



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, FEBRUARY 7, 2024

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

CLOSED SESSION – 6:30PM
OPEN SESSION – 7:00PM

PUBLIC PARTICIPATION OPTIONS

MEETINGS WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE
AND VIRTUAL PARTICIPATION.

WATCH THE MEETING LIVE

<https://us02web.zoom.us/j/83276329300>

Webinar ID: 832 7632 9300

1-669-900-6833

1-253-215-8782

PUBLIC COMMENT VIA ZOOM

To request to speak on an item, use the “raise hand” button to notify the Clerk. The Clerk will announce public speakers and unmute participants to speak. Please be mindful that the meeting will be recorded, and all rules of procedure and decorum apply for in-person attendees and those participating virtually.

SUBMIT PUBLIC COMMENT VIA EMAIL

To submit written comments on a specific agenda item, please do so via email by 4:00PM on the day of the meeting. When sending an email, please indicate in the subject line, the agenda item number (i.e. General Public Comment or Consent Item A). Written comments should be no more than 1,000 characters in length. Written comments will be distributed to the Commission and will be posted as a supplemental packet on the District’s website at <https://venturaharbor.com/board-meeting-documents/>. Please submit your comment to the Clerk of the Board at jrauch@venturaharbor.com.

CLOSED SESSION 6:30PM
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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.

CONVENE IN CLOSED SESSION

CLOSED SESSION AGENDA

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Ventura Harbor Restaurant Associates, Inc. and Andria's Seafood Specialties, Inc. v. Ventura Port District

Ventura County Superior Court Case No. 56-2022-00572144-CU-MC-VTA

ADJOURNMENT

OPEN SESSION 7:00PM

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 January 17, 2024 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) Termination of Current Restaurant Lease Agreement with The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for 1567 Spinnaker Drive #105A & #105B

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a termination of an Office Lease Agreement, dated June 1, 2023, between the Ventura Port District dba Ventura Harbor Village and The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for 1567 Spinnaker Drive #105A & #105B, consisting of approximately 1,330 square feet.

B) Award of Bid for the Ventura Harbor Launch Ramp Floating Dock Replacement Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners award the bid from Bluewater Marine, Inc. in the amount of \$328,215.00 for the Ventura Harbor Launch Ramp Floating Dock Replacement Project.

STANDARD AGENDA:

1) Award of Bid for the Ventura Harbor Village Restroom Enhancements at 1559 and 1583 Spinnaker Drive

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- 1) Accept the low bid from F.C.T. Construction, Inc. in the amount of \$450,000.
- 2) Approve a Budget Adjustment to the 5-Year Capital Improvement Plan for the Ventura Harbor Village Restroom Remodel Project at 1559 and 1583 Spinnaker Drive.

2) Rejection of Bid for the Ventura Harbor Public Boat Wash Down Station Replacement Project

Recommended Action: Voice Vote

That the Board of Port Commissioners reject the bid from ADA General Engineering Inc. in the amount of \$218,500.00 for the Ventura Harbor Public Boat Wash Station Replacement Project.

3) Award of Bid for the Ventura Inner Harbor Dredging Project: Two Locations

Recommended Action: Voice Vote.

That the Board of Port Commissioners award the bid from Manson Construction, Inc. in the amount of \$1,333,000 for the Ventura Inner Harbor Dredging: Two Locations Project.

4) Status Report on Recent and Forecasted Pacific Storm Events

Recommended Action: Informational.

That the Board of Port Commissioners receive a report on recent Pacific winter storm events impacting Ventura.

ADJOURNMENT

This agenda was posted on February 2, 2024 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 FEBRUARY 7, 2024

APPROVAL OF MINUTES JANUARY 17, 2024 REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS REGULAR MEETING MINUTES OF JANUARY 17, 2024



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
Brian Brennan
Chris Stephens

Commissioners Absent:

None

Port District Staff:

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

Legal Counsel:

Tom Bunn, Lagerlof LLP

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 6:31PM.

CONVENED TO CLOSED SESSION AT 6:32PM.

ADJOURNMENT: Closed Session was adjourned at 6:50PM.

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 7:01PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Vice-Chair Gardina.

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 via Zoom
Sergio Gonzalez, Facilities Manager
Wayne Hatch, Maintenance Supervisor via Zoom
John Higgins, Harbormaster
Pat Hummer, Senior Harbor Patrol Officer via Zoom
Jennifer Talt-Lundin, Marketing Manager
Dave Werneburg, Marina Manager via Zoom

Legal Counsel:

Tom Bunn, Lagerlof Lawyers LLP

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

1 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Commissioner Stephens moved to adopt the January 17, 2024 agenda.

Commissioner Brennan seconded. The vote was unanimous.

APPROVAL OF MINUTES

The Minutes of the January 3, 2024 Port Commission Regular Meeting were considered as follows:

ACTION: Commissioner Stephens moved to approve the Minutes of the January 3, 2024 Port Commission Regular Meeting.

Commissioner Brennan seconded. The vote was unanimous.

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

CLOSED SESSION REPORT: Mr. Bunn stated that the Board met in closed session and discussed and reviewed both items on the closed session agenda.

For Item 1 – Conference with Legal Counsel – Existing Litigation: Ventura Port District dba Ventura Harbor Village v. Andres S. Fernandez, LLC, the Board voted unanimously to settle the lawsuit in the form of a Lease Termination Agreement and Stipulation for Judgement.

For Item 2 – Price and Terms of Payment for Renegotiation of Restaurant Lease for The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop, staff was given instructions on how to proceed as appropriate and no action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Brennan thanked Harbor Patrol for helping clear out the debris in the stub channel. Closed 7:05PM.

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

CONSENT AGENDA:

A) Approval of New Office Lease Agreement with Students for Eco Education and Agriculture, Inc. for 1575 Spinnaker Drive #205

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve an Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Students for Eco Education and Agriculture, Inc. dba SEEAG for the premises located at 1575 Spinnaker Drive #205, consisting of approximately 1,326 square feet.

Public Comment: None. Closed at 7:16PM.

ACTION: Commissioner Brennan moved to approve an Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Students for Eco Education and Agriculture, Inc. dba SEEAG for the premises located at 1575 Spinnaker Drive #205, consisting of approximately 1,326 square feet.

Vice-Chair Gardina seconded. The vote was unanimous.

B) Authorization to Exercise Lease Option with Ventura Harbor Storage Enterprises, LLC for the Commercial Fishing Storage Yard at 1410 Angler Ct.

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to exercise the 5-year option for the existing Lease between Ventura Harbor Storage Enterprises, LLC and the Ventura Port District for the Commercial Fishing Storage Yard.

Public Comment: None. Closed at 7:16PM.

ACTION: Commissioner Brennan moved to authorize the General Manager to exercise the 5-year option for the existing Lease between Ventura Harbor Storage Enterprises, LLC and the Ventura Port District for the Commercial Fishing Storage Yard.

Vice-Chair Gardina seconded. The vote was unanimous.

STANDARD AGENDA:

1) Status Report on Recent and Forecasted Pacific Storm Events

Recommended Action: Informational.

That the Board of Port Commissioners receive a report on recent and forecasted Pacific winter storm events impacting Ventura.

Report by Todd Mitchell, Sr. Business Operations Manager, John Higgins, Harbormaster, and Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 7:43PM.

ACTION: The Board of Port Commissioners received a report on the recent and forecasted Pacific winter storm events impacting Ventura.

2) Declaration of District Personal Property as Surplus and Disposal of Same

Recommended Action: Voice Vote

That the Board of Port Commissioners declare the Ford F-350 Boom Truck as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

Report by Sergio Gonzalez, Facilities Manager.

Public Comment: None. Closed at 7:45PM.

ACTION: Commissioner Rainey moved to declare the Ford F-350 Boom Truck as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

Commissioner Stephens seconded. The vote was unanimous.

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, Sr. Business Operations Manager.

Public Comment: None. Closed at 8:22PM.

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

Vice-Chair Gardina seconded. The vote was unanimous.

Discussion was as follows:

- Do we had any numbers on visitors attending cultural events who would not otherwise visit the Harbor?
- Presentation to City Council needs to be scheduled soon.
- Excited for the opportunity to work with Port of Hueneme on commercial fisheries.
- Will the storm damages impact the pace of the grant work with Port Hueneme?
- How is the landscape in terms of regulatory support concerning aquaculture?
- NOAA was doing a siting study; do we know what is going on with that?
- Is there any feedback from residents on the impacts from VenturaWaterPure?
- Update timeline for NPS objectives.
- Many in government finance are using climate change to improve the significance of Capital Improvement Projects by showing before and after pictures to get projects prioritized.
- Landscape plant palette – would like to see – big part of visitor experience and ties in with NPS.
- Very impressed and thanked staff for all the work. Hope citizens will review the report to see what work the Port District is doing.
- Engagement – lack of participation in meetings – another opportunity to have a meeting outside of the regularly scheduled meeting. Review of goals and objectives this fall.
- Formalize relationship with SEEAG regarding rebuilding dune system and invite them to make a presentation to the Board.

ADJOURNMENT: The meeting was adjourned at 8:28PM.

The next regular meeting is Wednesday, February 7, 2024.

Anthony Rainey, Secretary



BOARD OF PORT COMMISSIONERS
FEBRUARY 7, 2024

CONSENT AGENDA ITEM A
TERMINATION OF CURRENT
RESTAURANT LEASE AGREEMENT
WITH THE SUGAR LAB BAKE SHOP,
LLC DBA SUGAR LAB BAKE SHOP
FOR 1567 SPINNAKER DRIVE #105A
& #105B

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Termination of Current Restaurant Lease Agreement with The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for 1567 Spinnaker Drive #105A & #105B

RECOMMENDATION:

That the Board of Port Commissioners approve a termination of an Office Lease Agreement, dated June 1, 2023, between the Ventura Port District dba Ventura Harbor Village and The Sugar Lab Bake Shop, LLC dba Sugar Lab Bake Shop for 1567 Spinnaker Drive #105A & #105B, consisting of approximately 1,330 square feet.

SUMMARY:

The Sugar Lab Bake Shop, LLC has requested to terminate its restaurant lease at Harbor Village. The early termination includes the District receiving the base rent for the space for the lease from January 1, 2024, through the expiration of the lease on May 31, 2024.

GUIDING PRINCIPLES:

- 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 April of 2023, The Sugar Lab Bake Shop, LLC renewed its lease with the Ventura Port District for a one-year term with a two-year option. A lease was executed commencing June 1, 2023. The tenant has remained current with its rent, however in December 2023, the tenant asked the lease to be terminated early due to financial hardship.

The lease termination would include the District receiving base rent for the period of January 2024 through May 2024, the end of the initial lease term. The space will revert to the District's possession upon acceptance of the termination agreement by the Board.

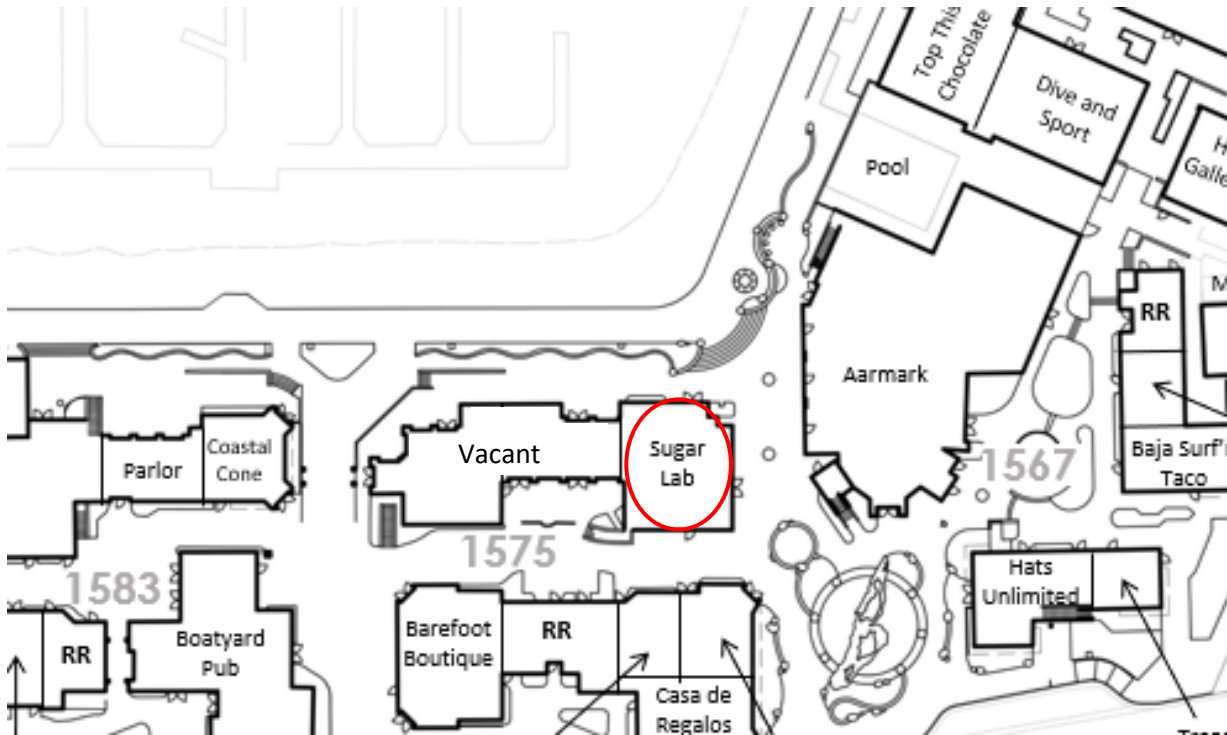
FISCAL IMPACT:

Although the tenant has remained current on its lease, the lease is terminating prematurely. This reduces the rent received through common area maintenance (CAM) fees, promotional fees, and trash fees. However, this termination permits the District to immediately plan and prepare the space for future tenancy.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 1 – Location Map





BOARD OF PORT COMMISSIONERS
FEBRUARY 7, 2024

CONSENT AGENDA ITEM B
AWARD OF BID FOR THE VENTURA
HARBOR LAUNCH RAMP FLOATING
DOCK REPLACEMENT PROJECT

VENTURA PORT DISTRICT
BOARD COMMUNICATION

CONSENT AGENDA ITEM B
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Joe Gonzalez, Capital Projects Manager
SUBJECT: Award of Bid for the Ventura Harbor Launch Ramp Floating Dock Replacement Project

RECOMMENDATION:

That the Board of Port Commissioners award the bid from Bluewater Marine, Inc. in the amount of \$328,215.00 for the Ventura Harbor Launch Ramp Floating Dock Replacement Project.

SUMMARY:

The California State Parks Division of Boating and Waterways (DBW) has awarded the Ventura Port District a grant up to \$890,000 for two projects: 1) the replacement of the two 180-foot-long floating docks and 2) ADA-compliant upgrades to the wash down station at the public boat launch ramp.

On November 19, 2023, the District published the request for bids for the first project: the Ventura Harbor Launch Ramp Floating Dock Replacement Project, located at 1400 Anchors Way Drive. A mandatory pre-bid job walk was conducted via Zoom on Thursday December 7, 2023, with seven contractors in attendance. A public bid opening was held on January 17, 2024, which received five bids.

Third-party consultant, Reid Middleton, reviewed the bid for errors and omissions. Reid Middleton's engineer in conjunction with District staff determined that the lowest bid was responsive and responsible. Staff is recommending award of bid to Bluewater Marine, inc.

GUIDING PRINCIPLES:

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

FIVE-YEAR OBJECTIVE:

- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

Ventura Harbor, including the public boat launching facility (BLF), was originally constructed with a \$4.75 million general obligation bond issued in 1962. By June of 1963, the Harbor was complete and commenced operations. The BLF launch ramp was constructed "in the dry" (built in place with a dam around the site so the water could be pumped out) before the Harbor was opened and withstood nearly fifty years of use before requiring improvements in 2013.

At that time, the Division of Boating and Waterways granted \$2,550,000 to the Ventura Port District for the six-lane concrete ramp reconstruction, which was completed in 2014 by Cushman Contraction Corporation. The project also included installing new guide piles for the floating docks

compliant with the District's Guide Pile Ordinance (for sea level rise) but did not include the replacement of the floating docks themselves. Nor did the construction update the boat wash stations.

Recreational boaters, kayakers, and paddle boarders utilize the revitalized concrete launch ramp – currently estimated at 11,000 vessel launches per year (8,000 motorized and 3,000 non-motorized). Because the new launch ramp was built “in the dry, the public can expect another 50 years of use. However, the supporting infrastructure must be maintained.

In May of 2021, Keren Dill and Casey Caldwell of DBW met onsite with the District to review the application. After inspection of the docks, the DBW staff observed the floating docks were near enough to the end of their useful life and recommended revising our grant application to seek replacement of the two 180' floating dock structures. In addition, District staff had also determined that the wash down station was in need of upgrades to address hazards to bicycles and to make the wash island ADA compliant.

FISCAL IMPACT:

This project was approved in the FY23-24 Capital Improvements Project budget.

The grant will provide up to \$890,000 towards the replacement of BLF's floating docks and ADA improvements to the washdown station. Some soft costs and in-kind contributions are not covered by the grant amount.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 1 – Location Map



Ventura Harbor Public Launch Ramp Floating Docks



BOARD OF PORT COMMISSIONERS FEBRUARY 7, 2024

STANDARD AGENDA ITEM 1 AWARD OF BID FOR THE VENTURA HARBOR VILLAGE RESTROOM ENHANCEMENTS AT 1559 AND 1583 SPINNAKER DRIVE

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 1
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Joe Gonzalez, Capital Projects Manager
SUBJECT: Award of Bid for the Ventura Harbor Village Restroom Enhancements at 1559 and 1583 Spinnaker Drive

RECOMMENDATION:

That the Board of Port Commissioners:

- 1) Accept the low bid from F.C.T. Construction, Inc. in the amount of \$450,000.
- 2) Approve a Budget Adjustment to the 5-Year Capital Improvement Plan for the Ventura Harbor Village Restroom Remodel Project at 1559 and 1583 Spinnaker Drive.

SUMMARY:

On December 17, 2023, the District published the request for bids for the Ventura Harbor Village Restroom Enhancements at 1559 and 1583 Spinnaker Drive. A mandatory pre-bid job walk was conducted on site on December 21, 2023. A public bid opening was held on January 18, 2024, which received three bids.

Consulting architect, Rasmussen & Associates, reviewed the bids for errors and omissions. The determination was that the lowest bid from F.C.T. Construction was responsive and responsible. Staff is recommending award of bid to F.C.T. Construction.

The District's Five-Year Capital Improvement budget for this project was \$445,000. The three bids came in ranging from \$450,000 to \$1,018,163. The project budget will be revised during the Mid-Year Budget Adjustment process to reflect this bid cost.

GUIDING PRINCIPLE:

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

FIVE-YEAR OBJECTIVE:

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

BACKGROUND:

As of today, the remodel of the 1591, 1567, 1575, 1591, 1691 and 1559 (upstairs) restrooms have been completed. Staff is recommending that 1583 and 1559 (downstairs) also be updated, which will complete the remodeling of all customer-facing common area restrooms maintained by the District.

For the design phase, staff worked with consulting architect Rasmussen & Associates to continue the restroom improvement program. During evaluation of the restrooms at 1559 and 1583, staff determined that there was a great opportunity to replace all surrounding cast iron plumbing at both locations. Adding these plumbing upgrades will significantly prolong the restrooms longevity. Staff has also determined that the 1559 main wastewater lines connecting to the outside main line should be replaced to ABS as part of the project. The scope for this additional plumbing is included in this bid.

Due to the broad range of bid prices received, the District's architect reviewed the costs proposed and determined that the bid from F.C.T., although above the District's original project budget was over by \$5,000. This is consistent with today's estimated cost per square foot when considering the enhanced design and the additional plumbing added to the exterior of the restroom facility.

In addition to the construction costs, which incorporates the wastewater line upgrades, the Capital Improvement Budget must cover the soft costs, which include the architectural design and construction management. These costs are estimated at \$30,000.

Therefore, staff is also recommending that the project budget be increased to \$500,000 to account for any additional unforeseen conditions that (at the direction of District staff) require the contractor to address. If approved by the Board, this change will be reflected in the Mid-Year Budget.

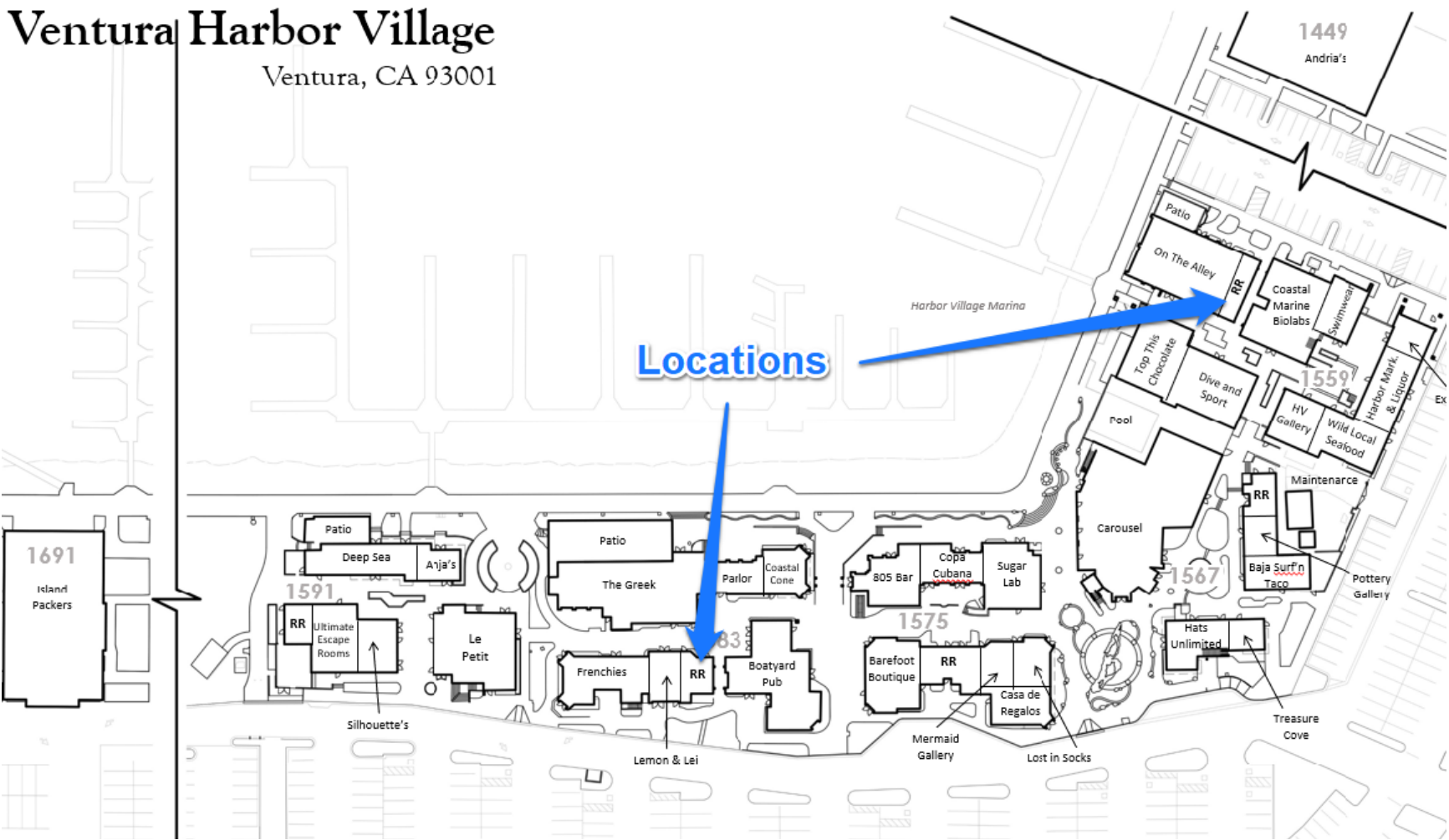
FISCAL IMPACT:

The budgeted amount for these two restrooms was \$445,000 in the FY23-24 5-Year Capital Improvement Budget. The 1559 and 1583 Restroom Enhancement Project bid came in at \$450,000 from F.C.T. Construction. The estimated architectural and construction management soft costs are estimated at \$30,000. The total of \$480,000 exceeds the FY23-24 Capital Improvement project budget. Staff is recommending a budget adjustment to the project up to \$500,000 to allow for any additional contingency. The additional expense is offset through the deferment of other Capital Improvement Projects, which will be identified as part of the Mid-Year Budget Adjustment.

ATTACHMENTS:

Attachment 1 – Location Map

Ventura Harbor Village
Ventura, CA 93001





BOARD OF PORT COMMISSIONERS FEBRUARY 7, 2024

STANDARD AGENDA ITEM 2 REJECTION OF BID FOR THE VENTURA HARBOR PUBLIC BOAT WASH DOWN STATION REPLACEMENT PROJECT

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 2
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Joe Gonzalez, Capital Projects Manager
SUBJECT: Rejection of Bid for the Ventura Harbor Public Boat Wash Down Station
Replacement Project

RECOMMENDATION:

That the Board of Port Commissioners reject the bid from ADA General Engineering Inc. in the amount of \$218,500.00 for the Ventura Harbor Public Boat Wash Station Replacement Project.

SUMMARY:

The California State Parks Division of Boating and Waterways (DBW) has awarded the Ventura Port District a grant up to \$890,000 for two projects: 1) the replacement of the two 180-foot-long floating docks and 2) ADA-compliant upgrades to the wash down station at the public boat launch ramp.

On November 19, 2023, the District published the request for bids for the second project: the Ventura Harbor Public Boat Wash Station Project, located at 1400 Anchors Way Drive. A mandatory pre-bid job walk was conducted on site on Thursday, December 7, 2023, with seven contractors in attendance. A public bid opening was held on January 3, 2024, which received one bid.

Third-party consultant, Jensen Design & Survey, Inc. (Jensen), reviewed the bid for errors and omissions. The Jensen engineer determined that the lowest bid is non-responsive, due to unreasonable costs found in the Bid. The demolition and disposal cost were estimated by the District consultant to be approximately \$7,285. The contractor's bid of \$95,000 to perform the demolition and disposal is deemed unreasonable and at a magnitude that suggests rejection of the bid is appropriate.

GUIDING PRINCIPLES:

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

FIVE-YEAR OBJECTIVE:

- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

The Americans with Disabilities Act (ADA) provides civil rights protections for individuals with disabilities. The purpose of the ADA is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." 42 U.S.C.A § 12101(b)(1). The ADA prohibits discrimination in employment, public accommodations, government services, public transportation, and telecommunications.

In 2014 and 2015, the District surveyed District owned/operated buildings and facilities within Ventura Harbor and Ventura Harbor Village with the aid of a consultant to assist in achieving compliance with local, state and federal laws and regulations.

This Public Wash Down project will remove the identified physical barriers in this area based on ADA Accessibility Guidelines and Title 24 standards, bringing this accommodation within current ADA Compliance.

FISCAL IMPACT:

This project was approved in the FY23-24 Capital Improvements budget.

The grant will provide up to \$890,000 towards the replacement of BLF's floating docks and ADA improvements to the washdown station. Some soft costs and in-kind contributions are not covered by the grant amount.

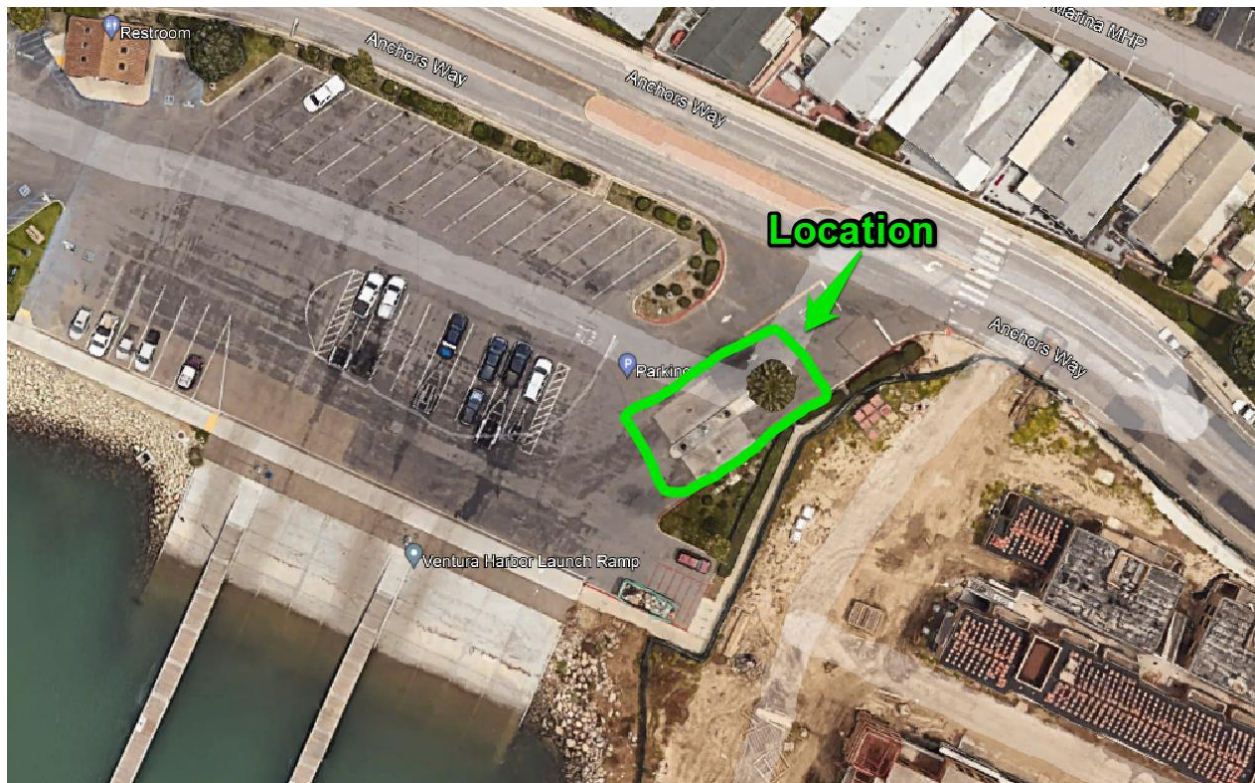
Rebidding the project will result in additional time for the engineer and publishing a second notice in the Ventura County Star totaling approximately \$1,500.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 2 – Jensen recommendation letter

Attachment 1 – Location Map



Attachment 2 – Jensen Design & Survey, INC letter



1672 Donlon Street
Ventura, CA 93003
Local 805 654-6977
Fax 805 654-6979
www.jdscivil.com

VPD01.4558.019
Tuesday, June 26, 2018

Ventura Port District
Todd Mitchell
1603 Anchors Way Drive
Ventura, CA 93001-4229

RE: Boat Wash Replacement – Original Bid Rejection

Jensen Design & Survey prepared the plans and specifications for the public boat wash station replacements. Along with the bid and construction package we included an Engineers Cost Estimate that expected the project to cost \$110,012.50 for demolition and reconstruction.


The project was publicly bid, and one bid was received from ADA General Eng. Inc. in Oxnard for the total amount of \$218,500. The supplied bid sheet required two items to bid: 1) Demolition (\$95,000) & 2) Construction (\$123,500). This is 198% of the original estimated cost.

The largest discrepancy is the demolition cost. The estimate was \$7,285 to remove and dispose. The bid was \$95,000 to remove and dispose.

Considering the estimate was 20% lower than the bid for construction, we feel the bid item for construction is acceptable. However, the demolition cost was 13X more than the estimate. We cannot justify the demolition cost when looking at the small footprint of the site. This coupled with receiving only one bid, we recommend this bid be rejected, and the project re-bid.

Please let me know if you would like to discuss further.

Thank You.


James C. McCoskey, P.E.
Civil Engineer II
Jensen Design & Survey, Inc.

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ENGINEERS PLANNERS SURVEYORS CONSTRUCTION MANAGERS



BOARD OF PORT COMMISSIONERS FEBRUARY 7, 2024

STANDARD AGENDA ITEM 3 AWARD OF BID FOR THE VENTURA INNER HARBOR DREDGING PROJECT: TWO LOCATIONS

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 3
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
SUBJECT: Award of Bid for the Ventura Inner Harbor Dredging Project: Two Locations

RECOMMENDATION:

That the Board of Port Commissioners award the bid from Manson Construction, Inc. in the amount of \$1,333,000 for the Ventura Inner Harbor Dredging: Two Locations Project.

SUMMARY:

The Ventura Port District and the City of San Buenaventura (City) share responsibility for maintaining access to the Ventura Keys through maintenance dredging of the Ventura Keys Stub Channel.

Severe winter storms in January 2023 caused damage within the Harbor area, including Village suites, the District's public launch ramp, private boats and docks within the City's Ventura Keys, City streets within the Harbor, significant coastal beach erosion, and debris flows into the Harbor and surrounding beaches. Significant sediment and debris entered the inner harbor via the Arundell Barranca and through a storm drain near the Holiday Inn Express hotel.

On December 22, 2023, the District published the request for bids for the Ventura Inner Harbor Dredging Project: Two Locations, located in the inner harbor as shown in Attachment 1. A mandatory pre-bid meeting was conducted January 17, 2024. A public bid opening was held on January 30, 2024, in which the District received four bids.

Third-party consultant, Rincon Consultants, Inc. (Rincon), reviewed the bid for errors and omissions. Rincon, in conjunction with District staff, determined that the lowest bid was responsive and responsible. Staff is recommending award of bid to Mason Construction, Inc.

GUIDING PRINCIPLES:

- 1) Maintain a safe, navigable, and resilient harbor.
- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

5-YEAR OBJECTIVE:

- 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.

BACKGROUND:

In January 2023, the District's Inner Harbor was affected by the Atmospheric River storm events resulting in significant sediment deposition. Bathymetric surveys in the northern portion of the Pierpont Basin and the Stub Channel providing vessel access to the Ventura Keys indicate that it would be prudent to perform maintenance dredging in those areas to maintain navigational safety.

This has accelerated the requirement for the District to perform dredging by several years to remedy the impacts. Due to environmental and permit limitations, the dredging could not be performed in 2023.

DISTRICT DREDGING RESPONSIBILITIES

Although the federal navigation channel is maintained annually by the US Army Corps of Engineers (USACE), the District is responsible for maintaining access within and throughout Ventura Harbor.

Historically, the District has had to perform inner harbor dredging for maintenance of the “Stub Channel” and Pierpont Basin approximately every 5 years due to sediment deposition from the Arundell Barranca. The District seldom ever needs to perform maintenance dredging in any other harbor location as there is generally no other sediment input.

An average annual accumulation of sediment adjacent to the Arundell Barranca over the 10 previous years has been an average of 5,588 cubic yards per year.

District staff have submitted a request that the Federal Emergency Management Agency (FEMA) and California Governor's Office of Emergency Services (CalOES) approve the funding for the dredging of the Ventura Inner Harbor where and to the degree impacted by the Atmospheric River Rain Events in January 2023.

Manson Construction is an experienced strategic partner for performing all types of in water and over-water work on infrastructure projects. As a dedicated heavy civil marine and dredging contractor, their team of experts are well versed with permitting and work restrictions, regulations, and communication protocols that are unique to a marine environment versus landside and upland construction.

FISCAL IMPACT:

Manson's bid includes \$750,000 for mobilization, \$11 per cubic yard for dredge material in Area 1, and \$24 per cubic yard for dredge material in Area 2. Using the volumes estimated by the District, the total amount for dredging is estimated at \$1,330,000. However, if the Santa Clara River mouth is open to the ocean, additional dredging could be performed since there is additional material present in the Pierpont Basin. If deemed prudent, the District could potentially remove an additional 40,000 cubic yards of material from this area at an additional cost of \$440,000. This additional amount would not be subject to any reimbursement by FEMA as the material was present prior to the storm. It is not necessary to remove all of the additional material, but it is likely prudent to remove some (if possible).

The District's FY23-24 Budget included \$250,000 for inner harbor dredging and assumed an additional \$250,000 would be drawn from the District's Dredging Reserve Fund. Staff anticipated that FEMA/CalOES would potentially reimburse the remaining balance and the Reserve Fund would be replenished in the FY24-25 budget.

However, staff now anticipates that reimbursement from FEMA/CalOES could be more than a year to receive. It is likely the dredging reserve would be further reduced for over a year while waiting for the grant application be considered and funds dispersed by FEMA/CalOES.

ATTACHMENTS:

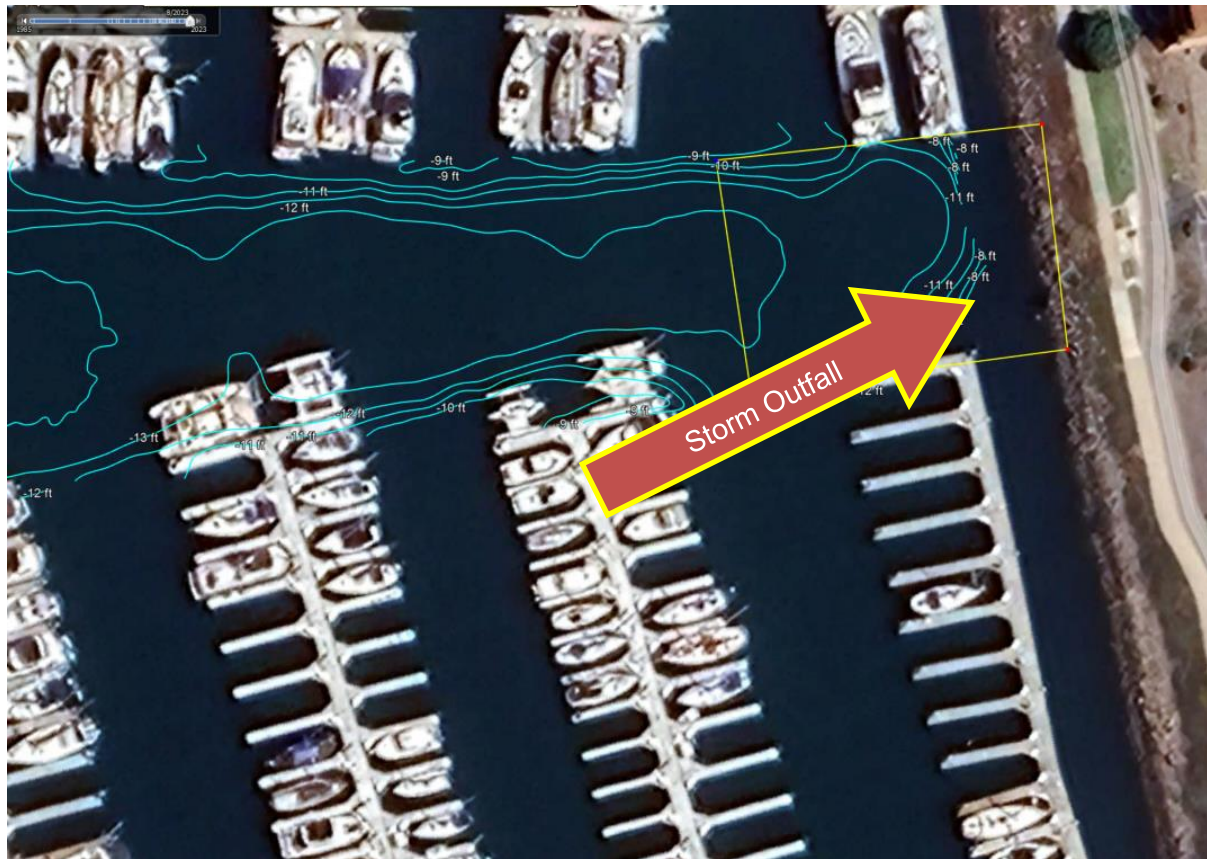
Attachment 1 – Location Map

Attachment 1 – Location Map

Area 1:



Area 2:



Outfall Near Holiday Inn Express



BOARD OF PORT COMMISSIONERS FEBRUARY 7, 2024

STANDARD AGENDA ITEM 4 STATUS REPORT ON RECENT AND FORECASTED PACIFIC STORM EVENTS

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 4
Meeting Date: February 7, 2024

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
John Higgins, Harbormaster
SUBJECT: Status Report on Recent and Forecasted Pacific Storm Events

RECOMMENDATION:

That the Board of Port Commissioners receive a report on recent Pacific winter storm events impacting Ventura.

SUMMARY:

Severe winter storms continue to hit the Ventura Coastline. The Ventura Port District remains vigilant and proactive in preparing, educating, and mitigating these events. The District is currently in the middle of a three-storm system that will affect our area off and on through approximately February 11th.

Staff will provide a verbal report to the Board on the impacts of the most recent storm at the board meeting as well as provide updates on staff activities to keep the public and tenants informed.

GUIDING PRINCIPLES:

- 1) Maintain a safe, navigable, and resilient harbor.
- 3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

5-YEAR OBJECTIVES:

- D) Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.
 - 3) Ventura Port District Dredging
- 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
- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities
 - 1) Ongoing investment in Harbor Village Infrastructure

BACKGROUND:

In response to the series of storms over recent weeks, Staff have met regularly throughout the events to monitor and respond accordingly. Staff has also communicated directly with City, County, and State officials. Public safety warnings continue for the beach area only. Visitors are discouraged from using the lower beach area, traversing the unstable dunes, and staying on rocks and jetties. A post-storm damage assessment revealed minimal inner harbor damage but significant erosion to the beach.

February Events

Storm #1: On the morning of February 1st, a moderate rainstorm hit our area. Over the morning, rain totals hit as high as 3.5 inches in our area. This large quantity of rain quickly overwhelmed the infrastructure and caused flooding on multiple streets in and around the Harbor. The Harbor Patrol worked with the City to close Navigator Drive after flooding levels hit the entrance to the Holiday Inn Express. Numerous vehicles were flooded in the parking lot, and one needed to be pushed out of the road after it stalled in waist-deep water. The Harbor Patrol also responded to a person trapped in a vehicle on Harbor Blvd at Olivas Park Drive. The driver did not suffer any injuries, and the vehicle was towed.

After the storm was over, Port District staff worked with our Master Lessees and City Staff to harden our area better for the storm to come. In addition to physical additions of sandbags and other mitigation measures, a plan was implemented to relocate Holiday Inn Express customer vehicles to the higher ground of the Four Point Sheraton parking lot for the subsequent and possibly future storms. Facilities staff have also placed sandbags around vulnerable Harbor Village retail spaces in anticipation of possible high-water levels and wind causing water intrusion into tenant suites.

Storm #2: With this event expected to be stronger than most storms experienced in 2023 and 2024, Port District Staff have been meeting in person and communicating online to best prepare for this storm. Harbor Patrol, Maintenance, and Marina will increase staffing during the forecasted peak event times, and supervisors have committed to being on call and ready to respond.

On Friday, February 2nd, the General Manager held a Port District Manager Meeting to discuss the forecasted storm and our multi-layered response plan should there be a need to mobilize an internal Emergency Operations Center. Staff will continue to communicate throughout the event and adjust staffing and responses as necessary.

Looking Ahead

While the immediate effects of these past storms are over, future challenges are still present. Forecasts include gale winds, king tides, and high surf the second week of January. The General Manager has provided notifications to staff and tenants regarding anticipated storm risks. Staff has maintained a focused and assertive beach safety message. Signage remains in place to avoid the lower beach areas, unstable dunes, rock and jetties. Staff will continue to assess future weather impacts but has determined that at least some form of messaging will need to be in place until dredging begins.

FISCAL IMPACT:

The ongoing costs are limited to replacing signage or increasing it as needed. There is a high probability of additional storms and associated overtime. If projected labor costs exceed the departmental budget, the General Manager will return with a request for additional funding as part of the Mid-Year Budget adjustment.

ATTACHMENTS:

None.