities Manager to attend the JPIA Training Registrants Academy from November 13, 2023 - November 14, 2023 in Indian Wells, CA.
- g) Brian D. Pendleton, General Manager to attend Sea Grant – NCCOS California Aquaculture Siting and Sustainability Workshop on November 2, 2023 in San Diego, CA.

STANDARD AGENDA:

1) Approval of Fee Increases for Harbor Village Operations

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve fee increases effective January 1, 2024 for:

- a) Harbor Village Common Area Maintenance.
- b) Harbor Village Commercial Marina Slips.
- c) Harbor Village Events.

ADJOURNMENT IN HONOR OF SENATOR DIANNE FEINSTEIN.

This agenda was posted on September 29, 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 OCTOBER 4, 2023

APPROVAL OF MINUTES SEPTEMBER 20, 2023 REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 20, 2023



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 6:10PM 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

Commissioners Absent:

Jackie Gardina, Vice-Chair
Chris Stephens

Port District Staff:

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

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 6:11PM.

CONVENED TO CLOSED SESSION AT 6:11PM.

ADJOURNMENT: Closed Session was adjourned at 7:00PM. The Commission will reconvene in Closed Session after Open Session.

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 7:06PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Wayne Hatch.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair
Anthony Rainey, Secretary
Brian Brennan

Commissioners Absent:

Jackie Gardina, Vice-Chair
Chris Stephens

Port District Staff:

Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board
Gloria Adkins, Accounting Manager
Joe Gonzalez, Capital Projects Manager via Zoom
Wayne Hatch, Maintenance Supervisor
John Higgins, Harbormaster
Pat Hummer, Senior Harbor Patrol Officer via Zoom
Will McReynolds, Admin Intern
Jessica Snipas, Business Operations Analyst
Jennifer Talt-Lundin, Marketing Manager

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

1 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the September 6, 2023 agenda.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 3-0.

APPROVAL OF MINUTES

The Minutes of the September 6, 2023 Port Commission Regular Meeting were considered as follows:

ACTION: Commissioner Brennan moved to approve the Minutes of the September 6, 2023 Port Commission Regular Meeting.

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

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

Motion carried 3-0.

PUBLIC COMMUNICATIONS: Will McReynolds, Admin Intern, announced today is his last day, thanked the Commission and staff and was grateful for the opportunity to work at the District. Closed at 7:09PM.

CLOSED SESSION REPORT: Mr. Bunn stated that the Board met in closed session; discussed and reviewed Item 1a on the closed session agenda. Staff was given instructions on how to proceed as appropriate on these matters and there was no action taken that is reportable under The Brown Act. The Board will reconvene after open session to review Item 2.

BOARD COMMUNICATIONS: Commissioner Brennan congratulated Mr. Mitchell on being nominated Chair of CMANC and also mentioned that he has noticed the start of the VenturaWaterPure construction. Chair Blumenberg commented on the amazing art at the Art & Street Painting Festival and also complimented the work on the Margarita Villa deck repair. Closed at 7:13PM.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton announced California Coastal Cleanup Day occurring on Saturday, September 23rd from 9AM-Noon. He also spoke of Admin Intern Will McReynolds and his accomplishments during his time spent with the District. Closed at 7:29PM.

CONSENT AGENDA:

A) Adoption of Resolution No. 3486 Accepting the Work of F.C.T Construction LLC for the Margarita Villa Deck Repair Project at 1567 Spinnaker Drive

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3486:

- a) Accepting the work of F.C.T Construction LLC for the Margarita Villa Deck Repair Project at 1567 Spinnaker Drive.
- b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Public Comment: None. Closed at 7:30PM.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3486:
a) Accepting the work of F.C.T Construction LLC for the Margarita Villa Deck Repair Project at 1567 Spinnaker Drive.
b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Brennan

NOES: None

ABSTAINED: None

ABSENT: Commissioners Gardina, Stephens

Motion carried 3-0.

B) Approval of a New Office Lease Agreement with John Howard dba Power & Process Engineers for 1559 Spinnaker Drive #201

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve an Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John Howard dba Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201, consisting of approximately 350 square feet, for a two-year term with one three-year option.

Public Comment: None. Closed at 7:30PM.

ACTION: Commissioner Brennan moved to approve an Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John Howard dba Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201, consisting of approximately 350 square feet, for a two-year term with one three-year option.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Brennan

NOES: None

ABSTAINED: None

ABSENT: Commissioners Gardina, Stephens

Motion carried 3-0.

C) Approval of a New Office Lease Agreement with John R. Lilly, CPA for 1559 Spinnaker Drive #205D

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 John R. Lilly, CPA for the premises located at 1559 Spinnaker Drive #205D, consisting of approximately 646 square feet, for a five-year term with one two-year option.

Public Comment: None. Closed at 7:30PM.

ACTION: Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John R. Lilly, CPA for the premises located at 1559 Spinnaker Drive #205D, consisting of approximately 646 square feet, for a five-year term with one two-year option.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Brennan

NOES: None

ABSTAINED: None

ABSENT: Commissioners Gardina, Stephens

Motion carried 3-0.

STANDARD AGENDA:

1) Approval of a Professional Services Agreement with CliftonLarsonAllen LLP and Appointment of a New Audit Liaison

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Approve the Professional Services Agreement with CliftonLarsonAllen LLP to conduct the annual audit for fiscal year ending June 30, 2023 in the amount of \$47,250.
- b) Appoint an audit liaison to work with staff and the audit firm awarded throughout the fiscal year audit process.

Report by Gloria Adkins, Accounting Manager.

Public Comment: None.

ACTION: Commissioner Brennan moved to approve the Professional Services Agreement with CliftonLarsonAllen LLP to conduct the annual audit for fiscal year ending June 30, 2023 in the amount of \$47,250.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Rainey, Brennan

NOES: None

ABSTAINED: None
ABSENT: Commissioners Gardina, Stephens

Motion carried 3-0.

ACTION: Commissioner Brennan nominated Commissioner Rainey as audit liaison to work with staff and the audit firm awarded throughout the fiscal year audit process.

Chair Blumenberg seconded. The vote was as follows:

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

Motion carried 3-0.

RECONVENED TO CLOSED SESSION AT 7:38PM.

RECONVENED TO OPEN SESSION AT 8:01PM

CLOSED SESSION REPORT: Mr. Bunn stated that the Board met in closed session and was briefed by counsel on Item 2 on the closed session agenda. Staff and counsel were given instructions on how to proceed as appropriate and there was no reportable action taken under the Brown Act.

ADJOURNMENT: The meeting was adjourned at 8:03PM.

The next regular meeting is Wednesday, October 4, 2023.

Anthony Rainey, Secretary



VENTURA
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BOARD OF PORT COMMISSIONERS OCTOBER 4, 2023

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

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: October 4, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General 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) Wayne Hatch, Maintenance Supervisor to attend the CA JPIA Management Academy from October 23, 2023 - October 26, 2023 in Indian Wells, California.
- b) Pat Hummer, Senior Harbor Patrol Officer to attend the CA JPIA Management Academy from October 23, 2023 - October 26, 2023 in Indian Wells, California.
- c) Jennifer Talt-Lundin, Marketing Manager to attend the Visit California Outlook Forum from March 10, 2024 - March 13, 2024 in Rancho Mirage, CA.
- d) Ruby Hedrick, Marketing & Events Coordinator II to attend the Visit California Outlook Forum from March 10, 2024 - March 13, 2024 in Rancho Mirage, CA.
- e) John Higgins, Harbormaster to attend and instruct a California Division of Boating Coastal Boat Operator Class October 29, 2023 - November 3, 2023 at Pillar Point Harbor, San Mateo, California.
- f) Sergio Gonzalez, Facilities Manager to attend the JPIA Training Registrants Academy from November 13, 2023 - November 14, 2023 in Indian Wells, CA.
- g) Brian D. Pendleton, General Manager to attend Sea Grant – NCCOS California Aquaculture Siting and Sustainability Workshop on November 2, 2023 in San Diego, 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.
- 2) Advance the harbor's vibrant, working waterfront in support of commercial and recreational fishing and boating.
- 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:

- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.
- F) Support current and future commercial fishing and sustainable aquaculture industries. Maintain and improve working waterfront facilities and infrastructure.
- 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:**California JPIA Management Academy**

Maintenance Supervisor, Wayne Hatch and Senior Harbor Patrol Officer, Pat Hummer will attend the California JPIA Management Academy, a multi-day training that presents essential theories and techniques for supervisors 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. These academies are limited to just 25 registrants.

Visit California Outlook Forum

Marketing Manager, Jennifer Talt-Lundin and Marketing & Events Coordinator II, Ruby Hedrick will attend the Visit California Outlook Forum. This forum is where experts from the travel and attractions sector of the industry gather to share insights, experiences, trends, marketing tactics, and research. The conference features immersive sessions and lectures, with opportunities to network with Visit California staff. Visit California works directly to fund Central Coast Tourism Council, a key partner for Ventura Harbor.

California Division of Boating – Coastal Boat Operator Course

Harbormaster, John Higgins will be one of several instructors for the newly formed California Division of Boating Coastal Boat Operator Course. This course was first created last May in Ventura Harbor and is now being trialed at Pillar Point Harbor in San Mateo, California. The course is designed for Harbor Patrols, Lifeguards, Fire Department, and Law Enforcement and covers many aspects of Boating Safety over a five-day period. The students will receive a course completion showing proficiency in Boating Safety Topics. The Harbormaster will submit reimbursement requests to the Division of Boating at the conclusion of the course.

JPIA Training Registrants Academy

This academy was created for member agency employees that are tasked with managing the training for other employees. By attending this one-day training, hands on training and understanding of the Authority's learning management system (myJPIA) and training program will be provided. Attendees will learn how to navigate myJPIA training catalog, register other employees for training, request training, and manage transcripts and certificates. Attendees will also learn how to engage with their regional risk manager and training staff to develop an annual training plan.

Sea Grant – NCCOS California Aquaculture Siting and Sustainability Workshop

Sea Grant and the National Centers for Coastal Ocean Science (NCCOS) are hosting a series of regional workshops to showcase and receive input on a range of tools useful for aquaculture siting and sustainability. The workshops will allow participants to build a pathway for developing future aquaculture siting tools that are accessible and useful to broad audiences. The workshops have four objectives: 1) Present and explore existing aquaculture siting tools and data resources; 2) Introduce methods of co-production in the context of aquaculture siting tools; 3) Identify ways to advance: a) use of co-production in aquaculture siting tools; b) existing and future aquaculture siting tools; c) delivery of aquaculture siting tools to end users; d) applicability for aquaculture siting end users; and 4) Build understanding among participants of each other's perspectives and integrate the diversity of aquaculture knowledge and expertise present at the workshop.

FISCAL IMPACTS:

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

<u>JPIA MANAGEMENT ACADEMY</u>	HATCH	<u>JPIA MANAGEMENT ACADEMY</u>	HUMMER
Registration	\$175.00	Registration	\$175.00
Lodging	\$200.00	Lodging	\$200.00
Meals	\$180.00	Meals	\$180.00
Mileage	\$256.56	Mileage	\$256.56
Miscellaneous (Transit/Parking)	\$100.00	Miscellaneous (Transit/Parking)	\$100.00
TOTAL	\$911.56	TOTAL	\$911.56
<u>VISIT CA OUTLOOK FORUM</u>	TALT- LUNDIN	<u>VISIT CA OUTLOOK FORUM</u>	HEDRICK
Registration	\$850.00	Registration	\$850.00
Lodging	\$1,075.00	Lodging	\$1,075.00
Meals	\$110.00	Meals	\$110.00
Mileage	\$263.31	Mileage	\$244.97
Miscellaneous (Transit/Parking)	\$100.00	Miscellaneous (Transit/Parking)	\$100.00
TOTAL	\$2,398.31	TOTAL	\$2,379.97
<u>DBAW CBO</u>	HIGGINS	<u>JPIA Training Req.</u>	GONZALEZ
Registration	N/A	Registration	N/A
Lodging	\$778.50	Lodging	N/A
Meals	\$450	Meals	\$120.00
Mileage	N/A	Mileage	\$256.57
Miscellaneous (Transit/Parking)	\$100	Miscellaneous (Transit/Parking)	\$100.00
TOTAL	\$1,328.50	TOTAL	\$476.57
<u>SEA GRANT</u>	PENDLETON		
Registration	N/A		
Lodging	\$207.38		
Meals	\$140.00		
Mileage	\$233.18		
Miscellaneous (Transit/Parking)	\$100.00		
TOTAL	\$680.56		

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS OCTOBER 4, 2023

STANDARD AGENDA ITEM 1 APPROVAL OF FEE INCREASES FOR HARBOR VILLAGE OPERATIONS

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: October 4, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Gloria Adkins, Accounting Manager
Dave Werneburg, Marina Manager / Commercial Fisheries
Jennifer Talt-Lundin, Marketing Manager
John Higgins, Harbormaster
SUBJECT: Approval of Fee Increases for Harbor Village Operations

RECOMMENDATION:

That the Board of Port Commissioners approve fee increases effective January 1, 2024 for:

- a) Harbor Village Common Area Maintenance.
- b) Harbor Village Commercial Marina Slips.
- c) Harbor Village Events.

SUMMARY:

District staff is proposing fee increases for three categories to reflect increasing costs/expenses associated with the operations and maintenance of the common areas of Ventura Harbor Village (VHV), the District's commercial marina at Harbor Village, and events. These increases were reflected in the FY23-24 budget approved by the Board of Port Commissioners on June 21, 2023, and will become effective January 1, 2024.

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

5-YEAR OBJECTIVES:

- F) Support current and future commercial fishing and sustainable aquaculture industries. Maintain and improve working waterfront facilities and infrastructure.
- R) Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.
- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

The Ventura Port District operates Ventura Harbor Village (VHV), the Ventura Harbor Village Marina (VHVM), Ventura Harbor Beaches, and Ventura Port District Dry Boat Storage. The hands-on operation of these facilities requires ongoing costs associated with maintenance of the facilities, supplies, utility cost, insurance, and staffing. Each year, staff evaluates the cost associated with these facilities over the previous calendar year, compares fees charged for comparable facilities, and takes into consideration a reasonable rate of increase.

During calendar year 2022, the Consumer Price Index (CPI) increased by 4.9%. Although the District works diligently to keep operating and maintenance costs under control, running VHV is an ongoing expense subject to the same inflationary pressures experienced everywhere.

VHV TENANT COMMON AREA MAINTENANCE (CAM) FEES

The operation of VHV requires the maintenance of areas of common use between tenants and members of the public. These expenses include:

- general maintenance and repairs
- maintenance and repair of sidewalks, curbs, elevated walkways, and stairways, revetted slopes
- resurfacing, or painting, re-stripping, cleaning, and sweeping of sidewalks and roadways
- trash removal
- janitorial services
- signage
- sprinkler systems, planting, and landscaping
- lighting and other utilities
- maintenance and repair of any fire protection systems, lighting systems, storm drainage systems, and any other utility systems
- public liability and property damage insurance
- staff to implement the maintenance work
- general and administrative expenses

CAM fees are computed and recovered on a per square foot basis. These fees are paid directly by VHV retail and restaurant tenants as a separate line item in their leases. In most cases, these rates are subject to change at the start of each calendar year, although some allow for rate adjustment quarterly, and a few prior leases have set rate increases. Office tenants also contribute indirectly, as a portion of their rent is factored into the distribution of common area cost recovery.

As rate increases are based on calendar year assessments, the increases herein are generally based on cost increases between calendar year 2022 over 2021, which reflect the impacts of the inflationary pressures of recent years. Actual CAM costs have generally been higher than the cost recovered from VHV tenants. In 2020, actual CAM costs were 72 cents per square foot of rentable space in VHV. Therefore, rates were increased at the beginning of 2022 from 60 to 64 cents per square foot.

Actual common area maintenance costs in 2021 dropped to 70 cents per square foot. However, due to trending inflation impacts, the District forecasted CAM expenses to climb to 73 or 74 cents per square foot in 2022. Being mindful of the impacts of inflation on our tenants as well, the Board approved a 3.125% increase in CAM fees to 66 cents per square foot, consistent with the increase approved as part of the FY22-23 budget.

In 2022, actual CAM costs were 74 cents per square foot of rentable space and only 66 cents per square foot was charged. To keep up with the cost of CAM while being mindful of the impacts of inflation on the tenants, staff is recommending a 2-cent increase (from 66 cents to 68 cents) per square foot per month. This is a 3% annualized increase reflected in the FY23-24 budget that was approved by the Board on June 21, 2023. (Item to note, the calendar year 2022 Other Equipment Maintenance category reflects a correction to the 2021 calendar year expense resulting in a negative number in that category).

District staff have emailed retail and restaurant tenants to notify them that this item is being considered by the Board at this meeting. If approved, the District will provide a minimum of 45-day written notice for those Village tenants impacted by the rate increase.

VHV COMMERCIAL MARINA SLIP FEES

VHV Marina is a 100% commercial marina for both commercial fishing and charter businesses. The District's marina has several tiers of tenants, all of which are commercial businesses. The first tier is full-time tenants who maintain a slip 12 months out of the year whether they are physically here or not. Some of these full-time tenants have been berthing in Ventura Harbor for 25+ years. The second tier is seasonal tenants who might be here 3-6 months out of the year, e.g., some squid seiners, light boats, lobster boats, halibut season, spot prawn season, etc. These vessels pay a 15% monthly premium over the full-year rate. The third tier are transient vessels who might be here for a few days to a week or two. The proposed respective rates are included as Attachment 1.

VHVM is the port call of choice for our commercial fishing fleet. VHVM is without equal on the west coast. While there are larger harbors and larger marinas up and down the coast, there is no single marina that is 100% commercial in nature and can accommodate up to 54 seine vessels and 49 light boats/fishing vessels ranging from 30' to 50'. VHVM is state of the art offering amenities specifically targeted to our commercial fishermen while also providing convenient access to the businesses at Harbor Village.

For these reasons, 100% of the VHV Marina slips are assigned, with additional commercial fishing vessels on a waiting list. This level of demand supports the understanding that our Harbor has a vibrant working waterfront with the necessary infrastructure and amenities to support commercial fishing as described.

The District is mindful that commercial fishing as a whole (and especially the squid fleet, which represents the majority of our commercial vessel tenants) experienced nearly five back-to-back years of very marginal fishing. However, FY21-22 was the first good fishing year in the region for some time and FY22-23 was again a very good year for squid. Early indications are that FY23-24 will also be strong, despite the El Nino.

During calendar year 2022, the Consumer Price Index (CPI) increased by 4.9%. Although a major portion of the Harbor Village Marina is new as of 2019-20 (including the pedestals), even the new dock systems require ongoing preventative maintenance. Similarly, water (which is a utility provided for free to marina tenants) has increased another 10% in cost to the District.

However, staff does acknowledge that a number of our tenants experienced shore power connectivity issues with the new Eaton pedestals and their breakers. Staff also recognizes the importance of keeping the infrastructure supporting commercial fishing affordable, and to the best of our knowledge, VHVM provides good value for our amenities and below comparable rates for recreational slips.

Therefore, a 3% increase is deemed warranted (which will be rounded up to the nearest \$25) and staff believes balances all of these factors.

The District mailed out notification to marina tenants of this item being considered by the Board.

The District is required to give a 30-day notice to increase fees if the increase is 10% or less. If approved, the District will provide a minimum of 45-day written notice for those marina tenants impacted.

EVENT FEES

Operations in Ventura Harbor include opportunities for the public to utilize spaces managed by the District for events, including weddings, gatherings, competitions, and film / photography. With a beautiful scenic backdrop of ocean, sand, hills, marinas, dunes, docks, and boats, the event rental program has expanded over the years to serve as host for multiple community groups, fundraisers, school programs, athletics, churches, private events, and more. These activities introduce and attract thousands of visitors and potential customers to Ventura Harbor and Ventura Harbor Village businesses.

With the Harbor's proximity to the entertainment industry, the Ventura Harbor has also become popular with location scouts for television, video, and film shoots, including notable programs such as NCIS, The Bachelor, The Aviator, and more.

As the resurgence of events, film, and weddings has progressed in 2023, the marketing staff has considered both the time spent by District staff on application review and fulfillment, and surrounding county and city hourly rates for similar-type product fees and rates. In review of film fees, the marketing team has communicated with the Ventura County Film Commission on an annual basis seeking input on the District's event rates as they pertain to being both competitive, and yet inviting, to attract film business to the area. The writers' strike in Hollywood has hampered filming applications recently for both television and movie requests however, the harbor continues to receive interest from student films, commercial shoots, and photography.

Taking into consideration recent inflation and increased costs facing applicants and community groups to produce successful events and weddings in 2023 and most likely in 2024, the recommendation for fee implementation and increase for 2024 are limited to these four areas:

- Due to popularity of the Main Lawn for community events, marketing proposes to add to the event application a published ½ day fee use of the Village Main Lawn of \$350.
- A row of parking adjacent to Village Main Lawn is typically requested to accommodate event vehicles for event production. When approved, this requires pre-posting reserve /no parking signs and delineators. The recommended fee increase is from \$75 to \$100 for the row per day (11 spaces) to accommodate staff time and would be in conjunction with a Main Lawn event permit.
- For film permits, a minor increase of the late filing fee (within 2 weeks of the event) is recommended from \$175 to \$200, as these permits require expedited staff communication, quick application distribution and decision making, logistics, work orders, permits, and coordination.
- Event fees: Harbor Patrol vehicles, vessels, and staffing cost increases are outlined in Attachment 3.

The current and proposed rates have been placed on the District's two websites. Event, film, and wedding applications have fee information which states, "rates subject to change." Anyone who has an approved permit application will be charged the current rates. All others will be charged the new rates, if approved by the Board.

VENTURA HARBOR BOAT DRY STORAGE FEES

The Port District operates a storage lot for out-of-water storage of boats up to 41' in length. The Ventura Harbor Boat Dry Storage (Dry Storage) is managed by the Marina Department. After the reconfiguration of Anchors Way Drive and the Dry Storage, the lot was reopened in 2019. There were no rate increases for the Dry Storage lot between reopening in 2019 and January 1, 2023.

Due to the impacts of the VenturaWaterPure project on Dry Storage tenants, District staff are recommending no rate increases at this time, which is consistent with the FY23-24 budget.

As no rate increase has been proposed, no notifications to tenants of this hearing were distributed. Tenants will receive a note on their statements advising that no rate increase is anticipated at this time.

FISCAL IMPACT:

The proposed fee increases are reflective of the budget adopted by the Board of Port Commissioners on June 21, 2023.

With the implementation of the proposed increase in CAM fees as of January 1, 2024, staff estimates CAM revenue will be \$400,000 during FY23-24.

With the implementation of a 3% average increase in commercial marina slip fees, staff estimates VHVM revenue will be approximately \$1M in annual slip rentals. This is in addition to recovery of electricity usage, for which slip tenants are billed, and fish offloading fees. Commercial fishing tenants are not billed for water usage, which is consistent with other marinas in California.

In the FY23-24 budget the board approved a projected goal of \$45k in event, film and wedding fee revenues pending outside factors such as weather, economic, and social impacts.

ATTACHMENTS:

Attachment 1 – CAM Expense Breakdown

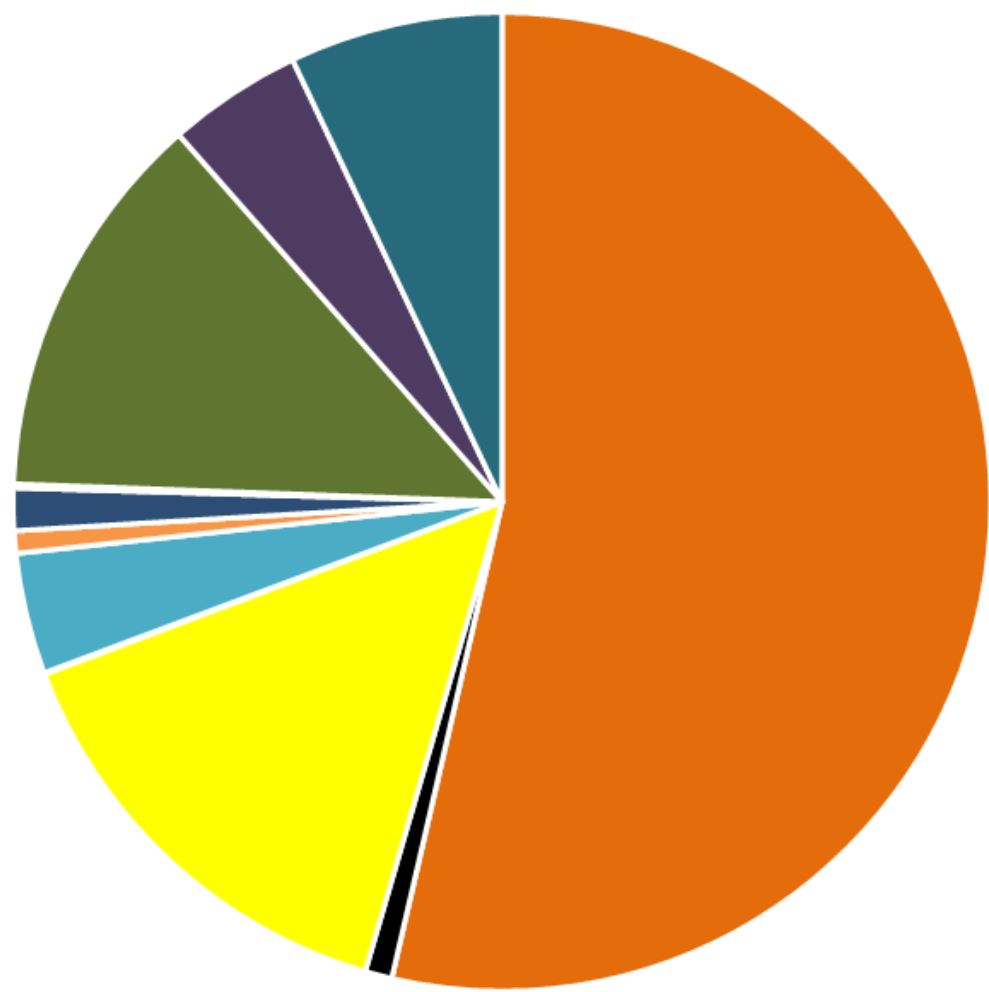
Attachment 2 – VHV Marina Fee Schedule

Attachment 3 – Ventura Harbor Event Fee Schedule

Attachment 4 – Ventura Harbor Dry Boat Storage Fee Schedule

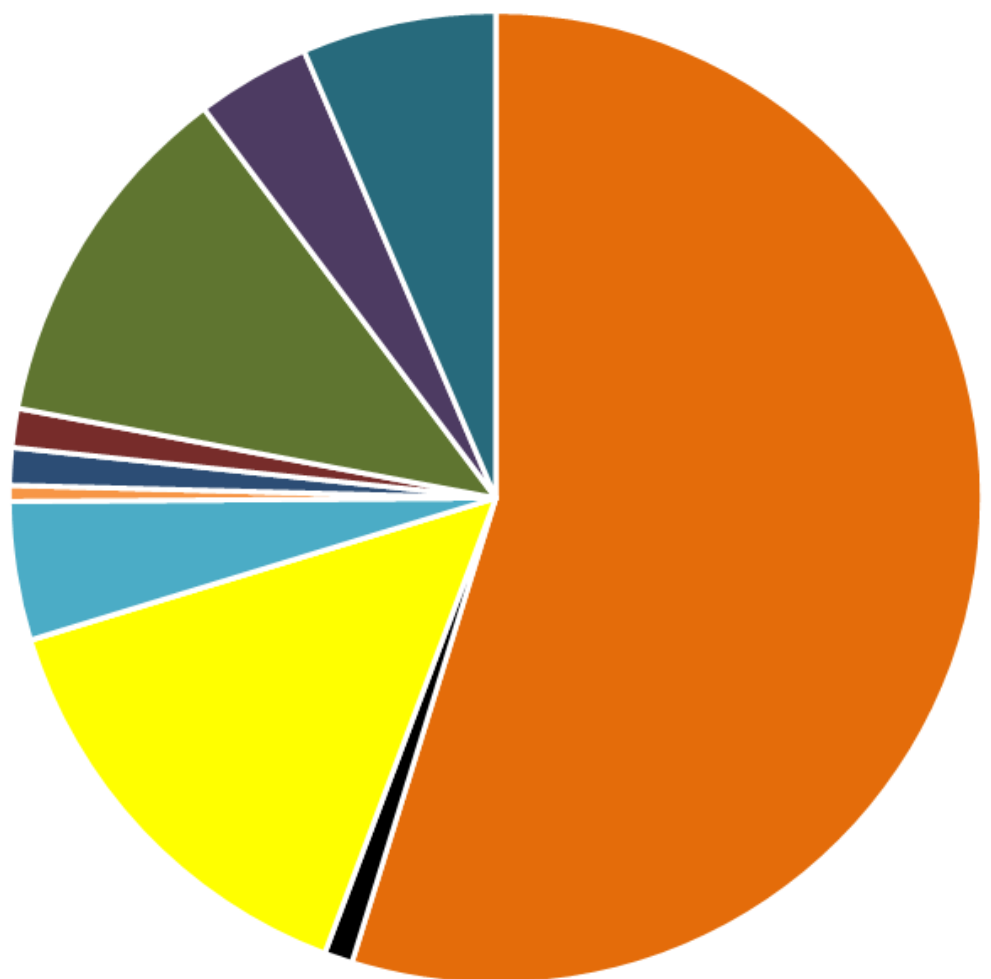
ATTACHMENT 1
CAM Expense Breakdown

2021 CAM Expenses



- Labor Expenses
- Oil & Fuel Expenses
- General Insurance
- Operating Supplies
- Janitorial Supplies
- Other Equipment Maint
- Building Maintenance
- Grounds Maintenance
- Utilities-Electric & Water
- Trash Disposal
- Outside Services

2022 CAM Expenses



- Labor Expenses
- Oil & Fuel Expenses
- General Insurance
- Operating Supplies
- Janitorial Supplies
- Other Equipment Maint
- Building Maintenance
- Grounds Maintenance
- Utilities-Electric & Water
- Trash Disposal
- Outside Services

ATTACHMENT 2
VHV Proposed 2024 Marina Fee Schedule

Regular Full Time Marina Tenant

Slip Size	Old Monthly	New Monthly	Delta Monthly
30	388.00	400.00	12.00
35	452.00	475.00	23.00
48	636.00	675.00	39.00
55	775.00	800.00	25.00
60	845.00	875.00	30.00
65	916.00	950.00	34.00
70	986.00	1,025.00	39.00
80	1,127.00	1,175.00	48.00
90	1,274.00	1,325.00	51.00
100	1,525.00	1,575.00	50.00
160	2,615.00	2,700.00	85.00

Transient Rates

Weekly Rate: \$4.30 per foot + metered electric - No Change

Daily Rate: \$1.60 per foot + metered electric - No Change

Seasonal Transient (2-6 Months)

Regular Monthly Rate + 15% premium add on

ATTACHMENT 3
Ventura Harbor Event Fee Schedule

EVENT TYPE	CURRENT FEE	PROPOSED FEE
APPLICATION & DEPOSIT		
Application Fee	\$75	No change
Deposit (Refundable)	\$250	No change
GENERAL EVENTS		
<i>Main Lawn 250'x125'</i>		
1/2 Day Use (5 Hour Use)	N/A	\$350
Full Day Use	\$500	No change
Weekday Use	\$200	No change
Main Lawn Parking Row Adjacent	\$75	\$100
<i>Harbor Cove Beach</i>		
1/2 Half Day Rate (5 Hour Use)	\$400	No change
	\$600	No change
<i>Surfers Knoll</i>		
1/2 Half Day Rate (5 Hour Use)	\$400	No change
Full Day Use	\$600	No change
Beach Clean-ups	no charge	No change
<i>Harbor Village Balcony</i>		
1/2 Day Use (5 Hour Use)	\$325	No change
Full Day use	\$600	No change
Trash Can Rentals	\$10/ each	No change
WEDDINGS		
<i>Harbor Cove, South Jetty, Surfers Knoll*</i>		
Beach Ceremony 1-35 attendees	\$250	No change
Beach Ceremony 36-75 attendees	\$450	No change
Beach Ceremony 76+ attendees	\$600	No change
Beach Receptions with Tent	\$1,000	No change
Beach Receptions Extra Day Set Up	\$350	No change
PARKING		
19-A Parking Lot - (Shuttle/Overflow with Event Permit)	\$300	No change
19- A Parking Lot- Full Day Use	\$1,000	No change
Harbor Cove Beach Parking Lot Use (1/2 lot max)	\$500	No change
Surfers Knoll Parking Lot All Day Use (Event permit only)	\$300	No change
Spinnaker Dirt Lot (With Event or Film Permit)	\$125	No change
FILM - COMPETITIVE INDUSTRY RATES		
Application fee	\$100	No change
Late/Urgent Filing Application Fee (less than 2-week notice)	\$175	\$200
Ventura Harbor Village (interior)	\$750	No change
Surfers Knoll Beach - All Day	\$600	No change
Harbor Cove Beach	\$600	No change
Harbor Cove Lot - (Up to 40 spaces)	\$350	No change
Harbor Cove Lot - (1/2 lot per availability)	\$800	No change

Harbor Village Parking (Limited availability)	\$8	No change
Surfers Knoll Beach Parking Lot All Day (w/ Film Permit)	\$350	No change
HARBOR PATROL - EVENT OFFICERS/ BOAT PER HARBORMASTER		
Harbor Patrol Officer (HPO) (4 hr min) - (\$100/hr.)	\$350	\$400
Harbor Patrol Vessel (\$200/hr) (4 hr min) + 2 HPO for \$130/hr	\$700	\$1,320
Harbor Patrol Truck per Hour (no min)	N/A	\$100
Harbor Patrol Vessel Inner Harbor Only (\$200/hr) (4 hr min) + 1 HPO	N/A	\$1,200

Attachment 4
Ventura Harbor Dry Boat Storage Fee Schedule

Dry Storage Rates Effective January 1, 2023
(No change at this time)

Length	Current Rate
Up to 23'	\$95.00/month
24' to 32'	\$135.00/month
33' to 40'	\$185.00/month
41' and greater	\$225.00/month
Kayaks/Paddle Boards	\$15.00/month