



**BOARD OF PORT COMMISSIONERS MEETING  
FEBRUARY 15, 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 15, 2023 Agenda**

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**Approval of the Minutes of  
February 1, 2023  
Regular Meetings**

**PUBLIC COMMUNICATION  
ADMIN AGENDA  
ITEMS NOT ON TODAY'S AGENDA**

00 : 03 : 00

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

# ADMIN AGENDA

# CONSENT AGENDA

**A) Approval of Out-of-Town Travel Requests**

**B) Adoption of Resolution No. 3468 Updating the Policy and Procedures for the California Public Records Act and Rescinding Resolution No. 3274**

# PUBLIC COMMUNICATION CONSENT AGENDA ITEMS

00 : 03 : 00

## **BROWN ACT PRESENTATION**

### **RECOMMENDATION:**

That the Board of Port Commissioners receive a presentation from Lagerlof, LLP on the Ralph M. Brown Act.

# STANDARD AGENDA ITEM 1

Report by:

Andy Turner, Lagerlof  
Reid Miller, Lagerlof



# Ventura Port District

The Brown Act



# Conduct Public Business Openly

“The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”



LEGISLATIVE  
BODIES

MEETINGS

EXCEPTIONS



# Application of the Brown Act



L

# What is a Legislative body?

- Governing body of the agency
- Advisory committees created by the governing body
- Standing committees comprised of less than a quorum
- But not temporary (ad hoc) committees comprised of less than a quorum



# What is a Meeting?

- In person gatherings
- Communication through intermediary
- Emails, Facebook, Twitter [AB 992]
- Serial meetings – prohibited!
- When is a gathering not a Brown Act “meeting”?



# AB 992 – Social Media

- First specific amendment to the Brown Act to address social media issues
- Authorizes a board member to communicate via social media to provide information to the public
- Social media communications are permissible as long as *less than a majority* of board members use the social media platform to “discuss among themselves” the district’s official business
  - “Discuss among themselves” is defined to include making posts, commenting and even using emojis to express reactions
- Expands Brown Act to prohibit a board member from:
  - Responding “directly to any communication on an Internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted or shared by *any other member* of the legislative body.”





## E-Mail

- Refrain from replying
  - DO NOT REPLY TO ALL!
- Do not take a position or make a commitment
- E-mail Board for info only
- Take caution
- Ensure compliance with law
- Applies to other social media as well – AB 992
- Public vs. private devices – San Jose case



# Meetings

## REGULAR MEETING

Board sets time  
and place for its  
regular meetings.  
Agenda posted  
72 hours ahead

## SPECIAL MEETING

May be called by  
president or  
majority any time.  
Agenda posted 24  
hours ahead

## ADJOURNED MEETING

Regular or special  
meeting may be  
adjourned to a  
future date and  
time. No new  
agenda required if  
less than 5 days

## EMERGENCY MEETING

May be called  
without notice if  
public health or  
safety may be  
impaired



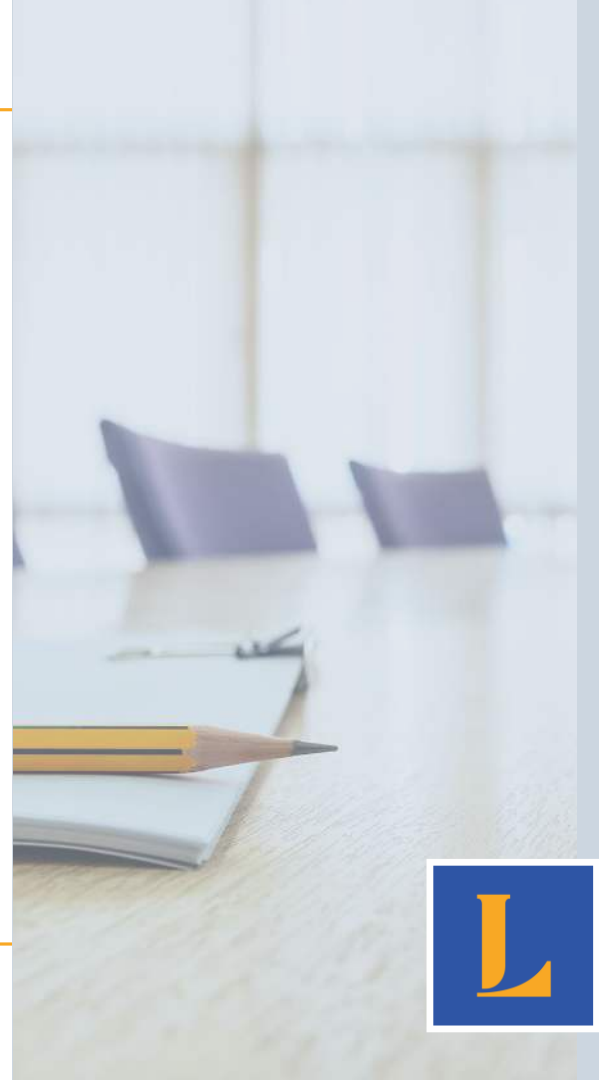
# Meeting Agenda

- Brief description of each item of business to be transacted or discussed at the meeting
- Must provide opportunity for public to speak
  - Prior to deliberation on an agenda item
  - Reasonable limitations allowed
- General rule: No action/discussion if not on agenda
- Exceptions:
  - Emergency
  - Matter arose since agenda posted [2/3 vote]
  - Item on agenda of adjourned meeting <5 days prior



# Closed Session

- Must be expressly authorized
- Must be on the agenda [safe harbor description]
- Must be verbally announced
- Any action, or no action, must be reported
- Common closed sessions: personnel, labor & real property negotiations, pending/anticipated litigation
- Closed sessions confidential; disclosure prohibited



## AB 2647: New Method for Sharing Public Meetings Materials

- Revises the Brown Act to clarify that the public disclosure requirement for writings distributed to the legislative body within **72 hours** of the meeting is satisfied by:
  - Posting the documents online at the time the documents are distributed; **AND**
  - Making physical copies available for public inspection at the beginning of the next regular business day at the designated public office.



## AB 2449: New Remote Public Meeting Options

- AB 2449 amends certain portions of the Brown Act relating to teleconference participation
- Allows local agencies to hold remote public meetings without identifying each teleconference location and without making each location accessible to the public
- This alternative option can only be used under limited circumstances of an “**emergency**” and “**just cause**” and expires on Jan. 1, 2026



## AB 2449's "Limited Circumstances" for Remote Attendance

### "Just cause"

- Caregiving for child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- Contagious illness that prevents a member from attending in person
- A need related to a physical or mental disability not otherwise accommodated
- Travel while on official business of the legislative body or another state or local agency

### "Emergency circumstances"

- A physical or family medical emergency that prevents a member from attending in person



## **SB 1100: Power to Remove Disruptive Meeting Attendees**

- Newly enacted SB 1100 authorizes a legislative body to order the room cleared and continue in session if a group willfully interrupts the orderly conduct of the meeting
- Provides the presiding member of that body the ability to have an individual removed for disrupting a meeting
- Before removal, the person must be warned that their behavior is disruptive, and that continued disruption may result in their removal
- Behavior is “disruptive” if it disrupts or impedes the orderly conduct of the meeting



## **The Brown Act - Ramifications**

- Violations may be prevented by court order
- Action not in compliance may be invalidated
- Court costs & attorney's fees are recoverable
- Individuals may be guilty of a misdemeanor
- Disclosure of confidential closed session information is prohibited



**Questions?**



# PUBLIC COMMUNICATION STANDARD AGENDA ITEM 1

00 : 03 : 00

**QUARTERLY UPDATE ON THE VENTURA PORT  
DISTRICT 5-YEAR OBJECTIVES**

**RECOMMENDATION:**

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

**STANDARD  
AGENDA  
ITEM  
2**

**Report by:  
Brian D. Pendleton, General Manager**



**VENTURA  
PORT DISTRICT**

*Established 1952*

# Strategies to the 5-Year Objectives

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Q2 of FY22-23

Board of Commissioners Meeting

February 15, 2023

# Guiding Principles

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- 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.

# 2022-2027 5-Year Objectives

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

## D: Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Support and advocate for congressional funding to the Army Corps of Engineers in support of the Harbor's annual dredging program	CMANC and/or WEDA Meeting attendance	3-4 times per year	GM, Senior Business Operations Manager (SBOM), 1 Commissioner attended CMANC. SBOM attended WEDA.
	USACE District, Division & HQ meetings and communication	As needed or 2 times per year	SBOM worked with USACE District to update dredging justification language for FY25.
	Engagement of Lobbyist to provide representation with the Federal Government and Congress	Monthly	Monthly reports from Carpi & Clay and K&L Gates. Established dialogue with office of Congressman Carbajal regarding site visit in 2023.
	Advocating for full funding of VPD entrance channel in President's Budget	Q1 2023 and annually	No update. Will meet with OMB as part of CMANC DC meeting in early 2023.
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	Continued Board Role at CMANC	Current Three-Year Term through 2022	GM is on CMANC Board through next election. CMANC election held with SBOM on ballot. Results pending.
	Committee lead and/or Executive Board role at CMANC	By next Board Election Q4 2022	No action this quarter while waiting for election results.
3. Ventura Port District Dredging	Prepare, submit and receive new permits for inner Harbor Dredging (unrestricted by Santa Clara river conditions)	Q1 2022 to Q2 2023	Application submitted to Corps and Water Board. Permits anticipated next quarter. Coastal Commission permit will be applied for next quarter.

## 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.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Collaborate with business partners and stakeholders through increased engagement, communication, and participation.	Village tenant meetings	Quarterly	Fall Village Tenant Meet-Up hosted on October 12 <sup>th</sup> with a presentation on the Village Sign Program, Fall Updates, Tenant Participation.
	Celebrate DEI through recognition of dates and events of cultural significance	Annual Visitation Plan for Ventura Harbor Village Q2 2023	Ongoing content development and recognition to celebrate DEI including this quarter: Hispanic Heritage Month; American Indian Heritage Month; Dia de Los Muertos.
	Refresh the Ventura Harbor Village.com website to include dynamic features, the Channel Islands, digital map, and reformatted calendar of events	Q2 2023	No action this quarter.
	Harbor tenant education and advocacy re: implementation of sustainability practices e.g. CA Green Business Network, Surfrider Foundation Ocean Friendly Restaurants program	Q1 2023 tenant meetings and forward	No action this quarter.
2. Collaborate with City, regional, state, and federal agency officials in pursuit of mutually beneficial projects, programs	Collaborate with City, tenants, and stakeholders on updates to Local Coastal Program and General Plan	City organized meetings through Q4 2023	No action this quarter.
	Collaborate with other harbors and special districts on best management practices, legislative impacts and funding opportunities	Monthly	GM and SBOM met with Channel Islands Harbor management team in October. HM maintains membership in CA Harbormaster & Port Association, Pacific Congress of Harbormasters (Western States & Canada), Marina Recreation Association (MRA), and American Shore and Beach Preservation Association (ASBPA)
	Collaboration between Port District and law enforcement and emergency services	Ongoing	HM participates in DHS Homeland Security Planning & Response Group. HM continues to work with VPD on parking & homeless issues.
	Port Commission updates to Ventura City Council	Bi-Annual	Chair and GM participated at City Council Mtg. for incoming/outgoing council members. Next Port Commission update scheduled for Q2 2023.

**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.**

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
3. Public and Civic Engagement Planning	Public Workshop every two years	Q3-Q4 2024	No action this quarter.
	Mid-term Objective evaluation	Q3-Q4 2024	No action this quarter.
4. Updates to District policies to reflect improved transparency and DEI	Identification and utilization of multi-channel outreach for staff recruitment, solicitation of tenant businesses and contracts	Q3 2022 to Q2 2023	HM participated in a panel at the MRA Conference and spoke about Harbor Patrol and career opportunities.
	Annual review and updates to HR Manual, Board Protocols Manual, Public and Civic Engagement Plan, and other District policies.	Q3-Q4 and annually	HR Manual under annual review by the District's Human Resources firm Liebert Cassidy Whitmore drafted with planned Board consideration in Q1 2023.  Public and Civic Engagement Plan (PCEP) update approved by Board in December 2022.

## F: Support current and future commercial fishing and sustainable aquaculture industries. Maintain and improve working waterfront facilities and infrastructure

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Engage with commercial fishing and sustainable aquaculture interests in Ventura Harbor	Regular engagement with commercial fishing business owners and key industry representatives	Seasonally	HM continues to work with local Lobster Fishermen to ensure the safe navigation of our local boaters and mitigate lost traps due to winter storms. Fishing Modernization project planning contract awarded. Will include engagement with fishing stakeholders.
	Engagement with sustainable aquaculture industry interests at Ventura Harbor	As received	Tour of District’s commercial fishing facilities in October with macroalgae firm. Meeting in November with mussel farming firm and consultants.
	Monitor legislative and regulatory changes potentially impacting commercial fishing and sustainable aquaculture	Monthly	K&L Gates Monthly Commercial Fishing & Aquaculture Advocacy Report is routinely distributed to the eight commercial squid fisheries operating in Ventura Harbor and Port of Hueneme. HM spoke with the president of the Alliance of Communities for sustainable fisheries (ACSF) and requested Ventura Harbor be added to the other Harbors that participate in the group.
2. Continue improvements of District’s Working Waterfront infrastructure	Maintain existing harbor infrastructure and related amenities to continue to meet commercial fishing needs	Q2 Annual Budget & 5-Year CIP	Commercial fish hoist refurbishment completed in Aug 2022 (paid by SLC grant and VPD) Site assessment initiated in October for placement of a 3 to 5-ton ice machine to be located on east side of commercial Fish Pier.
	Master planning for growth of commercial fishing and sustainable aquaculture capital improvements	Q1/Q2 2023	Staff have contracted a port planning consultant to receive proposal for development of a micro-masterplan.
	Identify and pursue grant/funding opportunities to implement capital infrastructure needs for commercial fishing and sustainable aquaculture	Q2 2023 and on-going	Staff have worked with Port of Hueneme and their consultant to apply for grant funding to modernize commercial fishing infrastructure at Ventura Harbor in order to accept all squid offloading from Port of Hueneme.
3. Continue to pursue opportunities for diversifying commercial fishing and sustainable aquaculture	Support and endorse NOAA sustainable aquaculture initiatives in the Santa Barbara Channel	Q2/Q3 2023	GM participated as a panelist in November for a one-day conference “Blue Economy: The Role of Ports in Developing Sustainable Marine Fisheries“. The District provided comment on NOAA’s Programmatic Environmental Assessment for Funding Aquaculture Research and Development Projects.
	Knowledge, experience, and technology transfer with aquaculture industry and stakeholders	Ongoing Resource	Maintain resource library on District’s website

## M: Collaborate with Master Tenants and National Park Service to plan, improve, and develop the Harbor in a financially and environmentally sustainable way.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Engagement and support of Master Tenants for successful business operations at the Harbor	Work with Master Tenants to help facilitate sustainable capital improvement projects	Tenant specific	District acting as Lead Agency in review of proposed development plans for Derecktor Marine Holdings and Ventura Yacht Club.
	Coordination with Portside on commercial tenant leasing	Q1 2022 to Q4 2023	GM and SBOM met with Master Tenant to discuss leasing status, efforts and opportunities for collaboration on tenant leads.
	Strategic planning meetings between master tenants and District staff	Q2 of each year	GM and SBOM met with Master Tenant of Ventura West Marina, NPS in October, December regarding shared parking improvements.
2. Evaluate opportunities for Parcel Development	Evaluate master planning opportunities in conjunction with current and future leasehold development	Annually	District acting as Lead Agency in review of proposed development plans for Derecktor Marine Holdings and Ventura Yacht Club. Met with Master Tenant of Ventura West Marina in December regarding strategic planning efforts for leasehold.
	Master planning for Parcel 5 development	Commencing Q2 2023	No action this quarter.
3. Implement sustainability technologies at the Harbor	Explore renewable energy, energy storage applications Harbor-wide e.g. solar power, EV charging stations, hybrid and electric vehicles	Q2 2023 and forward	SBOM/Capital Projects Manager (CPM) working towards installation of EV chargers. CPM obtaining information on solar/battery powered parking lot lighting for 19A. HM continues to research suitable EV options for the Port District.
3. VenturaWaterPure	Continue commitment to help minimize impacts and disruptions caused by the VenturaWaterPure project through ongoing work with City, master tenants, and stakeholders	Q3 2022 to Q3 2024	Multiple meetings between District and City staff re: VenturaWaterPure (VWP) project. City presented status update of VWP to Board on Oct 19.

## N: Maintain and grow Channel Islands National Park Service (NPS) presence and customer visitation to the Harbor.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Work with NPS and harbor visitors regarding enhancement of visitor experience.	Collaborate with City, CA Coastal Commission, and stakeholders including NPS to prepare a master plan integrating Parcel 8 into the visitor experience at the Harbor and Visitor's Center	Q2 2023	No action this quarter.
	Work with NPS and ferry operator on cross-promotional activities to increase attraction of visitors to the Harbor	Q2 2023 to Q2 2024	No action this quarter.
	Work with NPS to provide/upgrade visitor educational signage along pedestrian areas	Q3-Q4 2023	Meetings in October and December with District, NPS and Ventura West Marina to improve signage, parking access to Visitor Center. Met with NPS in October to discuss biosecurity stations.
2. Coordinate with NPS Superintendent to evaluate long-term goals and improvement needs for the Channel Islands National Park Visitor Center	Collaborate with NPS Superintendent to identify mutual long-term goals and options at Ventura Harbor for NPS operations, NPS visitor center, and ferry terminal	Ongoing	Board approval of Biosecurity Station Sublicense Agreement with NPS in September for 1691 Spinnaker Drive Ferry Terminal
	Investigate synergies for collaborative improvement of NPS Visitor Center experience	Q3 2023	No action this quarter.
3. Coordinate with National & California State Parks, and City to develop destination-based ecotourism offerings	Continue collaboration with National & State Parks officials regarding multiple opportunities for enhancing the visitor destination in and around Ventura Harbor	Q2 2024	No action this quarter.
	Explore potential enhancements of Ventura Harbor Ecological Reserve with City (owner)	Q3 2023	No action this quarter.

## P: Implement parking management, traffic circulation, and multi-modal transportation strategies.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Work with City to improve access between the City and Harbor	Work with City Active Transportation Plan Working Group to promote emphasis on improving active transportation access to the Harbor.	Q1-Q4 2022 through City Plan	Working with City's Transportation department regarding pursuit of Sustainable Transportation Grant.
	Advocate to the City to repave Spinnaker and Navigator Drive.	Q3-Q4 2022 and ongoing	Met with Transportation engineer regarding repaving project for Navigator.
	Coordinate with City on planning for active transportation network improvements	Q4 2023	Working with City's Transportation department regarding pursuit of Sustainable Transportation Grant.
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	Work with City, Ventura County Transportation Commission, and regional transportation services for expanding public transit options to Harbor.	Q4 2023	No action this quarter.
	Advocate to the City to improve bicycle, pedestrian access, and safety along and crossing Spinnaker Drive.	Q3-Q4 2022 and ongoing	Letter sent from GM to City providing public comment on City's Draft Active Transportation Plan
	Collaborate with master tenants to develop an intra-Harbor pilot program for transportation services e.g. water-taxi and/or shuttle	Q3 2023 to Q3 2024	District hired Ventura Airport Shuttle to provide free shuttle services for Parade of Lights as a pilot project.
3. Pursue and implement parking management solutions to increase vehicle circulation	Obtain necessary agreements and permits to implement managed parking at Harbor Village	Q3 2022 to Q3 2023	In November, the Board authorized GM to prepare a parking agreement between the District and City.
	Identify & budget for Capital Improvements to improve parking & circulation at Harbor Village	Q3 2022 to Q2 2023	In November, the Board received updated cost estimates from the parking consultant regarding revenues and expenditures necessary to implement parking management solutions.

**R: Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.**

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Utilize grant funding opportunities for sustainable Harbor infrastructure	Work with SCE, CALeVIP, SLC, and City to complete installation of 21 EV charging stations in Harbor Village per CIP.	Q1 2023	Charger procurement complete. Designs for VPD HQ submitted to City. SCE working on final designs for Village.
	Complete installation of 4 EV charging stations at District office for company vehicles per CIP.	Q2 2023	Designs submitted to City.
	Complete procurement of hybrid Harbor Patrol vehicle utilizing SLC grant funds per CIP.	Q3-Q4 2023	Harbormaster preparing bid process for hybrid electric Jeep Wrangler 4x4 in Q1-Q2 2023.
	Complete procurement of EV or hybrid Maintenance & Dockmaster vehicles using SLC grant funds per CIP.	2023 and 2024	No action this quarter.
2. Seek additional grant funding for improving/replacing District capital assets.	Establish mechanisms to receive transportation funding from the State and/or Federal governments with emphasis on active transportation.	Q4 2023	Working with City as partner agency to receive Caltrans Sustainable Transportation Planning Grant.
	Identify and apply for grants that align with Board-approved 5-year CIP.	Q2 2022 Ongoing	Will apply for Caltrans Sustainable Transportation Planning Grant in March 2023.
3. Leasing/Property Management	Prepare, approve and implement Annual Leasing/Property Management Action Plan	Q2 2023 and Annually	No action this quarter. Most recently completed June 2022.
	Through active marketing, continue to attract a diverse array of businesses and business owners to Ventura Harbor with the goal of expanding the offerings to the public while creating value for the District.	Commencing Q3 2022	Full page Village suite advertisement including in Our Community USA (LGBTQ+ regional service directory)

**R: Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.**

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
4. Update of Financial Management System	Roll out of new accounting and property management software.	Q4 2022	MRI software roll out completed for Harbor Village. First statements ran. Some modifications and customizations to be done in next month. Addition of Leasing module and Master Tenants to be done in next quarter.
	Creation and implementation of Tenant Portal to allow tenants to report sales and review lease documents.	Q1 2023	No action this quarter. Tenant Portal must be completed first.
	Implementation of online payments for tenants.	Q1 2023	No action this quarter. Tenant Portal must be completed first.
5. Financial Reporting	Stakeholder budget workshops	Q2 and annually	No action this quarter. Most recently completed June 2022.
	Periodic reports to Board and public on financial position, audits, and budget.	Quarterly	Financial statements for Q3 included in the November Board meeting packet. Accounting has begun working with CLA on the implementation of new lease accounting and audit preparation.
	Annual review of District bonds, debt position, restructuring opportunities and CalPERS obligations.	Q2 and annually or as needed	No action this quarter. Most recently completed June 2022.

## V: Maintain and improve Harbor Village facilities, infrastructure, and amenities.

STRATEGY How will it be achieved	ACTION Actions to be undertaken	MILESTONE Action timeline	ACHIEVEMENTS Progress Report
1. Ongoing investment in Harbor Village Infrastructure	Complete outstanding ADA improvements in Capital Improvement Plan	Q2 2023	ADA restroom improvements & ADA compliant trash enclosures projects awarded.
	Evaluate new ADA improvement requirements for District properties and update Capital Improvement Plan to address.	Q2 2024	No action this quarter.
	Village Promenade/Trail physical upgrades, including sustainability enhancements	Q4 2024 onwards	No action this quarter.
	Complete infrastructure upgrades (elevators, roof replacements per CIP)	Q4 2026	1567 Building C Roof replacement commenced in December.
	Complete Village Tenant Signage, Awnings	Q4 2024	Presentation to Village tenants on Master Sign Program held in October. VHV Tenants have been working with architect to replace signage compliant with program.
	Evaluate opportunities for renewable energy/energy storage infrastructure for Village; implement drought tolerant landscaping and related irrigation systems.	Q3 2022 through Q4 2027	When replenishing vegetation inside planters, the District is planting drought tolerant succulents. Sprinkler irrigation is transitioning to dedicated drip system. Staff are researching reliable and durable solar lighting options for future replacements.
	Implement WiFi in Harbor Village	Q2 2023	No action this quarter.
2. Develop and implement an Annual Visitation Plan for Ventura Harbor Village.	Submit a proposed Visitation Plan in spring for Board, tenant and stakeholder input and feedback.	Q2 2023 and annually	Submitted and approved by the Board in June 2022.
	Implement seasonal décor at Ventura Harbor Village and Spinnaker Drive	Q4 2022 and annually	Awarded SEASON'S GREETINGS Holiday Ventura Harbor Village Décor & Lighting RFP. Installation begins week of November 14, 2022.

# PUBLIC COMMUNICATION STANDARD AGENDA ITEM 2

00 : 03 : 00

Change Clock Type

Digital

Duration: 00 03 00

TimeUp Reminder (Optional): --

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Choose Sound Effect None

Choose TimeUp Sound None

**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  
3**

**Report by:  
Brian D. Pendleton, General Manager**

# JANUARY 2023 STORMS STATE OF EMERGENCY



# ACTIONS SINCE FEBRUARY 1 BOARD MEETING

- Larger debris removal in waters in and around the Harbor and Ventura Keys is on-going as needed by Harbor Patrol.
- Heavy debris is being removed from Harbor area beaches, with the District having entered agreement(s) to prioritize larger debris removal (e.g. tree trunks, limbs, branches, etc.), and smaller debris at Harbor Cove Beach.
  - Refuse containers have been rented and placed strategically at beach parking lots and public launch ramp
- Annual dredging will begin late February or early March, but the level of beach erosion far exceeds normal pre-dredge conditions. Combined with the debris, beach safety is of on-going concern.
  - Warning signage has been ordered and will be installed.
  - On-site meeting(s) with the U.S. Army Corps of Engineers (Corps) and Manson (dredging contractor) took place on February 2<sup>nd</sup>.
  - Additional “soundings” were performed on February 8<sup>th</sup> by Manson to provide current data on sand volume in the sand trap, entrance channel, and inner-Harbor.
- Building and public launch ramp repairs are on-going.
- The General manager and Senior Business Operations Manager attended a State Office of Emergency Services (OES) half day training session for disaster relief funding on February 9<sup>th</sup> at the County Emergency Operations Center. The training focused on processes, eligibility, and procurement requirements associated with seeking reimbursement for disaster-related costs.



- Actions since January 18 Board Meeting
  - Tour of Port District Storm Damage - Congressman Salud Carbajal
    - District Official - Monday, January 23<sup>rd</sup>
  - Letter to Office of Emergency Services (OES) Requesting Disaster Aid
    - GM - Monday, January 30<sup>th</sup>
  - 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,
  - 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.

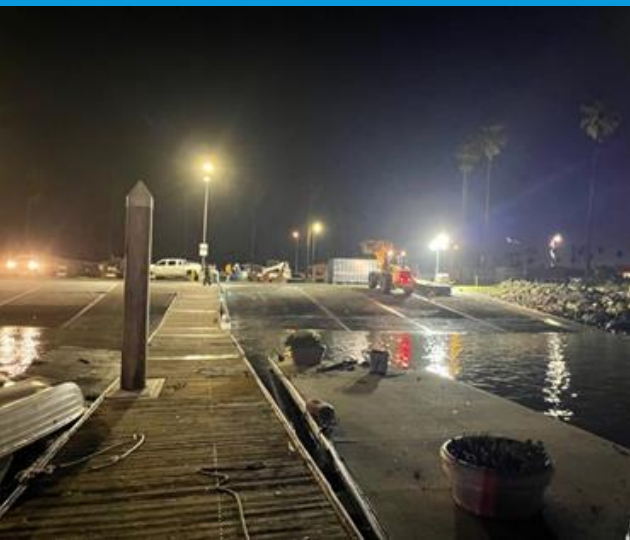
- Emergency declarations are contemplated in the District’s Procurement and Purchasing Policy Section IV. Exceptions to Competitive Bidding, to enable the District to coordinate a timely and effective disaster response.

*C. **Emergencies:** 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 3

00 : 03 : 00

Change Clock Type

Digital

Duration: 00 03 00

TimeUp Reminder (Optional): --

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Choose Sound Effect None

Choose TimeUp Sound None



VENTURA  
PORT DISTRICT

*Established 1952*

ADJOURNMENT  
NEXT MEETING MARCH 1, 2023

**Ventura Harbor**

GATEWAY TO THE CHANNEL ISLANDS NATIONAL PARK