

Redevelopment Project Anchors Way Drive Ventura Harbor

CONCERNS:

A: Area to drop and furl mainsail on larger yachts entering harbor

B: Sufficient room to sail dinghies and small catamarans upwind from boat ramp

Graham Dawson



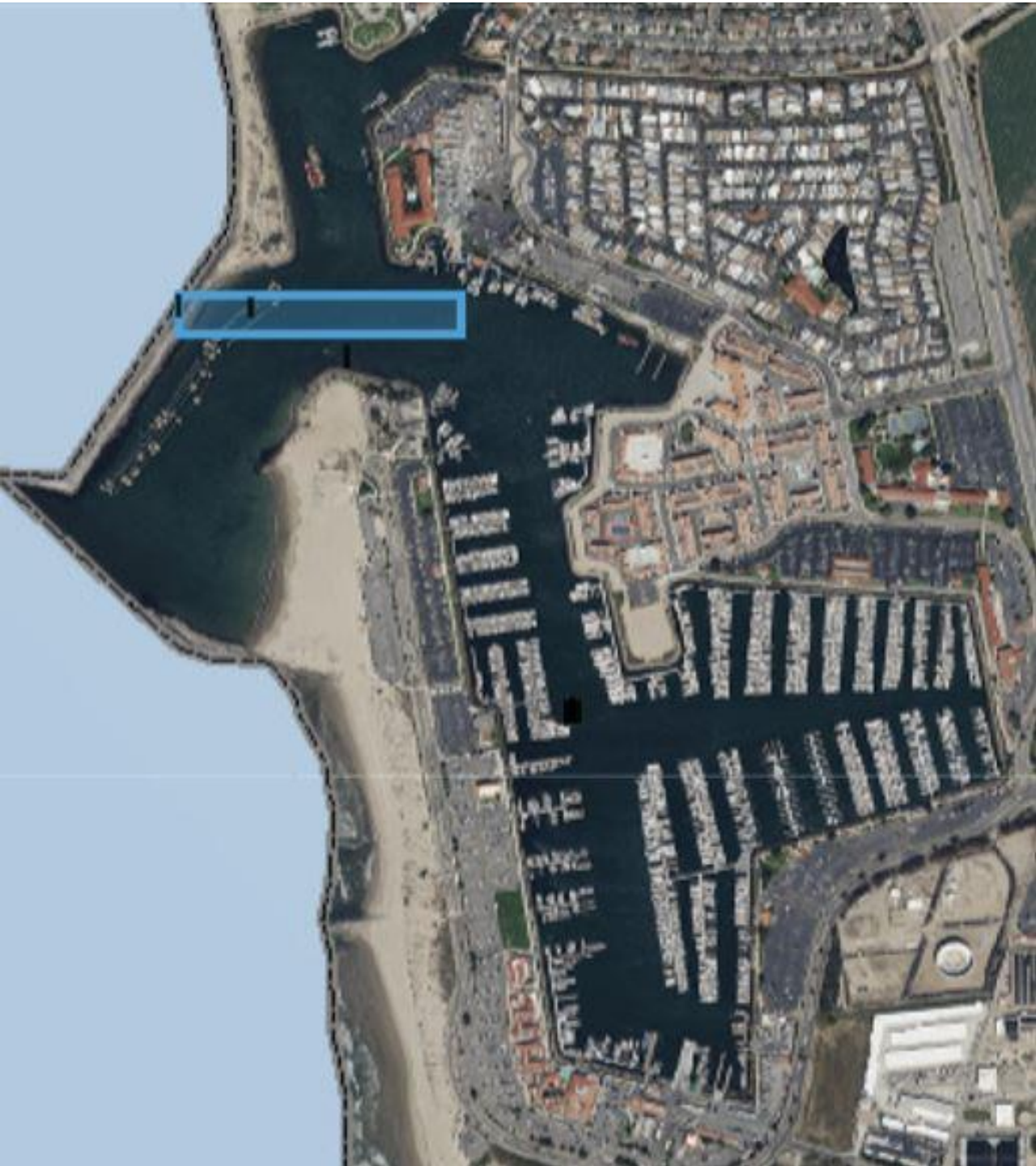
VENTURA HARBOR OVERVIEW

After recent dock additions/reconfigurations



Existing available length = 1000ft

**Some protection from prevailing winds by NPS buildings
Sufficient width to gybe (turnaround) with main up
Plenty of room to maneuver around other vessels**

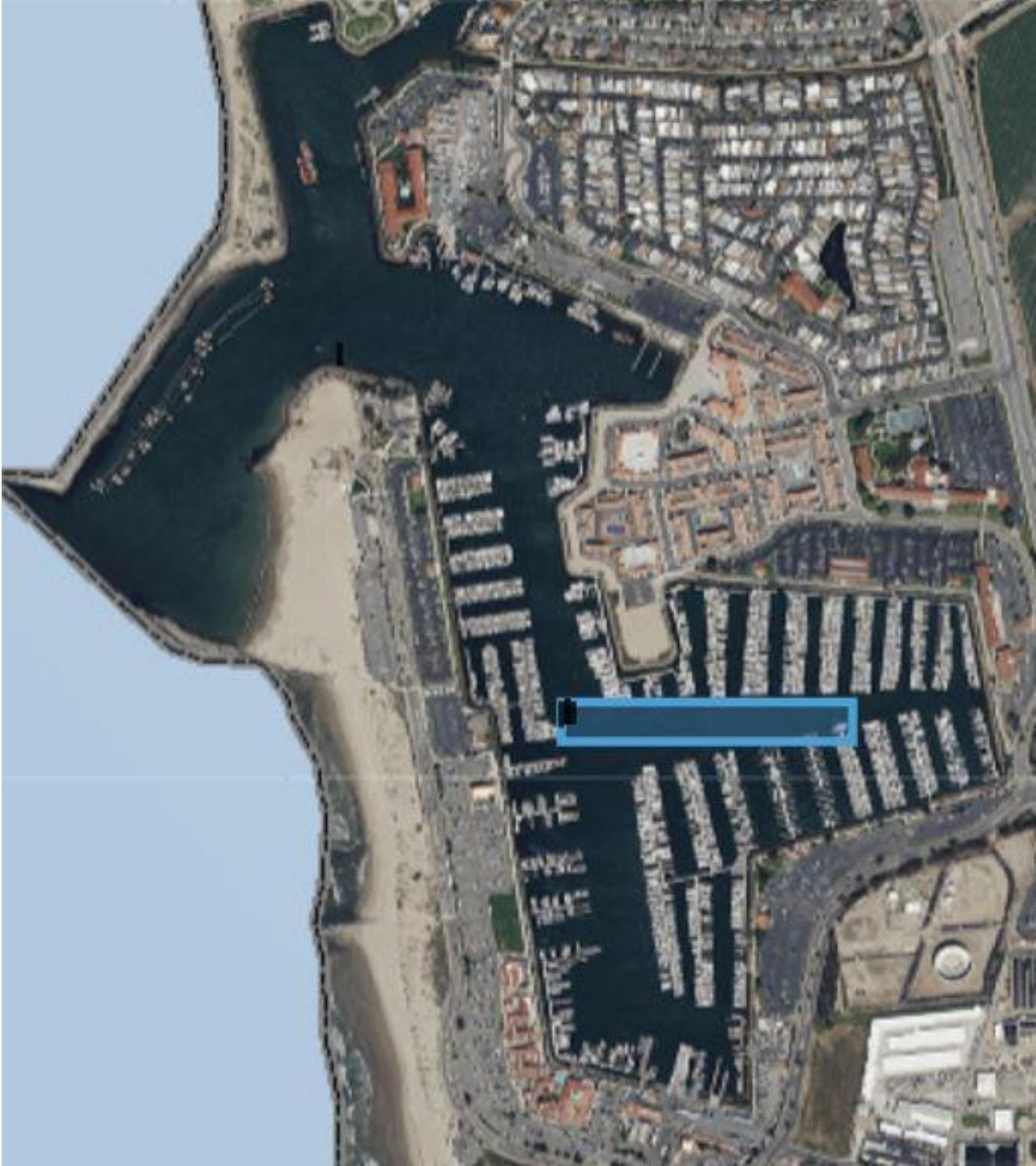


Alternative location #1.

Approximately 725'

27.5% reduction in available length

Exposed to prevailing conditions



Alternative location #2

Approximately 500'

50% reduction

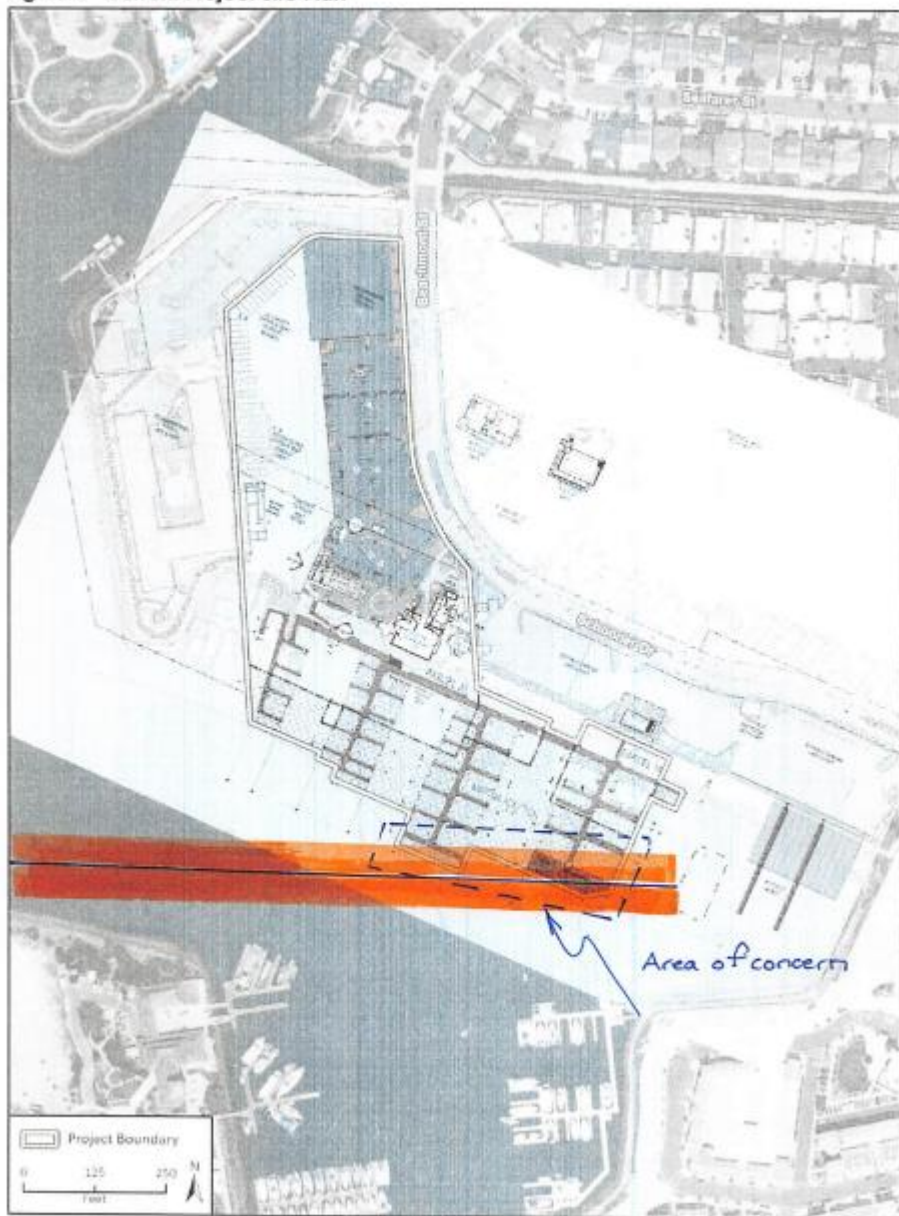
Requires sailing under mainsail down channel

Some protection from prevailing winds by VYC building

Very little room to maneuver

Difficult to gybe in available width

Figure 4 Current Project Site Plan



Area of concern

Orange highlighter = typical area required to drop and furl a mainsail.

Blue dashed line appears to identify 8-10 slips and fuel dock inside area of concern.

Unpowered sailing vessels leaving boat ramp do not have sufficient room to maneuver (tack upwind) to depart ramp area. Catamarans in particular!
Beach cat participation at local sailing events may be impacted.



Derecktor Marine Holdings

Parcel 20 Marina Upgrades

June 7, 2023

Overview

Since acquiring Parcels 14 & 20 in October 2020, Derecktor Marine Holdings (Tom Derecktor and Leonora Valvo) have worked very hard with a team of experts and the Port District to design a major upgrade to the Marina, Boatyard and the surrounding area.

Our goal was to turn a run-down facility into a first-class marine center for the benefit of all residents, sailors, fishermen, and powerboaters.

We have cleaned up the yard, repaired the docks, installed the first high speed electric boat charging station on the West Coast, completed all required studies and recently completed CEQA for the project.

We are sailors: we lived aboard our own boat for the first 4 months after our arrival in Ventura. Since then, we have sailed virtually every week on sailboats ranging from 13' Lasers (from the launch ramp), 26' Soling (Wet Weds) and a 53' Swan (short-handed to the Islands).

We are very familiar with having to drop and furl a 72 ft tall main in 25 knots with just 2 people.

Overview


We took our personal experience into account when we laid out the Marina, after reviewing the concept from 2015:

- The orientation of the slips are now East-West, to make sure the boats are “head-to-wind” when entering the slips
- We reduced the total number of slips from 115 to 74, to minimize the encroachment on the Harbor
- We reoriented the fuel & bait dock: to improve the flow of vessels being refueled, move the congestion away from the launch ramp, and ensure that vessels are also “head-to-wind” when docking
- We laid out the tacking lines for a small sailboat to make its way from the launch ramp out of the harbor, as shown in Fig 3 below.
- We have also laid out the path a large sailboat will follow to drop it’s main on centerline into the prevailing westerlies (Fig 4)

We have done our best to solicit collaborative input from the Port District, Harbor tenants, boaters and utilize that input to influence the design of the Project.



The toughest place to sail is here (not the new marina)

							DESIGNED BY: <u>BHM/RLR/FJM</u> DRAWN BY: <u>RLR</u> CHECKED BY: <u>FJM</u> APPROVED BY: <u>BHM</u> SCALE: <u>AS NOTED</u> DATE: <u>06/01/2023</u>	VENTURA HARBOR MARINA AND YACHT CLUB		Figure 3 SHEET # OF
								SAILING LAYOUT		

There are multiple paths to sail out of the harbor, with plenty of room to spare



Jan 07, 2023 2:13pm masonville
K:\Project\15222 - Ventura Harbor Marina\15222.dwg - 001 Fig 4.dwg Lay 4



There is over 1000 ft of “runway” to raise or drop your mainsail!

Questions Submitted to the Ventura Port District
June 7, 2023

Re: Preliminary FY 2023-2024 District Budget
June 7, 2023 Standard Board Agenda Item Number 6

I am presenting these questions verbally during Public Comment on Board Agenda, Standard Item Number 6. I will submit a written document to the Clerk of the Board this evening that lists these questions.

I would greatly appreciate either a written response from the General Manager or a verbal response during discussion of adoption of the Final FY 2023-2024 District Budget.

- 1) Does the District plan to allocate all the property tax revenue it receives for FY 2023-2024 to Harbor Patrol operations?
- 2) What other categories of unrestricted revenue does the District receive?
- 3) What amounts, by source, did the District receive in unrestricted revenue during FY 2022-2023; and what amounts does it estimate would be received in FY 2023-2024?
- 4) In addition to the five-year lease with Coastal Marine Biolabs (CMB) that was approved by the Port Commission on May 15, 2019, what other leases with the Port District do not pay market rate lease payments?
- 5) What is the dollar increment between the annual lease payments required under the current lease with CMB and the amount it would pay under market rates?
- 6) Inasmuch as the General Manager's staff report for the referenced lease with CMB specified that it was contributing \$51,200 in volunteer time to the VSE [Ventura Shellfish Enterprise] as part of the 2018 Sea Grant award, and the District has abandoned the shellfish project formerly known as "VSE", does the District plan to recognize future CMB "volunteer work" to a governmental agency as part of the consideration for a new lease that would become necessary in May, 2024? In what amount and for what volunteer activity?

As you may know, a local agency is free to subsidize its charges and fees but must do so with unrestricted revenue. It may not subsidize charges and fees to certain individuals and entities, and shift costs to those who pay market rate fees and charges. I will email a June 5 letter to the Commissioners, General Manager and Clerk of the Board, which includes guidance on local agency fees and charges that was published by the California Special Districts Association in 2013.

Thank you for the opportunity to ask these questions.

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June 5, 2023

Board of Port Commissioners
Ventura Port District
1603 Anchors Way Drive
Ventura, CA 93001

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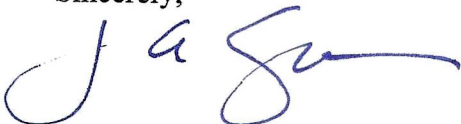
SUBJECT: COMMENT ON FY 2023-2024 BUDGET AND ALLOCATION OF
ALL REAL PROPERTY TAX TO HARBOR PATROL OPERATIONS

According to the staff reports that have been presented to the Port Commission with the recommended annual District Budgets, the District has been allocating all of the real property tax it receives to partially fund the Harbor Patrol operations. As you may know, unrestricted revenues other than fees or charges paid by other fee payers (property tax revenues, unrestricted grants or donations) are the only sources of revenue that may be used to subsidize leases or other charges approved by a local agency.

Please see page fifteen (15) of the California Special Districts Association's *Proposition 26 Guidance for Special Districts (2013)*, which explains how Districts should comply with Proposition 26 of 2010, now California Constitution Article XIII C, Section 1. It explains how to avoid a charge being considered a tax. Even if the charge is determined not to be a tax, it must still be justified as a fee. If you recognize the restrictions and procedures for local agencies to subsidize their fees and charges, your Commission might consider setting aside sufficient unrestricted revenue (here, most likely property tax revenue) to subsidize leases during the next fiscal year. This would include the increment between what Coastal Marine Biolabs (and other subsidized lessees) pays pursuant to the terms of its lease with the District and what the District would charge in a market rate lease. These lessees are currently being subsidized by the lessees who pay market rate leases rather than by the District's approval of a subsidy. The current situation does not comply with Article XIII C, Section 1.

Thank you for the opportunity to comment.

Sincerely,



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Attachment



**California Special
Districts Association**

Districts Stronger Together

Proposition 26 Guide for Special Districts



A GUIDE TO UNDERSTANDING THE IMPACTS OF PROPOSITION 26 ON SPECIAL DISTRICTS.



...a fee paid voluntarily by individuals who choose to participate in a program or receive services or products arguably is not "imposed."

individuals. These discounts may trigger other ratepayers' charges to be deemed to be "taxes" under Section 1(e). To demonstrate, the fees levied in the following examples may be implicated by Section 1(e)(1) and 1(e)(2):

- A county water district imposes a fishing permit fee for fishing in its local reservoir (i.e., a fee for a privilege or benefit) but waives the fee for local residents.
- A park district provides discounted fees to seniors and students who participate in a ceramics class (i.e., a fee for a service or product) provided at its community center.
- A community services district imposes different fees for adults, seniors, and children for swim classes (i.e., a fee for a service) provided at its aquatics center.
- An irrigation district provides gas and electrical service (i.e., a fee for a service or product) within its jurisdiction and provides discounted fees to low income customers.

In these examples, the fees may be deemed to be taxes if (1) the cost of providing the discount, fee waiver, or differential rate for the benefit, privilege, government service or product is diverted to other fee payers who are required to

pay for the same benefit, privilege, government service or product; and (2) the fee or charge paid by the other fee payers exceeds the cost of providing the benefit, privilege, government service, or product. If, however, the incremental cost of providing the benefit, privilege, service, or product at a discount, or no cost is funded by unrestricted revenues other than the fees or charges imposed on other fee payers (e.g. real property tax revenues, grants, or donations), and the fees or charges imposed on the other fee payers do not exceed the cost of providing the benefit, privilege, service or product, the fees or charges would not be deemed taxes under Section 1(e)(1) or (1)(e)(2).

Notably, an argument can be made that the fees in the first three examples above are not taxes within the meaning of Section 1(e)(2). In these instances, the fees arguably are not "imposed" on the participants because the fee is not established or applied by authority or force, but rather is paid voluntarily by the person choosing to have the benefit conferred, privilege granted, or service or product provided.⁴⁰ Based upon the court decisions described previously interpreting what it means to impose a fee or charge, a fee paid voluntarily by individuals who choose to participate in a program or receive services or products arguably is not "imposed."