



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, SEPTEMBER 20, 2023

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

CLOSED SESSION – 6:00PM
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.

<p>CLOSED SESSION 6:00PM</p>
--

CALL TO ORDER: *By Chair Michael Blumenberg.*

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.

<p>CONVENE IN CLOSED SESSION</p>

CLOSED SESSION AGENDA

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

- a) Property: **1198 Navigator Drive (Parcel 17)**
Negotiating Parties: Brian D. Pendleton, Todd Mitchell, Tom Bunn
TBBW Company LP
Under Negotiation: **Terms of New Master Lease Agreement**

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION: (Verbal Report)
Name of case: Ventura Port District dba Ventura Harbor Village v. Andres S. Fernandez, LLC
Ventura County Superior Court Case No. 56-2023-00575929-CL-UD-VTA (Restaurant)
(Paragraph (1) of subdivision (d) of Section 54956.9)

ADJOURNMENT

<p>OPEN SESSION 7:00PM</p>
--

CALL TO ORDER: *By Chair Michael Blumenberg.*

PLEDGE OF ALLEGIANCE: *By Chair Michael Blumenberg.*

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

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

The Minutes of the September 6, 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) 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.

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.

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.

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.

ADJOURNMENT

*This agenda was posted on September 15, 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 SEPTEMBER 20, 2023

APPROVAL OF MINUTES SEPTEMBER 6, 2023 REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 6, 2023



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 6:30PM 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
Jackie Gardina, Vice-Chair
Anthony Rainey, Secretary
Chris Stephens
Brian Brennan

Commissioners Absent:

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
Jeremy Shulman, Lagerlof Lawyers LLP

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 6:30PM.

CONVENED TO CLOSED SESSION AT 6:30PM.

ADJOURNMENT: Closed Session was adjourned at 6:53PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair Blumenberg at 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Gloria Adkins.

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

None.

Port District Staff:

Brian 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
Sergio Gonzalez, Facilities Manager
Wayne Hatch, Maintenance Supervisor
John Higgins, Harbormaster
Pat Hummer, Senior Harbor Patrol Officer via Zoom
Will McReynolds, Admin Intern
Jessica Snipas, Business Operations Analyst via Zoom
Jennifer Talt-Lundin, Marketing Manager

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP via Zoom

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

2 via zoom; 2 in person

ADOPTION OF AGENDA

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

Commissioner Brennan seconded. The vote was as follows:

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the July 19, 2023 Port Commission Regular Meeting and August 31, 2023 Port Commission Special Meeting were considered as follows:

ACTION: Commissioner Brennan moved to approve the Minutes of the July 19, 2023 Port Commission Regular Meeting and August 31, 2023 Port Commission Special Meeting.

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

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

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

BOARD COMMUNICATIONS: Vice-Chair Gardina attended a hula event at Harbor Cove Café that raised funds for the Maui fires.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on past and upcoming events at our beaches and Harbor Village.

CONSENT AGENDA:

A) Approval of Out-of-Town Travel Requests

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the out-of-town travel requests for Sr. Business Operations Manager, Todd Mitchell to attend the US Army Corps of Engineers Relinquishment of Command Ceremony in Sausalito, CA on August 30, 2023, and the CMANC Officers Trip to Washington DC from October 18-20, 2023.

Public Comment: None.

ACTION: Commissioner Stephens moved to approve the out-of-town travel requests for Sr. Business Operations Manager, Todd Mitchell to attend the US Army Corps of Engineers Relinquishment of Command Ceremony in Sausalito, CA on August 30, 2023, and the CMANC Officers Trip to Washington DC from October 18-20, 2023.

Commissioner Brennan seconded. The vote was as follows:

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

B) Adoption of Resolution No. 3483 Accepting the Work of Tomar Construction, Inc. for the Ventura Harbor Village ADA Restroom Remodel Project at 1567, 1575 and 1691 Spinnaker Drive

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3483:

- a) Accepting the work of Tomar Construction, Inc. for the Ventura Harbor Village ADA Restroom Remodel Project at 1567, 1575 and 1691 Spinnaker Drive.
- b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Public Comment: None.

ACTION: Commissioner Stephens moved to adopt Resolution No. 3483:
a) Accepting the work of Tomar Construction, Inc. for the Ventura Harbor Village ADA Restroom Remodel Project at 1567, 1575 and 1691 Spinnaker Drive.
b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Commissioner Brennan seconded. The vote was as follows:

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

C) Adoption of Resolution No. 3484 Accepting the Work of Carjul Engineering and Construction Corporation for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure Project

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3484:

- a) Accepting the work of Carjul Engineering and Construction Corporation for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure project.

- b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Public Comment: None.

- ACTION:** Commissioner Stephens moved to adopt Resolution No. 3484:
- a) Accepting the work of Carjul Engineering and Construction Corporation for the Ventura Harbor Village 1559 and 1691 Spinnaker Drive New Trash Enclosure project.
 - b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Commissioner Brennan seconded. The vote was as follows:

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

Motion carried 5-0.

D) Award of Bid for the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners award the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting Contract to The Holly Workshop in the amount not to exceed \$71,585.

Public Comment: None.

- ACTION:** Commissioner Stephens moved to award the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting Contract to The Holly Workshop in the amount not to exceed \$71,585.

Commissioner Brennan seconded. The vote was as follows:

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

Motion carried 5-0.

E) Consideration of Claim Received on August 1, 2023

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners reject the claim filed against the Ventura Port District on August 1, 2023 by Cari McCormick.

Public Comment: None.

ACTION: Commissioner Stephens reject the claim filed against the Ventura Port District on August 1, 2023 by Cari McCormick.
Commissioner Brennan seconded. The vote was as follows:

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

STANDARD AGENDA:

1) Adoption of Resolution No. 3485 Approving the Financial Statements and Checks for April 2023 through June 2023

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3485 to:

- a) Accept the draft financial statements for the Quarter ending June 30, 2023 pending final year-end reconciliations and audit adjustments.
- b) Review the payroll and regular checks for April through June 2023.

Report by Gloria Adkins, Accounting Manager.

Public Comment: None.

ACTION: Commissioner Brennan adopts Resolution No. 3485 to:
a) Accept the draft financial statements for the Quarter ending June 30, 2023 pending final year-end reconciliations and audit adjustments.
b) Review the payroll and regular checks for April through June 2023.

Commissioner Rainey seconded. The vote was as follows:

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

NOES: None

ABSTAINED: None

ABSENT: None

Motion carried 5-0.

2) Authorization to Procure Electric Vehicles for the Ventura Port District

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Amend the FY23-24 Budget to shift funds between various vehicle procurements within the Capital Improvement Project budget as well as increase the total budget, as to enable the following procurements.
- b) Authorize the General Manager to procure a lift vehicle in the amount of up to \$125,000 for Facilities.
- c) Authorize the General Manager to procure 1 electric vehicle in the amount of up to \$85,000 for Harbor Patrol.

- d) Authorize the General Manager to procure 2 electric vehicles in the amount of up to \$110,000 for Facilities.
- e) Authorize the General Manager to procure 1 electric vehicle in the amount of up to \$50,000 for Administration.

Report by Todd Mitchell, Senior Business Operations Manager.

Public Comment: Kent Bullard is in support of procuring electric vehicles.

ACTION: Commissioner Brennan moved to:

- a) Amend the FY23-24 Budget to shift funds between various vehicle procurements within the Capital Improvement Project budget as well as increase the total budget, as to enable the following procurements.
- b) Authorize the General Manager to procure a lift vehicle in the amount of up to \$125,000 for Facilities.
- c) Authorize the General Manager to procure 1 electric vehicle in the amount of up to \$85,000 for Harbor Patrol.
- d) Authorize the General Manager to procure 2 electric vehicles in the amount of up to \$110,000 for Facilities.
- e) Authorize the General Manager to procure 1 electric vehicle in the amount of up to \$50,000 for Administration.

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

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

Motion carried 5-0.

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

Recommended Action: Voice Vote.

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

Report by Brian D. Pendleton, General Manager and Todd Mitchell, Senior Business Operations Manager.

Public Comment: None. Closed at 7:59PM.

ACTION: Commissioner Stephens moved to receive and file the quarterly update on the Ventura Port District 5-Year Objectives.

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

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

Motion carried 5-0.

ADJOURNMENT: The meeting was adjourned at 8:00PM.

The next regular meeting is Wednesday, September 20, 2023.

Anthony Rainey, Secretary



BOARD OF PORT COMMISSIONERS SEPTEMBER 20, 2023

DEPARTMENTAL STAFF REPORTS JULY/AUGUST 2023 & GUIDING PRINCIPLES FIVE-YEAR OBJECTIVES INDEX

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

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

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: September 20, 2023

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

1567 SPINNAKER DR. SUITE 101, FACADE RENOVATION

Status: On Going

Budget: On Budget

The contractor has finished installing all windows and doors, including the bi-fold doors, exterior stucco, front entry door, stone veneer and all the exterior lighting. The electrical switch gear has finally arrived after a seven month wait. Edison's field Supervisor, Contractor and staff has meet to finalize the boring/trenching for the electrical supply for the incoming tenant. The contractor has started the process for the installation of the underground conduits run from Edison's electrical transformer.

Partly related to the scope of work, the incoming tenant intends to add two small exterior patios for customer seating. These patio designs will include new fencing and new gas lines under the patios. Since the Contractor's scope of work includes pouring new concrete for the patios, this work is being delayed until City plan check has approved the new patios, at which time the gas lines and fences will be incorporated into the scope of work, with the additional cost paid by the incoming tenant. Once the patio designs are approved, the contractor will perform the final exterior work for the patio and complete the project.



NEW TRASH ENCLOSURES 1559 AND 1691

Status: Completed

Budget: On budget (Grant funded)

Unfortunately, near the end of the project, an owner of Carjul passed away unexpectedly. Carjul completed the trash enclosure project's original scope of work and installed pavers at six islands. However, the upgrade of the mesh fencing was removed from the amended scope of work and provided to another contractor, which is now complete.

This project is now fully finished. The notice of completion will be presented to the Board for approval on the September 6, 2023.



1567 BUILDING A WATERPROOFING

Status: On going

Budget: On Budget

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

The restaurant's patio work is 100% complete. The adjacent equipment roof is underway and is having minimal impact to the restaurant's operations due to good coordination between the contractor and Margarita Villa. The Contractor has been working with the restaurant's staff to make sure that the restaurant's walk-in fridge, that's located in the project area is accessible. The construction work for the project has been periodically inspected by City inspectors and District consultants. As of today, there have been no issues. Staff is anticipating presenting the notice of completion to the Board for approval on September 20th.



1559 BUILDING TENANT IMPROVEMNT

Status: On going

Budget: On Budget

The Tenant Improvement Budget for the current fiscal year includes the Improvement Modernization Project of approximately 4,000 square feet of office space located at 1559 Spinnaker Drive. Staff worked with consulting architect Rasmussen & Associates to develop the plans to divide the suite into five separate office spaces for this project.

The Board approved the lowest bid from F.C.T Construction LLC for this project on June 21, 2023. Construction has started and demolish is going as planned.



VPD EV CHARGING STATIONS

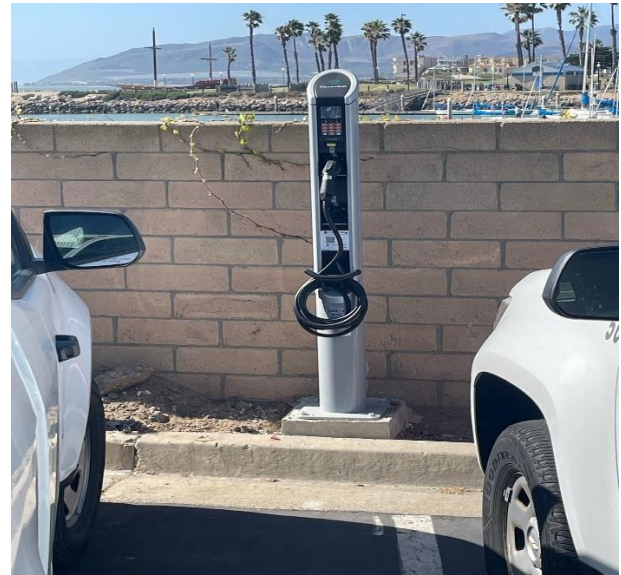
Status: Completed

Budget: On budget

In spring of 2021, staff was advised by interested stakeholders of three EVC grant opportunities for the procurement and installation of EVC stations for public use. The District pursued all three opportunities and were successful with two: Southern California Edison's Charge Ready Program (SCE Charge Ready) and the CALeVIP, which is funded by the California Energy Commission and implemented by the Center for Sustainable Energy. Both have confirmed that funds have been reserved for the project.

The District initially applied for EVC sites at 1575 and 1591 Spinnaker Drive; however, moved 1575 to 1567 Spinnaker Drive. Staff worked with SCE to ensure the projects met the required return on investment criteria as well as the requirements for ADA parking spaces. This increased the total number of ports at the two sites to 21 in Harbor Village.

The Port District contracted a local contractor for the Ventura Port District EV Charging units project installation, that consisted of installing three EV charging stations (one with a dual port). The project is going as planned and is almost completed. Staff anticipated to have the EV units energized and in service by the first week of September 2023. This will bring the total number of chargers to 25 in this procurement.



ADDITIONAL PROJECTS:

- 1591 Suite # 117B Tenant Improvements
- 1583 & 1559 Restroom remodeling
- 1575 & 1583 Pass-through repaving
- Promenade curve walls project

Status: 100% Completed

Status: Working with architects.

Status: working on scheduling.

Status: working with architects.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: September 20, 2023

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

OUTER HARBOR DREDGING (FEDERAL NAVIGATION CHANNEL)

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

2024 Dredging Funding

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

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

The District is also engaged with FEMA to potentially obtain funding for inner harbor dredging related to the atmospheric river rain events in January. More on this below.

2025 Dredging Funding

The Corps is expected to provide their recommendations on funding to OMB in late summer/early fall. The District has re-engaged the local Corps Los Angeles District to discuss an appropriate funding amount for FY25 with the intention of discussion during the upcoming dredging program. Staff has also communicated with the local LA District to update the funding justification language. The Sr. BOM will have the opportunity to engage with Corps HQ and the President's Office of Management and Budget during the CMANC Officers Trip to Washington DC in October.

INNER HARBOR DREDGING

Atmospheric Rain Events Will Mean Inner Harbor Dredging in 2024

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

District staff are in discussions with FEMA regarding emergency funding being made available for the work. In order to perform the work, permits for inner harbor dredging must be obtained and sent to FEMA. Staffing change-over at FEMA is slowing down confirmation on the amount that inner harbor dredging will be reimbursed.

Permit Amendments (Long-Term)

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

The Water Board issued a new permit in April and the Corps' permit is unofficially completed, but due to Corp staff workload, the permit itself began preparation in August and is anticipated in September.

On February 22nd, Rincon submitted a Coastal Development Permit application to the California Coastal Commission (CCC) to mirror the updated Corps and Water Board permits. The CCC responded with a number of additional questions and comments. A meeting with the CCC was held on June 2nd to review the questions and provide guidance for the District and Rincon on a response. Rincon and District staff submitted a revised application to the CCC on August 3rd, which staff believes responds to all comments and questions.

Staff have been advised that the permit will be brought to the CCC for their consideration at their October hearing.

ATTACHMENT:

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

Attachment 2 – August 2023 Federal Advocacy Reports by Carpi & Clay



Federal Update

July 28, 2023

FY 2024 Appropriations Update

In July, the House and Senate Appropriations Committees continued work on the Fiscal Year (FY) 2024 appropriations bills. The debt deal reached between the Administration and House Republicans included a deal on spending caps—set at FY 2023 spending levels. However, House Republicans have determined that these caps represent a “ceiling” on spending and marked up the House bills to levels below those listed in the debt deal. The Senate approach honors the debt ceiling package and this difference in approach will make for difficult conference negotiations. Before leaving for the August recess, the Senate passed all 12 appropriations bills out of Committee. This marked the first time in five years that the Senate appropriations process has followed regular order. When Congress returns in September, they will resume work on these bills.

Specifically for Ventura Harbor, the Senate FY24 Energy & Water report reflects the \$8.471M which was proposed in the FY24 President’s Budget (PBUD) and included in the House version of the FY24 Energy & Water report earlier this month. This is another great step in a long process which we expect will conclude around Christmas at the earliest. As this process moves forward the Committees will be asking USACE to review capability numbers meaning that the line-item funding in these bills could go down (or up) depending on updated USACE capabilities. Further note that since the amount proposed in the FY24 PBUD matches the FY24 O&M dredging needs of the Harbor, this funding is not considered congressionally directed spending (aka earmark). Rather this is a programmatic request. The Harbor’s constant engagement with USACE District, Division, & HQ as well as the support of the Harbor’s congressional delegation in weighing in with the Office of Management and Budget has helped to maintain Harbor O&M funding as a programmatic line item.

Overall, for the US Army Corps of Engineers (USACE), the Senate proposes the following funding levels:

- **Total USACE Funding: \$8.934 billion** (House \$9.57 billion)
- **Investigations: \$93.272 million** (House \$136.08 million)
- **Construction: \$2.029 billion** (House \$2.89 billion)
- **Operation and Maintenance: \$5.531 billion** (House \$5.5 billion *with unlimited reprogramming authority for emergencies*)
- **Regulatory Program: \$221 million** (House \$218 million)
- **Harbor Maintenance Trust Fund: \$2.77 billion** (House \$2.77 billion)

- **Flood control and coastal emergencies: \$35 million** (House \$40 million)
- **WIFIA: \$2.2 million and expands the program to levees owned by a non-Federal entity** (House \$5 million)

Below is a chart that outlines the topline numbers for each of the 12 appropriations subcommittees in the House and Senate, as well as the status of each bill. Congress must approve FY 2024 appropriations bills before the end of the fiscal year on September 30th or approve a continuing resolution (CR) to keep the government funded beyond that date.

SUBCOMMITTEE	FY 2023 ENACTED (in billions)	FY 2024 HOUSE (in billions)	FY 2024 SENATE (in billions)	STATUS
Agriculture-FDA	\$25.48	\$17.83	\$25.99	House: Approved by Committee on June 14 th by a vote of 34-27. Senate: Approved by Committee on June 22 nd by a vote of 28-0.
Commerce-Justice-Science	\$82.44	\$58.67	\$69.63	House: Approved by Subcommittee on July 14 th . Senate: Approved by Committee on July 13 th by a vote of 28-1.
Defense	\$797.73	\$826.44	\$823.26	House: Passed the House on July 14 th by a vote of 219-210. Senate: Approved by the Committee on July 27 th by a vote of 27-1.
Energy & Water	\$54	\$52.37	\$56.73	House: Approved by Committee on June 22 nd by a vote of 34-24. Senate: Approved by Committee on July 20 th by a vote of 29-0.

ATTACHMENT 1

Financial Services	\$27.55	\$11.31	\$16.80	<p>House: Approved by Subcommittee.</p> <p>Senate: Approved by Committee on July 13th by a vote of 29-0.</p>
Homeland Security	\$60.7	\$62.79	\$56.92	<p>House: Approved by Committee on June 21st by a vote of 33-25</p> <p>Senate: Approved by the Committee on July 27th by a vote of 24-4.</p>
Interior-Environment	\$38.85	\$25.41	\$37.85	<p>House: Approved by Committee on July 19th by a vote of 33-27.</p> <p>Senate: Approved by the Committee on July 27th by a vote of 28-0.</p>
Labor-HHS-Education	\$207.36	\$147.09	\$195.23	<p>House: Approved by Subcommittee on July 14th.</p> <p>Senate: Approved by the Committee on July 27th by a vote of 26-2.</p>
Legislative Branch	\$6.9	\$6.74	\$6.76	<p>House: Approved by Committee on June 21st by a vote of 33-24.</p> <p>Senate: Approved by Committee on July 13th by a vote of 29-0.</p>
MilCon-VA	\$154.16	\$155.7	\$154.35	<p>House: Approved by Committee on June 13th by a vote of 34-27.</p> <p>Senate: Approved by Committee by a vote of 28-0.</p>
State-Foreign Ops	\$59.69	\$41.36	\$58.35	<p>House: Approved by Committee on July 12th by a vote of 32-27.</p>

				Senate: Approved by Committee on July 20 th by a vote of 27-2.
Transportation, Housing & Urban Development	\$87.33	\$65.2	\$88.09	House: Approved by Committee on July 18 th by a voted of 34-27. Senate: Approved by Committee on July 20 th by a vote of 29-0.

Bipartisan Disaster Preparedness and Recovery Caucus Relunched

A bipartisan group of House Members, led by Rep. Troy Carter (D-LA), relaunched the Disaster Preparedness and Recovery Caucus. The caucus will focus on bipartisan work to examine government systems for disaster preparation and recovery. The caucus plans to promote legislation and policies to provide equitable and effective disaster relief. Members of the caucus include Reps. Joe Neguse (D-CO), Sheila Jackson-Lee (D-TX), Jared Moskowitz (D-FL), Carlos Gimenez (R-FL), Nancy Mace (R-SC), Juan Ciscomani (R-AZ), and Resident Commissioner Jenniffer González-Colón (R-PR).

Revised WOTUS Definition Under OMB Review

On July 17th, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers submitted the amended definition of the waters of the United States (WOTUS) rule to the White House Office of Management and Budget (OMB). The amended definition was necessitated by the Supreme Court's decision in *Sackett v. EPA*, which overturned federal authority over bodies of water that do not have a permanent and visible connection to traditionally navigable waterways. The updated definition removes pieces inconsistent with the Court's ruling and is expected to be finalized by September. More information can be found [HERE](#).

White House Releases Fact Sheet on New Extreme Heat Measures

The White House announced new measures and released a fact sheet to assist communities with extreme heat. Those measures include:

- Requesting the Department of Labor to issue a Hazard Alert for heat.
- Establishing two virtual research centers at NOAA focused on heat resiliency.
- Developing a National Heat Strategy by the White House Interagency Working Group on Extreme Heat, in partnership with the National Integrated Heat Health Information System.
- Convening mayors and tribal leaders for a meeting at the White House on extreme heat.
- Hosting a Summit on Climate Resilience and Sustainability in Affordable Housing

The fact sheet released by the White House also details previous Administration actions regarding extreme heat. The fact sheet is available [HERE](#).

Federal Funding Opportunities & Announcements

DOE Announces \$207.6 Million in Grid Resilience State and Tribal Formula Grants. The Department of Energy (DOE) announced \$207.6 million for nine states and three tribes in Grid Resilience State and Tribal Formula Grants. The funding aims to modernize the electric grid to improve reliability and increase resiliency to natural disasters. States and tribes funded include:

- **California:** \$67.5 million
- **Kansas:** \$13.3 million
- **Kentucky:** \$11.1 million
- **Maine:** \$4.4 million
- **Metlakatla Indian Community, Annette Island Reserve:** \$113,000
- **Michigan:** \$14.9 million
- **Minnesota:** \$11.9 million
- **The Native Village of Eagle:** \$150,000
- **Oregon:** \$19.9 million
- **Rhode Island:** \$3.4 million
- **Standing Rock Sioux Tribe of North & South Dakota:** \$359,000
- **Texas:** \$60.6 million

Additional Grid Resilience Formula Grant recipients will be announced in the coming months. More information can be found [HERE](#).

DOE Announces \$90 Million for Resilient and Efficient Codes Implementation. DOE announced \$90 million for 27 projects in 26 states and the District of Columbia as part of its Resilient and Efficient Codes Implementation program. The program provides funding to update building codes to the latest standards for energy efficiency. The list of projects and more information are available [HERE](#).

DHS Announces Allocations for FY 2023 Preparedness Grants. The Department of Homeland Security (DHS) announced final allocations of \$605 million in six FY 2023 competitive preparedness grant programs. The transportation-related grant allocations include:

- **Port Security Grant Program:** \$100 million
- **Transit Security Grant Program:** \$93 million
- **Intercity Passenger Rail/Amtrak:** \$10 million
- **Intercity Bus Security Grant Program:** \$2 million

The list of grant allocations can be found [HERE](#).

DOT and DOE Release EV Charging Infrastructure Toolkit. DOT and DOE's Joint Office of Energy and Transportation has released a toolkit that provides resources for communities, metropolitan planning organizations (MPOs), transportation providers, businesses, and property owners and developers to assist in scoping, planning, and identifying ways to leverage funding for electric vehicle (EV) charging infrastructure provided in the Bipartisan Infrastructure Law (BIL). The toolkit can be found [HERE](#).

DOT and DOE Publish NEVI Formula Program Annual Report. The Joint Office of Energy and Transportation has published the National Electric Vehicle Infrastructure (NEVI) Formula Program Annual Report for Plan Year 2022-2023. The report summarizes the key activities of the Joint Office in relation to the NEVI Formula Program and provides an individual and collective overview of the first-year deployment plans. The report is available [HERE](#).

EPA Releases \$14 Billion NCIF NOFO. EPA released a \$14 billion NOFO for the National Clean Investment Fund (NCIF) as part of the Greenhouse Gas Reduction Fund (GGRF). NCIF will provide grants to two or three national nonprofit financing entities to create national clean financing institutions capable of partnering with the private sector to provide financing for clean technology projects nationwide. Applications are due by October 12th and more information is available [HERE](#).

EPA Releases \$6 Billion CCIA NOFO. EPA released a \$6 billion NOFO for the Clean Communities Investment Accelerator (CCIA) program as part of the GGRF. CCIA will provide grants to between two and seven hub nonprofits that will provide funding and technical assistance networks of public, quasi-public, not-for-profit, and nonprofit community lenders for the purpose of deploying clean energy in communities nationwide. Community lenders may include community development financial institutions, credit unions, green banks, housing finance agencies, minority depository institutions, and other related lenders. Applications are due by October 12th and more information can be found [HERE](#).

NOAA Releases \$5 Million Ocean-Based Climate Resilience NOFO. The National Oceanic and Atmospheric Administration (NOAA) released a NOFO for the availability of \$5 million for the FY23 Ocean-Based Climate Resilience Grant program. NOAA will fund accelerator entities that will support businesses in commercialization pathways for ocean-based climate resilience solutions that match NOAA's climate preparation, adaptation, and mitigation goals. Applications are due by September 11th and more information is available [HERE](#).

Federal Agency Personnel & Regulatory Announcements

DOE Launches Livewire Data Platform. DOE has launched the Livewire Data Platform which allows users to search and share transportation and mobility-related data. The data aims to support research into:

- Urban science;
- Connected and automated vehicles (AV);

- Alternative fueling infrastructure; and
- Mobility decision science.
- multimodal transportation
- vehicle efficiency

The Livewire Data Platform is available [HERE](#).

EPA Proposes Updates to Air Emissions Reporting Requirements Rule. EPA announced proposed updates to the Air Emissions Reporting Requirements Rule, which would require reporting of hazardous air pollutants, commonly referred to as “air toxics,” by 2027. The rule currently requires states to report emissions of common air pollutants like particulate matter, along with pollutants that contribute to their formation, such as ozone-forming volatile organic compounds (VOCs). Many states voluntarily report some air toxics emissions data, but there is no federal reporting requirement. The proposed updates also aim to make air pollution data more accessible to communities and would allow states to collect industry emissions data and report to EPA if the state’s data collection program is approved by EPA. Additionally, the proposal calls for increased reporting of criteria pollutants by using standardized emissions thresholds each year. EPA is hosting several informational webinars in August and registration information is available [HERE](#). More information is available [HERE](#).

GAO Publishes Report on the Federal Government Implementation of Zero-Emission Vehicles. GAO published a report titled “Federal Fleets: Zero-Emission Vehicle Implementation”. The report examines: (1) steps agencies have taken, or plan to take, to prepare the federal workforce for ZEVs; (2) steps agencies have taken, or plan to take, to optimize their fleet management; and (3) steps agencies have taken, or plan to take, to expand charging equipment at federal facilities, among other objectives. In the report, GAO found that the transition to zero-emission vehicles (ZEVs) will require a significant transformation in the federal government's approach to vehicle procurement and that federal agencies have taken the initial steps toward implementing these types of vehicles into their fleets. The report also found that as of March 2023, 26 of 30 plans had been approved by the Council on Environmental Quality (CEQ) and the Office of Management and Budget (OMB)—these 26 agencies represent over 99 percent of all vehicles within federal fleets. The report is available [HERE](#).

NOAA Issues RFI for Equitable Delivery of Climate Service. NOAA released a Request for Information (RFI) on Equitable Delivery of Climate Services, soliciting feedback on the agency’s delivery of climate data, information, science, and tools. Stakeholders engaged in climate preparedness, adaptation, and resilience planning are asked to provide input for NOAA to develop an Action Plan to develop equitable and inclusive design, production, and delivery of climate services. Comments are due by September 21st and more information is available [HERE](#).

##



Federal Update

September 1, 2023

A Look Ahead: Congress Returns to Washington

Congress has spent the month August back at home in their respective home states. The Senate is scheduled to return the week of September 4th and the House the week of September 11th. When Members return to Washington, their top priority will be on the Fiscal Year 2024 (FY24) appropriations bills. The federal fiscal year ends on September 30th, and to avoid a government shutdown, Congress will need to pass a short-term Continuing Resolution (CR). Given the current political climate in the House, the path forward for the CR will be more difficult than in previous years. Over the August recess House Republican Speaker Kevin McCarthy (R-CA) and Senate Majority Leader Chuck Schumer (D-NY) began socializing a two-month CR with their respective caucuses. Early response from the House Freedom Caucus has not been favorable leaving Speaker McCarthy with some tough choices to make under a tight timeframe.

In addition to FY24 appropriations, Congress will need to reach an agreement on several other authorizations that expire at the end of the month, such as the Federal Aviation Administration (FAA) authorization, the Farm Bill, the Pandemic and All-Hazards Preparedness Act, the President's Emergency Plan for AIDS Relief and the National Flood Insurance Program (NFIP). Extensions for each of these measures could be included in the same CR to keep the government funded at current levels.

FY24 House vs. Senate Community Project Funding

The chart below provides a side-by-side comparison of community project funding (CPF) requests in both the House and Senate FY24 appropriations bills. Several important items to note: 1) In both the House and Senate the Defense, Legislative Branch, and State and Foreign Operations bills were not included in the community project request process 2) House republican leadership did not allow CPF requests to be sought in the House Financial Services or the Labor, HHS, and Education (Labor-H) and 3) Funding for US Army Corps of Engineers (USACE) projects within the Energy & Water bill are reserved for authorized USACE projects and funding amounts are largely based on USACE capability and not bound by lower funding levels found for CPFs in other appropriations bills/accounts. One final, but important note: The House and Senate use different terminology for project requests and for the sake of clarity, the House terminology is represented in the chart that follows.

FY24 Bill	House CPF Amount (in millions)	# of House Community Projects (earmarks)	Senate CPF Amount (in millions)	# of Senate Community Projects (earmarks)
Agriculture	\$485	396	\$297	226
Commerce, Justice, Science	\$600	683	\$547.276	460
Energy & Water	\$944.5	90	\$783.22	176
Financial Services	\$0	0	\$188	196
Homeland Security	\$181.2	123	\$120	91
Interior-Environment	\$880	767	\$744	436
Labor-HHS-Education	\$0	0	\$1,429.6	1,074
MilCon-VA	\$294.6	24	\$1,332	125
Transportation-HUD	\$3,969	2,668	\$2,137.5	919

OMB Submits \$40.1 Billion Supplemental Funding Request

The White House Office of Management and Budget (OMB) submitted a \$40.1 billion supplemental funding request to Congress that seeks funding for Ukraine, natural disaster relief, and border security. The request details \$13.1 billion for military aid and \$8.5 billion for diplomatic programs related to the ongoing conflict in Ukraine, \$12 billion for the disaster relief fund at the Federal Emergency Management Agency (FEMA), and \$4 billion to fund border security programs at the Departments of Homeland Security (DHS), Health and Human Services (HHS), and State. The full request can be found [HERE](#).

Treasury Releases ARPA SLFRF Flexibility Interim Final Rule

The Department of the Treasury released its Interim Final Rule (IFR) for the implementation of American Rescue Plan Act (ARPA) State and Local Fiscal Relief Funds (SLFRF) for additional infrastructure needs. The FY23 omnibus appropriations package included the *State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act*, a bill introduced by Senators John Cornyn (R-TX) and Alex Padilla (D-CA), which allows state and local governments to use SLFRF for additional infrastructure projects. An overview can be found [HERE](#) and the full IFR can be found [HERE](#).

DOT Publishes SMART Grant Stage 1 NOFO

The Department of Transportation (DOT) published a notice of funding opportunity (NOFO) for the availability of \$500 million for the Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program. DOT is accepting applications for Stage 1 Planning and Prototyping

grants to fund innovative solutions aimed at solving real-world transportation problems and building data, technology capacity, and experience for state, local, and tribal governments. The funding opportunity is open to public sector entities seeking to carry out transportation projects that demonstrate at least one of the following technology areas:

- Coordinated automation;
- Connected vehicles;
- Sensors;
- Systems integration;
- Delivery/logistics;
- Innovative aviation;
- Smart grid; and/or
- Traffic signals.

Applications are due October 10th and more information can be found [HERE](#).

OMB Releases Final BABA Guidance

OMB released its final guide on implementing provisions of the *Build America, Buy America* (BABA) Act included as part of the Bipartisan Infrastructure Law (BIL). The guidance outlines the statutory requirements and domestic sourcing standards for manufactured products, construction materials, iron, and steel used in federally funded infrastructure projects. A summary of the guidance can be found [HERE](#) and the full guidance can be found [HERE](#).

EPA and USACE Release Amended WOTUS Rule

The Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) released an updated Water of the United States (WOTUS) rule. Following the U.S. Supreme Court decision in May in the *Sackett v. EPA* case, EPA and USACE were required to amend the rule to address language regarding wetlands protections. In the newly released rule, the definition for wetlands regulated under WOTUS are only wetlands with relatively permanent surface water connections to larger waterways. Additionally, EPA and USACE did not put the amended rule out for public comment, citing the “good cause” exception of the Administrative Procedure Act as the agencies claim the rule was being amended to comply with the Supreme Court ruling. The amended rule can be found [HERE](#).

CISA Announces Availability of \$374.9 Million for SLCGP

The Cybersecurity and Infrastructure Security Agency (CISA) announced the availability of \$374.9 million in grant funding for the FY23 State and Local Cybersecurity Grant Program (SLCGP). SLCGP was authorized by BIL and provides \$1 billion in funding over four years to support state and local governments in developing the capabilities to detect, protect against, and respond to cyber threats. Applications are due October 6th and more information can be found [HERE](#).

California Members Urge Federal Disaster Declaration for Tropical Storm Hilary

California Republican and Democratic Members sent separate letters to President Biden urging rapid approval of a major federal disaster declaration related to Tropical Storm Hilary's impacts on the state. The Republican-led letter was signed by Speaker McCarthy and Reps. Kevin Kiley, David Valadao, Jay Obernolte, Mike Garcia, Young Kim, Ken Calvert, and Michelle Steel, and can be found [HERE](#). The Democratic-led letter was signed by Reps. Raul Ruiz, Pete Aguilar, Norma Torres, and Mark Takano, and can be found [HERE](#).

Federal Funding Opportunities & Announcements

EPA Publishes DERA NOFO. The Environmental Protection Agency (EPA) published a NOFO for the availability of \$115 million in grant funding under the Diesel Emissions Reduction Act (DERA) for projects that cut pollution from the nation's existing fleet of older diesel engines. Funding can be used to upgrade or replace older diesel-powered buses, trucks, marine engines, locomotives, and nonroad equipment with newer more efficient technologies. Applications are due December 1st and more information can be found [HERE](#).

FEMA Announces \$2.442 Billion in BRIC and FMA Awards. FEMA announced \$2.442 billion in Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA) awards to support hazard mitigation projects by state, local, tribal, and territorial governments. BRIC-funded projects received \$1.8 billion, and FMA-funded projects received \$642 million. The list of projects selected can be found [HERE](#).

NOAA Releases \$240 Million Habitat Restoration and Coastal Resilience NOFO. The National Oceanic and Atmospheric Administration (NOAA) released a \$240 million NOFO for the Habitat Restoration and Coastal Resilience Grants program. The grants will fund projects that restore marine, estuarine, coastal, or Great Lakes ecosystems, focusing on community and ecosystem resilience to climate hazards. Applications are due November 17th and more information can be found [HERE](#).

NOAA Announces \$50 Million for Seven Marine Sanctuaries. NOAA announced \$50 million in funding for infrastructure upgrades at seven marine sanctuaries in California, Hawaii, Maryland, Massachusetts, and Wisconsin. The list of funded projects can be found [HERE](#).

Federal Agency Personnel & Regulatory Announcements

CEQ Releases Proposed Bipartisan Permitting Reform Implementation Rule. The Council on Environmental Quality (CEQ) announced its proposed Bipartisan Permitting Reform Implementation Rule to revise the regulations for implementing procedural provisions of the National Environmental Policy Act. CEQ is proposing to improve public involvement, provide

regulatory certainty, and to consider climate change and environmental justice in decision making processes. Comments are due September 29th and more information can be found [HERE](#).

DOE Announces J.D. Power Partnership for EV Charging Infrastructure. DOE announced it is partnering with J.D. Power to help inform the development of more accessible and reliable charging networks and drive the widespread adoption of electric vehicles (EVs) throughout America. J.D. Power will share its EV Index-SM to provide DOE researchers with new data sets offering valuable insights into the rapidly growing EV market, as well as a deeper understanding of the EV charging consumer experience. More information can be found [HERE](#).

FEMA Hosts Summit on Extreme Heat. On August 28th, FEMA hosted a summit on extreme heat for community leaders and officials. The summit focused on sharing tactics and best practices for dealing with the impacts of extreme heat and related weather conditions. More information can be found [HERE](#).

GAO Publishes Report on State and Local Efforts to Reduce GHGs From Vehicles. The Government Accountability Office (GAO) published a report titled “Climate Change: State and Local Efforts to Reduce Greenhouse Gas Emissions from Vehicles” that examines the extent to which states and metropolitan planning organizations (MPOs) collect performance information on transportation-related greenhouse gas emissions, among other things. In the report, GAO found examples of state DOTs and MPOs engaging in activities aimed at reducing transportation-related greenhouse gas emissions, including estimating emissions, analyzing the effects of transportation investments, and using reduction targets. The report can be found [HERE](#).

JOET Announce EVWG Members. The Joint Office of Energy and Transportation (JOET) announced the Electric Vehicle Working Group’s (EVWG) 23 members. The EVWG will make recommendations directly to the secretaries of Energy and Transportation and includes experts with experience and knowledge across the entire EV ecosystem, including manufacturers of vehicles, components, and batteries; public utility representatives; local and regional elected officials; state energy planners; and labor officials representing transportation industry workers. The list of EVWG members can be found [HERE](#).

NCHRP Publishes Report on Realistic Timing for AVs. The National Cooperative Highway Research Program (NCHRP), sponsored by the Transportation Research Board (TRB) of the National Academies of Sciences, published a report titled “Realistic Timing Estimates for Automated Vehicle (AV) Implementation”. The report identifies several opportunities in the current approach to forecasting the future of the AV marketplace. It also aims to deliver a framework of considerations for decision-making focuses on vehicle automation and a set of assumptions and tools that agencies can use regardless of their size, geographic location, miles of roadway, number of transit vehicles, or funding sources. The report can be found [HERE](#).

##

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: September 20, 2023

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

MAINTENANCE ACTIVITIES

VHV FAILED WINDOWPANES REPLACEMENT PROJECT

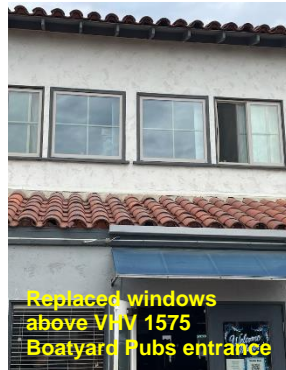
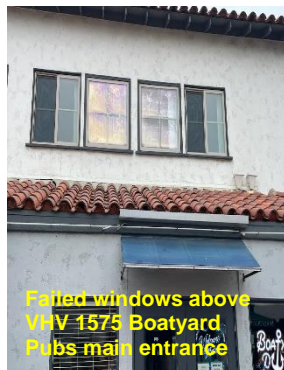
Status: Ongoing

Budget: Budgeted (Building Maintenance)

More than 10 years ago, staff began replacement of windows in Harbor Village with Milgard dual pane windows; particularly the offices. Over time, many of the older ones have failed due to salt air entering between the panes and causing discoloration due to the elements.

By the beginning of 2023, 51 windowpanes had failed throughout VHV buildings. These windows are out of warranty. The District opted to replace the panes in kind with Milgard window panels rather than the entire windows with frame, as this is far more economical and less disruptive.

So far, 45 Milgard windowpanes have been ordered to match the specs and sizes based on each pane's identification number. Of the received windows, 30 have been installed to date by District's Facilities personnel. Final order of 16 windows will commence once the vendor confirms measurements and identification tags. Maintenance Supervisor Wayne Hatch has diligently scheduled the in-house repairs and coordination with tenants.



VHV PARKING LOT AND LAUNCH RAMP PALM TREES

Status: Completed

Budget: Budgeted (Grounds Maintenance)

A tree service contractor was secured in July to trim and remove dead fronds on 44 palm trees at the Harbor Village parking lot and 45 palm trees at the Launch Ramp parking lot. The contractor also trimmed 3 Ficus and 1 Metro located inside VHV 1591 Le Petit patio.



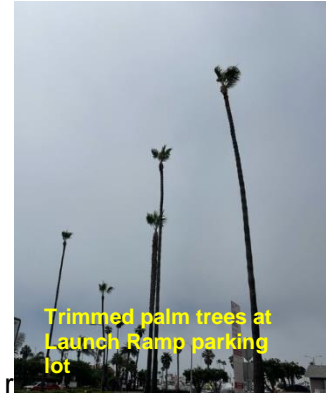
Row of untrimmed palm trees at Launch Ramp Parking Lot



Row of trimmed palm trees at Launch Ramp Parking Lot.



Untrimmed palm trees at Launch Ramp parking lot.



Trimmed palm trees at Launch Ramp parking lot

VHV 1575 RESTROOM COURTYARD EXTERIOR LIGHTING UPGRADE

Status: Completed

Budget: Budgeted (Building Maintenance)

Three exterior outdated, non-efficient fluorescent lighting fixtures were removed and replaced with LED efficient lighting fixtures to provide energy cost savings and better lighting. Project initiated and completed by Maintenance Tech II Luis Quezada.



Old outdated non-efficient boxed fluorescent light fixture



Old outdated non-efficient boxed fluorescent light fixtures



Replacement new efficient Led light fixture



New replaced LED fixtures on at night

HARBOR VILLAGE AND SURFERS KNOLL BACKFLOW REPAIRS/REPLACEMENT

Status: Ongoing

Budget: Budgeted (Ground Maintenance)

After our annual water service backflow inspections and testing, a few assemblies failed. This required them to be repaired or replaced to meet the County of Ventura Environmental Health Division requirements. We coordinated with our service provider and affected tenants to ensure that their water service was not impacted during repairs and replacement. The 8-inch fire service loop backflow located at the end of 1691 Spinnaker Drive will need to be scheduled in coordination with our service provider, tenants, and the City of Ventura Water and Fire Department.



Pending 8-inch fire loop backflow to be replaced in September 2023



1583/1591 domestic water service backflow replaced



Failed Surfers Knoll domestic and irrigation water service backflows



Replaced Surfers Knoll domestic and irrigation water service backflows

VENTURA HARBOR VILLAGE TENANT SIGNAGE PROJECT

Status: Ongoing

Budget: Budgeted (Building Maintenance)

Maintenance staff has started to connect newly installed tenant exterior signage lighting to VPD house powered electrical connections. When house power is not attainable, we are connecting the lighting circuit to available tenant power sources.



Internal light on sign connected to circuit at Surf N Taco



Installed spotlight lighting Sugar Labs exterior sign



Spotlight added to illuminate On the Alley exterior sign



Maintenance Worker 1 Martin Lopez installing spotlight to illuminate Ventura Pottery sign

VHV PARKING LOT AND SURFERS KNOLL / HARBOR COVE BEACHES CLEANING

Status: Completed

Budget: budgeted (Grounds Maintenance)

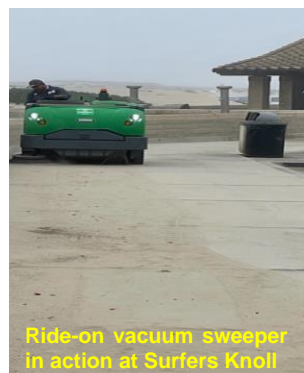
We secured a two-month summer rental of a ride-on Tennant vacuum sweeper to assist in the sweeping and cleaning of Ventura Harbor Village parking lots and Surfer Knoll/Harbor Cove beach sidewalks and parking lots.



Tennant ride-on vacuum sweeper rental



Ride-on vacuum sweeper in action at Harbor Cove



Ride-on vacuum sweeper in action at Surfers Knoll



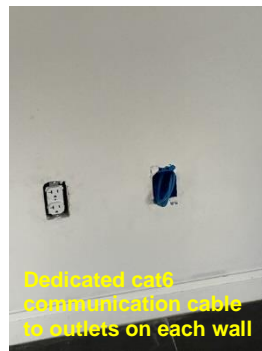
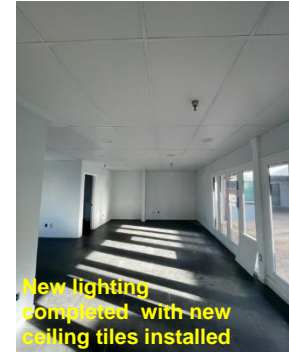
Ride-on vacuum sweeper in action at Surfers Knoll

VHV 1591 SUITE #117B (OLD SILHOUTTES) TENANT IMPROVEMENT

Status: Completed

Budget: Budgeted (Building Maintenance)

The Maintenance Department assisted the Capital Projects Manager in the tenant improvement of Ventura Harbor Village 1591 Suite #117B. Maintenance staff removed all unnecessary electrical circuits and installed a fiber connection box with cat6 cables to dedicated outlets in the suite. We also reconfigured and replaced all the lighting in the suite with newer LED fixtures and replaced all necessary ceiling panels. Maintenance staff also removed the existing kitchenette and installed a new cabinet with sink and faucet. We also replaced all of the outdated, non-efficient exterior eve lighting with new efficient LED lighting.



FACILITIES:

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

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: September 20, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
John Higgins, Harbormaster
SUBJECT: July/August Harbor Patrol Report

PUBLIC SAFETY

Overview:

We have experienced another unusual Summer in regards to weather. Fortunately, the crowds were more consistent, and fun was had by many. The State Parks Lifeguards were busy throughout the Summer with preventative safety contacts and performing several rescues. Harbor Patrol and Port District Staff worked double time to meet the needs of the public.

We saw a diverse mix of human paddle craft and recreational boaters on the water. We continue to see increasing numbers of stand-up paddlers. The numbers have steadily crept up to the kayakers; on a superficial level, they now outnumber kayaks.

Vagrant Boaters:

The Harbormaster and Harbor Patrol have been trying to work with a sailboat owner who got in over his head with an older vessel. The vessel came from Channel Islands Harbor, and while he was heading North, the operator had a medical issue and was rescued by the Harbor Patrol and towed back to the Harbor. The operator was given approximately one month to improve his health and depart the Harbor.

The operator finally departed the Harbor in mid-July but was then boarded by the US Coast Guard. The US Coast Guard terminated his voyage and issued a civil judgment restricting him to port until the deficiencies were corrected. This decision by the US Coast Guard was appropriate but not popular with our community.

The Harbormaster and Harbor Patrol are doing their best to assist the boat owner in getting his necessary equipment so that he can depart the Harbor. The Harbormaster has also, on several occasions, offered to accept the vessel under the Surrendered and Abandoned Vessel Grant. Unfortunately, the boat owner wants to fix the boat and continues to promise to depart the Harbor. Staff will continue to work with the boat owner and hope to help him depart in the coming weeks.

Electric Rental Boats:

The Harbormaster met with both vendors to discuss improving communications and information for their customers. The goal was to ensure the rental experience was memorable while respecting the other parties in the Harbor. The Harbor Patrol had received several complaints from boaters as well as residents in the Ventura Keys of loud music and drinking aboard the rental



boats. Both vendors were receptive to the community's concerns and committed to helping us better educate the renters.

BEACHES

Harbor Cove:

The large crowds of Summer are starting to decrease as the days shorten and kids are back in school. Harbor Cove visitors reached record numbers this Summer. Activity typically began around 6 a.m. when the cold water swimming group would arrive. Shortly after, the outrigger paddling clubs would come and begin morning workouts for the next three hours. By 9 a.m., the Volleyball Camps, Surf Camps, and Junior Lifeguards would arrive. At this same time, the Lifeguards would start their day protecting the swimmers. Crowds would build until around 5 p.m. when most would begin to depart. As the groups departed, the afternoon outrigger workouts would resume. Activity on Harbor Cove would typically start around 6 a.m. and end around 8 p.m. This small section of beach was by far the most popular beach in Ventura and possibly all of Ventura County.



Once again, the maintenance staff kept the area and restrooms clean and safe. These large crowds increased the workload for the team, but they always remained positive and were exceptional ambassadors of the Harbor.

South Beach:

The Demoic acid event decreased as we headed into July. By late July, the number of deceased animals had reduced to much lower numbers. The Summer Beach profile and moderate southern swells also increased the beach profile. This extra sand from offshore was washed back on the beach naturally, creating the next winter buffer as storms arrive.

Lifeguarding:

The Summer Lifeguards stayed busy and will remain on duty for the last two weekends of September. Overall, there was a decrease in rescues and an increase in preventative contacts. This illustrates that the Lifeguard services are effective.

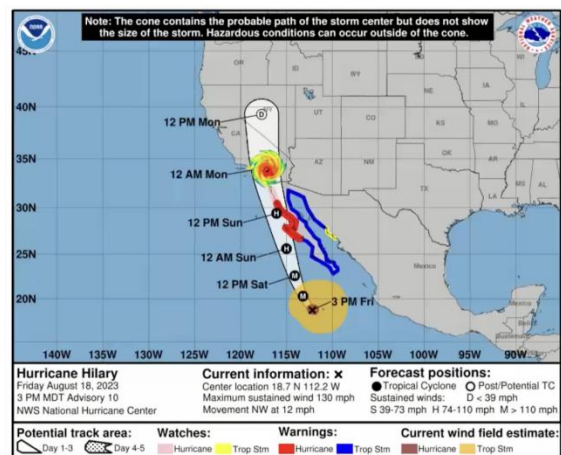
There was only one notable incident on the last of several visits by a Thousand Oaks Football Camp. Two members of a football camp were caught in a rip current and even with a prompt response from the Lifeguards and Harbor Patrol, both victims had swallowed a fair amount of water. Both were conscious and breathing independently and only in moderate distress. They were transported to the Hospital out of caution, and both were released shortly after.



The Marketing Department, Harbormaster, and State Parks Staff worked with the group to issue permits and bring additional staff during the visits. The group was provided safety talks by the Lifeguards daily before being allowed to enter the water. There were some objections by the camp to being confined to Harbor Cove for their safety, which resulted in ultimately allowing them on the South Beach as a trial and only with them paying for additional Lifeguards. As the season is concluding, the Harbormaster and State Parks will review the permits and more than likely only permit them to visit Harbor Cove in the future.

UNPRECEDENTED HURRICANE HILARY PREPARATIONS

Around August 10th, the Harbormaster and public safety community began to identify a Hurricane developing off South America. In the following days, the predicted path of the Hurricane showed it heading towards California. Public Safety Agencies received daily briefings from the National Weather Service, National Hurricane Center, and California Office of Emergency Services. As the event came closer, the models showed the Hurricane would decrease to a tropical storm. Maritime issues decreased due to its proximity to land in the Southern Baja Peninsula. The main concern became rain and winds, but the modeling showed it curving East of Ventura County.



The Harbormaster and Port District Staff treated it like it could be a significant storm while understanding the modeling would show it to be much less. Harbor Patrol increased staffing before it arrived and after it passed. The area did not receive any significant surf, rain, or wind. No notable damage to any areas was discovered, and there was minimal, if any, erosion to the beach. Harbor Patrol did soundings after the event; no associated shoaling was discovered.

While the media pumped up the event, the public safety community remained calm and had a unified message to prepare, limit travel, and go to www.vcemergency.com and www.weather.gov/lox for emergency information. While there was an opinion piece in the Ventura County Star that Emergency Managers were absent from the public before, during, or after the event, this could not be further from the truth. Emergency Managers, including Port District personnel, were diligent in their planning, preparations, and messaging and were staffed to handle the worst should it have happened. While we were fortunate that nothing happened, this event provided the training to better prepare us for future events.

5.3 OJAI EARTHQUAKE

While observing conditions related to the then Tropical Hilary, our area experienced a local 5.3 earthquake. Harbor Patrol staff were on land and water at the time and experienced the event. The Harbormaster was on the boat in the keys in calm conditions when the boat suddenly rocked for several seconds. The narrow channel and shallow water caused the water to respond similarly to the land. Harbor Patrol Officers reported significant shaking in the Port District Headquarters and dockside. Fortunately, there were only a few pictures that fell during the event.

After the shaking, Harbor Patrol departed the landside and patrolled all areas of the Harbor, doing an impromptu damage assessment. No issues were noted, and power remained on in all areas. The mobile home park, which has successfully maintained a Community Emergency Response Team for the past ten years, had mobilized its team members who were assessing their park. Residents are provided yellow square signs that they display in their windows to report they are OK or need assistance. Any mobile home that does not display the OK sign is further investigated. Newer members of the Harbor Patrol were impressed with the preparedness being demonstrated. The Harbormaster spoke with the group; no injuries or damage were found.

This event was also a good training opportunity for the newer members of the Harbor Patrol. The Harbormaster received some questions from the public about tsunamis and said there was no concern. The general rule is a tsunami will not be generated with an earthquake less than 7.0 near an area of water. To be safe, we direct people to <https://www.usgs.gov/programs/earthquake-hazards> and www.tsunami.gov. Both websites provide information on the earthquakes and tsunamis.

SURPLUS BOAT UPDATE

We had received a hard date of August 21st for the delivery and need for us to accept the vessel. We made the plans and prepared to accept the vessel. This was followed by another report shortly after of a delay.

On September 8th, I received a follow-up email from State Parks staff who were reporting they were changing the decommissioning of the vessels, and we would now be after Laguna Beach receives the first two vessels. They were having challenges with the new larger vessels and were working with the builders. The decision was to keep the two 29' vessels, which were their operators' preferred vessels, and instead release the two 33' vessels. While they worked with the boat builder, they hoped to achieve similar performance from their new 33' vessels. This may not be possible, and per the Sergeant delivering the information, they may be forced to accept the new vessels as they arrive. This would only further delay the inevitable.



As mentioned before, this is still a very desirable and no-cost transaction. Having to wait a bit longer will have no negative effect on our operations. The two boats remain well cared for, and in service, so there should be minimal costs associated with us putting them immediately into service.

US MERCHANT MARINE LICENSE COURSE UPDATE (USCG CAPTAINS LICENSE)

With one completion, the other three Harbor Patrol Officers are making steady progress with the online program. Each has committed to doing one hour of study each shift. The Harbormaster and senior staff encourage them and offer help as they progress.

CITY, COUNTY AND STATE RELATIONS

City/County Fire & Police:

Harbor Patrol staff provided training to the Ventura County Fire Department Ocean Rescue Programs on three different training days. The training involved boat familiarization and safety training. Rescuers practiced bringing victims onto the boat and deploying off the boat for rescues. This training allows for the Harbor Patrol to expand forces on rescue calls.



Harbor Patrol Officers Pat Hummer, Taylor Plasch, and Garret Winter represented the Ventura Port District and Harbor Patrol at the City of Ventura Block Party. Staff brought the Harbor Patrol truck and Rescue Water Craft (RWC's) to the event for the public to view. The RWC's were extremely popular with the kids as they were allowed to sit on top of them and simulate operating them. In addition to the equipment, Marketing provided Harbor Patrol staff with stickers and other educational materials. The four-hour event was well attended, and the public appeared appreciative of our involvement.



CALIFORNIA FISH AND WILDLIFE

We were able to provide dockage for the Fish and Wildlife patrol vessel for three months before it finally found a home in Channel Islands Harbor. This interagency cooperation strengthens our relations and provides enhanced support in our mutual efforts to protect our environment and wildlife.

SOUNDINGS

No Soundings were performed as we are confident that no new hazards.

**VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT**

Meeting Date: September 20, 2023

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

MARINA DEPARTMENT ACTIVITIES

Ventura Harbor Village Marina

Total Slip Count	103	100%
Slips Assigned	102	99%
Slips Occupied	83	80%
Slips Available	0	1%

Port District Dry Storage

Total Spaces	88	100%
Active Contracts	71	81%
Available	0	0%

COMMERCIAL FISHING

California Market Squid Harvest – Ventura Harbor

- 2023-24 Squid Season opened April 1, 2023

California Market Squid Statistics		
State-wide Seasonal Squid Limit:	118,000 tons	236,000,000 lbs.
Ventura July/Aug '23 Squid Landings:	14,823 tons	29,646 lbs.
Ventura Season-to-date:	14,823 tons	29,646 lbs.

There have been no significant commercial squid landings to date for the 2023-2024 season. In early July squid were being harvested in Mexico and San Diego. The prognosis is for the waters to be the right temp around Channel Islands and Ventura is late October into November.

California Market Squid Fishery Achieves MSC Certification of Sustainability

The California market squid (*Doryteuthis opalescens*) fishery has gained certification under the Marine Stewardship Council standard.

<https://www.seafoodsource.com/news/environment-sustainability/california-market-squid-fishery-nets-msc-certification>

August 16, 2023 – Press Releases by Lund's Fisheries, Del Mar Seafoods, and Silver Bay Seafoods.

<https://finance.yahoo.com/news/california-market-squid-fishery-achieves-110000130.html>

In a significant stride towards ocean conservation, the California market squid fishery has emerged as the latest to gain certification for sustainability under the rigorous standards set by the Marine Stewardship Council (MSC). The extensive evaluation was meticulously conducted by the distinguished independent third-party auditor, SCS Global Services, acting on behalf of industry leaders Lund's Fisheries, Del Mar Seafoods, and Silver Bay Seafoods.

MSC certification, renowned for its exacting international sustainability benchmarks, represents a pivotal benchmark for responsible seafood sourcing. The certification underscores the fishery's fulfillment of stringent criteria, including robust stock health, effective fisheries management policies, and minimal environmental impact, as stipulated by MSC guidelines.

"Over the course of 15 months, SCS Global Services assessed the California market squid fishery, evaluating its fishing practices, environmental impact, and management system against the best practices set forth by the Marine Stewardship Council," said Jason Swecker, SCS' Managing Director of Seafood. "This MSC certification not only acknowledges the fishery's achievement but also highlights the industry's collective strides towards sustainability."



Photo by Lund's Fisheries

SCS Global Services' final report lauds the fishery's strengths, highlighting "documented adaptable management strategies, regular management reviews," alongside "rigorous dockside sampling, minimal bycatch, and the implementation of innovative ecosystem-based management strategies."

Wayne Reichle, President of Lund's Fisheries, underscored the significance of collaborative efforts, emphasizing, "Aligning with two esteemed California squid producers, alongside SCS and MSC, reaffirms our commitment to the enduring viability of the California market squid fishery. As pioneers in sustainable seafood, our legacy spans three generations, a testament to the dedication of our fishermen, plant employees, and valued customers. The MSC certification distinguishes us as the sole U.S. seafood producer engaged in harvesting, processing, and distributing all three MSC-certified domestic squid species."

Carter Goetz, In-House Counsel for Del Mar Seafood, echoed the sentiment, stating, "At the core of our family-operated enterprise, spanning three generations, lies an unwavering devotion to

sustainability and the preservation of our oceans. The MSC certification for the California market squid fishery epitomizes our continuous mission to foster a thriving future for both our enterprise and the marine ecosystem."

Cora Campbell, President and CEO of Silver Bay Seafoods, said, "Silver Bay Seafoods participates in many MSC certified fisheries in Alaska. Expanding our relationship to encompass the California market squid fishery is a natural next step to offering our customers across the globe access to a full suite of certified products."

With a century-old legacy, the California market squid fishery casts its footprint across both Northern and Southern California, notably in the vibrant locales of Monterey Bay and Ventura County. As the sole purse seine fishery specializing in squid in the nation, it stands as a beacon of responsible practices, exemplifying steadfast efforts to minimize bycatch and enhance industry-wide environmental stewardship. The global demand for market squid, particularly in Europe and Asia, amplifies its significance, further fueled by a burgeoning appetite for sustainably sourced squid domestically.

About Lund's Fisheries Inc.

Lund's Fisheries, Inc. is a third-generation, family-owned company and a primary producer of fresh and frozen seafood located in Cape May, N.J. Lund's purchases, produces and distributes nearly 75 million pounds of fresh and frozen fish annually. Its fresh and frozen domestic sales stretch nationwide while its frozen exports extend to markets around the world. Lund's Fisheries is committed to developing and managing systems and practices to fish within sustainable limits and track its products back to the harvest location to ensure they are sourced from fisheries that are well-managed, certified as sustainable or actively working towards implementing more responsible and sustainable harvesting practices.

About Del Mar Seafoods, Inc.

Founded in 1988, Del Mar Seafoods is a vertically integrated seafood producer and processor. With industry-leading production capacity, we process an average of 30 million pounds of California market squid per year. The Ocean Angel Fleet - comprised of 11 purse seine vessels - allows us control over raw materials and consistent supply. Our flagship brand, Ocean Angel Calamari, provides whole round and cleaned squid items for both domestic and export markets. As a family-owned and operated business, our mission is to deliver premiere seafood while leaving a healthy, sustainable fishery for generations to come. For information, please visit www.delmarseafoods.com or contact cassie@delmarseafoods.com. For more information on our vessel partners, please visit www.oceanangelfleet.com.

About Silver Bay Seafoods

Silver Bay Seafoods is an integrated processor of frozen, salmon, herring and squid products for domestic and export markets. We began in 2007 as a single salmon processing facility in Sitka, Alaska. Today, Silver Bay is one of the largest seafood companies in Alaska, operating six domestic processing facilities throughout Alaska and the West Coast.

PRESS CONTACT

Bob Vanasse
Stove Boat Communications
(202) 333-2628
bob@stoveboat.com

Ventura Harbor / Port of Hueneme Collaboration – Commercial Fish Offloading Modernization Project

The Port of Hueneme has been notified that it was successful in securing a \$79,820,475 transportation grant from the California State Transportation Agency (CalSTA), where the Ventura Port District had applied as a sub-applicant. The staff at the Port of Hueneme have advised that they intend to recommend the Ventura Harbor Commercial Fish Offloading Modernization project to move forward – however, this has not yet been formalized by the Port of Hueneme's Board nor by the Ventura Port District's Board.

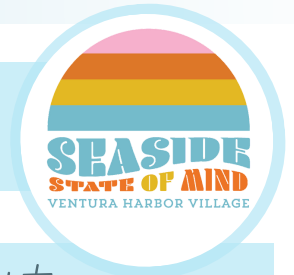
Assuming the project is authorized, the Ventura Harbor Commercial Fish Offloading Modernization project will allow Ventura Harbor to accept the squid offloading currently taking place at the Port of Hueneme. To better understand the needs of these fisheries, we set up an initial Zoom meeting with the principals currently offloading in Hueneme. We had previously met with the three commercial fisheries operating in Ventura Harbor (Del Mar Seafoods, J DeLuca Fish Co and Silver Bay Seafoods) along with our consultant team: Vincent Besson, Hardik Gajjar, and Blair Garcia of WSP. However, meetings with the Hueneme contingent were deferred while awaiting an outcome on the grant application. The three principals operating in Hueneme operate under a single corporation: Oxnard Offloading, LLC which is comprised of South Coast Seafoods, Monterey Fish Co. and Lund's Seafoods out of Cape May, NJ. We had a very productive meeting with all parties on August 29th led by Todd Mitchell.

There are many challenges ahead and a solution that will allow all of the squid fish landings to take place in Ventura will require creative engineering. WSP is now tasked to solicit concerns, ideas, wish-lists, etc. from each of these principals. Some of the major concerns and issues identified by both the Hueneme and Ventura contingents are trucks and truck traffic, ice (production, importing, storage), bin/tote storage, pumping facilities, number of truck bays, etc. To the extent there are no geographical expansion opportunities in Ventura suggests major infrastructure and modernization changes are required. At some point soon, the clock will start running; the Port of Hueneme has 5 years under the grant to complete their projects. Another consideration is that the Fuel Dock must replace their three (3) inground fuel tanks located in the 1431 parking lot and the underground lines connecting them to the fuel pier by 2025.

JULY & AUGUST MARKETING REPORT - *Visitor Experience*

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

The '**Seaside State of Mind**' campaign was full of incredible opportunities, major brand name collaborations, and activations to amplify exposure & visitation for **Ventura Harbor Village**!



EVENT PROMO - *Outdoor Movie Nights*

Marketing & Events Coordinator II produced a **3-movie night** series on the Main Lawn for summer. **Each film brought 400-500+** guests per night! Themed entertainment & vendors complimented each event.

June 24: JAWS | **July 29:** Goonies | **August 26:** Moana

EVENT PROMO - *Monster Energy X Games Activation*

Visit Ventura graciously connected Ventura Harbor with **Monster Energy Co.** for a **Fuel Up for the X Games** activation with games, free samples, live DJ, and dozens of Harbor giveaways (thanks to various Village tenant donations).



EVENT PROMO - *Taylor Swift*

Marketing team ran with the unique opportunity to host **Tay Day** (a Taylor Swift themed event with a coveted concert ticket giveaway) in Ventura Harbor on August 4th - presented in partnership with **KBBY 95.1FM**. The buzz-worthy promotion invited fans to complete a **visual scavenger hunt** moving them throughout the Village. A Swiftie photo op, bracelet making station, and non-stop Taylor Swift tunes filled the air. One lucky Ventura Harbor visitor won a **pair of Taylor Swift Tix** for the concert at SoFi Stadium on **805 Day** (August 5th). Activation produced & scavenger hunt designed by Marketing & Events Coordinator II, Ruby Hedrick.

263 Qualified Entries (ages 18+) Plus over 100 additional visitors under 18 years of age in attendance

ENTERTAINMENT - *Music*

The Seaside Summer Music series included a consistent lineup **DJ sets** every Sat. and **Steel Drum** performances every Sun. from **July thru Labor Day!**



REVENUE - *Venue & Film*

Event & Film Liaison permitted weddings, film shoots, beach visits, and events for July & August in Ventura Harbor and beaches. totaling = **\$11,000**

JULY & AUGUST MARKETING REPORT - Content Development

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

SOCIAL MEDIA - Cross Network Performance Metrics

68k

Total Audience

2.1 mil

Impressions

108k

Engagements

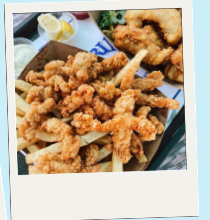
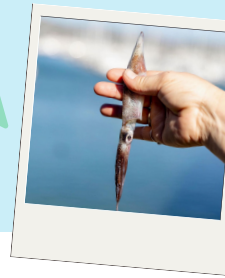
7.5k

Post Clicks



VISUALS - Sampling of Content

Summer content brought a **5% increase** in overall engagement rate (per impression) on social posts!



COPYWRITE - Enewsletters / Blog Performance

Topics included: Fuel Up for **X Games**, **Goonies** Movie Night, Tay Day, **Seaside State of Mind**, **Summer** Still ON, **Moana** Movie Night and a **guide to Labor Day**.

7

E-Newsletters

18k

Subscribers

52k

Opens

2k

Link Clicks



REELS - Short Video Compilations

Marketing & Events Coordinator II captured original content & repurposed user generated video to produce a series of stories and reels on **Outdoor Movie Night** promotions, **Fuel Up for X Games**, the newest **Village mural**, **Baja Bay Surf & Taco**, **Taylor Swift** Giveaway, **scenic harbor views**, and more! Plus, launched collab with Influencer LyssEats805 on **Brophy Bros** happy hour.

13
Reels

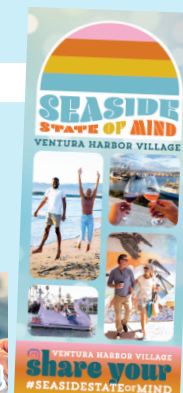


128k
Plays



ADVERTISING - Digital & Print

Amplifying **Seaside State of Mind** campaign to key markets across multiple outlets!



JULY & AUGUST MARKETING REPORT - Outreach & Stewardship

July & August 2023 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

TOURISM - X Games Booth Participation

3-Day Exposure for Ventura Harbor Village, Island Packers, & Channel Islands NP
July 21 thru July 23 at the Ventura County Fairgrounds

Thousands of visitors flocked to X Games at the Ventura County Fairgrounds & Ventura Harbor Village was on site to promote the Village with giveaways, information & more! Thanks to Visit Ventura for offering this amazing partnership & Island Packers for booth assistance + Channel Islands tix for the winners!

ROI: 887 combined Island/Whale Watch Entries + 750 New Village Newsletter Subscribers + 125 Village postcards sent to 29 states



MEDIA OUTREACH - PR & Editorial Coverage



TOURISM

In conjunction with Visit Ventura & Central Coast Tourism, Marketing hosted JLL Hospitality for a tour at Channel Islands National Park Visitor Center, Island Packers, and Ventura Harbor Village, as they gather information on behalf of Visit California to create strategic regional tourism plans.



KABC Television Channel 7 in Los Angeles produced 2 television segments: 1) Ventura Harbor Village/Island Packers new NP contract; 2) Sea cave kayaking/visitation to the Channel Islands NP. LA Parent Magazine showcased Ventura Harbor as one of "5 Harbor Havens" in SoCal, while Mommy Poppins highlighted the Village in "Great Things to Do In Ventura County with Kids." Media coverage for Outdoor Movie Night Series: Yahoo Money, Ventura County Star Newspaper, 805 Living, Conejo Valley Guide and post Jaws coverage in the Ventura Breeze, among other top mentions. X Games coverage in Ventura County Star, VC Reporter, 805 Foodie's Facebook. Content included both "Everything You Need to Know About the X Games in Ventura," & "X Games Inspire Ventura Food & Drink." 805 -Tay-Day at Ventura Harbor Village: Southern California Life Magazine, Secret Los Angeles, and Mary Poppins, KBBY & cross promoted on Ventura County Coast social.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT

Meeting Date: September 20, 2023

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

LEASING HIGHLIGHTS

- 1) Tenant Engagement
 - Met with prospective tenants, architect, and general contractor regarding floorplan modifications for a suite.
 - Tenant portal usage campaign: Continually offering to provide account set-up and step-by-step assistance with the portal process, in addition to the step-by-step instructions emailed.
 - Initiated the business license and insurance audit.
- 2) MRI Property Management Software
 - Twenty-nine tenants paid their rent via the tenant portal.
 - Ongoing work with MRI to enhance user experience with the tenant portal.
- 3) Leasing Advertising, Showings, and Executions
 - Showed 1559 #205 and 1591 #117B, 205, and 207 to prospect tenants.
 - Attended Chamber of Commerce July networking breakfast.

CURRENT VACANCY REPORT

- 1) 1559 Spinnaker Drive #205A-D (Office suites) & #205E (Restaurant suite)
 - Previous tenant departed in June 2022. Plans were prepared by an architect to divide the suite into five separate office suites and one restaurant suite. Construction has begun; demolition stage complete. The suite will remain vacant during construction, however leasing efforts have begun. Restaurant suite leased to a current tenant.
- 2) 1591 Spinnaker Drive #117B
 - Previous tenant relocated to suite 1559 #103. Marketing efforts began prior to previous tenant move-out.

CURRENT AVAILABILITY REPORT

- 1) 1591 Spinnaker Drive #205
 - After eighteen years of tenancy, tenant purchased their own office, and will move in when construction is complete. District agreed to go month-to-month until move out.

CATEGORY	TOTAL Square Footage	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %		City * Vacancy %	City * Available %
Office	38,591	3,038	8%	1,058	3%		16%	18%
Retail	20,196	761	4%	0	0%		16%	21%
Restaurant	33,622	0	0%	0	0%		0%	No Data

> Harbor Vacancy --- No tenant or lease

Office: 1559 #205A-D
 Retail: 1591 #117B
 Restaurant: None.

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

Office: 1591 #205
 Retail:
 Restaurant:

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

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

***** Definition of available includes MTM status**

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

SALES REPORTS

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

The year-to-date overall sales for Harbor Village Tenants through the month of July were down 0.71% from the same time last year.

VEHICLE TRAFFIC COUNTS

This July set new records for vehicle visitation to Ventura Harbor with 186,382 cars recorded in July (up 23% year over year for the same month) and hitting 8,709 cars in a single day in July (up 8% over previous record).

	Spinnaker Drive Entrance		Schooner Drive Entrance	
Month	August	July	August	July
Car Count	161,282	186,382	58,149	56,981
Busiest Day	Saturday: 27,394	Saturday: 37,859	Thursday: 9,049	Saturday: 10,741
Busiest Hour	Saturday: 1 PM	Sunday: 1 PM	Thursday: 5 PM	Saturday: 1 PM

ATTACHMENTS:

Attachment 1 – June 2023 Sales Report
 Attachment 2 – July 2023 Sales Report

ATTACHMENT 1

Ventura Harbor Village Tenant Sales Summary

Month of June		<u>June-2023</u>	<u>June-2022</u>	<u>% Change</u>
Restaurants	\$	2,243,398	\$ 2,157,340	3.99%
Retail	\$	586,096	\$ 656,117	-10.67%
Charters	\$	903,816	\$ 847,151	6.69%
Total	\$	3,733,310	\$ 3,660,608	1.99%

Year-to-date through June		<u>Jan - Jun 2023</u>	<u>Jan - Jun 2022</u>	<u>% Change</u>
Restaurants	\$	10,631,661	\$ 10,814,846	-1.69%
Retail	\$	2,565,652	\$ 2,940,796	-12.76%
Charters	\$	3,418,380	\$ 3,544,174	-3.55%
Total	\$	16,615,693	\$ 17,299,816	-3.95%

Quarter-to-date April - June		<u>Apr - Jun 2023</u>	<u>Apr - Jun 2022</u>	<u>% Change</u>
Restaurants	\$	6,277,930	\$ 6,075,930	3.32%
Retail	\$	1,562,606	\$ 1,785,862	-12.50%
Charters	\$	2,465,614	\$ 2,185,426	12.82%
Total	\$	10,306,150	\$ 10,047,218	2.58%

ATTACHMENT 2

Ventura Harbor Village Tenant Sales Summary

Month of July		<u>July-2023</u>	<u>July-2022</u>	<u>% Change</u>
Restaurants	\$	3,106,736	\$ 2,645,366	17.44%
Retail	\$	839,509	\$ 794,610	5.65%
Charters	\$	1,065,978	\$ 1,043,606	2.14%
Total	\$	5,012,223	\$ 4,483,582	11.79%

Year-to-date through July

		<u>Jan - Jul 2023</u>	<u>Jan - Jul 2022</u>	<u>% Change</u>
Restaurants	\$	13,738,397	\$ 13,460,213	2.07%
Retail	\$	3,405,161	\$ 3,735,406	-8.84%
Charters	\$	4,484,358	\$ 4,587,779	-2.25%
Total	\$	21,627,916	\$ 21,783,398	-0.71%



BOARD OF PORT COMMISSIONERS SEPTEMBER 20, 2023

CONSENT AGENDA ITEM 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

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: September 20, 2023

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

RECOMMENDATION:

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.

SUMMARY:

On February 1, 2023, the Board awarded a bid to F.C.T Construction LLC (FCT) in the amount of \$155,000 for the Margarita Villa Deck Repair Project at 1567 Spinnaker Drive. The work is now complete to the satisfaction of the District. The final contract cost for the project is \$165,150.00.

GUIDING PRINCIPLES:

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

5-YEAR OBJECTIVES:

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

BACKGROUND:

On January 19, 2022, the Board of Port Commissioners held a public hearing to adopt Ordinance No. 56 to authorize a new Entertainment and Restaurant Lease Agreement between the District and Aarmark Beer Gardens, Inc. The lessee for the space has submitted their planning permits to the City of Ventura for approval of the interior tenant improvements for the family fun center, "The Loose Cannon".

The modernization of the 1567 Spinnaker Drive building includes both the 1567 Spinnaker Drive Facade Renovation Project (awarded to FCT Construction on October 5, 2022) and the Ventura Harbor Margarita Villa Deck Repairs Project (this project). The Ventura Harbor Margarita Villa Deck Repairs Project includes resurfacing the waterproof decking material for the east patio of that restaurant, repair of any wooden structural area under the waterproofing, the replacement of the "mechanical roof" (also referred to as the parapet roof), where mechanical equipment such as HVAC and venting units are to be located for the Loose Cannon. The project is included in the Capital Improvement Plan budget approved by the Board on June 29, 2022.

For the design phase, staff worked with consulting architect Rasmussen & Associates, ERA Architects, and Jim Mckeown Inc., and the tenant's architect and design team.

With the assistance of Rasmussen & Associates, the District published the request for bids using the CyberCopy Public Plan Room Access website on December 29, 2022. An on-site preconstruction meeting was held on January 11, 2023.

The District held a public bid opening on January 25, 2023, at the District office. Five bids were received and the price for each bid was read aloud per District policy.

An evaluation of the bids received (ranging from \$155,000 - \$277,236) was performed by District's consultants and found that the low bid, provided by FCT was responsive. Legal Counsel concurred. FCT's unit prices to address unknown conditions was higher than other bidders but, in consultation with the architect and legal counsel, it has been determined to be the lowest responsive bidder.

During construction of the project, staff requested change orders to address unforeseen electrical issues that presented a safety concern, the addition of new copper scuppers to help manage rain discharge, repair dry rotted plywood and joists, and other small miscellaneous items. The total to perform the change orders was \$10,150.00, which is within 10% of the contract value and therefore did not require Board approval.

FISCAL IMPACT:

The District's Five-Year Capital Improvement Plan budget for enhancements to the 1567 Spinnaker Drive building is \$875,000 which includes both this project and the previously awarded contract to perform the façade improvements. The combined bid prices of both projects, which equal \$853,000, are within the budgeted amount. However, as there was the potential for additional costs to remedy unknown conditions of the structural roof, staff included a \$75,000 revision as part of the Mid-Year Budget Adjustment to cover contingency. There was also change orders totaling \$10,150.00 for unforeseen issues. As per the tenant's lease, Margarita Villa will contribute funds to cover the cost related to replacement of the waterproofing material only.

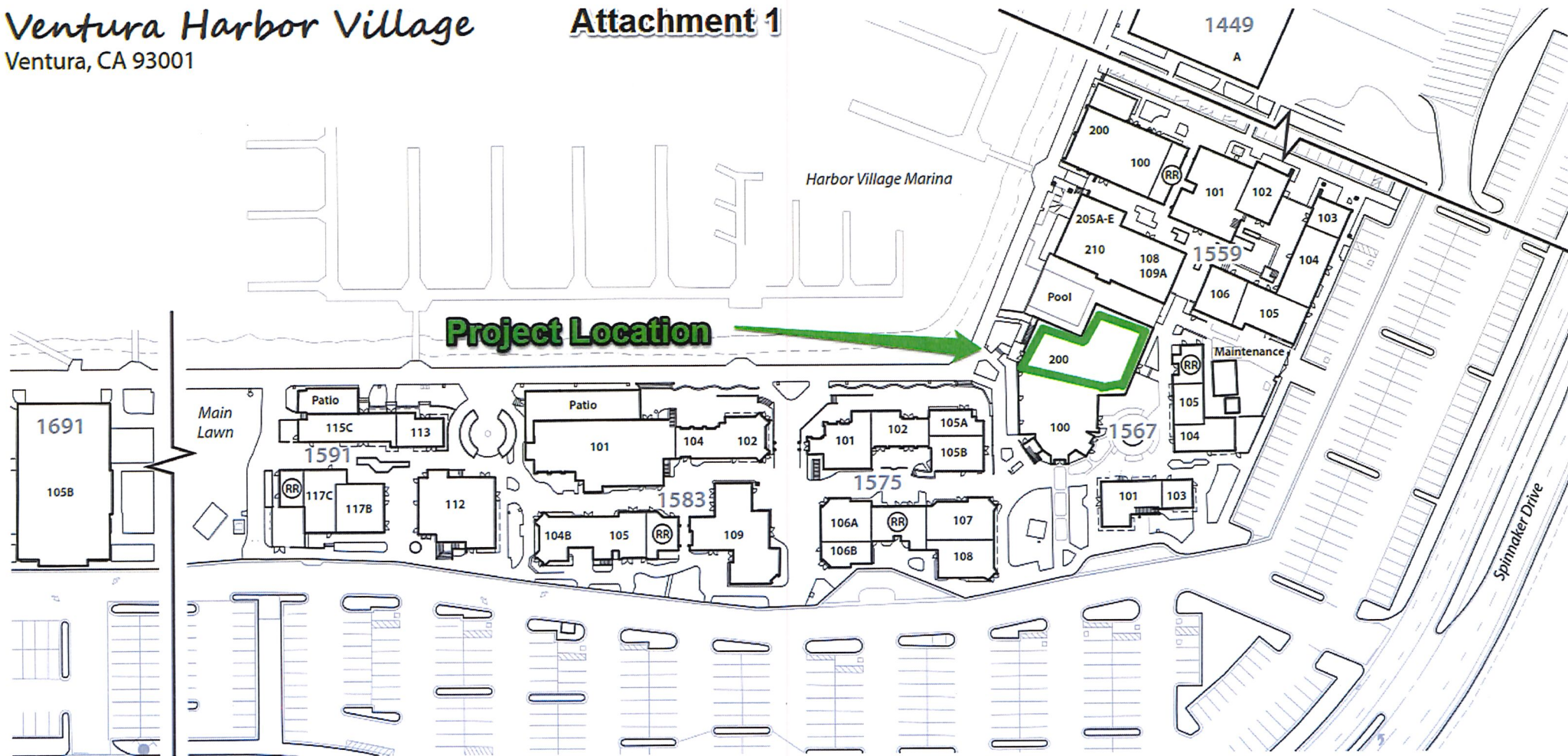
ATTACHMENTS:

Attachment 1 – Location Map

Attachment 2 – Resolution No. 3486

Attachment 3 – Notice of Completion

Ventura, CA 93001





RESOLUTION NO. 3486

**RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT
ACCEPTING THE WORK OF F.C.T CONSTRUCTION LLC FOR THE
VENTURA HARBOR VILLAGE 1567 BUILDING A, DECK REPAIRS AND
WATERPROOFING SPINNAKER DRIVE**

WHEREAS, Brian D. Pendleton, General Manager of the Ventura Port District, advised the Board of Port Commissioners of said District that the work of Tomar Construction, Inc. on the project entitled "1567 Building A Deck repairs and Waterproofing Project" described in the Agreement between F.C.T Construction LLC and the Ventura Port District, hereinafter referred to as "District", dated February 16, 2023, has been completed and recommends that said work be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners DETERMINES, and ORDERS as follows:

1. Said work is hereby accepted.
2. Pursuant to the conditions and specifications of the Agreement and upon the recommendation of the General Manager, F.C.T Construction LLC is released from the obligations under said contract, except as to the conditions of the performance bond, required guarantees and correction of faulty work after payment.
3. The General Manager of the District is hereby directed to execute on behalf of the District or cause to be executed on behalf of the District and be recorded in the office of the Ventura County Recorder a Notice of Completion of said work.
4. The General Manager is hereby directed to send a copy of this Resolution to F.C.T Construction LLC as the District's Notice of Acceptance of said work.

PASSED, APPROVED and ADOPTED this 20th day of September 2023.

Attest:

Michael Blumenberg, Chair

Anthony Rainey, Secretary

ATTACHMENT 2

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF SAN BUENAVENTURA)

I, Anthony Rainey, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3486 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 20th day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 20th day of September 2023.

Anthony Rainey, Secretary

RECORDING REQUESTED BY:
Ventura Port District

AND WHEN RECORDED MAIL TO:
Ventura Port District
1603 Anchors Way Drive
Ventura, CA 93001-4229

NOTICE OF COMPLETION

(Notice pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an agent of the owner of the interest stated below.
2. The full name of the owner is Ventura Port District, a public benefit corporation and independent special district organized and existing under the laws of the State of California.
3. The full address of the owner is 1603 Anchors Way Drive, Ventura, CA 93001-4229.
4. The nature of the interest or estate is: fee simple.
5. The full name and full addresses of all co-owners who hold any title or interest with the above-named owner in the property are: Not applicable; there are no co-owners.
6. A work of improvement on the property hereinafter described was completed on September 15, 2023.
7. The work accomplished consisted of the Margarita Villa restaurant deck repairs and waterproofing of 1567 building A Spinnaker Drive.
8. The name of the contractor for the project is F.C.T Construction LLC pursuant to the Agreement, dated February 16, 2023.
9. The property on which said work of improvement was completed is in the City of San Buenaventura, County of Ventura, State of California, and is described as Ventura Harbor Village.

Ventura Port District

Date: _____

By: _____
Brian D. Pendleton, General Manager

VERIFICATION

I, the undersigned, say that I am the General Manager of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at Ventura, California.

Brian D. Pendleton, General Manager



BOARD OF PORT COMMISSIONERS SEPTEMBER 20, 2023

CONSENT AGENDA ITEM B APPROVAL OF A NEW OFFICE LEASE AGREEMENT WITH JOHN HOWARD DBA POWER & PROCESS ENGINEERS FOR 1559 SPINNAKER DRIVE #201

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM B
Meeting Date: September 20, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Snipas, Business Operations Analyst II
SUBJECT: Approval of New Office Lease Agreement with John Howard dba Power & Process Engineers for 1559 Spinnaker Drive #201

RECOMMENDATION:

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.

SUMMARY:

John Howard dba Power & Process Engineers current lease expires at the end of September and tenant is seeking to continue his tenancy by entering a new lease at Ventura Harbor Village commencing on October 1, 2023.

GUIDING PRINCIPLES:

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

5-YEAR OBJECTIVES:

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

BACKGROUND:

Mr. Howard has been an office tenant of the District since 2015. His current lease expires on September 30, 2023, and he is looking to enter a new lease for a two-year term with a three-year option beginning on October 1, 2023.

FISCAL IMPACT:

This lease has a step increase from the previous rate and will undergo annual step increases. In the tenant's previous lease, improvements were listed (paint, new flooring, replacing ceiling tiles (supplied by tenant)), however the tenant requested the work be delayed until the new lease term begins, to which the District agreed. Approximate cost of improvements: \$4,000.

ATTACHMENTS:

Attachment 1 - Location Map

ATTACHMENT 1 – LOCATION MAP





VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS SEPTEMBER 20, 2023

CONSENT AGENDA ITEM C APPROVAL OF A NEW OFFICE LEASE AGREEMENT WITH JOHN R. LILLY, CPA FOR 1559 SPINNAKER DRIVE #205D

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM C
Meeting Date: September 20, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Snipas, Business Operations Analyst II
SUBJECT: Approval of New Office Lease Agreement with John R. Lilly, CPA for 1559
Spinnaker Drive #205D

RECOMMENDATION:

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.

SUMMARY:

John R. Lilly, CPA is seeking a new office lease at Ventura Harbor Village commencing in the month of November.

GUIDING PRINCIPLES:

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

5-YEAR OBJECTIVES:

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

BACKGROUND:

In June 2022, the Ventura Harbor Comedy Club relocated to The 805 Bar & Grill Cheese and Copa Cubana. The District employed an architect to design and permit the redevelopment of the space into offices. After the plans were approved by the City, the construction project was bid competitively. F.C.T Construction provided the lowest responsive bid to perform the work and the contract was awarded by the Board on June 21, 2023.

At this same time, District staff began contacting prospective tenants on the waitlist and to marketing the spaces. Mr. Lilly contacted the District interested in a suite located at 1591, however after seeing 1559 #205D, he decided the 1559 suite was his preference. He was highly recommended by a long-term tenant.

The District's contractor has started construction, dividing the #205 into several suites. The suite Mr. Lilly chose is 646 square feet with views of the harbor and mountains. The estimated completion date is in November and the lease will start the day after completion date.

Mr. Lilly completed an application which included a credit check and provided legal counsel sufficient demonstration of financial capability to perform the lease's financial obligations, hence

staff is recommending a new lease at market rate. This suite includes electricity in the rent since it shares an electrical panel with its neighboring suites.

FISCAL IMPACT:

This lease reflects market rate for office rent at Ventura Harbor Village with annual increases. The cost to transform 1559 Spinnaker Dr. #205 into several suites is approximately \$200/sf; therefore, a longer lease term for this suite was sought by staff.

ATTACHMENTS:

Attachment 1 - Location Map

ATTACHMENT 1 – LOCATION MAP





BOARD OF PORT COMMISSIONERS SEPTEMBER 20, 2023

STANDARD AGENDA ITEM 1 APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CLIFTONLARSONALLEN LLP AND APPOINTMENT OF A NEW AUDIT LIAISON

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 1
Meeting Date: September 20, 2023

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Gloria Adkins, Accounting Manager
SUBJECT: Approval of a Professional Services Agreement with CliftonLarsonAllen LLP and
Appointment of a New Audit Liaison

RECOMMENDATION:

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.

SUMMARY:

Staff is requesting the Board approve a Professional Services Agreement (PSA) with CliftonLarsonAllen LLP (CLA) for the annual audit of the fiscal year ending June 30, 2023. Staff also requests that the Board appoint a Commissioner to act in the capacity of audit liaison during the fiscal year 2022-2023 financial audit process.

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.
- 6) Provide exceptional public service and organizational transparency.

5-YEAR OBJECTIVES:

- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures, and programs.
 - 1) Collaborate with business partners and stakeholders through increased engagement, communication, and participation.
- R) Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.
 - 3) Leasing/Property Management
 - 5) Financial Reporting

BACKGROUND:

The District has contracted directly with CLA to perform the District's annual audits for the past 7 years. The proposed cost of the audit services for fiscal year ending June 30, 2023 is \$47,250. Robert Callahan will be signing our contract this year as Nitin Patel will be retiring at the end of the year. Staff would like to congratulate Nitin on his retirement and thank him for his time and services these past three years. It is anticipated the audit will be completed in January and presented to the Board in February.

A major change for fiscal year ending June 30, 2023 is the Government Accounting Standard Board's requirement for government agencies to implement GASB Statement 96 (GASB 96). GASB 96 covers Subscription-Based Information Technology Arrangements (SBITAs). It requires government entities to recognize a right-to-use subscription asset and corresponding subscription

liability for such contracts with a specified term. The standards for SBITAs are based on the standards established in GASB 87 for lease accounting which was implemented last year. This implementation must be completed before the audit is finalized. The District will contract with CLA's lease accounting division to assist in the evaluation and implementation of GASB 96 accounting requirements. This professional service agreement will not exceed \$25,000 and is in the District's current approved budget. Therefore per the Districts procurement policy, there is not a requirement to obtain additional Board approval. Staff did however want to be transparent concerning the usage of a PSA for the same firm for a different scope of work.

Staff is also requesting the Board appoint a Commissioner to act in the capacity of audit liaison to communicate with staff and the audit firm throughout the fiscal year 2022-2023 audit process. The public agency audit liaison function was created to assist and support management in responding effectively to internal and external auditors and other state and federal regulatory agencies. The liaison function is also to provide support and assistance to staff during financial audits. Commissioner Rainey served in this role for the fiscal year 2021-2022 audit.

The representative from the audit firm awarded to conduct the fiscal year 2022-2023 audit will reach out to staff and the appointed liaison at the beginning of the audit process. This first contact gives the liaison an opportunity to ask questions about the audit process and approach concerns he/she may have about anything to do with the District, the General Manager, staff, internal controls, reporting, policies, etc. with or without staff being present.

As the audit progresses, staff keeps the liaison and the General Manager updated and works through any issues that may arise. The liaison assists management with the review of and response to audit findings and recommendations as needed.

The liaison has the opportunity to review all preliminary drafts of the audit for accuracy and completeness before the final version is presented. Should he/she have any questions or concerns, they can be addressed to staff or to the auditors directly.

FISCAL IMPACT:

There is currently \$80,000 in the FY23-24 budget for auditing and accounting services.

ATTACHMENTS:

None.