



# 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

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## REGULAR MEETING WEDNESDAY, MARCH 20, 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](mailto:jrauch@venturaharbor.com).

<b>CLOSED SESSION</b> <b>6:30PM</b>
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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.*

<b>CONVENE IN CLOSED SESSION</b>
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**CLOSED SESSION AGENDA**

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

- a) Property: **1559 Spinnaker Drive #202A**  
District Negotiators: Brian D. Pendleton, Todd Mitchell, Tom Bunn  
Negotiating Parties: Diane Nastasi dba Just About Faces  
Under Negotiation: **Price and Terms of Payment for Amendment of Office Lease Agreement**
  
- b) Property: **1583 Spinnaker Drive #104A**  
District Negotiators: Brian D. Pendleton, Todd Mitchell, Tom Bunn  
Negotiating Parties: Katherine & James E. Adams dba Lemon & Lei  
Under Negotiation: **Price and Terms of Payment for Month-to-Month Retail Lease**

**ADJOURNMENT**

<b>OPEN SESSION</b> <b>7:00PM</b>
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**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](http://www.venturaharbor.com).*

**APPROVAL OF MINUTES**

*The Minutes of the March 6, 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) Approval of Out-of-Town Travel Requests**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the out-of-town travel requests for:

- a) John Higgins, Harbormaster to attend the California Boating Safety Officers Association's symposium from April 7-11, 2024 in Lake Tahoe, CA.
- b) John Higgins, Harbormaster to attend the California Water Safety Coalition Summit from April 16-17, 2024 in Folsom, CA.
- c) Todd Mitchell, Sr. Business Operations Manager to attend the American Society of Civil Engineers – COPRI Ports & Harbors Committee Meeting from April 11-12, 2024 in San Diego, CA.
- d) Todd Mitchell, Sr. Business Operations Manager to attend the CMANC Conference from May 15-17, 2024 in San Diego, CA.

### **B) Approval of a New Office Lease Agreement with Da Vega Fisher Mechtenberg LLP and Trinidad Entertainment Corporation for 1567 Spinnaker Drive #201 and #202**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Da Vega Fisher Mechtenberg LLP and Trinidad Entertainment Corporation for the premises located at 1567 Spinnaker Drive #201 and #202 consisting of approximately 1,500 square feet for a three-year term with one two-year option.

### **C) Approval of 2024 Lifeguard Services Contract**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to enter into a contract with the Department of Parks and Recreation to provide Lifeguard Services from mid-May 2024 through Labor Day 2024 at Harbor Cove and Surfers Knoll beaches in the amount of \$158,125.93.

**STANDARD AGENDA:**

**1) Presentation by Ocean Rainforest, Inc. regarding a Proposed Macro Algae Farm Proximate to Ventura Harbor**

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- 1) Receive a presentation from Ocean Rainforest, Inc. regarding their proposed project for a commercial macro algae (kelp) farm proximate to Ventura Harbor.
- 2) Authorize the General Manager to execute letters and provide public comment to regulatory and resource agencies in support of Ocean Rainforest's proposed project for a commercial macro algae (kelp) farm proximate to Ventura Harbor.

**2) Approval of a Holdover Agreement and License Agreement with TBBW Company, L.P. for premises at 1198 Navigator Drive, Parcel 17 and Approval of an Exclusive Negotiating Agreement with TBBW Company, L.P. and Aldersgate Investment II LLC for premises at 1198 Navigator Drive, Parcel 17 (landside only).**

Recommended Action: Voice Vote.

- 1) That the Board of Port Commissioners approve each of:
  - i. a Holdover Agreement between the Ventura Port District and TBBW Company, L.P. for the premises located a 1198 Navigator Drive (waterside portion of the premises only), (a) bifurcating the premises under the existing expiring lease into waterside premises and landside premises, (b) changing the tenancy under the existing Master Lease to a holdover for the waterside premises only, in connection with entitlements and approvals of a modernization of the marina operated at the waterside premises, (c) and creating a Construction Fund to offset construction of the modernization project, and
  - ii. a License Agreement between the Ventura Port District and TBBW Company, L.P. for the premises located a 1198 Navigator Drive (landside portion of the premises only) to allow the continued and historical use of the landside premises, i.e., providing marina service facilities to the marina located at the waterside premises.
- 2) That the Board of Port Commissioners approve an Exclusive Negotiating Agreement between the Ventura Port District and TBBW Company, L.P. and Aldersgate Investment II LLC for the premises located a 1198 Navigator Drive (landside portion of the premises only) for a three-year term with three (3) twelve (12) month extensions upon the satisfaction of certain milestones in connection with a proposed development and operation of a mixed-use/residential development at the premises.

**3) Approval of Amendment No. 1 to a Restaurant Lease Agreement with Aarmark Beer Garden, Inc. DBA The Loose Cannon**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Restaurant Lease Agreement between Aarmark Beer Gardens, Inc. a California corporation DBA The Loose Cannon, and the Ventura Port District dba Ventura Harbor Village, for the premises located at 1567 Spinnaker Drive, Suite #100 consisting of approximately 5,736 square feet of commercial space and 600 of patio area.

**4) Approval of a Statement of Work Under the Existing Professional Services Agreement with MRI Software**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a Statement of Work under the existing Professional Services Agreement with MRI Software for an amount of \$27,880 plus reimbursement of travel costs estimated at \$5,000.

**ADJOURNMENT**

*This agenda was posted on March 15, 2024 by 5:30 p.m. at the Port District Office and online at  
<https://venturaharbor.com/board-meeting-documents/>*

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*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 MARCH 20, 2024

APPROVAL OF MINUTES  
MARCH 6, 2024  
REGULAR MEETING

# 004 VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS REGULAR MEETING MINUTES OF MARCH 6, 2024

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### **CLOSED SESSION**

#### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 6:11PM 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  
Anthony Rainey, Secretary  
Brian Brennan  
Chris Stephens

##### **Commissioners Absent:**

Jackie Gardina, Vice-Chair

##### **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  
Pablo De Leon, Lagerlof LLP  
Robert Smith, K&L Gates

##### **Number of interested persons:**

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None.

**CONVENED TO CLOSED SESSION AT 6:13PM.**

**ADJOURNMENT:** Closed Session was adjourned at 7:03PM.

## **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 7:05PM 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 via Zoom  
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 via Zoom  
Wayne Hatch, Maintenance Supervisor via Zoom  
John Higgins, Harbormaster  
Pat Hummer, Senior Harbor Patrol Officer via Zoom  
Jessica Perkins, Accountant via Zoom  
Jessica Snipas, Business Operations Analyst via Zoom  
Dave Werneburg, Marina Manager via Zoom

##### **Legal Counsel:**

Tom Bunn, Lagerlof Lawyers LLP  
Pablo De Leon, Lagerlof Lawyers LLP

##### **City of Ventura Liaisons**

Councilmember McReynolds, City Council Liaison – Absent

##### **Number of interested persons:**

2 via zoom; 0 in person

## **ADOPTION OF AGENDA**

**ACTION:** Commissioner Stephens moved to adopt the March 6, 2024 agenda.

Commissioner Brennan seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

## **APPROVAL OF MINUTES**

The Minutes of the February 21, 2024 Port Commission Regular Meeting were considered as follows:

**ACTION:** Commissioner Brennan moved to approve the Minutes of the February 21, 2024 Port Commission Regular Meeting.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

**PUBLIC COMMUNICATIONS:** None. Closed at 7:08PM.

**CLOSED SESSION REPORT:** Mr. Bunn stated that the Board met in closed session and discussed Item 1a on the closed session agenda. The Board will reconvene in closed session after open session to continue discussions on Item 1a.

**BOARD COMMUNICATIONS:** Commissioner Stephens attended the tenant celebration. Commissioner Brennan complimented staff, Chair and Vice-Chair on the City Council presentation. He also mentioned the dredging letter sent to the City. Chair Blumenberg attended the tenant celebration, City Council presentation and also liked the dredging letter to the City. Closed at 7:12PM.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton reported on the City Council presentation, tenant celebration and upcoming events at Harbor Village. Closed at 7:15PM.

**CONSENT AGENDA:**

**A) Approval of Amendment No. 1 to Spectrum Pacific West, LLC Fiber Optic Installation and Maintenance Agreement**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners authorize the General Manager to sign Amendment No. 1 to the Spectrum Fiber Optic Installation and Maintenance Agreement with Spectrum Pacific West, LLC (Spectrum), its successors and grants a non-exclusive easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time an underground fiber optics system (Utilities) along Anchors Point Way to Schooner Drive connect to the Harbortown Point Resort for Spectrum services.

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

**ACTION:** Commissioner Brennan moved to authorize the General Manager to sign Amendment No. 1 to the Spectrum Fiber Optic Installation and Maintenance Agreement with Spectrum Pacific West, LLC (Spectrum), its successors and grants a non-exclusive easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time an underground fiber optics system (Utilities) along Anchors Point Way to Schooner Drive connect to the Harbortown Point Resort for Spectrum services.

Commissioner Stephens seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

**B) Approval of a New Office Lease Agreement with Loana Healing LLC at 1559 Spinnaker Drive #208**

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 Loana Healing LLC for the premises located at 1559 Spinnaker Drive #208 consisting of approximately 468 square feet for a three-year term with one two-year option.

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

**ACTION:** Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Loana Healing LLC for the premises located at 1559 Spinnaker Drive #208 consisting of approximately 468 square feet for a three-year term with one two-year option.

Commissioner Stephens seconded. The vote was as follows:



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

**Motion carried 5-0.**

**STANDARD AGENDA:**

**1) Approval of Amendment No. 1 to a Professional Services Agreement with Rincon Consultants, Inc. for Environmental Support Services**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve Amendment No. 1 to a Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation to \$230,000 from \$165,000 for maintenance dredging environmental consulting, monitoring, and permitting services.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None. Closed at 7:18PM.

Commissioner Rainey noted for the public that the increase was approved in the mid-year budget back in February and this item is amending the contract.

**ACTION:** Commissioner Stephens moved to approve Amendment No. 1 to a Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation to \$230,000 from \$165,000 for maintenance dredging environmental consulting, monitoring, and permitting services.

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

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

**Motion carried 5-0.**

**2) Approval of Amendment No. 1 to a Service Agreement with Medallion Protective Services for Ventura Harbor Village and Marina**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to a Service Agreement with Medallion Protective Services to increase the compensation to \$140,000 from \$50,000 for security services in Ventura Harbor Village and around the Marina.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None. Closed at 7:29PM.

**ACTION:** Commissioner Brennan moved to approve Amendment No. 1 to a Service Agreement with Medallion Protective Services to increase the compensation to \$140,000 from \$50,000 for security services in Ventura Harbor Village and around the Marina.

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

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

### **3) 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.

Report by John Higgins, Harbormaster.

Public Comment: None. Closed at 7:36PM.

**ACTION:** The Board of Port Commissioners receive a report on recent Pacific winter storm events impacting Ventura.

**No action was taken.**

**RECONVENED TO CLOSED SESSION AT 7:37PM**

**CLOSED SESSION WAS ADJOURNED AT 7:57PM.**

**OPEN SESSION WAS RECONVENED AT 7:59PM.**

**CLOSED SESSION REPORT:** Mr. Bunn stated that the Board reconvened in closed session and continued discussing Item 1a on the closed session agenda. Staff was given instructions on how to proceed as appropriate and no action was taken that is reportable under The Brown Act.

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

The next regular meeting is Wednesday, March 20, 2024.

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Anthony Rainey, Secretary



# BOARD OF PORT COMMISSIONERS MARCH 20, 2024

## DEPARTMENTAL STAFF REPORTS FEBRUARY 2024 & GUIDING PRINCIPLES FIVE-YEAR OBJECTIVES INDEX



BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

DEPARTMENTAL STAFF REPORTS  
FEBRUARY 2024  
&  
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: March 20, 2024

TO: Board of Port Commissioners  
FROM: Todd Mitchell, Sr. Business Operations Manager  
Joe A. Gonzalez, Capital Projects Manager  
SUBJECT: February 2024 Capital Projects Report

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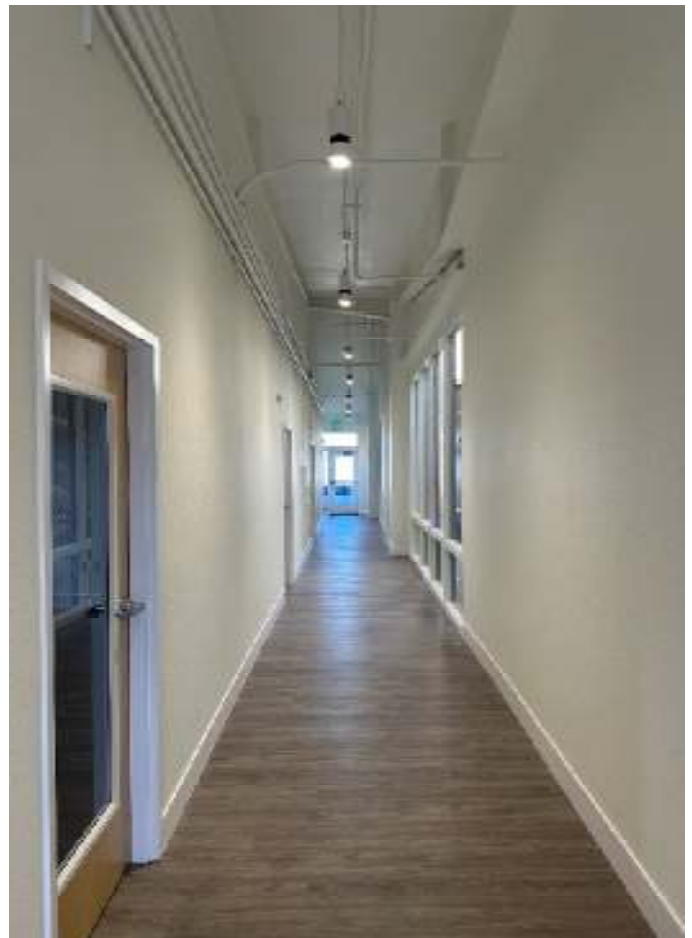
**1559 BUILDING TENANT IMPROVEMNT**

**Status: Substantially Complete**

**Budget: On Budget**

F.C.T Construction LLC is nearing completion of the tenant improvements for these six suites. All but one of the suites are now leased.

Staff is very pleased with the communication and coordination that F.C.T Construction has implemented during this project to help minimize noise and timing of the noise that normally comes with construction. As of today, there have been no issues. All City and Fire Department inspections regarding this project have passed. The District has received the final sign-off from the City.



### **1567 SPINNAKER DR. SUITE 101, FACADE RENOVATION**

**Status:** On Going

**Budget:** On Budget

The last remaining components of the project await the city approving the tenant's improvements permit. The electrical upgrade work will be done in conjunction with the installation of the suite's grease trap to minimize disruption to visitors and nearby tenants, which is schedule to start Mid-March. Staff has started coordinating between the contractor and surrounding tenants on the schedule, access, and noise. Staff is also coordinating with the contractor for all common areas public access and ADA path of travel to be accessible during construction.



### **1567 SPINNAKER DR. SUITE 101, LOOSE CANNON UPDATE**

**Status:** On Going

**Budget:** N/A (Tenant Cost)

Loose Cannon has received a Courtesy Inspection Permit from the City, which allows for: trenching, rough plumbing, grease trap and underground electrical. All in-ground plumbing work inside the suite has been inspected and approved by the city.

The exterior electrical switch gear work will be done in conjunction with the installation of the suite's grease trap to minimize disruption to visitors and nearby tenants, which is schedule to start Mid-March. Staff has started coordinating between the contractor and surrounding tenants on the schedule, access, and noise. Staff is also coordinating with the contractor to make sure all public walkways and ADA path of travel will be accessible during construction. All interior underground



electrical and underground rough plumbing has been inspected and approved by the City's inspector. Contractor has been given the green light to pour and cover all exposed trenches. Staff continues to work with the City and the tenant's architects in order to obtain building permits issued (anticipated in March).

Exposed trenches



Covered trenches.



## **LAUNCH RAMP WASHDOWN STATION AND THE FLOATING DOCK REPLACEMENT PROJECTS**

**Status: On going**

**Budget: Grant Funded**

The District is working to complete two capital improvement projects associated with the Ventura Harbor Public Launch Ramp. These two projects are both being funded by a grant from the California State Parks Division of Boating and Waterways. The first project consists of the removal and replacement of the existing boat wash station including the addition of ADA accessibility. The second project is the removal of the existing launch ramp boarding floats and the fabrication and installation of replacement boarding float systems. These are two different projects with different sets of contractor expertise and are therefore being advertised separately.

The Board awarded the bid for the Launch Ramp Floating Dock Replacement Project to Bluewater Marine, Inc. in the amount of \$328,215.00. Staff are waiting for all paperwork from the contractor prior to issuing the notice to proceed.

District staff rebid the Ventura Harbor Public Boat Wash Station Replacement Project. A mandatory pre-bid job walk was conducted on site on February 29, 2024. A public bid opening is scheduled for



March 26, 2024. Staff anticipates presenting the lowest qualified bid for the Board's consideration on April 3<sup>rd</sup>.

**VENTURA HARBOR VILLAGE RESTROOM ENHANCEMENTS AT 1559 AND 1583 SPINNAKER DRIVE**

**Status: Has not started**

**Budget: N/A**

On February 7<sup>th</sup>, the Board accepted the low bid from F.C.T. Construction, Inc. in the amount of \$450,000 and approved a Budget Adjustment to the 5-Year Capital Improvement Plan for the Ventura Harbor Village Restroom Remodel Project at 1559 and 1583 Spinnaker Drive. Staff is working closely with F.C.T Construction on obtaining all the necessary documentation from the company, so the District could give Contractor the Notice To Proceed. Staff is also currently working closely with all nearby tenants to make sure this project goes as smooth as possible. Staff is anticipating starting by mid-March, the goal is to complete both sides on a timely manner.

**ADDITIONAL PROJECTS:**

- |  |                                  |
|--|----------------------------------|
| • 1575 & 1583 Pass-through repaving        | Status: Working with architects. |
| • Ventura Harbor Village Awnings           | Status: On going.                |
| • Additional Mural painting throughout VHV | Status: On going.                |

**VENTURA PORT DISTRICT**  
**DEPARTMENTAL STAFF REPORT**

Meeting Date: March 20, 2024

TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Todd Mitchell, Sr. Business Operations Manager  
SUBJECT: February 2024 Dredging Report

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**OUTER HARBOR DREDGING (FEDERAL NAVIGATION CHANNEL)**

**Political Advocacy for Federal Dredge Funding**

USACE's Los Angeles District has issued the notice to proceed to their dredging contractor to dredge 600,000 yards of material from Ventura Harbor's federal entrance channel.

**2024 Dredging Funding**

The President's Budget (PBUD) was released on March 9<sup>th</sup> and the Ventura Harbor entrance channel dredging was included in the amount of \$8.471 million to cover:

1. 2024 dredging of 600,000 cubic yards, which is higher than it has been in several years.
2. An update to the Environmental Impact Statement (required every six years).
3. Soliciting for dredging prior to 2025.

Since then, funding for dredging of Ventura Harbor has also been included in the Senate's appropriations bill and in the House's appropriations bill.

**2025 Dredging Funding**

The Corps has provided their recommendations on funding to OMB (this is usually not disclosed, nor is the funding amount, however the preliminary figure believed to be needed is \$8M).

No further updates are anticipated until the President's Budget is released (expected to be sometime in March). The SBOM met with Congressman Carbajal on February 15<sup>th</sup> as part of CMANC's DC conference to restate the importance of full funding and to also discuss the District's commercial fishing and future goals for aquaculture. The Congressman has requested a visit to see the commercial fishing in action.

The SBOM, as the current Board Chair also led CMANC's meeting with OMB virtually on March 6<sup>th</sup> to discuss both CMANC's and the District's need for full funding each year.

**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 2023 it has been determined that the inner harbor will be dredged in March 2024. The principal area of infill is in the basin between Marina Park and the harbor entrance (referred to as the Pierpont Basin and Stub Channel). 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.

The SBOM has had several discussions with FEMA regarding funding of the inner harbor dredging due to the impacts of the atmospheric river storm events. Guidance has been provided on how the District is to move forward, which required a competitive open bidding process.

Staff worked with support from Rincon Consultants, Noble Consultants, and Lagerlof advertised a request for bids package that will satisfy FEMA's requirements and make the project eligible for funding assistance from FEMA and CalOES. It is estimated that about 65-75% of the total project

cost could be reimbursed. However, nothing will be guaranteed until the project is completed, and reimbursement is likely to take a year to receive.

The bid opening took place on January 30, 2024. Four bids were received, with the lowest bid being from Manson for \$1.33 million. The bid has been accepted. Staff are presently working with FEMA on the next steps related to funding assistance.

**Permit Amendments: Complete**

District staff and Rincon Consultants have completed the renewals and amendments to the District's permits and all permits are in place to allow inner harbor dredging next month.

**ATTACHMENT:**

Attachment 1 – February 2024 Federal Advocacy Reports by Carpi & Clay

## Federal Update

March 1, 2024

### **FY24 Appropriations Update**

This week, House and Senate leadership announced that they reached a deal on six of the twelve fiscal year (FY) 2024 appropriations bills: Agriculture-FDA, Commerce-Justice-Science, Energy and Water Development, Interior and the Environment, Military Construction-Veterans Affairs, and Transportation-Housing and Urban Development (HUD). This funding agreement prompted Congress to subsequently act on another short-term laddered continuing resolution keeping the agencies funded by the six bills listed above operational until March 8<sup>th</sup> and the remaining federal agencies operating under a CR until March 22<sup>nd</sup>.

Under the House 72-hour rule, legislative text for the first of two FY24 minibus appropriations packages could be released as early as this weekend to allow for a final vote in the House and Senate before the new March 8<sup>th</sup> deadline. All project specific funding, including items identified in the President's FY24 budget proposal for the US Army Corps of Engineers, are pending the release of this final package.

### **President Biden to Send Budget Proposal on March 11<sup>th</sup>**

Following the State of the Union on March 7<sup>th</sup>, President Biden is expected to send his FY25 budget proposal to Congress on March 11<sup>th</sup>. The release of the President's budget is expected to kick-start the FY25 appropriations process in Congress. Due to a number of factors, but primarily delayed congressional action on the FY24 appropriations bills, the President's budget proposal is already a month behind schedule. Once the budget proposal is released, federal agencies will hold budget briefings, some of which may be conducted in-person for the first time since 2019.

### **McConnell Will Not Seek Reelection to Lead Senate Republicans**

On February 28<sup>th</sup>, Senate Minority Leader Mitch McConnell (R-KY) announced he will not seek another term as leader of the Senate Republican Conference. McConnell has led Senate Republicans since 2007 and is the longest serving Senate party leader in U.S. history. He said he intends to serve the remainder of his Senate term that expires in January 2027.

### **Additional Members Announce Retirement**

This month, additional Representatives announced their intent to retire at the end of the 118<sup>th</sup> Congress, many of these retirements include Committee Chairs. They are:

- Representative Cathy McMorris Rodgers (R-WA), Chair of the Committee on Energy & Commerce
- Representative Mike Gallagher (R-WI)
- Delegate Gregorio Sablan (D-MP)

In a surprise move, Representative Mark Green (R-TN), Chair of the Committee on Homeland Security, reversed his early announcement to retire. Rep. Green will run to maintain his current seat.

## Special Election Results

In the special election in New York's 3<sup>rd</sup> Congressional District, former Representative Tom Suozzi won election to the seat occupied by expelled former Representative George Santos and assumed office on February 28<sup>th</sup>. House Republicans now have a five-seat majority with 219 members to 213 Democrats, with three vacancies.

## House Launches Bipartisan AI Task Force

Speaker Mike Johnson (R-LA) and Minority Leader Hakeem Jeffries (D-NY) announced the formation of the Task Force on Artificial Intelligence (AI), led by Representatives Jay Obernolte (R-CA) and Ted Lieu (D-CA). The Task Force will develop a report that includes guidelines, recommendations, and bipartisan policy proposals on how America can maintain leadership in AI development and innovation while establishing appropriate guardrails to ensure safety against current and emerging threats.

## Agencies Release 2023 Equity Action Plan Updates

All federal agencies released updates to their Equity Action Plans, as directed by Executive Order (EO) 14901, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. The updates detail progress by each agency in 2023 toward meeting Biden administration environmental justice (EJ) and equity goals. Equity Action Plan 2023 Updates listed by agency can be found [HERE](#).

## Senator Murkowski Introduces Working Waterfronts Act

Senator Lisa Murkowski (R-AK) introduced the *Working Waterfront Act of 2024* ([S. 3785](#)) aimed at improving the port and harbor workforce, energy and shoreside infrastructure, food security, coastal economies, and federal conservation research. The bill includes:

- Tax Credits for Marine Energy Projects;
- Fishing Vessel Alternative Fuels Pilot Program;
- Rural Coastal Community Processing and Cold Storage Grant Program;
- Maritime Workforce Grant Program;
- Working Waterfronts Development Act;
- Fishing Industry Safety, Health, and Wellness (FISH Wellness) Act;
- Ocean Regional Opportunity and Innovation Act;
- Coastal Communities Ocean Acidification Act;

- Vegetated Coastal Ecosystem Inventory; and
- Marine Invasive Species Research and Monitoring.

The bill was referred to the Committee on Finance for consideration.

## **PORTS Caucus Co-Chairs Communicate Clean Port Program Priorities to EPA**

PORTS Caucus Co-Chairs Robert Garcia (D-CA) and Randy Weber (R-TX) sent a [letter](#) to EPA Administrator Regan requesting consideration of the caucus' priorities when developing the agency's \$3 billion Clean Ports Program. The letter requests that EPA ensures that grants to seaports are prioritized, reconsiders the potential cap on electric grid infrastructure, allows project scaling during grant award consideration, and avoids constrained liquidation deadlines.

## **Federal Funding Opportunities & Announcements**

**DOE Announces Clean Transportation Deployment and Demonstration NOFO.** The Department of Energy (DOE) released a [NOFO](#) for the availability of \$15 million for projects that will help advance deployment of technologies to help achieve net-zero greenhouse gas emissions in the transportation sector. Topic areas include:

- Clean Cities Outreach, Engagement, and Technical Assistance (\$5 million)
- Training on Zero Emission Vehicle and Infrastructure Technologies for Critical Emergency Response Workers (\$5 million)
- Clean Transportation Demonstration and Deployment (\$5 million)

Applicants must submit a concept paper by March 12<sup>th</sup>, and full applications are due by April 30<sup>th</sup>.

**DOT Publishes SS4A NOFO.** The Department of Transportation (DOT) published a [notice of funding opportunity](#) (NOFO) for the availability of \$1.256 billion through the Safe Streets and Roads for All (SS4A) program. The funding will support planning and demonstration projects, as well as projects and strategies to prevent death and serious injuries on roads and streets involving all roadway users, including pedestrians; bicyclists; public transportation, personal conveyance, micromobility users; motorists; and commercial vehicle operators. Planning and Demonstration Grant applicants have three deadlines: April 4<sup>th</sup>, May 16<sup>th</sup>, and August 29<sup>th</sup>, while Implementation Grant applications are due by May 16<sup>th</sup>.

**EPA to Host Three Grants Webinars in Late March.** The Environmental Protection Agency (EPA) will host three webinars on its grant programs in late March:

- [Competition Process Webinar](#) – March 26<sup>th</sup> at 1:00 pm ET;
- [Procurement, Subawards, and Participant Support Costs Webinar](#) – March 27<sup>th</sup> at 11:30 am ET; and

- [New EPA Davis-Bacon Grant Term and Condition Webinar](#) – March 28<sup>th</sup> at 12:30 pm ET.

**FWS Announces \$10.8 Million in National Coastal Wetlands Conservation Awards.** The Fish and Wildlife Service (FWS) [announced](#) \$10.8 million in awards for 12 projects to support the recovery of threatened and endangered species, enhance flood protection and water quality, and restore coastal wetlands.

## Federal Agency Personnel & Regulatory Announcements

**President Biden Signs Port Cybersecurity Executive Order.** On February 21<sup>st</sup>, President Biden signed [EO 14116](#) titled *Amending Regulations Relating to the Safeguarding of Vessels, Harbors, Ports, and Waterfront Facilities of the United States*. The EO focuses on maritime cybersecurity threats and directs the U.S. Coast Guard to issue a Maritime Security Directive on cyber risk management actions for ship-to-shore cranes manufactured in China. The EO also gives the Coast Guard the authority to respond to malicious cyber activity by requiring vessels and waterfront facilities to mitigate cyber threats, institute mandatory reporting of maritime cyber incidents, and control the movement of vessels that pose a known or suspected cyber threat to maritime infrastructure. A fact sheet on the EO is available [HERE](#).

**President Biden Announces DOT General Counsel Nomination.** President Biden announced the nomination of Sarah Baker, to be General Counsel at DOT. Baker currently works as principal deputy general counsel at the department and previously worked in the Obama administration and as a senior policy adviser to Jill Biden.

**President Biden Appoints John Podesta as International Climate Advisor.** President Biden announced that John Podesta will serve as Senior Advisor to the President for International Climate Policy, succeeding former Secretary of State John Kerry. Kerry will depart his role by April and is expected to join President Biden's reelection campaign.

**Coast Guard Issues Maritime Cybersecurity NPRM.** In conjunction with President Biden's EO on maritime cybersecurity, the Coast Guard released a [notice of proposed rulemaking](#) (NPRM) titled "Cybersecurity in the Marine Transportation System." The NPRM would add regulations focused on establishing minimum cybersecurity requirements for U.S.-flagged vessels, Outer Continental Shelf facilities, and U.S. facilities subject to Maritime Transportation Act of 2002 regulations. Comments are due by April 22<sup>nd</sup>.

**DOT Publishes Biweekly Reporting of IIJA Funding.** DOT is now [publishing](#) the spending status of funds provided by the Infrastructure Investment and Jobs Act (IIJA). The data will be updated on a biweekly basis.

**EDA Announces Deployment of Economic Recovery Corps.** The Economic Development Administration (EDA) [announced](#) the inaugural deployment of the Economic Recovery Corps. EDA will deploy 65 professionals to communities nationwide



for 2.5 years to advance regional projects and enhance economic development capacity for under-resourced communities.

**EPA Announces Acting Deputy Administrator.** EPA announced that Bruno Pigott will serve as Acting Deputy Administrator following the departure of Deputy Administrator Radhika Fox. Pigott currently serves as Principal Deputy Assistant Administrator for Water and has been with the agency since 2021.

**FEMA Releases Update to Mitigation Action Portfolio.** The Federal Emergency Management Agency (FEMA) released an [update](#) to its Mitigation Action Portfolio (MAP). MAP features Hazard Mitigation Assistance Program project ideas that address all types of natural hazards, including coastal and inland flooding, wildfire, droughts, and landslides.

**FHWA Publishes Report on Virtual Public Involvement Practices in NEPA.** FHWA published a [report](#) titled “Virtual Public Involvement Practices in NEPA.” The report summarizes eight case studies that explored potential approaches to virtual public involvement in the National Environmental Policy Act (NEPA) process.

**OMB Releases Federal Program Inventory.** The White House Office of Management and Budget (OMB) released the [Federal Programs Inventory](#) webpage to provide information about all federal programs that provide grants, loans, or direct payments. The inventory includes objectives, estimated spending, and actual spending for each program.

**USACE and Reclamation Release Joint Infrastructure Report.** The U.S. Army Corps of Engineers (USACE) and Reclamation released a [joint report](#) entitled “State of the Infrastructure: A Joint Report by the Bureau of Reclamation and the U.S. Army Corps of Engineers.” The report provides a high-level overview of the infrastructure asset portfolio and related asset management practices, collaboration efforts, and future strategies.

##      ##      ##



**VENTURA PORT DISTRICT**  
**DEPARTMENTAL STAFF REPORT**

Meeting Date: March 20, 2024

TO: Board of Port Commissioners  
FROM: Todd Mitchell, Sr. Business Operations Manager  
Sergio Gonzalez, Facilities Manager  
SUBJECT: February 2024 Facilities Report

**MAINTENANCE ACTIVITIES**

**VHV 1559 SUITE #202B TENANT IMPROVEMENT**

**Status: Ongoing**

**Budget: Budgeted (Capital Improvements)**

In coordination with the Capital Projects Manager, the Maintenance Department has initiated the tenant improvement at VHV 1559 Suite #202B. The Department will be tasked with making electrical improvements and upgrades, removing outdated and installing upgraded communication outlets, and reconfiguring/updating the lighting.



**VHV FISH PIER ELECTRICAL ROOM ELECTRICAL UPGRADE IMPROVEMENT**

**Status: Ongoing**

**Budget: Budgeted (Grounds Maintenance)**

In anticipation of a future tenant ice machine install on the fish pier and the probability of additional in-house Marina Department electrical needs, the Maintenance Department has initiated and completed the project to upgrade the electrical utilities inside the fish pier electrical room to accommodate such tasks when needed. Current 25-kva step down transformer was upgraded to a 75-kva, the house electrical distribution panel was upgraded from a 60-amp to a 150-amp panel. Project was coordinated and completed by Maintenance Tech 2 Luis Quezada.

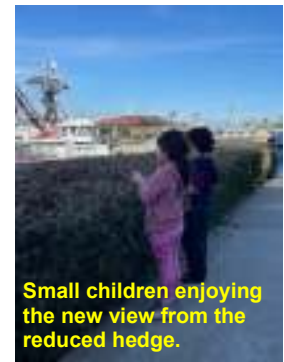


## VHV PROMENADE BOUGAINVILLEA HEDGE REDUCTION

**Status:** Completed

**Budget:** Budgeted (Grounds Maintenance)

The Maintenance Department contracted a service provider to reduce the bougainvillea hedge to 36" inches on the VHV promenade from the 1431 sector to the end of the hedge at 1591, to provide better views to pedestrians. The contractor also removed 5 invasive Pittosporum trees that were growing along the promenade revetment. After removing such trees, the Maintenance Department backfilled the gaps in the hedge with newly planted bougainvillea's to fill in the hedge.

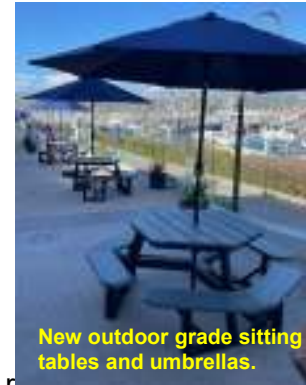


## VHV 1575 PROMENADE SIDE PATIO CONVERSION/ENHANCEMENT

**Status:** Ongoing

**Budget:** Budgeted (Grounds Maintenance)

The Maintenance Department (in conjunction with the Marketing Department) is in the process of converting the vacant promenade-side patio into a common area take out eating/sitting zone for public use. Sitting tables with umbrellas and outdoor planters with vegetation have been added to enhance the area before adding future ambient lighting. Further amenities will be added to continue to further enhance the patio.

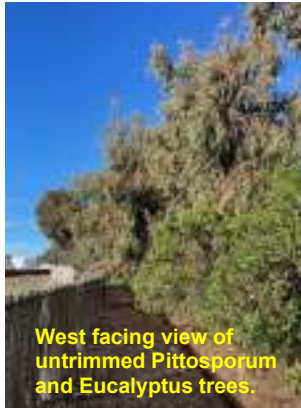


## **VPD SOUTH/WEST ENTRY FEATURE TREE TRIMMING AND LANDSCAPING**

**Status: Completed**

**Budget: Budgeted (Ground Maintenance)**

A tree service provider was contracted to trim, thin and reduce 11 Red Ironbark Eucalyptus trees located on the south/west side of the VPD entry feature on Spinnaker Drive. The contractor also raised and thinned 18 Pittosporum trees along the fence line of the property and performed landscaping cleanup of the area in question.



### **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: March 20, 2024

TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
John Higgins, Harbormaster  
SUBJECT: February 2024 Harbor Patrol Report

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**PUBLIC SAFETY**

**Overview:**

We appear to have peaked in the El Nino season and now the National Oceanic Administration Agency is reporting we are moving towards a neutral event. This neutral event will merge into a La Nina early next fall. While most of the rain and surf is expected to be in the past, we still have March, which traditionally has strong winds associated with the normal patterns. Port District staff will watch the sand drifts and work within our abilities to keep from losing sand onto the streets.



On land we experienced a high number of traffic accidents on Spinnaker Drive during the month of February. Not all were rain related, but the rough roads may have contributed to at least one or more accidents. Harbor Patrol staff responds to all 911 calls, initiates emergency first aid, and then transitions to aiding with traffic control when Paramedics arrive.



**February Storms:**

The best way to summarize February was wet. Starting on the first day of the month and continuing through the end, we experienced several significant rain events. On several occasions we had significant road flooding on Navigator and surrounding surface streets. Port District staff worked diligently to increase messaging to tenants, visitors, and staff to allow them to be better prepared for these events. The frequency of the events resulted in improvements in our preparations, responses, and mitigations.



The Harbor Patrol focused on public safety and on several days responded to flooding related calls. On the water they pumped out a number of boats during the month to keep them afloat. Another frequent duty was removing large debris from the waters in and around the harbor. Our harbor experienced debris from the Barranca, fields, and both nearby rivers.



On land, the Harbor Patrol responded to vehicles stuck in flooded waters, traffic accidents, and even one response of a person stuck in a vehicle with water entering the vehicle. Harbor Patrol staff arrived on scene at the intersection of Harbor and Spinnaker Drive where they found a low-profile car with water up to the doors. The occupant who initially panicked when water began entering the car was helped out of the vehicle by a good Samaritan prior to their arrival.



On February 21<sup>st</sup> Harbor Patrol Officers Pat Hummer, Marine Safety Officer Jack Pickett, and the Harbormaster removed six truckloads of large objects from the South Beach. The items included six shopping carts, two steel barrels, and other miscellaneous items. Harbor Patrol staff continued to pick up large non-wood items.



## **BEACHES**

### **Harbor Cove:**

Harbor Cove is being prepped for dredging that is scheduled to begin on or around March 15<sup>th</sup>. Prepping of the site before the dredging includes removal of the beach access trail mat and the laying of the dredge pipe. Also, in several locations there needs to be a sand bridge to supply access to the public and vehicles.

The new vendor of the volleyball courts has improved the location and accessibility of the courts. High School and Jr. College Beach Volleyball is in full swing most days of the week. On weekends the courts are used for added training, public play, and special events.

### **South Beach:**

While there has been significant erosion and debris from past storms more recently the erosion has been relatively stable. Port District staff have been involved with the dredging pre-planning and will try to maximize the dredging sand replenishments long-term value to the Port District and Community.

The biggest challenge will be the placement of sand between the South Jetty and Surfers Knoll groin. Past dredge activity and storms have used most all the available sand in this area. Due to the deficit placement of loose sand in this area, it will more than likely result in the sand not completely settling nearshore. Port District staff are working with Manson beach crew to apply techniques to maximize the effectiveness of the sand placement.

Fortunately, the amount of sand and monies available should supply a much-needed relief to our immediate problem. Moving forward there may be benefits of La Nina conditions as this sometimes results in Eastern Pacific Hurricanes which result in sand traveling north and supplying an added buffer area on our South Beach.

## **BOAT FIRE**

On February 20<sup>th</sup> at approximately 12:30 pm Ventura County Fire Department Dispatch received a report of a boat fire in Ventura Harbor. With our storm staffing in place, we were able to respond by land and with the fireboat. Harbor 1 staffed with Harbor Patrol Officers Bobby Crane and Mark Kidman arrived first on scene and observed an active fire in the main cabin of a 50' power vessel docked at Ventura West Marina. They both provided important scene information via radio along with access locations. Harbor Patrol Officers Mason Alford and Taylor Plasch responded in the Fireboat 1 arriving a few minutes later due to our speed restrictions within the Harbor.



Since the vessel was docked next to the parking lot and Navigator, the Fire Department asked we prioritize the moving of nearby vessels to prevent further spread and damage. Harbor Patrol staff moved the neighboring vessels while the Fire Department used their hose lines to quickly extinguish the fire.

The quick response by all agencies resulted in minimizing and holding the damage to the single vessel. Crews stayed on scene for close to two hours to ensure it was properly extinguished which was followed





with a cause investigation. At the conclusion of the call, the vessel was released to the owner and allowed to remain in the slip as there were no issues with it taking on water or showing signs that it could reignite.

### **SAVE BOAT DISPOSALS**

Several boats were destroyed in February by Tow Boat US Ventura and Derecktor Boatyard. Additional boats are scheduled to be destroyed as space and weather permits. The demolition exceeds the available funds. Priority stays with vessels in the water and our Harbor. The Harbormaster currently keeps a list of interested parties and will continue to progress through the list until the funds are exhausted.



### **Soundings:**

Harbor Patrol staff have done unofficial soundings on several occasions since the storms and have not found any significant issues with shoaling in the Harbor Entrance. There has been significant infill in the sand trap and shoaling in the area of the Arundel Barranca. As of early March, several professional surveys have been completed and will be included in the dredging to begin mid-month.

**VENTURA PORT DISTRICT  
DEPARTMENTAL STAFF REPORT**

Meeting Date: March 20, 2024

TO: Board of Port Commissioners  
FROM: Todd Mitchell, Sr. Business Operations Manager  
Dave Werneburg, Marina Manager / Commercial Fisheries  
SUBJECT: February 2024 Marina Report

**MARINA DEPARTMENT ACTIVITIES**

**Ventura Harbor Village Marina**

Total Slip Count	103	100%
Slips Assigned	102	99%
Slips Occupied	106	103%
Slips Available	0	0%

**Port District Dry Storage**

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

\* During the VenturaWaterPure project, the District's Dry Storage lot is partially occupied by construction activities as part of the Temporary Construction Easements with the City.

**COMMERCIAL FISHING**

**California Market Squid Harvest – Ventura Harbor**

2023-24 Squid Season opened April 1, 2023

California Market Squid Statistics		
<b>State-wide Seasonal Squid Limit:</b>	118,000 tons	236,000,000 lbs.
<b>Ventura February Squid Landings:</b>	0 tons	0 lbs.
<b>Ventura Season-to-date:</b>	7,230 tons	14,458,401 lbs.

**MARINA UPDATE**

There was no squid offloading for the month of February in Ventura, largely due to increased wind, wave and precipitation. The current squid season will end March 31 and the start of the next squid season will be April 1st. Since the statewide landing limits were not reached, the squid season will remain open continuously. Ventura and Port Hueneme squid offloading companies continue to have vessels staged in Ventura Harbor Village Marina waiting for the squid catch sizes to suit market demand.

California spiny lobster season for 2023/2024 closes March 23. This means increased activity in and around the docks and parking lots with traps coming in. Prawn and rockfish have been a steady offload with white seabass and halibut catch increases to start in the next month.

A new small-scale ice machine has been purchased by Del Mar Seafoods. The unit is on sight and waiting final installation.

**DRY STORAGE**

Demand remains high for new Dry Storage tenants with a wait list now over 100 boat owners to be potentially placed at the District's Dry Storage and at Derecktor's Dry Storage once the VenturaWaterPure Project is complete.



Staff have amended its Parking Management Plan to the City to potentially relocate Dry Storage to part of the 19A lot (located at the corners of Schooner and Harbor) where VenturaWaterPure currently has boats stored. If approved, the District's current Dry Storage would become a surface parking lot. These changes could take place in the second half of 2024.

# FEBRUARY MARKETING REPORT - *Visitor Experience*

February 2024 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.



## DESTINATION PLACEMAKING - *Lunar New Year Scavenger Hunt*

The **NEW** Lunar New Year Scavenger Hunt drew significant crowds on Feb 10th, celebrating the year of the dragon! **Twelve red dragon envelopes were hidden** throughout the Village and in participating retail spaces. Guests who located them won a lucky \$2 bill + **\$10 gift cards to a variety of Village eateries**, as feasting with family & friends is a core tradition associated with the **Chinese holiday**. The grand prize winner received a complimentary Dragon pedal boat experience with Ventura Boat Rentals!

## EVENT PROMOTIONS - *Valentine's Day*

Celebrated **Love in the Sea Air** in February, enticing guests with **10 lovely finds under \$10** and coastal experiences from **pink flamingo boats**, gourmet **chocolate**, scenic **dining** spots, bottles of local **Rosé**, & walks along the waterfront. Cross promo also included **Ventura Pottery Gallery's annual Valentine's sale**.



VALENTINE'S WITH VENTURA HARBOR VILLAGE

## CONTESTING - *Chowder Challenger*



Ventura Harbor Village's Chowder Challenge delighted seafood aficionados! The contest **offered both digital entry** (to increase followers & reach) and an **onsite entry bonus** (encouraging folks to come onsite to photograph their chowder) **Ten winners received \$20 gift cards to Village restaurants**, while one lucky onsite entrant secured a \$50 prize!

**146k**  
Engagements

**2.5k**  
Clicks

## ENTERTAINMENT & Music



February weekend **live music was limited due to weather**, but included:

- February 17 | Goldrush
- February 25 | Mac & D



## REVENUE - *Event Venue Rentals + Weddings*

Event & Film Liaison permitted 2 February Beach Wedding Ceremonies. February Onsite Rental Revenue = **\$625**



# FEBRUARY MARKETING REPORT - Content Development

\*February 2024 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

## SOCIAL MEDIA - Cross Network Performance Metrics\*



74k

Total Audience

883k

Impressions

27k

Engagements

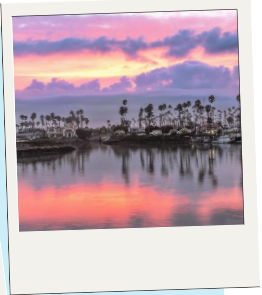
3k

Post Clicks



## VISUALS - Sampling of Content

Social post link clicks increased by 1,000 clicks (80%) in February due to contesting & additional digital ads!



## COPYWRITE - Enewsletters / Blogs

Topics included: **Lunar New Year Celebrations**, **Valentine's Day**, and the **National Clam Chowder Day - Chowder Challenge** + 2 internal tenant newsletters in February!

5

E-Newsletters

17k

Subscribers

22k

Opens

631

Link Clicks



## REELS - Short Video Compilations

7

Reels



48k

Plays

Marketing & Events Coordinator II produced a series of original stories & reels, plus repurposed user generated content, with topics featuring the **Lunar New Year Scavenger Hunt**, **Top This Chocolate**, **Brophy Bros. Boatyard Pub**, **Lemon & Lei**, **Baja Bay Surf & Taco**, and **Black History Month Chalk art demonstration**.

## ADVERTISING - Digital Retargeting + Print

**Retargeting campaign** driving visitation to the Warm Yourself Seaside Blog! Targeting included: LA +50 mi, Ventura +50 mi.

41k

Reach

77k

Impressions





# FEBRUARY MARKETING REPORT - Outreach & Stewardship

February 2024 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

## MEDIA OUTREACH & COVERAGE - Earned Editorial

Exposure of popular seasonal whale watching appeared in **Los Angeles Daily News**, **Ventana Monthly**, **Ventura County Star**, **VC Reporter**, **Valley Scene Magazine**, **California.com**. Other online editorial coverage featured Ventura Harbor's other attractions, including **Ventana Magazine**, and **Explore Online**. Both **Day Trippen** and **Ventura Mom's Collective** highlighted pre coverage of Mermaid Month for Harbor Village. Pasadena Magazine Editor-In-Chief, Malina Saval, media visit to Ventura Harbor was cancelled in February, due to atmospheric river event and will reschedule in late spring.



## CULTURAL RECOGNITION - Black History Month

Never limit yourself because of others' limited imagination" - **Dr. Mae Jemison (first African American woman in space)**. Incredible chalk portrait by artist, **Randall Williams**, was on display in February in honor of **#blackhistorymonth**. Marketing Coordinators I & II collaborated to create a reel reaching over 6k, spreading inclusive & educational creative content.

165  
Interactions

6,582  
Reached



## TENANT COMMUNICATION - Annual Village Celebration!

### February 29 - Deep Sea Wine

Over 40 Village business representatives, VPD staff, and commissioners attended the the 5th annual Ventura Port District Tenant Recognition. Village businesses were honored for a major milestone in 2023.



Anja's Boutique



Barefoot Boutique



Margarita Villa



**VENTURA PORT DISTRICT**  
**DEPARTMENTAL STAFF REPORT**

Meeting Date: March 20, 2024

TO: Board of Port Commissioners  
FROM: Todd Mitchell, Sr. Business Operations Manager  
Jessica Snipas, Business Operations Analyst II  
SUBJECT: February 2024 Property and Leasing Report

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**LEASING HIGHLIGHTS**

1) Development Projects

- Staff have worked with Rasmussen & Associates, RRM Designs, and IDI US to evaluate the optimal use and potential façade alterations needed for the two restaurants in 1575 Spinnaker Drive that closed in December 2023.
- Staff and the team have prepared an advertising package to engage with prospective restaurant tenants. This package is attached to this report.

2) Tenant Engagement

- Tenant portal usage campaign: Continually taking calls and meetings to provide account set-up and step-by-step assistance with the portal process, in addition to the step-by-step instructions emailed.
- Staff met with one tenant to discuss their lease.
- Staff continues to coordinate with the City and multiple tenants regarding their planning, building, and safety permits.

3) MRI Property Management Software

- As of February 29, 2024, rent has been paid for fifty leases via the tenant portal.

4) Leasing Advertising, Showings, and Executions

- Staff met with the architect and tenants for follow up meetings regarding the Fast-Take-Away Sign Program modification and the 'More Shops' Signage Project at the Village.
- Continued social media ads on Facebook and Instagram.
- Staff had five appointment showings.
- Three lease executions; five out of the six newly renovated suites in building 1559 have been leased.
- Attended the Ventura Chamber Connection Breakfast.

**CURRENT VACANCY REPORT**

1) 1559 Spinnaker Drive #205A (Office suite)

- Construction of the five separate office suites and one restaurant addition (leased to an existing restaurant tenant to expand their back-of-house space) was completed. The suites have been vacant during construction, however leasing efforts have begun, and four out of the six units have been leased.

2) 1591 Spinnaker Drive #117B

- Previous tenant relocated to suite 1559 #103. Marketing efforts began prior to previous tenant move-out.

3) 1575 Spinnaker Drive #101/102/103/105A & B

- Lease underwent early termination. Staff prepared a marketing package for the spaces after consultation with architects and restaurant consultant.

**CURRENT AVAILABILITY REPORT**

1) 1559 Spinnaker Drive #202B

- Tenant relocated to 1559 #205E. Leasing efforts begun prior to lease expiration.

2) 1591 Spinnaker Drive #207

- The previous tenant's lease expired December 31, 2023. The neighboring tenant (#205) was month-to-month and their lease ended January 5, 2024. Due to the neighboring tenant's newly constructed office completion date being extended, they requested a month-to-month lease for suite #207. The request was for three to four months. Staff is permitted to conduct showings and leasing efforts begun prior to lease expiration.
- 3) 1583 Spinnaker Drive #104A
- Staff met with tenant in June 2023 and in the beginning of January 2024. Tenant requested to continue month-to-month status to continue to evaluate business prior to committing to a long-term lease.
- 4) 1583 Spinnaker Drive #101
- Staff and tenant have met three times to negotiate terms of a new lease. New lease will begin in May.

CATEGORY	TOTAL Square Footage	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %		City * Vacancy %	City * Available %
Office	38,591	897	2%	1,726	4%		17%	21%
Retail	20,196	761	4%	500	2%		19%	22%
Restaurant	33,622	3,720	11%	3,764	11%		0%	No Data

**> Harbor Vacancy --- No tenant or lease**

Office: 1559 #205A  
 Retail: 1591 #117B  
 Restaurant: 1575 #101/102/103/105 A & B

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

Office: 1559 #202B  
 1591 #207  
 Retail: 1583 #104A  
 Restaurant: 1583 #101

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

**\*\* City Restaurant vacancy/available as reported by CoStar Group**

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

*(Note that total square footage values have been updated as of the April 2023 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).*

Date Source Update: Staff has returned to extracting data from the CoStar Group. CoStar has offered significant discount pricing and has agreed to work with staff to update its database on Village comparable.

**SALES REPORTS**

The attached summary of sales for three Harbor Village business categories: restaurants, retail, and charters. The reports compare the monthly sales for 2024 and 2023. They also include year-to-date comparisons.

The January 2024 overall sales for all Harbor Village Tenants were up 3.54% from the same time last year.

**VEHICLE TRAFFIC COUNTS**

Spinnaker Drive Entrance			Schooner Drive Entrance	
Month	February	January	February	January
Car Count	103,384	93,311	40,905	38,906
Busiest Day	Saturdays: 19,944	Wednesdays: 17,265	Saturdays: 6,652	Fridays: 5,874
Busiest Hour	Saturdays: 4 PM	Tuesdays: 5 PM	Thursdays: 4 PM	Tuesdays: 4 PM

**ATTACHMENTS:**

Attachment 1 – Jan 2023 Sales Report

Attachment 2 – 1575 Spinnaker Drive – Vacancy Advertising Package

Attachment 3 – Photos of Renovated Suites in Building 1559

# ATTACHMENT 1

## Ventura Harbor Village Tenant Sales Summary

Month of January		<u>January-2024</u>	<u>January-2023</u>	<u>% Change</u>
Restaurants	\$	1,406,539	\$ 1,287,058	9.28%
Retail	\$	277,543	\$ 291,203	-4.69%
Charters	\$	173,049	\$ 215,386	-19.66%
Total	\$	1,857,131	\$ 1,793,647	3.54%

### Year-to-date through January

		<u>Jan - Jan 2024</u>	<u>Jan - Jan 2023</u>	<u>% Change</u>
Restaurants	\$	1,406,539	\$ 1,287,058	9.28%
Retail	\$	277,543	\$ 291,203	-4.69%
Charters	\$	173,049	\$ 215,386	-19.66%
Total	\$	1,857,131	\$ 1,793,647	3.54%



1575 Spinnaker Drive



- The Ventura Port District is looking for new and exciting businesses to become part of the Ventura Harbor Village Family!
- Ventura Harbor is not just a commercial and recreational fishing harbor, but a place to stay, dine, shop and play.

## AVAILABLE WATERSIDE DINING SPACE

- This 4,700 square foot first floor space (with 2,500 square foot patio) for a restaurant and café by the sea.
- The Ventura Port District is seeking to attract new and innovative tenants to enhance Ventura Harbor Village as a destination experience.
- Open to a variety of dining concepts that increase the diversity of restaurant options and that appeals to tourists and city residents alike.



CONCEPTUAL DESIGN



MARINA SIDE VIEW 1 PERSPECTIVE

## 1575 RESTAURANT

VENTURA HARBOR VILLAGE, VENTURA CA.

**ra** ARCHITECTS



CONCEPTUAL DESIGN



MARINA SIDE VIEW 2 PERSPECTIVE

## 1575 RESTAURANT

VENTURA HARBOR VILLAGE, VENTURA CA.



CONCEPTUAL DESIGN



Cafe Entry - View 1

**1575 RESTAURANT**

VENTURA HARBOR VILLAGE, VENTURA CA.



# CONCEPTUAL DESIGN



Cafe Entry - View 2




**1575 RESTAURANT**

VENTURA HARBOR VILLAGE, VENTURA CA.

1A

1575 Spinnaker Drive Restaurants : One Restaurant



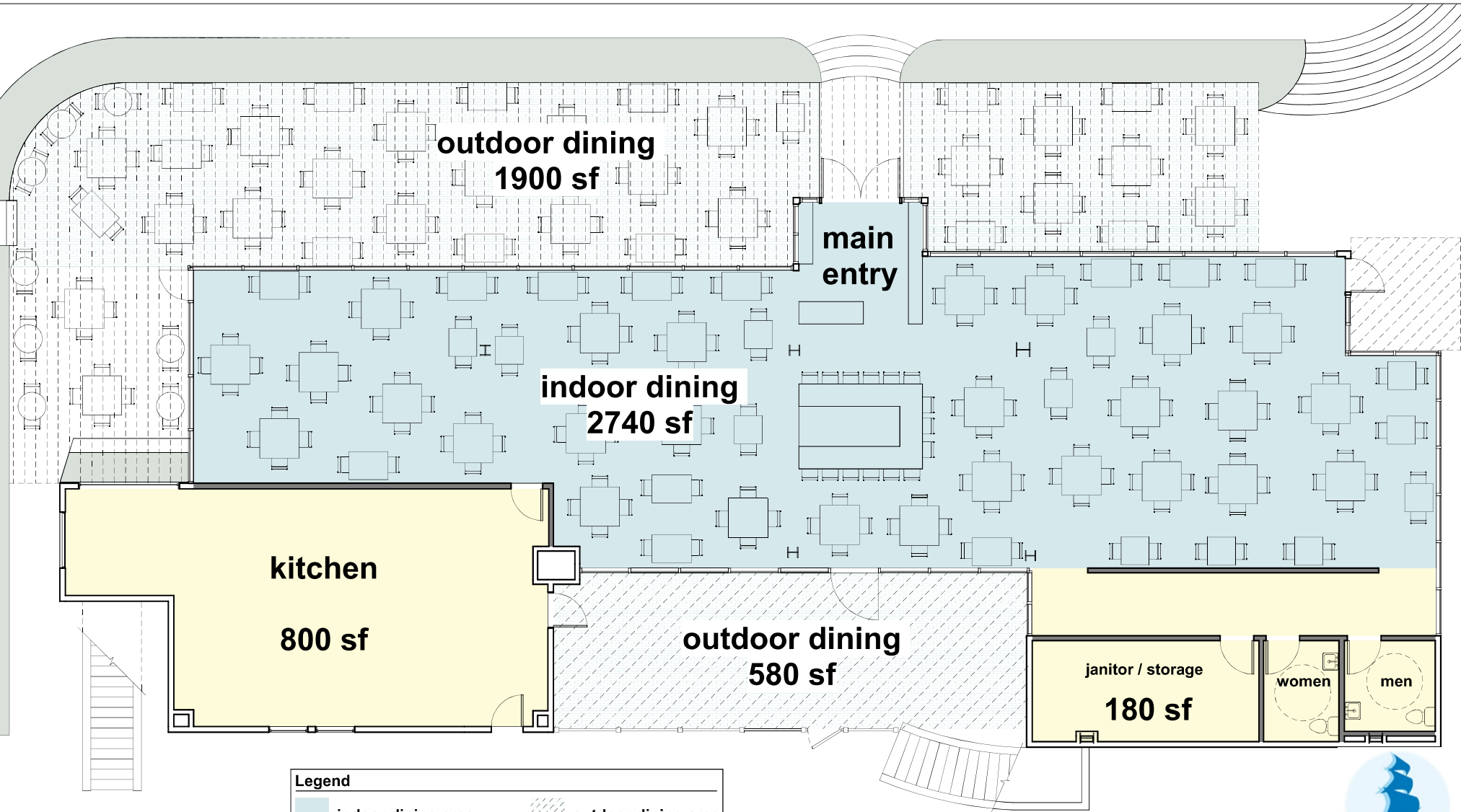
Legend			
	indoor dining area		outdoor dining area
	back of house area		landscaping

CONCEPTUAL DESIGN

scale: 1/8" = 1'=0"



**RASMUSSEN AND ASSOCIATES**  
 21 S. CALIFORNIA STREET, 4TH FLOOR  
 VENTURA, CA 93001  
 805.648.1234










2A

1575 Spinnaker Drive Restaurants: Two Restaurants

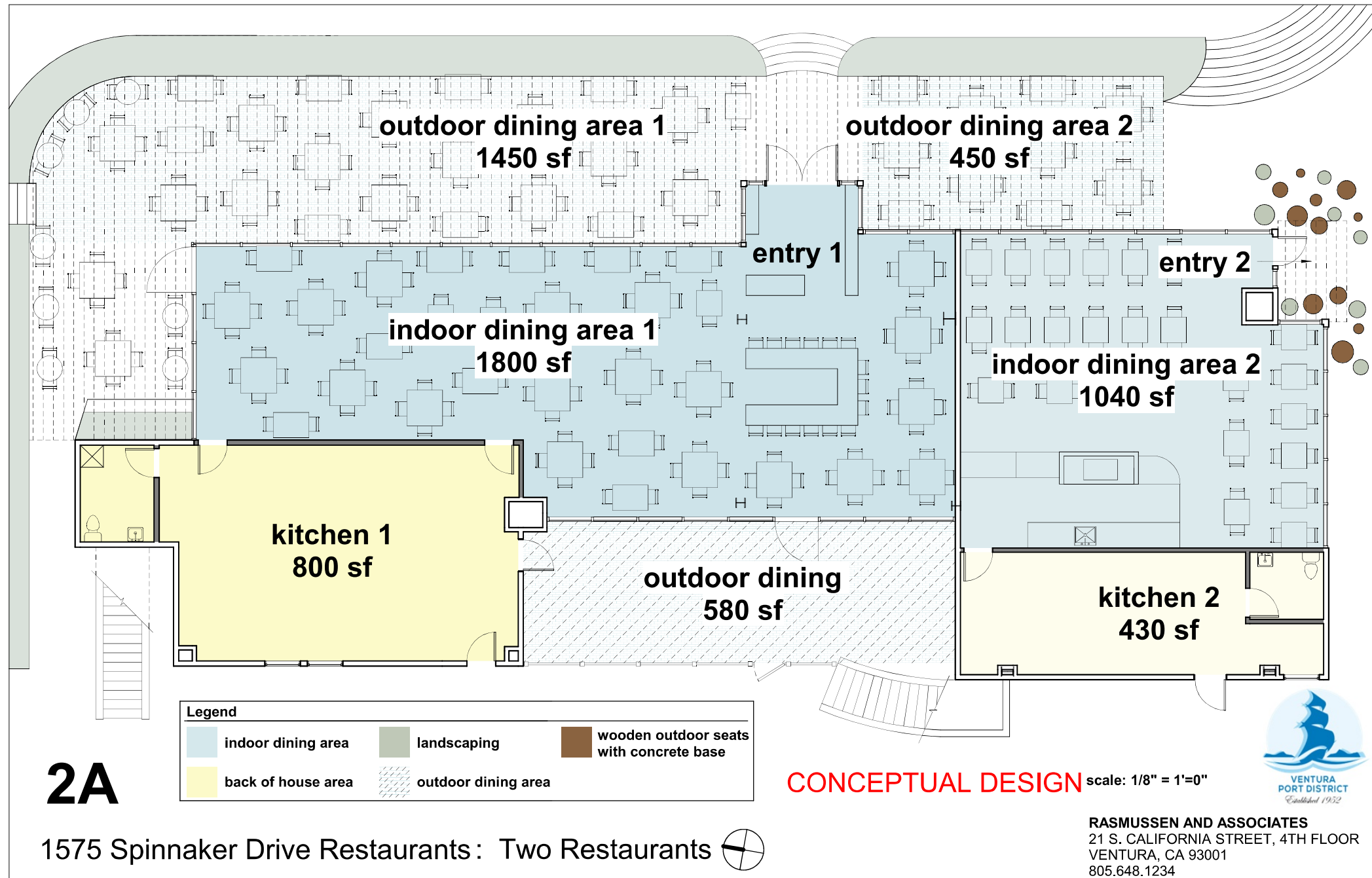


Legend			
	indoor dining area		landscaping
	back of house area		wooden outdoor seats with concrete base
	outdoor dining area		

CONCEPTUAL DESIGN scale: 1/8" = 1'=0"



**RASMUSSEN AND ASSOCIATES**  
 21 S. CALIFORNIA STREET, 4TH FLOOR  
 VENTURA, CA 93001  
 805.648.1234





**3A**

1575 Spinnaker Drive Restaurants: One restaurant with Cafe and Bar



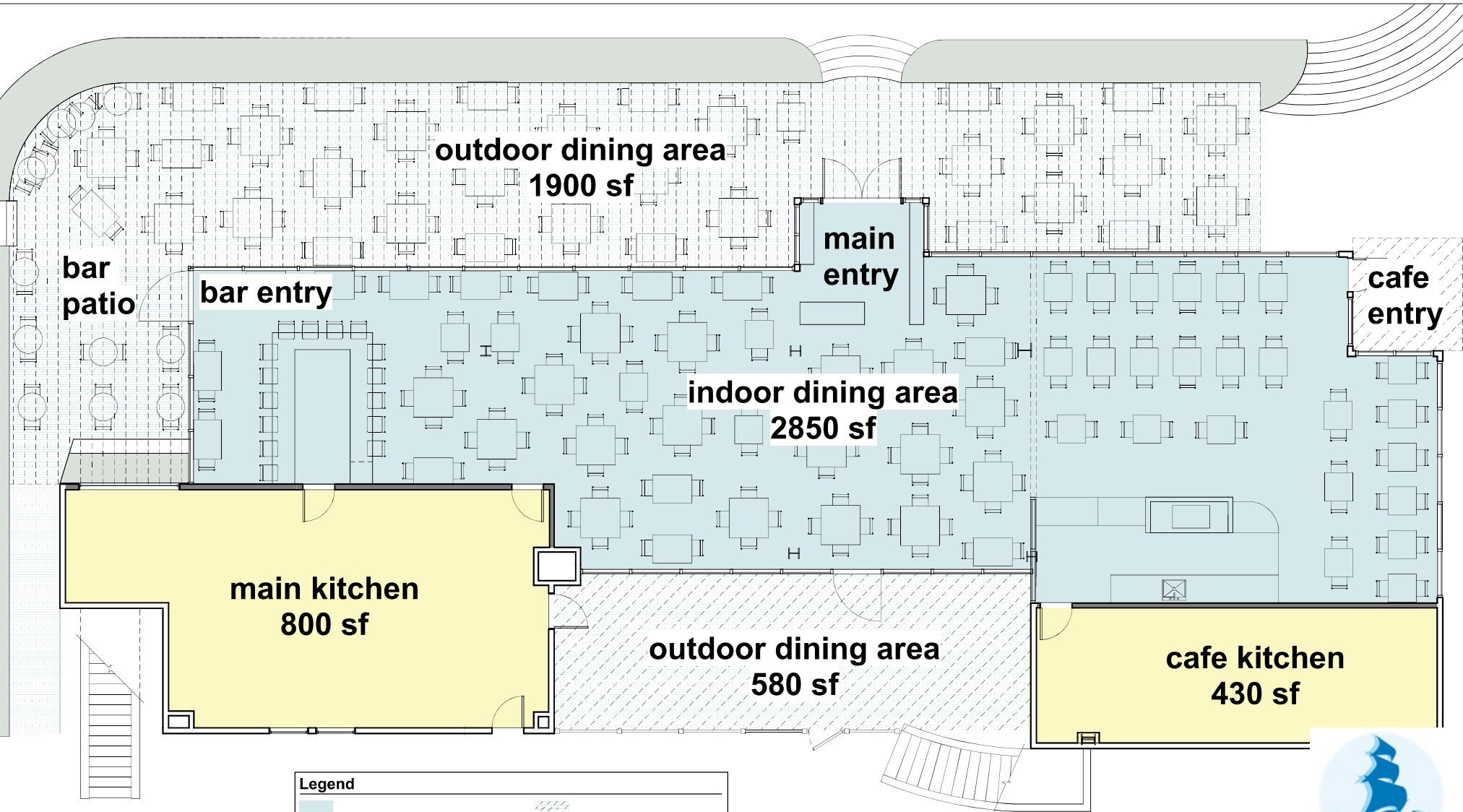
Legend			
	indoor dining area		outdoor dining area
	back of house area		landscaping

**CONCEPTUAL DESIGN**

scale: 1/8" = 1'=0"



**RASMUSSEN AND ASSOCIATES**  
 21 S. CALIFORNIA STREET, 4TH FLOOR  
 VENTURA, CA 93001  
 805.648.1234



# Ventura Harbor Village

## Leasing Information

Jessica Snipas  
Business Operations Analyst II  
(805) 603-1890  
[jsnipas@venturaharbor.com](mailto:jsnipas@venturaharbor.com)

[www.venturaharborvillage.com](http://www.venturaharborvillage.com)

Facebook | Twitter | Pinterest

Suite 1559 #205A  
3 Offices with Reception Area; 897 SF



Suite 1559 #205B  
Open Area + Office; 532 SF





ATTACHMENT 3



Suite 1559 #205C  
Open Area + Office; 549 SF

ATTACHMENT 3

Suite 1559 #205D  
Open Area + 2 Offices; 646 SF



# Suite 1559 #208

## Reception Area + Office; 468 SF





VENTURA  
PORT DISTRICT  
*Established 1952*

BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

CONSENT AGENDA ITEM A  
APPROVAL OF OUT-OF-TOWN  
TRAVEL REQUESTS



**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**CONSENT AGENDA ITEM A**  
Meeting Date: March 20, 2023

TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
SUBJECT: Approval of Out-of-Town Travel Requests

---

**RECOMMENDATION:**

That the Board of Port Commissioners approve the out-of-town travel requests for:

- a) John Higgins, Harbormaster to attend the California Boating Safety Officers Association's symposium from April 7-11, 2024 in Lake Tahoe, CA.
- b) John Higgins, Harbormaster to attend the California Water Safety Coalition Summit from April 16-17, 2024 in Folsom, CA.
- c) Todd Mitchell, Sr. Business Operations Manager to attend the American Society of Civil Engineers – COPRI Ports & Harbors Committee Meeting from April 11-12, 2024 in San Diego, CA.
- d) Todd Mitchell, Sr. Business Operations Manager to attend the CMANC Conference from May 15-17, 2024 in San Diego, CA.

**SUMMARY:**

Employees and Commissioners are encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District and their position. The General Manager is recommending staff participate in the events listed herein.

**GUIDING PRINCIPLES:**

- 1) Maintain a safe, navigable, and resilient harbor.
- 6) Provide exceptional public service and organizational transparency.

**5-YEAR OBJECTIVE:**

- D) Ensure dredging occurs annually at the federal Harbor entrance and as needed in the inner Harbor.
- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.

**BACKGROUND:**

**CALIFORNIA BOATING SAFETY OFFICERS ASSOCIATION SYMPOSIUM**

This 3-day event brings agencies from throughout the state with the goals of enhancing safety on the water. It includes lectures and hands on training. The staff of the CA State Parks Division of Boating usually attend and provide updates to key programs that affect operations. In addition to the Association activities, there is a robust attendance by the major marine vessel manufacturers. Having a goal of narrowing down the search for a new fireboat, this event will provide face time with the vendors as well as the opportunity to speak with other agencies who have already gone with vendors and have boats in service.

**CALIFORNIA WATER SAFETY COALITION SUMMIT**

This summit focuses on the practices, programs, and policies that reduce drowning and aquatic injuries. The group does not focus solely on the ocean, but instead includes pools, lakes, and underserved populations where swim lessons and other programs can be improved. Participation will allow us to introduce programs to Ventura County Agencies with the goal of decreasing aquatic injuries and drowning in the area.

## **AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) COPRI PORTS & HARBORS COMMITTEE MEETING**

Mr. Mitchell has been an active participant in ASCE's Coast Oceans Ports Rivers Institute (COPRI) Ports and Harbors Committee since 2011. He is on the Younger Member Sub-Committee and has been working with that group on Ports Conference events benefiting younger members since the Ports conference in 2016. Mr. Mitchell is also active in the Sea Level Change for Marine Civil Works Sub-Committee, which is currently developing a manual of best practice that helps owners and engineers solve challenges and make key decisions in the design of marine structures. Attending one in-person meeting every two years is a requirement of all committee members. As the Committee meets throughout the United States, attending in San Diego provides a convenient and low-cost opportunity to meet that obligation.

## **CMANC SPRING MEETING**

Sr. Business Operations Manager (SBOM) Mitchell will travel to San Diego to participate in the CMANC Spring Meeting. The SBOM is the current Chair of CMANC. The benefit to the District for this travel is to meet with representatives of both local District and regional Division staff of the US Army Corps of Engineers to continue to advocate for full funding for dredging Ventura Harbor's entrance channel in Federal Fiscal Year 2025 and beyond. The CMANC conference will also enable collaboration with other California Ports and Harbors about the navigation goals for California and develop the implementation strategy for those goals, including Ventura Harbor. It is also an opportunity for in-person strategy meetings with our consultant Carpi & Clay.

## **FISCAL IMPACTS:**

Travel costs related to these activities are included in the FY23-24 budget.

<b><u>HIGGINS</u></b>	<b><u>CBSOA</u></b>	<b><u>CWSC</u></b>
Registration	\$200.00	\$150.00
Lodging	\$501.90	N/A
Meals	\$315.00	\$180.00
Mileage	\$615.06	\$305.00
Miscellaneous (Transit/Parking)	\$100.00	\$40.00
<b>TOTAL</b>	<b>\$1,731.96</b>	<b>\$635.00</b>

<b><u>MITCHELL</u></b>	<b><u>COPRI</u></b>	<b><u>CMANC</u></b>
Registration	\$0.00	\$500.00
Lodging	\$576.33	\$493.85
Meals	\$180.00	\$180.00
Mileage	\$260.00	\$260.00
Miscellaneous (Transit/Parking)	\$100.00	\$100.00
<b>TOTAL</b>	<b>\$1,116.33</b>	<b>\$1,533.85</b>

## **ATTACHMENTS:**

None.



BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

CONSENT AGENDA ITEM B  
APPROVAL OF A NEW OFFICE LEASE  
AGREEMENT WITH DA VEGA FISHER  
MECHTENBERG LLP AND TRINIDAD  
ENTERTAINMENT CORPORATION FOR  
1567 SPINNAKER DRIVE #201 AND  
#202

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**CONSENT AGENDA ITEM B**  
Meeting Date: March 20, 2024

---

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 Da Vega Fisher Mechtenberg LLP  
and Trinidad Entertainment Corporation for 1567 Spinnaker Drive #201 and #202

---

**RECOMMENDATION:**

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Da Vega Fisher Mechtenberg LLP and Trinidad Entertainment Corporation for the premises located at 1567 Spinnaker Drive #201 and #202 consisting of approximately 1,500 square feet for a three-year term with one two-year option.

**SUMMARY:**

Da Vega Fisher Mechtenberg LLP, has leased 1567 Spinnaker Drive #201 and #202 since January 1, 2018. Trinidad Entertainment Corporation is a prospective new tenant seeking to be a co-tenant of the lease. If the lease is approved by the Board, it will commence on April 1, 2024.

**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:**

Ted Mechtenberg, a partner at Da Vega Fisher Mechtenberg LLP, has been a good-standing tenant for over six years (two separate leases over that period). The Ventura Harbor Village location is one of the three offices in California for the law practice.

Erik Pence is the CEO of Trinidad Entertainment Corporation, which is an investment holding company. Mr. Pence also is the Head of Business for Framerate, a digital media company.

Due to the existing relationship the District has with Mr. Mechtenberg, a long-standing tenant, staff is recommending a new office lease having a step increase from the current lease.

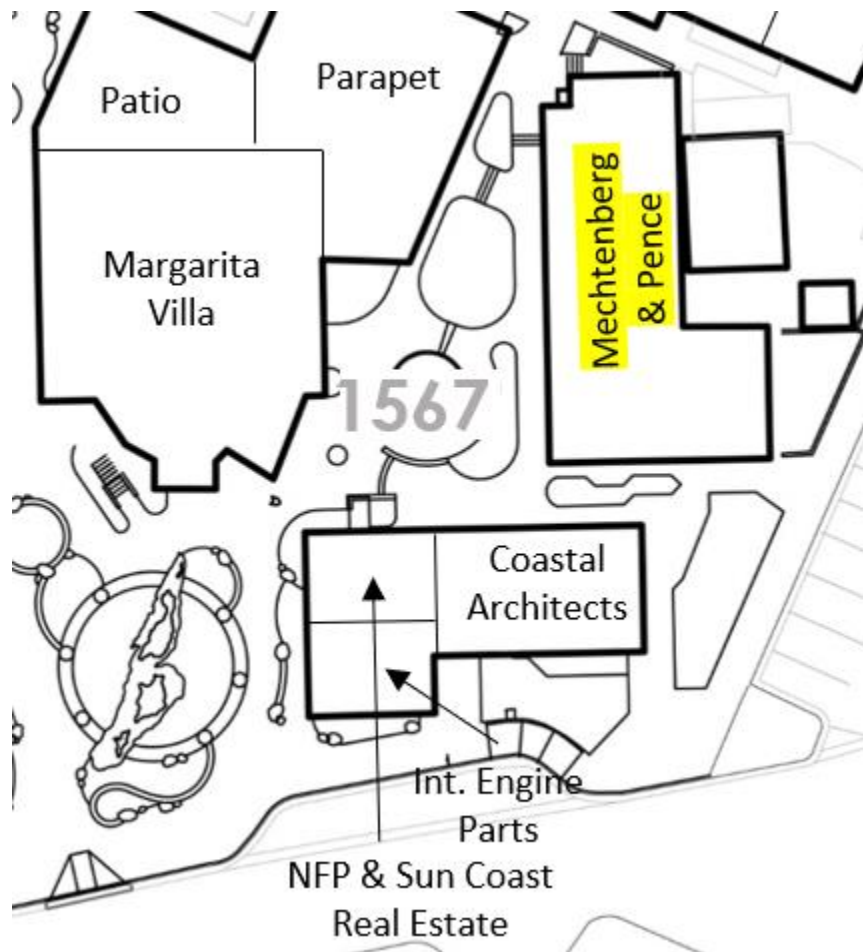
**FISCAL IMPACT:**

This lease renewal steps up the monthly rent towards market rate for office suites at Ventura Harbor Village and has additional annual step increases. The suite will be leased "as is".

**ATTACHMENTS:**

Attachment 1 - Location Map

## ATTACHMENT 1 – LOCATION MAP





VENTURA  
PORT DISTRICT  
*Established 1952*

BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

CONSENT AGENDA ITEM C  
APPROVAL OF 2024 LIFEGUARD  
SERVICES CONTRACT

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**CONSENT AGENDA ITEM C**  
Meeting Date: March 20, 2024

TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
John Higgins, Harbormaster  
SUBJECT: Approval of 2024 Lifeguard Services Contract

---

**RECOMMENDATION:**

That the Board of Port Commissioners authorize the General Manager to enter into a contract with the Department of Parks and Recreation to provide Lifeguard Services from mid-May 2024 through Labor Day 2024 at Harbor Cove and Surfers Knoll beaches in the amount of \$158,125.93.

**SUMMARY:**

Ventura Harbor and its Beaches are among Ventura's most popular summer destinations. The beneficial reuse of high quality dredge material results in some of the best sand and best beaches in the City. Visitors from Ventura, Los Angeles, and Kern Counties flock here to escape the inland heat, partake in the numerous healthy activities, and enjoy the Harbor Villages' many amenities.

Placing public safety as a high priority, the Ventura Port District decided to take the lead in providing summer lifeguards at Harbor Cove Beach after the City of Ventura eliminated services in 2011. The solution at that time was to contract with California State Parks. Since that time, and after a drowning on the unprotected South Beach in 2014, the services have been expanded to meet the demands of this higher population of visitors.

**GUIDING PRINCIPLES:**

- 1) Maintain a safe, navigable, and resilient harbor.
- 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.

**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.

**BACKGROUND:**

Ventura Harbor is one of the few locations in Ventura County that provides a complete user experience. Our Harbor, beaches, merchants, restaurants, National Park Headquarters, sport fishing boats, dive boats, and Island Packers give the visitor tremendous value and entertainment in one intimate location. As Southern California history has shown, the beach is a proven valuable commodity, and the government agency's investment returns are strong. Local visitors and outside tourists are attracted to safe, lifeguarded beaches, and the result is a robust local economy, higher property values, and consistently higher sales taxes. Our investment in a complete lifeguard service has brought us crowds mid-week and after the traditional summer months, which benefits our merchants and restaurants. We expect this trend to continue.



District Staff recommends entering into another contract with State Parks for \$158,125.93 as proposed. State Parks has done a fantastic job each year. Rescues continue to decrease with preventative lifeguarding and public education. The Harbormaster will continue to work with State Parks to ensure that the highest level of service is provided while respecting the need to preserve Port District funds.

Staff will also continue to work with the City of Ventura Fire and Recreation Departments to evaluate cost-effective service delivery methods, such as joint-service concepts. Staff will report back to the Commission should any significant opportunities present themselves.

**FISCAL IMPACT:**

The Lifeguard Contract for 2024 is estimated at \$158,125.93 (vs. \$143,362.19 in 2023) due to the increase in hourly rates for Lifeguard I/II, some off-season coverage options, and repair/rehab of towers.

**ATTACHMENT:**

None



# BOARD OF PORT COMMISSIONERS MARCH 20, 2024

## STANDARD AGENDA ITEM 1 PRESENTATION BY OCEAN RAINFOREST, INC. REGARDING A PROPOSED MACRO ALGAE FARM PROXIMATE TO VENTURA HARBOR

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**STANDARD AGENDA ITEM 3**  
Meeting Date: March 20, 2024

---

TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Eliza Harrison, Program Manager, Ocean Rainforest  
SUBJECT: Presentation by Ocean Rainforest, Inc. regarding a Proposed Macro Algae Farm  
Proximate to Ventura Harbor

---

**RECOMMENDATION:**

That the Board of Port Commissioners:

- 1) Receive a presentation from Ocean Rainforest, Inc. regarding their proposed project for a commercial macro algae (kelp) farm proximate to Ventura Harbor.
- 2) Authorize the General Manager to execute letters and provide public comment to regulatory and resource agencies in support of Ocean Rainforest's proposed project for a commercial macro algae (kelp) farm proximate to Ventura Harbor.

**SUMMARY:**

Ocean Rainforest, Inc. is a subsidiary of the parent company – Ocean Rainforest, Sp/F – with over ten years of experience in offshore cultivation of kelp and other seaweed species. Since 2018, Ocean Rainforest has worked within the funding framework of Advanced Research Projects Agency - Energy (ARPA-E) MARINER program through the U.S. Department of Energy to demonstrate the economic and social opportunities of offshore Giant kelp cultivation in the U.S. Having installed an 86-acre demonstration project five miles off the Santa Barbara coast in April/May 2023, Ocean Rainforest is poised to apply for a commercial scale permit in federal waters off the coast of Ventura.

Ocean Rainforest's presentation to the Ventura Port District intends to shed light on the challenges and opportunities associated with seaweed cultivation in the Santa Barbara Channel, as well as answer any immediate questions with respect to the potential impacts or benefits to the District that could stem from such an effort.

**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.
- 4) Establish and implement harbor-wide environmental sustainability policies and practices through collaboration with our business partners.

**5-YEAR OBJECTIVES:**

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.

**BACKGROUND:**

Since 2018, Ocean Rainforest has worked within the funding framework of Advanced Research Projects Agency - Energy (ARPA-E) MARINER program through the U.S. Department of Energy

to demonstrate the economic and social opportunities of offshore cultivation of seaweeds in the U.S. Primed by Ocean Rainforest, Inc., the MacroSystems project specifically focused on the commercial feasibility of a species named *Macrocystis pyrifera*, more commonly known as Giant Kelp.

During Phase 1 of the cooperative agreement (2018 –2019), the MacroSystems team designed a state-of-the-art cultivation structure that minimally impacts existing marine operations (e.g., navigation, commercial fishing, etc.) and supports ecosystem services in the surrounding environment. In Phase 2 of the ARPA-E contract (2020 – 2023), Ocean Rainforest and partners developed the necessary technology and machinery to de-risk the full chain from propagation to planting, cultivation and harvesting. Their team successfully designed, installed, and operated a hatchery/lab facility. Ocean Rainforest also worked with the Santa Barbara Mariculture Company to conduct a series of smaller scale out-planting trials to demonstrate the capabilities of the design, as well as begin to optimize the factors that significantly affect the economics and scaling up of operations.

In parallel, Ocean Rainforest secured an individual permit from the U.S. Army Corps of Engineers (USACE) and an associated Voluntary Consistency Certification from the California Coastal Commission (CCC) for an 86-acre demonstration project approximately 5 miles off the Santa Barbara Coast. As part of both permits, Ocean Rainforest is required to adhere to strict monitoring protocols – including, but not limited to, infrastructure surveys, marine mammal observation, benthic surveys, commercial fishing activities, etc.

The demonstration project was installed in April 2023 in collaboration with local partners and marine operators in the Santa Barbara/Ventura area. Since then, Ocean Rainforest states they have remained in full compliance with all USACE and CCC special conditions. In that sense, none of the approved, third-party providers for infrastructure monitoring have observed damage to the OCU or lost gear. In late December 2023, the OCU also demonstrated excellent survivability in a marine weather event akin to a 50-year storm. Marine Mammal Observers from the Channel Islands Marine and Wildlife Institute (CIMWI) have not observed any negative interaction between the OCU infrastructure and marine wildlife in more than 25 recorded instances. Ocean Rainforest will continue the Marine Mammal Monitoring Program for the duration of the demonstration project period. Concurrently, Ocean Rainforest and the Vantuna Research Group (VRG) have not observed any negative effects on the benthic environment.

With an additional \$4.5 million “Plus Up,” (i.e., Phase 3), Ocean Rainforest will operate and gather data from the demonstration project with the goal of refining offshore cultivation techniques for Giant kelp. Concurrently, Ocean Rainforest will retrofit a pilot processing facility outside of Goleta, CA, to support product market development. The company’s initial focus will be on animal feed and biostimulant products with the intention to support the state’s existing agriculture industry.

In the coming months, Ocean Rainforest intends to apply for an approximately 2,000-acre permit in the Santa Barbara Channel. The area will support a collection of modular ocean cultivation units (OCUs) that consist of similar components to those used at the existing Ocean Rainforest demonstration project site (i.e., anchors, chains, hardware, ropes, and buoys).

Their team recognizes that one of the primary concerns associated with U.S. aquaculture development is the durability and survivability of offshore infrastructure. To address these outstanding questions and further “de-risk” offshore cultivation, Ocean Rainforest is prepared to embrace a sequenced construction schedule. Adopting this approach will better ensure they are able to take advantage of the best available technology while further refining and optimizing system design.

Ultimately, the commercial scale project intends to:

1. Increase the supply of safe, sustainably produced and locally grown seaweed while minimizing potential negative environmental impacts.
2. Enhance and diversify Ventura Harbor as a major west coast resilient and sustainable fishing port and support the local economy through the addition of sustainable aquaculture.
3. Promote diversification of aquaculture practices and leverage the US seafood deficit by creating a new industry.
4. Strengthen public knowledge and understanding of sustainable seaweed farming practices.
5. Advance scientific knowledge and state of the art aquaculture practices through research and innovation.

**FISCAL IMPACT:**

There are currently no fiscal impacts.

**ATTACHMENTS:**

Attachment 1 – Ocean Rainforest Commercial Scale Seaweed Cultivation Initiative in the Santa Barbara Channel.



OCEAN  
RAINFORREST

COMMERICAL SCALE  
SEAWEED CULTIVATION  
INITIATIVE IN THE SANTA  
BARBARA CHANNEL

ELIZA HARRISON

DIRECTOR OF CALIFORNIA OPERATIONS

MARCH 2024





# A rainforest in the ocean

Our purpose is to improve people's wellbeing by growing seaweed while making a unique contribution to our blue planet.



**BUILDERS**  
BRIDGE



**Grantham Foundation**  
for the Protection of the Environment



**Katapult  
Ocean**



ATTACHMENT 1



OCEAN  
RAINFOREST  
TEAM



# OFFSHORE CULTIVATION

- Long-standing expertise in offshore aquaculture
- Maintains four ocean cultivation units at sheltered and exposed sites across the Faroe Islands
- 230,000m of seeded lines on approximately 150 acres
- Participated in or led 15+ EU projects since 2007



# PROJECT VISION

## DESIGN OF LARGE SCALE MACROALGAE SYSTEMS

***Make macroalgae  
cultivation a  
commercially attractive  
business investment!***

- **Scalable** – in cultivation systems
- **Survivable** – in open ocean conditions
- **Sustainable** – in energy & marine ecosystems
- **Predictable** – in yield and quality
- **Profitable** – enabling return of investments



# PROJECT VISION

## PHASE I

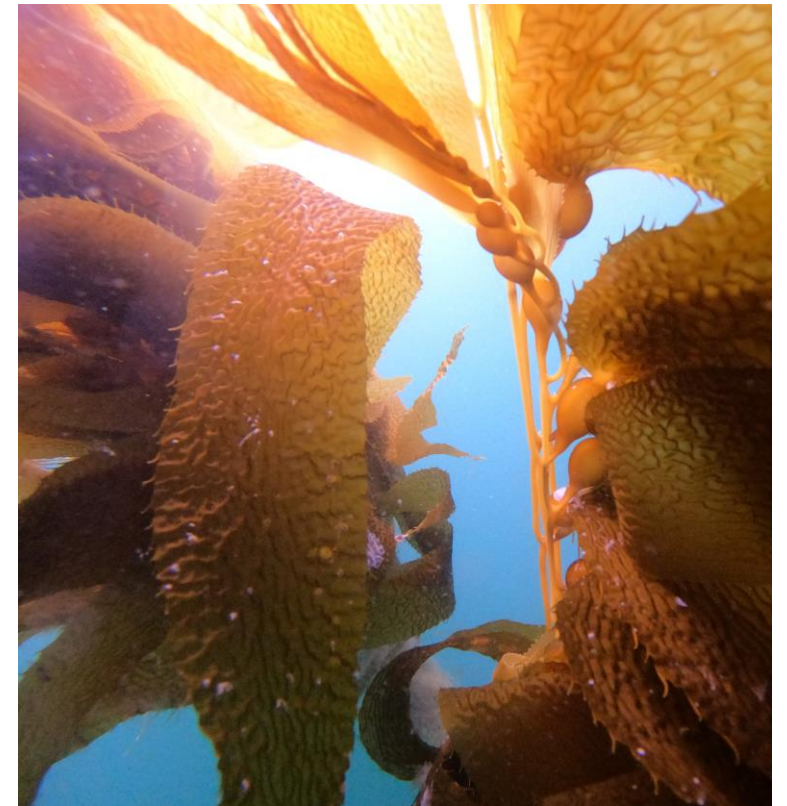
2018-2019

- Design cultivation system scalable >1000 ha
- Reduce cost by direct seeding
- Harvest up to 30 tons/ hour
- Profitability of operation with a production cost <\$80/DMT
- Identify over 100.000 ha suitable for *Macrocystis* cultivation

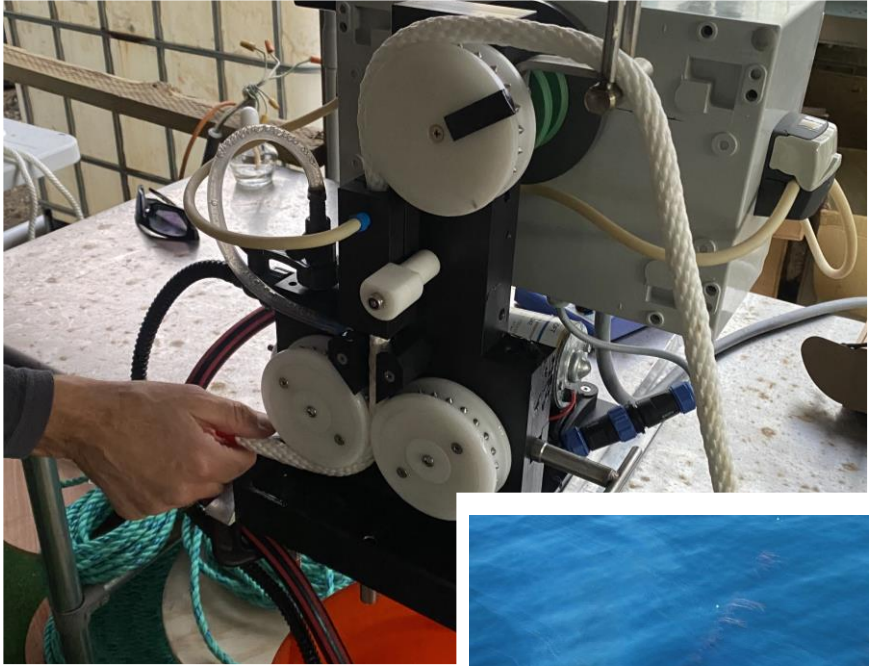
## PHASE 2

2020-2023

- De-risk the full chain from propagation to planting, cultivation and harvesting
- Demonstrate the capabilities of the proposed cultivation design
- Optimize the aspects and factors which have a great impact on the economics and scaling up of operations

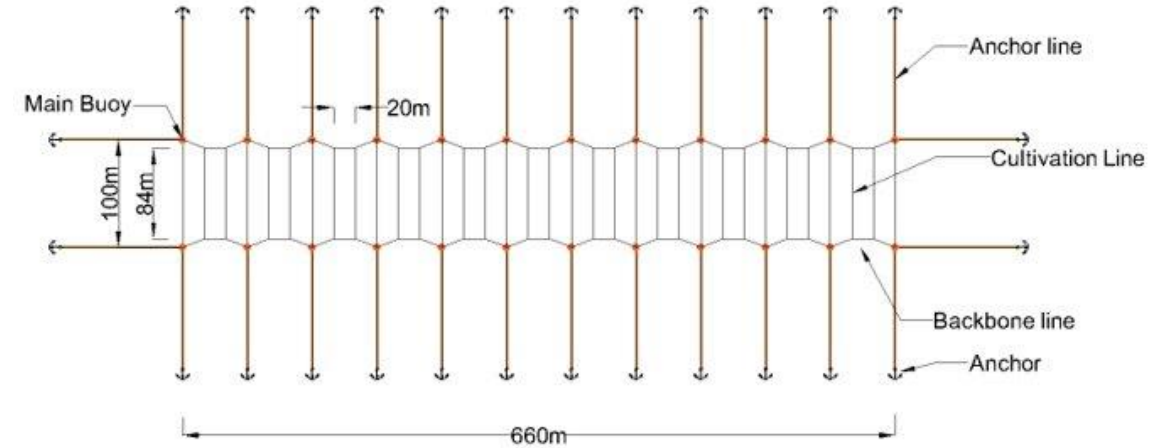
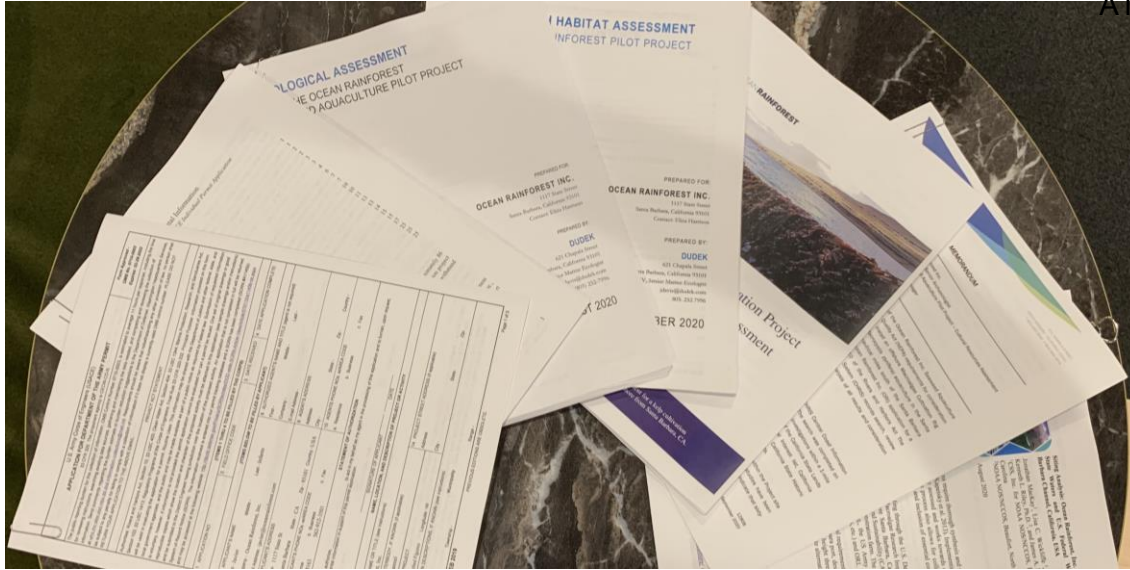






## PHASE 2 ACHIEVEMENTS

- Designed, installed and operated a hatchery facility
- Developed innovative machine for direct seeding in partnership with SEAWISER
- Successfully executed first known direct seeding trials with *Macrocytis*
- Seeded 5,500+ m of line at nearshore site over two years
- There was canopy development on virtually all experimental backbone lines.
- Biomass development met or exceeded expectations for year 2.



## INDIVIDUAL PERMIT

- 86-acre permit 5 miles off the Santa Barbara Coast
- Proposed as a research and development initiative to support the goals and objectives of the ARPA-E Mariner Program
- Demonstrate the feasibility of growing Giant kelp in true offshore conditions.





## PHASE 3 2023 - 2026

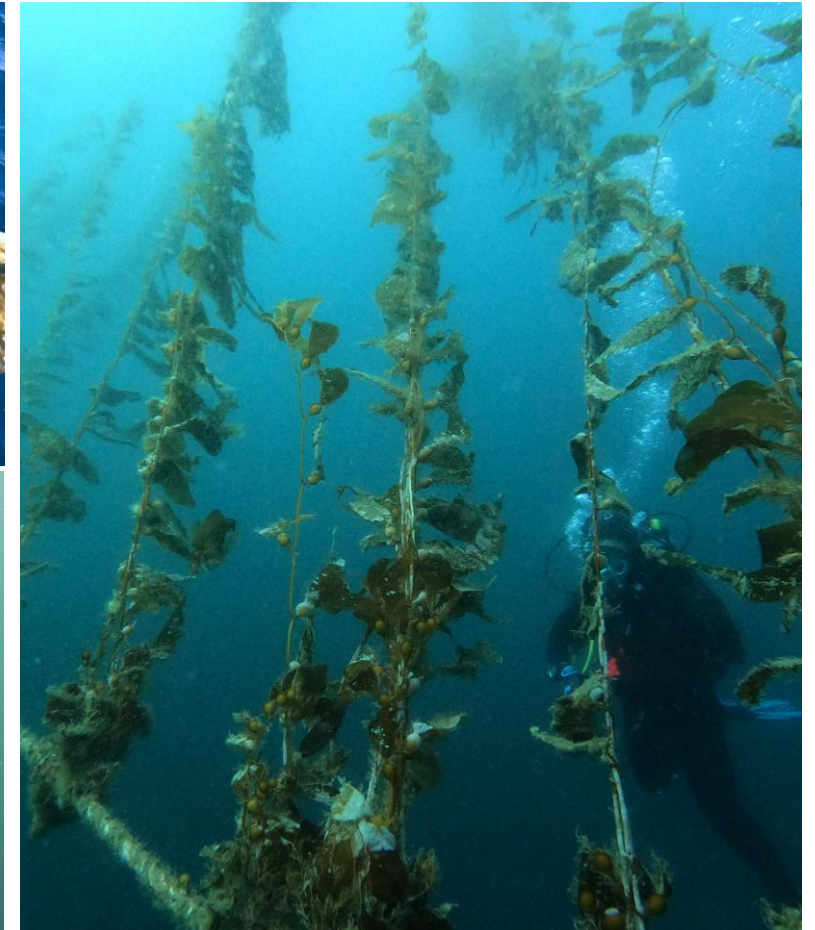
- Operate the offshore site
- Test innovative aquaculture technologies
- Design and operate a pilot processing facility outside of Santa Barbara
- Facilitate product market development efforts





# OFFSHORE DEMONSTRATION PROJECT

- All infrastructure was installed between April and May 2023
- Offshore Cultivation Unit (OCU) seeded in 2023 and 2024
- Opportunity to gather additional data regarding the impact of seaweed farming on the marine environment
- **Ocean Rainforest successfully demonstrated Giant kelp cultivation in offshore conditions in 2023!**

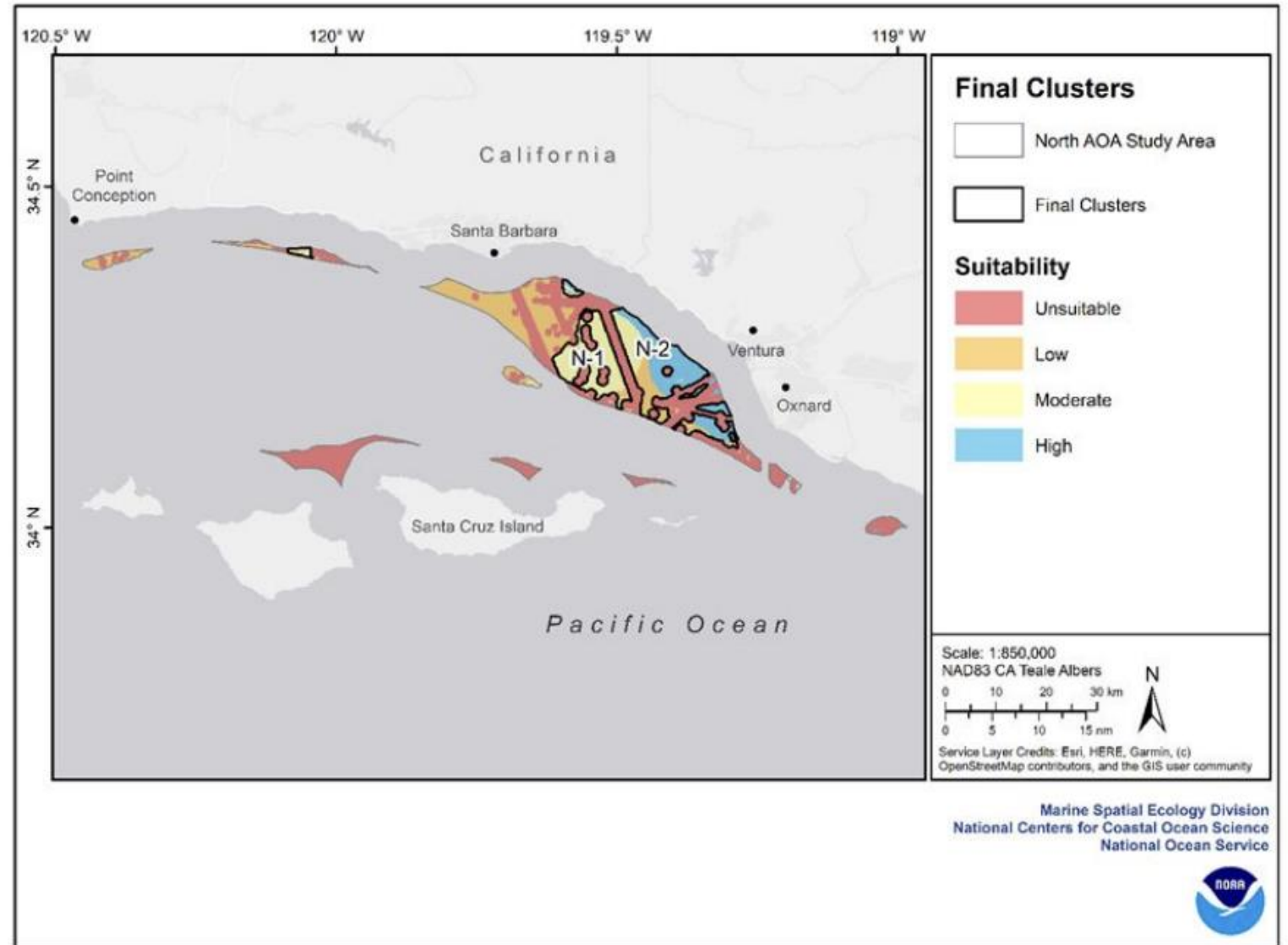




UPCOMING COMMERCIAL SCALE APPLICATION

# PROPOSED LOCATION

- Anticipated permit area request of 1,500 – 2,000 acres
- Network of highly tensioned, grid like cultivation units to support commercial scale aquaculture
- Expected yield between 216 288 tons per cultivation unit per year







## PRODUCTION REQUIREMENTS

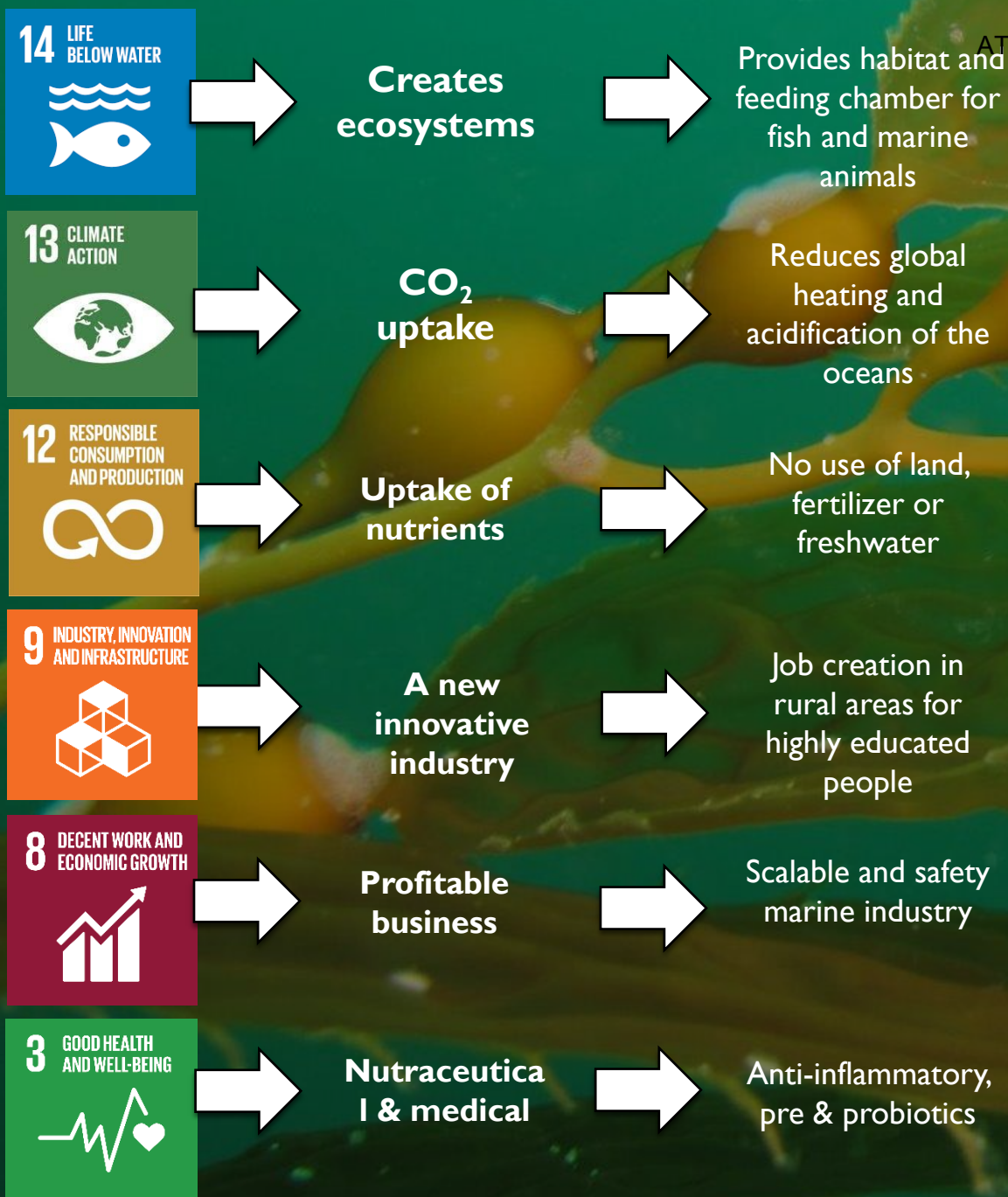
- Dockside support (i.e., cranes, boat hoists, etc.)
- 10,000 to 12,000 sq ft facility
- Truck bay loading and unloading capacity
- Equipment storage and workshop space
- Opportunities for hands on internship experience in partnership with local schools/community colleges

# PRELIMINARY ECONOMIC IMPACT ASSESSMENT

- Job creation during construction
  - ~ 150 direct
  - ~ 350 indirect
- Job creation during production
  - ~ 50 direct
  - ~ 125 indirect
- Gross Economic Impact: \$30 – 50 million per year







*The potential for providing large quantities of food and biomass from seaweed mariculture is much larger than for any other group of marine organisms.”*

*Ref. SAPEA 2017 Evidence Review Report, more than 100 European science academies.*





# THANK YOU!

Eliza Harrison | Director  
of California Operations

[Eliza@oceanrainforest.com](mailto:Eliza@oceanrainforest.com)

Office - 805.722.9601  
Cell - 505.204.8163



# BOARD OF PORT COMMISSIONERS MARCH 20, 2024

STANDARD AGENDA ITEM 2  
APPROVAL OF A HOLDOVER  
AGREEMENT AND LICENSE AGREEMENT  
WITH TBBW COMPANY, L.P. FOR  
PREMISES AT 1198 NAVIGATOR DRIVE,  
PARCEL 17 AND APPROVAL OF AN  
EXCLUSIVE NEGOTIATING AGREEMENT  
WITH TBBW COMPANY, L.P. AND  
ALDERSGATE INVESTMENT II LLC FOR  
PREMISES AT 1198 NAVIGATOR DRIVE,  
PARCEL 17 (LANDSIDE ONLY)

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**STANDARD AGENDA ITEM 2**  
Meeting Date: March 20, 2024

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TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
SUBJECT: Approval of a Holdover Agreement and License Agreement with TBBW Company, L.P. for premises at 1198 Navigator Drive, Parcel 17 and Approval of an Exclusive Negotiating Agreement with TBBW Company, L.P. and Aldersgate Investment II LLC for premises at 1198 Navigator Drive, Parcel 17 (landside only).

---

**RECOMMENDATION:**

- 1) That the Board of Port Commissioners approve each of:
  - i. a Holdover Agreement between the Ventura Port District and TBBW Company, L.P. for the premises located a 1198 Navigator Drive (waterside portion of the premises only), (a) bifurcating the premises under the existing expiring lease into waterside premises and landside premises, (b) changing the tenancy under the existing Master Lease to a holdover for the waterside premises only, in connection with entitlements and approvals of a modernization of the marina operated at the waterside premises, (c) and creating a Construction Fund to offset construction of the modernization project, and
  - ii. a License Agreement between the Ventura Port District and TBBW Company, L.P. for the premises located a 1198 Navigator Drive (landside portion of the premises only) to allow the continued and historical use of the landside premises, i.e., providing marina service facilities to the marina located at the waterside premises.
- 2) That the Board of Port Commissioners approve an Exclusive Negotiating Agreement between the Ventura Port District and TBBW Company, L.P. and Aldersgate Investment II LLC for the premises located a 1198 Navigator Drive (landside portion of the premises only) for a three-year term with three (3) twelve (12) month extensions upon the satisfaction of certain milestones in connection with a proposed development and operation of a mixed-use/residential development at the premises.

**SUMMARY:**

The current master tenant of Ventura West Marina (Phase 1) located on Lease Parcel 17 is TBBW Company, L.P., a California limited partnership (TBBW). Beauchamp Realty, Inc. (Beauchamp) is an associated entity of TBBW and operator of Ventura West Marina. The master tenant's lease expires on March 20, 2024, but contains a right of first refusal for a new lease, which TBBW requested. On June 21, 2023, the Board of Port Commissioners received an informational report regarding a preliminary development concept for Ventura West Marina (Parcel 17) involving a modernization of the marina and redevelopment of the land by Master Tenant TBBW, Beauchamp, and Aldersgate Investments II LLC (Aldersgate) and authorized the General Manager to initiate formal lease negotiations pursuant to the Master Lease.

**GUIDING PRINCIPLES:**

- 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.

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

#### **5-YEAR OBJECTIVES:**

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.

#### **BACKGROUND:**

TBBW has been a Master Tenant since 1974 and is the original developer of Ventura West Marina (Lease Parcel 17). Its associated entity, Beauchamp, has been the operator since 1977. Richard Beauchamp is the original and current managing principal for TBBW. Richard Beauchamp is also developer and managing principal for Master Tenant for Ventura West Marina Phase 2 (Lease Parcel No 7) which was built in 1982. Mr. Beauchamp, his family partners, and related entities have extensive experience in developing and operating Southern California marinas. This experience includes (i) Dana West Marina (980 slips) in Dana Point, CA, (ii) Harbor Island West Marina (620 slips) in San Diego, CA, (iii) Pier 32 Marina (250 slips) in National City, CA, and (iv) Point Loma Marina (60 slips) in San Diego, CA.

In addition to their marina experience, Beauchamp also has extensive experience in multi-family housing development and operation as well as commercial real estate development and operation throughout Southern California and Arizona. Other business experiences for Richard Beauchamp and his family partners include the development of Western Dental, which at one time included owning and operating over three hundred dental offices in California, Nevada, and Arizona.

#### **Development Team**

The development team for TBBW will be headed by Richard Beauchamp and Eric Leslie. Mr. Leslie has been the Director of Marina Operations for Beauchamp for over 30 years and has been the lead of all new marina acquisitions and development during this time. In addition, Mr. Leslie oversees all the property management operations for Beauchamp and is a principal in the recent marina developments. TBBW is partnering with local developer and operator Aldersgate for the Landside Mixed-Use/Residential Redevelopment.

Aldersgate is a local, family owned, multi-generational real estate development and construction firm with over 40 years of experience in Ventura County. Matt Mansi is the Chief Operating Officer. Mr. Mansi's firm specializes in residential, multi-family and mixed-use buildings and developments. Local projects include The Mark Camarillo, Press Courier Senior Apartments, Parkwest Camarillo and Vista Urbana.

With Board approval, there will be two separate sites. Parcel 17 (Waterside) and Parcel 17 (Landside):

#### **Parcel 17 (Waterside) - Marina Modernization**

With approval by the Board, TBBW will obtain a Holdover Agreement, and License Agreement from the District to pursue waterside marina modernization plans; environmental review under the California Environmental Quality Act (CEQA); project consideration by the District; regulatory entitlements and approvals; and project financing. The District may consider entering a 50-year master lease at the conclusion of this process but is not obligated to do so in the Holdover and License Agreements. In the meantime, the Holdover Agreement will allow TBBW to continue to operate the marina in its "as-is" condition, and the License Agreement will provide TBBW access to both utilize and maintain the landside facilities and parking necessary to operate the marina. The Holdover Agreement is for a period of three (3) years.



TBBA will reimburse the District's legal, consultant and staff costs associated with processing of these agreements, proposed project, environmental review and lease, if any. Minimum monthly rent and landside license fee will be \$37,450 and \$800 respectively. TBBW will place the greater of \$300,000 or 50% of net profits annually into escrow as a project construction fund to be utilized towards the cost of the marina modernization.

#### **Parcel 17 (Landside) - Mixed-Use/Residential Redevelopment**

With approval by the Board, TBBW and Aldersgate will obtain an Exclusive Negotiating Agreement (ENA) to pursue landside plans which may include uses such as commercial retail, restaurant and office; market rate and affordable housing; parking; open space and site upgrades; environmental review under CEQA; project consideration and final approval by the District; regulatory entitlements and approvals; project financing; and construction completion security. The District may consider entering a 50-year master lease at the conclusion of this process but is not obligated to do so in the ENA. Any future landside lease, if any, will be required to provide the marina with minimum facilities (including minimum parking as required by law) necessary to service the marina use. The ENA is for a period of three (3) years, with up to three (3) one-year extensions, for a total of up to six (6) years.

TBBW and Aldersgate will reimburse the District's legal, consultant and staff costs associated with processing of these agreements, proposed project, environmental review, and lease, if any. TBBW and Aldersgate will provide a \$50,000 deposit towards these costs, which will be drawn down to pay for costs and expenses as incurred and returned to \$50,000 in the event the balance of the deposit is reduced to \$25,000 or less.

#### **FISCAL IMPACTS:**

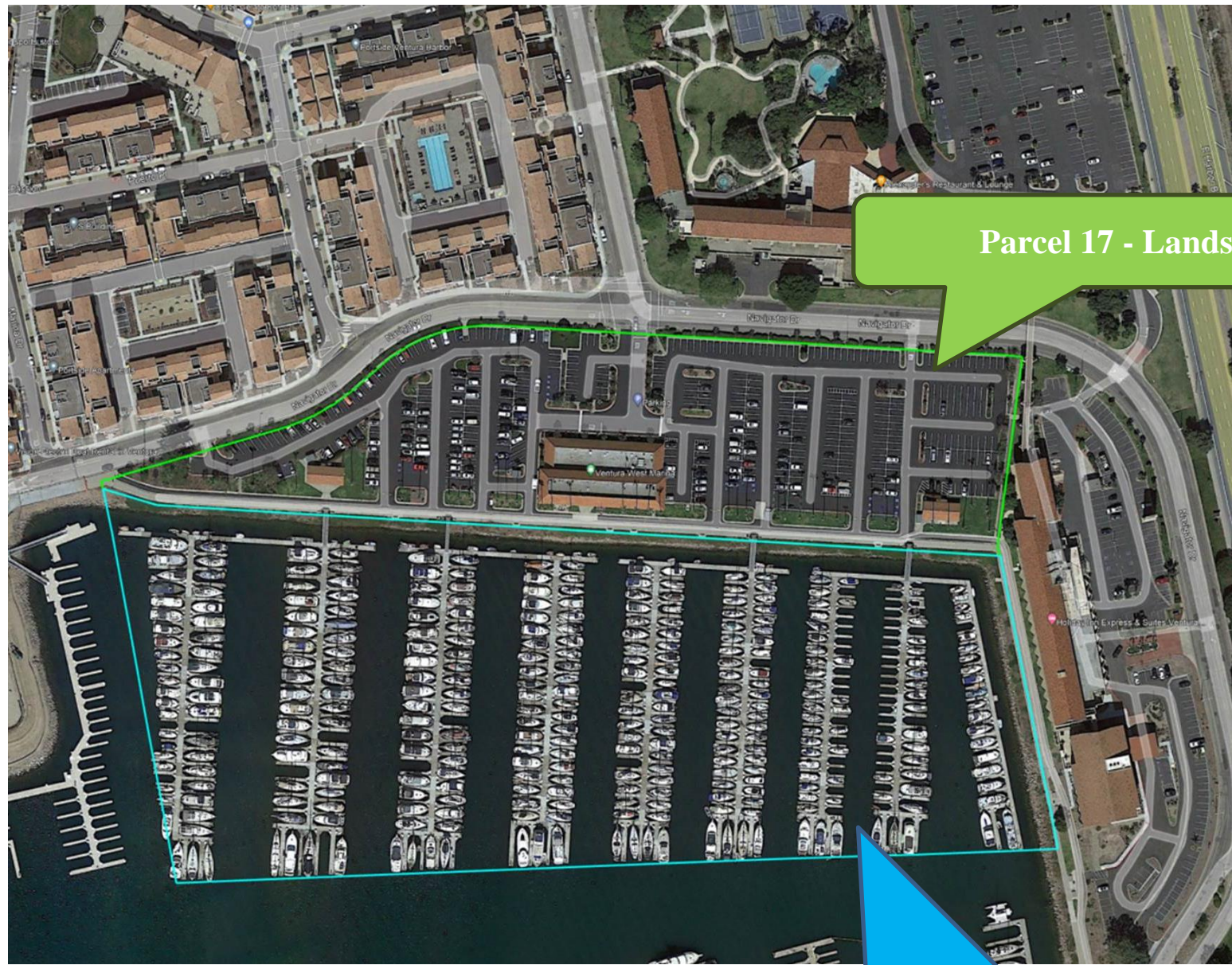
The negotiation of the agreements is triggering legal expenses with a preliminary estimate of \$75,000. TBBW and Aldersgate have agreed to pay the District's legal expenses as described above.

Minimum monthly rent and landside monthly minimum license fee will be \$37,450 and \$800, respectively. TBBW will place the greater of \$25,000 or 50% of net profits monthly into escrow as a project construction fund to be utilized towards the cost of the marina modernization and fully released when TBBW has satisfied the conditions to enter into a new lease for the waterside premises; provided, however, in the event TBBW does not timely satisfy such conditions, the project construction fund shall be released to the District, to be used for impending necessary marina modernization.

#### **ATTACHMENTS:**

Attachment 1 – Location Map

Attachment 1 – Location Map



Parcel 17 - Landside

Parcel 17 - Waterside



BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

STANDARD AGENDA ITEM 3  
APPROVAL OF AMENDMENT NO. 1 TO A  
RESTAURANT LEASE AGREEMENT WITH  
AARMARK BEER GARDEN, INC. DBA  
THE LOOSE CANNON

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**STANDARD AGENDA ITEM 3**  
Meeting Date: March 20, 2024

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TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Todd Mitchell, Business Operations Manager  
SUBJECT: Approval of Amendment No. 1 to a Restaurant Lease Agreement with Aarmark Beer Garden, Inc. dba The Loose Cannon

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**RECOMMENDATION:**

That the Board of Port Commissioners approve Amendment No. 1 to the Restaurant Lease Agreement Aarmark Beer Gardens, Inc. a California corporation dba The Loose Cannon, and the Ventura Port District dba Ventura Harbor Village, for the premises located at 1567 Spinnaker Drive, Suite #100 consisting of approximately 5,736 square feet of commercial space and 600 of patio area.

**SUMMARY:**

Staff is recommending a First Amendment to Lease: 1) to address delays impacting plan approval and construction, consequently pushing back the anticipated opening and commencement of rent dates; and 2) to adjust the District's contribution to tenant improvements to consider the shifting of performance of some portions of the work between the District and the Tenant and the associated changes in reimbursements to the Tenant from the District.

**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:**

On January 19, 2022, the Board conducted a public hearing and adopted Ordinance 56 entering into a new lease between the District and Aarmark Beer Gardens, Inc. for 1567 Spinnaker Drive #100.

Aarmark Beer Gardens Inc. had leased the entire first-floor suite (approximately 5,736 square feet) and will provide a mix of entertainment (video arcade and virtual reality) and restaurant for public benefit.

**BUSINESS CONCEPT**

The new business is The Loose Cannon. The concept, as provided by Aarmark Beer Gardens, Inc. is:

*"Friends and family can leave their worries at the door in our state-of-the-art family entertainment center. We will offer a wide array of entertainment options for all ages featuring*



*multi-sport simulators, Virtual Reality, retro arcade games, a stadium seating sports viewing and more. We will complement our entertainment with an artisan food menu that will please even the pickiest of palates. Our food offerings include wood-fired pizza, artisan sausage, grass-fed burgers, salads, giant pretzels, a full kid's menu, plus some fun theme focused menu items. For our adult patrons, we proudly offer top rated beers from around the world and a legendary wine list. Come for the food, stay for the fun! An experience like no other."*

## **CONSTRUCTION PROGRESS**

Since the lease was executed, both the District and Tenant have experienced challenges that have resulted in delays.

The District's improvement responsibilities included façade improvements, including new doors and windows, upgrading the electrical service, patio work, and roof replacement. Prior to the District starting their work, they experienced delays in obtaining architectural designs and in obtaining the required permits from the City. These permits were required prior to the District bidding the work to a contractor, which was done in two phases, hence the District's improvement responsibilities were late to be completed.

Furthermore, to construct the necessary work efficiently, some of the District and the Tenant's improvements are intertwined, such as roof penetrations for the kitchen, rough plumbing, and electrical upgrades. The District contemplated portions of these improvements as its fiscal responsibility under the lease.

The District's contractor materially completed the building improvements by the beginning of September 2023 and the suite was turned over to the Tenant on October 11, 2023. This is significantly later than was originally contemplated under the lease. Two elements remained for the District's contractor to complete: installation of the upgraded electrical panel and pouring new concrete for the patio (discussed further below).

The Tenant has had challenges obtaining the necessary permits from the City to allow them to perform their tenant improvements. There were many areas of miscommunication between the City's plan review companies and the Tenant's architect and engineering firms. However, the City did grant a Courtesy Permit allowing the tenant to perform some parts of the tenant improvement construction in advance of receiving their building permits. It is anticipated the tenant will be issued their building permits by next week, and they can complete construction.

## **Tenant Improvement Cost Allocation**

The original lease between the District and Tenant specified the obligations of each to perform improvements to the suite. Most of the District's improvements were completed prior to the Tenant taking possession of the suite, however some were deferred since they required the City to approve the plans of the tenant before the District could construct them. For example, the Tenant's plans also include two small patio spaces on the north and south side of the building. The patios will include new gas lines under the concrete for fire pits plus patio fencing. Since the District's contractor was already going to replace the concrete under the previously awarded Façade Improvement Project, this work was deferred until the City approved the tenant's plans.

Other items deferred include the purchase and installation of the HVAC units, pouring concrete where the carousel was previously located, defective sprinkler replacement, electrical upgrades from the electrical panel throughout the suite, and relocating and replacing a plumbing line from Margarita Villa to divert it away from the Loose Cannon's kitchen.

During the plan review, the City also determined that tenant's improvements require performing improvements that include an alteration of the parking lot that is required to meet updated American Disabilities Act (ADA) code for path of travel. Staff recommend that this expense be reimbursed to the tenant by the District since this is a benefit to multiple Village businesses and the public in general.

Because the City had not approved the tenant's plans, the District's portion of the work has not been completed. To avoid overlapping work by contractors, Staff is recommending that the tenant's contractor perform this work and the tenant be reimbursed for the costs.

A breakdown of those cost adjustments can be found in Attachment 2.

### **RECOMMENDED ACTION**

Staff is recommending that the Board approve the following changes to the lease through this First Amendment to Lease:

- Change the commencement of rent date to the earlier of July 1, 2024 or the restaurant receiving a Certificate of Occupancy.
- Change the date by which the restaurant is expected to open to July 1, 2024.
- Change the amount reimbursable to the tenant from the District to fund improvements that are the District's responsibility under the lease. This changes the reimbursable amount from \$80,000 to \$213,814.54. It does not change the responsibilities of the parties under the lease.
- Staff further recommends that the General Manager be authorized to approve change orders up to 10% for any item should staff believe such change order is needed for the District to complete its obligations under the lease.

### **FISCAL IMPACT:**

The delay in the tenant's ability to open for business is partly due to delay in the tenant taking possession of the suite. It is also partly due to challenges experienced in the permitting process. Staff is recommending that the Commencement of Rent date be changed to July 1, 2024, with no options for further extension since the tenant should obtain their building permits from the City by next week. Based on the delay in rent commencement, this has a fiscal impact of \$42,995.16 for abated rent. However, for revenue forecasting purposes, Staff did not include this amount in FY23-24 which ends June 30, 2024.

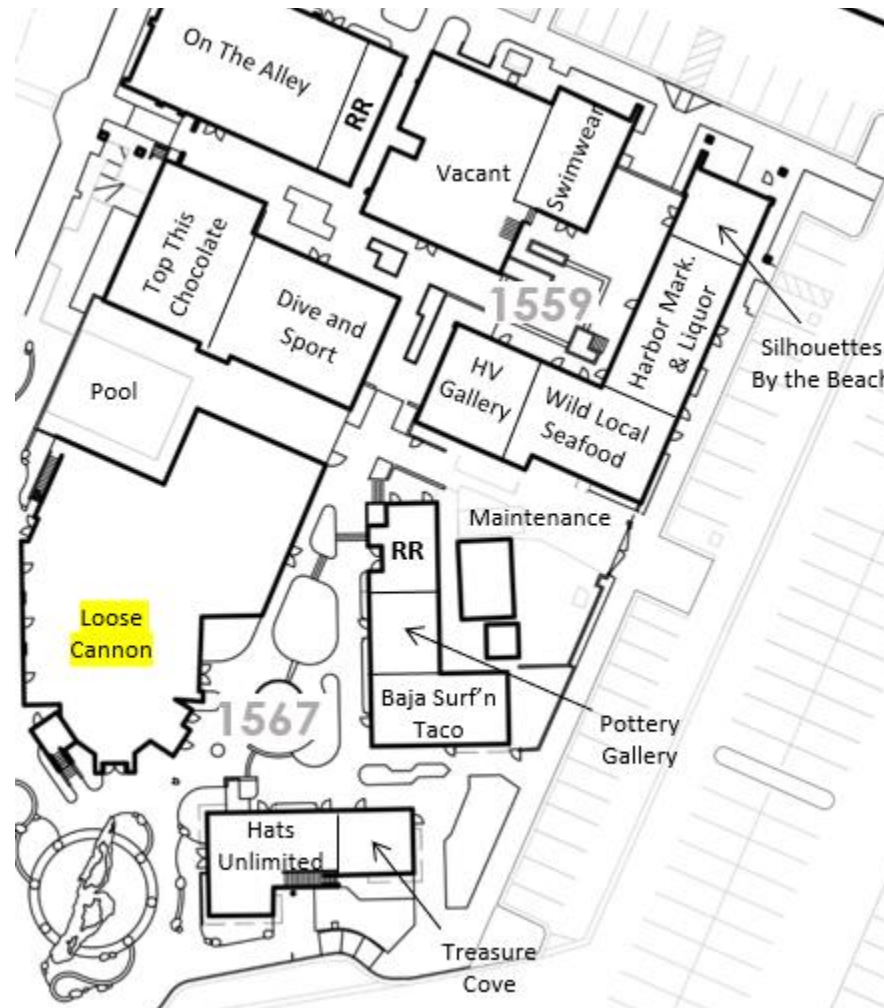
The designs for the tenant improvements to the suite required some changes be made to the building that are defined as the District's responsibility under the lease. In addition, the tenant improvements have altered some of the sequencing for completing previously contracted work under the District's Façade Improvement Project, which is being performed by FCT Construction.

These changes shift the party completing the work but do not change the responsibility for the work under the lease. These changes need to be incorporated into the lease amendment to allow the General Manager to authorize reimbursement of these expenses to the tenant. However, they do not change the fiscal impact to the District.

### **ATTACHMENTS:**

Attachment 1 - Location Map

Attachment 1 - Location Map



Attachment 2 – Breakdown of Cost Adjustments

<b><u>Item (Modified in Amendment)</u></b>	<b><u>Cost</u></b>	<b><u>Paid By</u></b>	<b><u>Responsibility</u></b>
HVAC Units & Installation	\$ 62,500.00	Tenant	District
Marg RR Plumbing	\$ 8,450.00	Tenant	District
Marg RR Plumbing Trenching	\$ 2,200.00	Tenant	District
Sprinkler Head Replacement	\$ 6,500.00	Tenant	District
Power & Electrical Upgrades	\$ 42,000.00	Tenant	District
Concrete Where Carousel Was	\$ 12,464.54	Tenant	District
ADA Parking Lot Improvements	\$ 11,200.00	Tenant	District
Exterior Gas Lines for Fire Pits	\$ (3,500.00)	District	Tenant
Patio Fence (both sides)	\$ (8,000.00)	District	Tenant
<b>Maximum Reimbursement (Additional):</b>	\$ 133,814.54		
<b>Maximum Reimbursement (Original):</b>	\$ 80,000.00		
<b><u>Revised Reimbursement Amount</u></b>	\$ 213,814.54		





BOARD OF PORT COMMISSIONERS  
MARCH 20, 2024

STANDARD AGENDA ITEM 4  
APPROVAL OF A STATEMENT OF WORK  
UNDER THE EXISTING PROFESSIONAL  
SERVICES AGREEMENT WITH MRI  
SOFTWARE

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**STANDARD AGENDA ITEM 4**  
Meeting Date: March 20, 2024

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TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Todd Mitchell, Sr. Business Operations Manager  
Gloria Adkins, Accounting Manager  
SUBJECT: Approval of a Statement of Work Under the Existing Professional Services Agreement with MRI Software

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**RECOMMENDATION:**

That the Board of Port Commissioners approve a Statement of Work under the existing Professional Services Agreement with MRI Software for an amount of \$27,880 plus reimbursement of travel costs estimated at \$5,000.

**SUMMARY:**

In March of 2022, the Board approved a three-year term with two-year option professional services agreement with MRI Software (MRI) to replace the previously used accounting and property management software. The transition to MRI software has been somewhat problematic and challenges remain that need to be addressed through a combination of additional training, technical support, and problem solving specific to the needs of the District.

Therefore, staff is recommending that the District utilize the provision in the contract to have in-person training and support for a period of two weeks coinciding with the monthly rent reconciliations and distribution of tenant statements.

**LONG-TERM GOALS:**

- Goal 6: Public Service
  - Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and more efficient, effective and public focused organization.

**5-YEAR OBJECTIVES:**

- Objective E: Public and Civic Engagement Plan
  - Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders
    - 1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

**BACKGROUND:**

After the contract award to MRI, staff worked to begin the migration process from the previous accounting program to MRI. This process was tedious and slow. MRI's support through this process was not ideal and the migration services failed to live up to Staff's expectations. In response, some concessions by MRI in both compensation and time were provided.

Although training was provided by MRI, less than what was budgeted was used in the early stages of implementation.

However, MRI has made (and continues to make) substantial changes in how their software operates. Some of these changes have radically altered how certain processes work (such as

online rent payments are made). Some changes have had positive impacts to the tenant experience using the online portal – but sometimes the opposite has been true. And periodic changes have had significant negative impacts to District staff.

The present audit of FY22-23 has also revealed areas where MRI has made the Accounting workflow challenging.

In attempting to resolve issues as they arise, Staff has determined that the quality of MRI's technical service response has been lacking 1) in timely resolution, 2) accuracy, and 3) consistency. Further, some system updates have been implemented that have had negative impacts on the ability of the Administration Department to perform their work.

Although the challenges in working with MRI could justify switching software at the end of the current contract (June 30, 2025), Staff believes it to be premature to make such a change without exhausting the possibility of solving these problems through in-person training.

Therefore, Staff is recommending MRI send an expert technical support person to work on-site at the District for a period of 2 weeks (80 hours) to assist staff in improving the entire workflow. It is anticipated that this action will allow staff reach a decision point regarding MRI as the right solution for the District's accounting needs going forward by the end of the current contract.

**FISCAL IMPACT:**

The annual cost for MRI Software is \$10,435, with an annual increase of 5% or CPI, with a max increase of 9% per year. The on-site training is within the original contract scope and will require an increase of \$32,880 in the budget.

**ATTACHMENTS:**

None.