

BOARD OF PORT COMMISSIONERS MEETING FEBRUARY 1, 2023

Ventura Harbor

GATEWAY TO THE CHANNEL ISLANDS NATIONAL PARK

Call to Order

Pledge of Allegiance

Roll Call

ADMIN AGENDA

ADMIN AGENDA

Adoption of the February 1, 2023 Agenda

Approval of the Minutes of January 18, 2023 Regular Meetings

PUBLIC COMMUNICATION ADMIN AGENDA ITEMS NOT ON TODAY'S AGENDA

00:03:00

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- Closed Session Report
- Board Communications
- Staff and General Manager
 Reports

ADMIN AGENDA

CONSENT AGENDA

A) Approval of Out-of-Town Travel Requests

B) Acceptance of Low Bid for the Ventura Harbor Margarita Villa Deck Repair Project at 1567 Spinnaker Drive

PUBLIC COMMUNICATION CONSENT AGENDA ITEMS

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ADOPTION OF RESOLUTION NO. 3463 UPDATING THE VENTURA PORT DISTRICT HUMAN RESOURCES MANUAL AND RESCINDING RESOLUTION NO. 3419

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3463 updating the Ventura Port District Human Resources Manual and rescinding Resolution No. 3419. STANDARD AGENDA ITEM 1

Report by: Brian D. Pendleton, General Manager Oliver Yee, Liebert Cassidy Whitmore

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 1

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ADOPTION OF RESOLUTION NO. 3464 ESTABLISHING A NEW EMPLOYER-EMPLOYEE ORGANIZATION RELATIONS POLICY AND RESCINDING RESOLUTION NO. 2562

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3464 establishing a new Employer-Employee Organization Relations Policy and rescinding Resolution No. 2562. STANDARD AGENDA ITEM 2

Report by: Brian D. Pendleton, General Manager Oliver Yee, Liebert Cassidy Whitmore

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 2

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ADOPTION OF RESOLUTION NO. 3465 ADOPTING THE FINAL IS-MND AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE VENTURA YACHT CLUB DOCK REPLACEMENT PROJECT

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3465:

- a) Adopting the Final Mitigated Negative Declaration;
- b) Adopting the Mitigation Monitoring and Reporting Program;
- c) Approving the Ventura Yacht Club Dock Replacement Project; and,
- d) Authorize the General Manager to File the Notice of Determination with the State Office of Planning and Research and the Ventura County Clerk.

STANDARD AGENDA ITEM 3

Report by: Brian D. Pendleton, General Manager Jessica Kirchner Flores, Impact Sciences



VENTURA YACHT CLUB DOCK REPLACEMENT PROJECT

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Wednesday, February 1, 2023 7:00 PM



Agenda



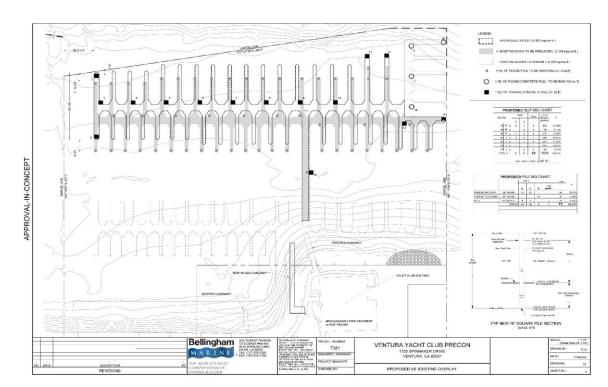




Project Overview

- Located on Docks A through E
- Waterside improvements
- Demolish and replace main walkway of docks B and D
- New docks would meet DBAW standards
- Decrease total A through E from 84 to 83 slips
- Pilings would decrease from 58 to 19

Project Location



Customers to a North WK to BUDG HELIGIN Fee Desired (2) Verses Soft Call Propriot the Office and Western Western Desired Test (2) Verses (2) Ve

CEQA Process

17

December 14, 2022 •Release of the Draft IS/MND

December 14 – January 23, 2023

• Public Review Period

February 1, 2023

 $\bullet \mbox{Adoption}$ of the Final IS/MND and MMRP

•Approving the Project

March 2023

•Construction to begin (if approved)



Summary of Findings

- \Box Aesthetics
- □ Agriculture and Forestry Resources
- \Box Air Quality
- ⊠ Biological Resources
- ⊠ Cultural Resources
- □ Energy
- \boxtimes Geology and Soils
- \Box Greenhouse Gas Emissions
- □ Hazards and Hazardous Materials
- \boxtimes Hydrology/Water Quality
- \Box Land Use/Planning

Mineral Resources
🛛 Noise
Population and Housing
Public Services
\Box Recreation
Transportation
Tribal Cultural Resources
Utilities/Service Systems
□ Wildfire

⊠ Mandatory Findings of Significance

IS/MND Findings

- No significant impacts that could not be mitigated
- Areas requiring mitigation:
 - Biological resources potential for sensitive species
 - Cultural resources potential for unanticipated discovery
 - Water quality potential for polluted runoff and/or trash during construction
 - Noise potential for noise that exceeds local standards during construction

Mitigation Measures

- Biological Resources
 - MM BIO-1: Essential Fish Habitat Assessment
 - MM BIO-2: Eelgrass Habitat Survey
 - MM BIO-3: Construction debris and discharge requirements
 - MM BIO-4: Best practices for long-term water-borne berthing of boats
- Cultural Resources
 - MM CUL-1: Unidentified cultural resources
- Geological Resources
 - MM GEO-1: Paleontological resources

Mitigation Measures

Hydrology/Water Quality

- MM HYD-1: Implement trash excluders at storm drains
- MM HYD-2: Waste disposal requirements
- MM HYD-3: Vehicle/equipment maintenance limitations
- MM HYD-4: Potential contaminate storage requirements
- MM HYD-5: Sewer connection authority
- MM HYD-6: Paved storage area requirements
- MM HYD-7: Covered staging area requirements
- Noise
 - MM NOI-1: Hydraulic pile driver requirements
 - MM NOI-2: Temporary relocation of vessels

22

Questions/Comments

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 3

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ADOPTION OF RESOLUTION NO. 3465 ADOPTING THE FINAL IS-MND AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE VENTURA YACHT CLUB DOCK REPLACEMENT PROJECT

RECOMMENDATION:

That the Board of Port Commissioners adopt Resolution No. 3465:

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- b) Adopting the Mitigation Monitoring and Reporting Program;
- c) Approving the Ventura Yacht Club Dock Replacement Project; and,
- d) Authorize the General Manager to File the Notice of Determination with the State Office of Planning and Research and the Ventura County Clerk.

STANDARD AGENDA ITEM 3

Report by: Brian D. Pendleton, General Manager Jessica Kirchner Flores, Impact Sciences ADOPTION OF RESOLUTION NO. 3466 ADOPTING THE FISCAL YEAR 2022-2023 MID-YEAR BUDGET ADJUSMENTS AND CAPITAL IMPROVEMENT PLAN AND RESOLUTION NO. 3467 REVISING THE RESOLUTION ESTABLISHING THE SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES OF THE DISTRICT FOR FISCAL YEAR 2022-2023

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3466 approving the Mid-Year Budget Adjustments for Fiscal Year 2022-2023 effective January 1, 2023; and
- b) Adopt Resolution No. 3467 revising the Resolution establishing the salary schedule for non-represented employees of the District for Fiscal Year 2022-2023 and rescinding Resolution No. 3456.

STANDARD AGENDA ITEM 4

Report by:

Brian D. Pendleton, General Manager Todd Mitchell, Sr. Business Ops Manager Gloria Adkins, Accounting Manager

OPERATING REVENUES

Fiscal Year	Revenue	% +/-
FY18-19	\$8,969,830	5%
FY19-20	\$8,413,254	<6%>
FY20-21	\$9,491,185	13%
FY21-22*	\$10,668,500	12%
FY22-23**	\$10,568,500	<1%>

- * FY21-22 represents the draft financial statements at 6/30/22 as presented to the Board in September 2022.
- ** FY22-23 approved current year budget (and no change for Mid-Year)

OPERATING EXPENSES

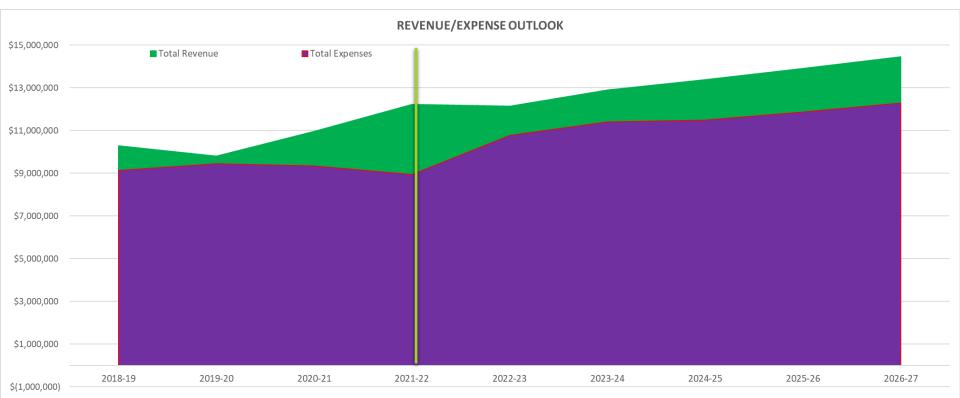
Fiscal Year	Expenses	% +/-
FY18-19	\$6,214,715	7%
FY19-20	\$6,306,806	1%
FY20-21	\$6,276,863	<0.5%>
FY21-22*	\$5,691,100	<9%>
FY22-23**	\$7,133,050	25%

- * FY21-22 represents the draft financial statements at 6/30/22 as presented to the Board in September 2022.
- ** FY22-23 proposed Mid-Year Adjustment. Represents a net increase of \$114,000 (1.6%) over the approved FY22-23 budget.

Summarized areas of increases:

- \$84,000 for Accounting related to new GASB 87 accounting standards & associated software
- \$25,000 for Harbor Patrol Overtime related to storm events
- \$25,000 for Facilities for grounds maintenance, trash, and utilities costs related to storm events
- \$5,000 for Marketing related to Maintenance Staff event support

REVENUE & EXPENSE: 5-YEAR OUTLOOK



5- Year Capital Improvements and ADA Improvements Plan

Notes and values in blue denote changes since Approved Budget

Notes and values in blue denote changes since Approved budget			Proposed
ltem # Dept.	Project Location/Description	22-23	22-23
1 Capital	1567 Spinnaker #100 - Building Improvements (Includes Mechanical Roof and Structural Roof under patio)	875,000	950,000
2 HP	Launch Ramp Floating Dock Replacement, Washdown Station ADA Improvement, Restroom Upgrades - Delayed due to permitting	650,000	50,000
3 Capital	Harbor Village Trash Enclosures (Accelerated timing due to Grant funding) - Cost reduced based on bids received	350,000	225,000
4 Capital	1449 Building structural improvement & Dockmaster Office rennovation	200,000	30,000
5 HP	Vehicle Replacement - Harbor Patrol Dept. (Deferred due to limited availability of EV/hybrid vehicles)	95,000	95,000
6 Capital	EV Charging Stations (Deferred due to SCE schedule) - Increased due to procurement requirements; \$40k is 5 year service agreement	60,000	178,000
7 Maintenance	1603 Anchors Way Building - Repainting & Flashing	60,000	60,000
8 Admin	Ventura Harbor Village WiFi Infrastructure	60,000	
9 Maintenance	Vehicle Replacement - Maintenance Dept. (EV) (4 total, 1 purchase in FY22-23) Deferred to prioritize lift vehicle	45,000	
10 Marina	Vehicle Replacement - Courtesy Patrol (EV)	45,000	45,000
11 Capital	Parking Lot Lights & Poles - Parcel 19A - Deferred due to City WaterPure Project	30,000	
12 Marina	Dry Storage Lot Resurfacing - Deferred due to City WaterPure Project	30,000	
13 Admin	Paid Parking Infrastructure (Procurement of infrastructure expected after all approvals received) - Increased soft costs	25,000	35,000
14 Maintenance	Harbor Cove & Surfers Knoll - Retaining Wall & Shower Area Improvements (Deferred, will be partially Grant funded)	25,000	25,000
15 Capital	Active Transporation Program - grant application, design & permitting first years, phased afterwards (includes paving, furniture, lights & poles)	25,000	33,000
16 Capital	Harbor Village Wayfinding Signage, Entry Awnings	25,000	25,000
17 Capital	Harbor Village Bldgs refurbish elevator at 1591 Spinnaker (last of the 5 elevators in the Village to be refurbished) (Carry over work)	25,000	
18 Capital	Village "I ♥ The Sea" Sign	20,000	20,000
19 HP	Harbor Patrol Radio Repeater and Communication Upgrades	20,000	20,000
20 Capital	Harbor Village Bldgsreplace/repair roofs/tiles/gutters - (FY23-24:1583, FY24-25:1575, and FY25-26:1431) + Carry over from FY21-22		150,000
21 HP	Boat Replacement - Harbor Patrol Dept. (Supplement to Insurance Money, deferred to FY23-24)		35,000
22 Capital	Village Paseo Improvement Project		

5- Year Capital Improvements and ADA Improvements Plan

Item # Dept. Project Location/Description 23 Capital Harbor Entrance Feature Revitalization & Wayfinding (Schooner and Spinnaker) - design costs for Schooner advanced 24 Capital National Park Service Bldg 1691 Bldg HVAC systems 25 Capital 1575/1583 Pass-Through Repaving (deferred to FY23-24) 26 Maintenance Vehichel Replacement - Lift Vehicle (or equivalent) 27 Admin Vehicle Purchase - Administration (EV) (deferred to FY23-24) 28 Maintenance Resurface Parking Lots (Harbor Village & Beach Lots) 29 Marina Fish Pier - resurfacing 30 HP Resurface Launch Ramp Parking Lot 41 Capital VPD Office Emergency Generator Permits & Installation - Carry over from FY21-22 42 Capital Harbor Cove Light Poles Replacement - Carry over from FY21-22 43 Capital Commercial Fish Hoist #2 Refurbishment - Carry over from FY21-22 44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Vayfinding Sign - Teant Name Material Change & Upstairs Office Sig	Approved 22-23	Proposed 22-23
24 Capital National Park Service Bidg 1691 Bidg HVAC systems 25 Capital 1575/1583 Pass-Through Repaving (deferred to FY23-24) 26 Maintenance Vehichel Replacement - Lift Vehicle (or equivalent) 27 Admin Vehichel Replacement - Lift Vehicle (or equivalent) 28 Maintenance Resurface Parking Lots (Harbor Village & Beach Lots) 29 Marina Fish Pier - resurfacing 30 HP Resurface Launch Ramp Parking Lot 41 Capital VPD Office Emergency Generator Permits & Installation - Carry over from FY21-22 42 Capital Harbor Cove Light Poles Replacement - Carry over from FY21-22 & Partially grant funded 43 Capital Commercial Fish Hoist #2 Refurbishment - Carry over from FY21-22 44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Rest	22-20	25.000
25 Capital 1575/1583 Pass-Through Repaving (deferred to FY23-24) 26 Maintenance Vehichel Replacement - Lift Vehicle (or equivalent) 27 Admin Vehichel Purchase - Administration (EV) (deferred to FY23-24) 28 Maintenance Resurface Parking Lots (Harbor Village & Beach Lots) 29 Marina Fish Pier - resurfacing 30 HP Resurface Launch Ramp Parking Lot 41 Capital VPD Office Emergency Generator Permits & Installation - Carry over from FY21-22 42 Capital Harbor Cove Light Poles Replacement - Carry over from FY21-22 & Partially grant funded 43 Capital Commercial Fish Hoist #2 Refurbishment - Carry over from FY21-22 44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022) <td></td> <td>23,000</td>		23,000
26 Maintenance Vehichel Replacement - Lift Vehicle (or equivalent) 27 Admin Vehichel Purchase - Administration (EV) (deferred to FY23-24) 28 Maintenance Resurface Parking Lots (Harbor Village & Beach Lots) 29 Marina Fish Pier - resurfacing 30 HP Resurface Launch Ramp Parking Lot 41 Capital VPD Office Emergency Generator Permits & Installation - Carry over from FY21-22 42 Capital Harbor Cove Light Poles Replacement - Carry over from FY21-22 & Partially grant funded 43 Capital Commercial Fish Hoist #2 Refurbishment - Carry over from FY21-22 44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		95.000
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28 Maintenance Resurface Parking Lots (Harbor Village & Beach Lots) 29 Marina Fish Pier - resurfacing 30 HP Resurface Launch Ramp Parking Lot 41 Capital VPD Office Emergency Generator Permits & Installation - Carry over from FY21-22 42 Capital Harbor Cove Light Poles Replacement - Carry over from FY21-22 & Partially grant funded 43 Capital Commercial Fish Hoist #2 Refurbishment - Carry over from FY21-22 44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		100,000
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44 HP Mobile Electric Traffic Information Sign - Partially grant funded 45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		55,000
45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		40,000
45 Capital Promenade Curved Wall Upgrades 46 Capital Wayfinding Sign - Tenant Name Material Change & Upstairs Office Signs 47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		35,000
47 Capital 1431 Fire Monitoring System - Carry Over from FY21-22 31 ADA ADA Restroom Upgrade - 1575 (increased cost approved by Board Nov 16, 2022) 32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		25,000
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32 ADA ADA Restroom Upgrade - 1691 (Island Packers Guests' Unisex Restroom) (increased cost approved by Board Nov 16, 2022)		15,000
	150,000	500,000
33 ADA ADA Restroom Upgrade - 1567 (increased cost approved by Board Nov 16, 2022)	130,000	200,000
	125,000	250,000
34 Capital 1583/1591 ADA Path of Travel Ramps		
35 ADA ADA Restroom Upgrade - 1691 (Boater's Restroom/Showers)		
Total Capital Improvement	an 2,665,000	2,446,000
Total ADA Improvement	an 405,000	950,000
TOTAL CAPITAL IMPROVEMENTS & ADA IMPROVEMENT	TS 3,070,000	3,396,000

5- Year Capital Improvements and ADA Improvements Plan

Notes and values in blue denote changes since Approved Budget

Notes and values in blue denote changes since Approved Budget		Approved	Proposed	
ltem #	# Dept. Project Location/Description		22-23	22-23
		Special Funding from State Lands Commission Grants	(1,038,500)	(949,500)
		Special Funding from Division of Boating and Waterways Launch Ramp Dock Grant	(616,000)	(20,000
		Special Funding for EV Charging Stations (CALeVIP & SCE) (deferred due to SCE contruction schedule)	(40,000)	(40,000
		Special Funding from National Fish and Wildlife Grant		(93,000
		TOTAL CAPITAL IMPROVEMENTS & ADA IMPROVEMENTS WITH FUNDING	1,375,500	2,293,500

Notable Changes in CIP Projects at Mid-Year Adjustment:

- 1. 1567 Spinnaker Suite #100 Building: Increase of \$75,000
 - Increased to account for contingency for mechanical roof
- 2. Launch Ramp Floating Docks: Decrease of \$600,000
 - Dock replacements deferred due to permitting delays
- 3. Trash Enclosures: Decrease of \$125,000
 - Bids came in below budgeted amount
- 4. 1449 Building Structural Improvements \$170,000
 - Deferred improvements while pursuing grant for Commercial Fish Modernization Project

Notable Changes in CIP Projects at Mid-Year Adjustment:

- 6. EV Charging Stations: Increase of \$118,000
 - Increased to account for change in units to be grant eligible
 - Includes \$40,000 for 5 years of operating/software/maintenance fees
 - Most grant funding reimbursed in FY23-24
- 8. Ventura Harbor Village WiFi Infrastructure \$65,000
 - Deferred while scoping solution alternatives
- 20. Harbor Village Building Roofs \$150,000
 - Project budgeted & contracted in FY21-22 but not completed by year end (deferred to avoid impacts during summer season).
- 25.1583/1575 Pass-Through Repaving \$95,000
 - Advanced in alignment with adjacent capital and tenant improvements

Notable Changes in CIP Projects at Mid-Year Adjustment:

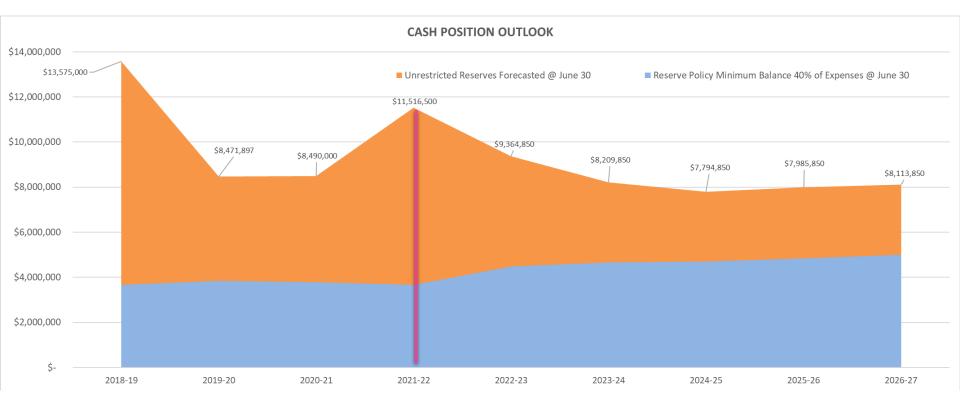
25. Vehicle Replacement – Lift Vehicle \$100,000

- Advanced due to aging/corrosion; increased due to market prices
- 41. VPD Office Emergency Generator \$60,000
 - Project budgeted & contracted in FY21-22 but not completed by year end (permitting & supply chain).
- 31, 32, 33: ADA Restrooms (3): Combined increase of \$545,000
 - Scope change to significantly improve 1575 Restrooms
 - Approved by Board on November 16, 2022
 - Two change orders subsequently added

FY22-23 Tenant Improvement Budget

Overall reduction of \$42,000

Budgeted Items		
Scheduled Improvements	Budgeted District Contribution to Building Tenant Improvements	\$ 240,000.00
Unscheduled Improvements	Renovations due to possible Tenant turnover at lease expiration	\$ 88,000.00
Contingency	Renovations due to unscheduled Tenant turnover (early termination)	\$ 107,000.00
		\$ 435,000



THIS BUDGET FORECAST MEETS OR EXCEEDS THE REQUIRED BOND COVENANT FOR NET REVENUES TO MEET OR EXCEED 115% OF THE CURRENT YEAR DEBT SERVICE.

5-YEAR CASH POSITION OUTLOOK

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 4

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ADOPTION OF RESOLUTION NO. 3466 ADOPTING THE FISCAL YEAR 2022-2023 MID-YEAR BUDGET ADJUSMENTS AND CAPITAL IMPROVEMENT PLAN AND RESOLUTION NO. 3467 REVISING THE RESOLUTION ESTABLISHING THE SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES OF THE DISTRICT FOR FISCAL YEAR 2022-2023

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3466 approving the Mid-Year Budget Adjustments for Fiscal Year 2022-2023 effective January 1, 2023; and
- b) Adopt Resolution No. 3467 revising the Resolution establishing the salary schedule for non-represented employees of the District for Fiscal Year 2022-2023 and rescinding Resolution No. 3456.

STANDARD AGENDA ITEM 4

Report by:

Brian D. Pendleton, General Manager Todd Mitchell, Sr. Business Ops Manager Gloria Adkins, Accounting Manager UPDATE ON STATE OF EMERGENCY DUE TO THE ATMOSPHERIC RIVER RAIN EVENTS IN JANUARY 2023 AND EMERGENCY MEASURES TO RESPOND TO IMPACTS TO THE DISTRICT

RECOMMENDATION:

That the Board of Port Commissioners determine by a four-fifths vote that there is a need to continue the emergency action adopted by the Board on January 18, 2023, set forth in Resolution No. 3462.

STANDARD AGENDA ITEM 5

Report by: Brian D. Pendleton, General Manager

JANUARY 2023 STORMS STATE OF EMERGENCY

Actions since January 18 Board Meeting

- Tour of Port District Storm Damage Congressman Salud Carbajal
 - District Official Monday, January 23rd
- Letter to Office of Emergency Services (OES) Requesting Disaster Aid
 - GM Monday, January 30th
- On-Going Debris Removal
 - Facilities Outside contract for large debris Beaches
 - Harbor Patrol removal of large debris Harbor waters
 - Refuse dumpsters launch ramp, beaches
- Beach Safety Signage
- Mid-Year Budget Adjustment









- Recent severe winter storms have caused damage within the Harbor area:
 - Village suites,
 - Public launch ramp,
 - Private boats and docks within the City's Ventura Keys,
 - City streets within the Harbor,
 - o Significant coastal beach erosion, and
 - Debris flows into the Harbor and surrounding beaches
- Debris removal and repairs hampered by volume of material, continuing rain, wind, wave action and storm surge
 - These conditions present risks to the public
- The Harbor entrance has been the subject of on-going U.S. Coast Guard safety warnings in coordination with Harbor Patrol
 - These conditions present risks to boaters
- Attempts to determine changes in inner-Harbor water depths have been impeded by turbidity in the water column due to storm runoff

- On January 4, 2023, the CA Governor declared a state of emergency as a result of the winter storms related to a series of atmospheric river systems that occurred
- On January 6, 2023, the acting City Manager of the City of Ventura, as the designated Director of Disaster Services, proclaimed the existence of a local emergency pursuant to section 2.370.050 of the Municipal Code

• City residents and property within the City suffered damage due to the severe storms.

- On January 9, 2023 the City Council ratified a resolution confirming the existence of a local emergency.
- On January 8, 2023, President Biden declared an emergency in California in response to the severe winter storms, flooding, and mudslides experienced in the State

 Federal assistance to supplement the local response efforts
 Authorizes Department of Homeland Security and Federal Emergency Management Agency to coordinate all disaster relief efforts.
- The County of Ventura declared a local emergency on January 17, 2023.
 Damage from last week's storms expected to top \$30 million.

• Emergency declarations are contemplated in the District's Procurement and Purchasing Policy Section IV. Exceptions to Competitive Bidding, to enable the District to coordinate a timely and effective disaster response.

C. <u>Emergencies</u>: Pursuant to Public Contract Code Section 20751.1, in case of an emergency, the Board may, by resolution passed by a four-fifths vote of all of its members, declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, and thereupon proceed to expend any sum or enter into a contract involving the expenditure of any sum needed in the emergency without observance of the provisions requiring contracts, bids, or notice for any purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA. If notice for bid to let contracts will not be given, the Board shall also comply with Public Contract Code Section 22050. In the case of any emergency involving a public project or maintenance work under the UCCPA, the terms and conditions set forth in Public Contract Code Section 22035 shall control.

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

- Staff is recommending a Declaration of Emergency to delegate authority to the General Manager to ensure that the District's facilities, infrastructure and assets are made and remain safe and functional as well providing additional staffing as needed to provide supplemental Harbor Patrol, Facilities, Marina Dockmaster, and Administrative services including management and accounting throughout these ongoing atmospheric river storm systems.
- The Board will review the emergency status at subsequent meeting(s) to either terminate the emergency condition or to continue it, as circumstances dictate.

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 5

00:03:00

	Change Clock Type Digital ✓
	Duration: 00 🗸 03 🗸 00 🗸
>	TimeUp Reminder (Optional): 🗸
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ADJOURNMENT NEXT MEETING FEBRUARY 15, 2023

Ventura Harbor

GATEWAY TO THE CHANNEL ISLANDS NATIONAL PARK