VENTURA PORT DISTRICT
BOARD OF PORT COMMISSIONERS

Michael Blumenberg, Chair
Elizabeth Howell, Vice-Chair
Anthony Rainey, Secretary
Chris Stephens, Commissioner
William Anderson, Commissioner

Brian D. Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Gene Wu, Legal Counsel
Jessica Rauch, Clerk of the Board

REGULAR MEETING
WEDNESDAY, NOVEMBER 18, 2026

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

CLOSED SESSION – 5:00PM
OPEN SESSION – 6:00PM

PUBLIC PARTICIPATION OPTIONS

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

WATCH THE MEETING LIVE
https://us02web.zoom.us/j/83276329300
Webinar ID: 832 7632 9300
1-669-900-6833
1-253-215-8782

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

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

CLOSED SESSION
5:00PM

CALL TO ORDER: *By Chair 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. Attendees can dial *9 or use the 'raise hand' function in Zoom if they would like to speak during public comment periods.*

CONVENE IN CLOSED SESSION

CLOSED SESSION AGENDA

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION PER GOVERNMENT CODE SECTION 54957(B)(1):** Brian D. Pendleton, General Manager - Annual Review.

2. **CONFERENCE WITH LABOR NEGOTIATORS PER GOVERNMENT CODE SECTION 54957.6:**
   Agency Representatives: Michael Blumenberg, Elizabeth Howell, Reid Miller, Oliver Yee, negotiators
   Unrepresented employee: General Manager

ADJOURNMENT

OPEN SESSION
6:00PM

CALL TO ORDER: *By Chair Blumenberg.*

PLEDGE OF ALLEGIANCE: *By Chair 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 the removal or continuance of items from the Port Commission's agenda. No item may be added for action unless the Commission first makes the findings required by Government Code section 54954.2(b). Administrative Reports relating to this agenda and materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the Port District's office located at 1603 Anchors Way Drive, Ventura, CA during business hours as well as on the District's website - www.venturaharbor.com.

APPROVAL OF MINUTES
The Minutes of October 21, 2026 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) Administrative Services Manager, Sarah Clancy to attend the 2027 CSMFO Annual Conference in Sacramento, CA, from February1-4, 2027.
b) Accountant II, Jessica Perkins to attend the 2027 CSMFO Annual Conference in Sacramento, CA, from February1-4, 2027.

B) Approval of Payments for October 2026

Recommended Action: Voice Vote.

That the Board of Port Commissioners review and approve payments made by check, ACH, and EFT for the month of October 2026.

C) Award of Bid for the 1583 Spinnaker Drive Upper Reroofing Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners award the 1583 Spinnaker Drive Upper Reroofing Project to Garland/DBS, Inc. in the amount of $590,993.

D) Authorization to Advance Lifeguard Tower Funding

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorizes the General Manager to advance up to $225,000 from the FY2027-2028 Capital Improvement Plan to the FY2026-2027 Capital Improvement Plan for the procurement of lifeguard towers.

STANDARD AGENDA:

1) Adoption of Resolution No. 3565 Approving Amendments to the Ventura Port District's Procurement and Purchasing Policy and Rescinding Resolution No. 3519

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3565 approving amendments to the Ventura Port District's Procurement and Purchasing Policy and rescinding Resolution No. 3519.

2) Adoption of Resolution No. 3566 Approving the Financial Statements for July through September 2026

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3566 accepting the financial statements for the Quarter ending September 2026.

3) 2026-2027 El Nino Storm Preparations
Recommended Action: Informational.
That the Board of Port Commissioners receive a presentation on the District's preparations for El Niño.

4) Receive and File the 2026 Ventura Harbor Tenant Survey Results
Recommended Action: Informational.
That the Board of Port Commissioners receive and file the results from the 2026 Ventura Harbor Survey.

5) Approval of the 2027 Port Commission Meeting Schedule
Recommended Action: Voice Vote.
That the Board of Port Commissioners approve the 2027 Port Commission meeting schedule.

ADJOURNMENT

This agenda was posted on Friday, November 13, 2026 by 5:00 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)



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

APPROVAL OF MINUTES
OCTOBER 21, 2026
REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS
REGULAR MEETING MINUTES OF OCTOBER 21, 2026

CLOSED SESSION

CALL TO ORDER:
The Ventura Port District Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 5:01PM 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
Elizabeth Howell, Vice-Chair
Anthony Rainey, Secretary
Chris Stephens
William Anderson

Commissioners Absent:
None

Port District Staff:
Brian D. Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Jessica Rauch, Clerk of the Board
Jessica Snipas, Business Operations Manager

Legal Counsel:
Reid Miller, Lagerlof, LLP
Oliver Yee, Liebert Cassidy Whitmore

Number of Interested Persons:
0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 5:01PM.

CONVENED TO CLOSED SESSION AT 5:02PM.

Item 3 was considered first on the agenda. The General Manager and District staff were then excused during Item 1 (General Manager performance evaluation) and Item 2 (conference with labor negotiators regarding the General Manager).

ADJOURNED CLOSED SESSION AT 6:02PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:
The Ventura Port District Board of Port Commissioners' Regular Open Session Meeting was called to order by Chair Blumenberg at 6:03PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: by Christian Garcia, Business Operations Analyst II.

ROLL CALL:

Commissioners Present:
Michael Blumenberg, Chair
Elizabeth Howell, Vice-Chair
Anthony Rainey, Secretary
Chris Stephens
William Anderson

Commissioners Absent:
None

Port District Staff:
Brian D. Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Jessica Rauch, Clerk of the Board
Sarah Clancy, Administrative Services Manager
Brendan Donohue, Senior Harbor Patrol Officer
Justin Fleming, Capital Projects Manager
Christian Garcia, Business Operations Analyst II
Sergio Gonzalez, Facilities Manager
Ruby Hedrick, Sr. Marketing and Events Coordinator
Jacob Samberg, Dockmaster
Jessica Snipas, Business Operations Manager
Jennifer Talt-Lundin, Marketing Manager via Zoom
Rob Weinerth, Dockmaster
Dave Werneburg, Marina Supervisor via Zoom

Legal Counsel:
Reid Miller, Lagerlof, LLP

City of Ventura Liaisons:
Councilmember Duran, City Council Liaison – absent

Number of interested persons:
1 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Vice-Chair Howell moved to adopt the October 21, 2026 agenda.

Commissioner Stephens seconded. The vote was unanimous.

APPROVAL OF MINUTES

ACTION: Commissioner Anderson moved to approve the October 7, 2026 regular meeting minutes.

Vice-Chair Howell seconded. The vote carried 4-0-1 (Stephens abstained).

PUBLIC COMMUNICATIONS: None. Closed at 6:07PM.

CLOSED SESSION REPORT: Mr. Miller stated that the Board met in closed session and discussed and reviewed all three items on the closed session agenda. Legal Counsel was given instructions on how to proceed, as appropriate, and no action was taken that is reportable under the Ralph M. Brown Act.

BOARD COMMUNICATIONS: Chair Blumenberg reached out to City Councilmembers Duran and Magone about the road work at Harbor/Olivas/Spinnaker. He was then contacted by the Public Works Director who gave him an update on the progress of the project. He also announced that Ocean Rainforest will be at the Seaweed Festival in Monterey this weekend. Closed at 6:11PM.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on upcoming events and promotions at Harbor Village. Closed at 6:30PM.

CONSENT AGENDA:

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 Chair Michael Blumenberg to attend the California Ocean Summit 2026 in Santa Barbara, CA, from December 9 - 11, 2026.

Public Comment: None.

ACTION: Commissioner Stephens moved to approve the out-of-town travel requests for Chair Michael Blumenberg to attend the California Ocean Summit 2026 in Santa Barbara, CA, from December 9 - 11, 2026.

Commissioner Anderson seconded. The vote was unanimous.

B) Approval of New Office Lease Agreement for 1591 Spinnaker Drive #207 with VPSS1 INC., a Nevada corporation

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 VPSS1 INC., a Nevada corporation, for the premises located at 1591 Spinnaker Drive #207, consisting of approximately 1,420 square feet.

Public Comment: None.

ACTION: Commissioner Stephens moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and VPSS1 INC., a Nevada corporation, for the premises located at 1591 Spinnaker Drive #207, consisting of approximately 1,420 square feet.

Commissioner Anderson seconded. The vote was unanimous.

C) Approval of Payments for September 2026

Recommended Action: Voice Vote.

That the Board of Port Commissioners review and approve payments made by check, ACH, and EFT for the month of September 2026.

Public Comment: None.

ACTION: Commissioner Stephens moved to approve payments made by check, ACH, and EFT for the month of September 2026.

Commissioner Anderson seconded. The vote was unanimous.

D) Award of Bids for Harbor Patrol Fire Boat-1 Fire Pump Engine Repower Project Part 1 and Part 2

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

a) Award the Harbor Patrol Fireboat 1 Fire Pump Engine Repower Project Part 1 Contract to Anderson Custom Boats in the amount not to exceed $110,000.
b) Award the Harbor Patrol Fireboat 1 Fire Pump Engine Repower Project Part 2 Contract to Anderson Custom Boats in the amount not to exceed $21,800.

Public Comment: None.

ACTION: Commissioner Stephens moved to:

a) Award the Harbor Patrol Fireboat 1 Fire Pump Engine Repower Project Part 1 Contract to Anderson Custom Boats in the amount not to exceed $110,000.
b) Award the Harbor Patrol Fireboat 1 Fire Pump Engine Repower Project Part 2 Contract to Anderson Custom Boats in the amount not to exceed $21,800.

Commissioner Anderson seconded. The vote was unanimous.

STANDARD AGENDA:

1) Receive and File the September 26, 2026 Public Workshop Report
Recommended Action: Voice Vote.
That the Board of Port Commissioners receive and file a report on the public workshop held on September 26, 2026.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 6:52PM.

ACTION: The Board of Port Commissioners received a report on the public workshop held on September 26, 2026.

2) Request for Supplemental Funds for the 50th Annual Ventura Harbor Parade of Lights and Fireworks – "The Golden Era" – December 18–19, 2026
Recommended Action: Voice Vote.
That the Board of Port Commissioners approve an additional $35,000 allocation to the FY 2026/2027 Events Production budget towards enhanced programming and services for the 50th Annual Ventura Harbor Parade of Lights and Fireworks – The Golden Era- on December 18 and 19, 2026, increasing the annual Events Production budget from $80,000 to $115,000.

Report by Ruby Hedrick, Sr. Marketing and Events Coordinator.

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

ACTION: Commissioner Rainey moved to approve an additional $35,000 allocation to the FY 2026/2027 Events Production budget towards enhanced programming and services for the 50th Annual Ventura Harbor Parade of Lights and Fireworks – The Golden Era- on December 18 and 19, 2026, increasing the annual Events Production budget from $80,000 to $115,000.

Commissioner Anderson seconded. The vote was unanimous.

ACTION: Commissioner Stephens moved to provide a $10,000 contingency for overages that may occur, bringing the total supplemental allocation to $45,000 and increasing the FY 2026 – 2027 events production budget from $80,000 to $125,000.

Commissioner Rainey seconded. The vote was unanimous.

3) Election of a Ventura Local Agency Formation Regular Member and Alternate Member Representing Special Districts
Recommended Action: Voice Vote.
That the Board of Port Commissioners elect a candidate to fill the four-year term of the Special District regular member and Special District alternate member for the Ventura LAFCo Commission.

Report by Jessica Rauch, Clerk of the Board.

Public Comment: None.

ACTION: **Vice-Chair Howell moved to elect Raul Avila to fill the Special District regular member and Doug Nickles to fill the Special District alternate member.**

Commissioner Anderson seconded. The vote was unanimous.

ADJOURNMENT: The meeting was adjourned at 7:25PM.

The next regular meeting is Wednesday, November 18, 2026.

_____
Anthony Rainey, Secretary



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

DEPARTMENTAL STAFF REPORTS
OCTOBER 2026
&
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: November 18, 2026

TO: Board of Port Commissioners
FROM: Todd Mitchell, Deputy General Manager
Justin Fleming, Capital Projects Manager
SUBJECT: October 2026 Capital Projects Report

1575 SPINNAKER DR. FACADE RENOVATION
Status: Rough Framing ongoing, Rough Electrical ongoing, Roofing ongoing
Budget: On Budget

The 1575 Building Exterior Façade Improvements Project continues to make substantial progress. All building framing has been completed, providing the framework for the remaining exterior improvements. Thermoplastic (TPO) roofing installation is approximately 90% complete, and stucco lath installation has been completed in preparation for the next phase of exterior finishes. Storefront installation has begun and is approximately 50% complete. All upper and lower patio steel safety railings have also been installed.

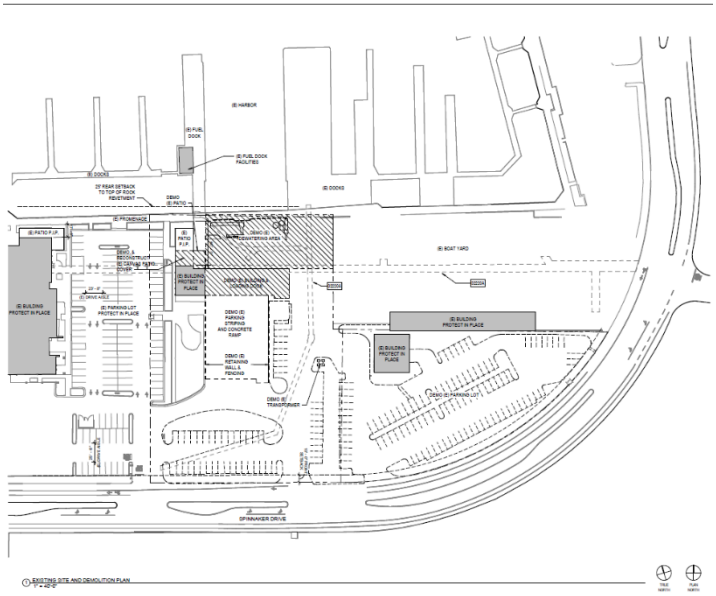


Plumbing work associated with future building improvements has been completed, including installation of the new grease interceptor. Concrete pour-back for both the front and back patios is expected to be completed by mid-November.



Previously identified soil erosion near the existing revetment has been addressed, with inspections confirming no damage to the revetment. Structural steel, concrete, and rebar work have also received the required engineering and City inspections and approvals.

COMMERCIAL FISHERIES MODERNIZATION PROJECT
Status: Design Phase



Staff are heavily engaged in supporting the Commercial Fisheries Modernization Project, including coordination with tenants, Port of Hueneme staff, and the architect/engineering design team working under contract to the Port of Hueneme. The project continues to advance toward City plan re-submittal and second round review of building and safety plans and grading permit.

The Capital Projects Manager has now assembled a consulting team consisting of Sanbell, RNT Architects, and MCM Construction, working alongside Goss Engineering. The team is making good progress on construction phasing, with particular attention to the relocation of utilities during the initial phase of construction. This coordination is intended to ensure that utilities are relocated to their permanent locations early in the project, allowing services to remain operational and significantly reducing impacts and potential downtime to Andria's Seafood and its overall business operations throughout construction.

The consulting team will continue developing a detailed construction schedule and Interim Operations Plan for Andria's Seafood, with an emphasis on coordinating construction activities and maintaining business operations while the project moves forward.

1559 SPINNAKER ELEVATOR MODERNIZATION
Status: In contract negotiations with vendor
Budget: On Budget



The elevator doors at 1559 have been damaged as a result of high usage and this damage has affected the reliability of the elevator, and the doors require repair to restore safe and dependable operation. This repair was included in the Ventura Port District's FY26/27 Capital Improvement Plan (CIP), approved by the Board of Port Commissioners.

TK Elevator (TKE) has been engaged to perform the repair, as the company already holds a service contract for other elevators at Ventura Harbor Village. TKE's familiarity with the Village's elevator equipment, its existing service relationship with the District, and a quote that falls within the District's approved procurement guidelines led Staff to identify TKE as the preferred contractor for this work. The scope of work and cost have been agreed upon, and the Port District's Legal Team has completed its review and made its final edits to the contract language. The District is now awaiting TKE's response before proceeding with contract execution and scheduling the repairs.

1583 SPINNAKER RE-ROOFING
Status: Pre-Bid Walk completed, Bids Received
Budget: On Budget

The replacement of the Harbor Village roofs remains part of the District's 5-Year Capital Improvement Plan (CIP). Staff identified the roof at 1583 Spinnaker as having reached the end of its life expectancy, and it has been selected for replacement in accordance with the CIP. Additionally, the existing bird stop has reached the end of its useful life, with several pieces observed falling out of place. Staff determined this presented a potential safety hazard, and all remaining bird stop materials were removed prior to demolition of the existing roof.



Staff engaged Garland to assist with procurement of the new roof, as Garland materials and repair warranties are already in place on other roofs throughout Ventura Harbor Village. Bids have now been received, with the lowest bid coming in $109,007 below the approved project budget of $700,000. Staff will present the bid to the Board of Port Commissioners at its November meeting for consideration of approval of the contract award. Once approved, the project can move forward toward scheduling and construction.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO:	Board of Port Commissioners
FROM:	Brian D. Pendleton, General Manager
	Todd Mitchell, Deputy General Manager
SUBJECT:	October 2026 Dredging Report

OUTER HARBOR DREDGING (FEDERAL NAVIGATION CHANNEL)

South Jetty Shoaling Notice

On August 26th, the Harbor Patrol issued a safety notice to local boaters regarding the growing shoal off the south jetty and the placement of a hazard buoy. Staff notified the US Army Corps of Engineers (USACE) Los Angeles District of the issue. Due to El Niño conditions that are likely to be severe this winter, it is a concern that shoaling conditions could worsen over the winter.

On August 31st, USACE advised that they would send out a hydrographic survey team in October to investigate the issue after the completion of dredging Oceanside, which was completed in the first half of October. The survey does identify the shoal near the south entrance but confirms that the rest of the entrance and sand trap remain in good condition. Staff and USACE will continue to communicate on the issue and determine if emergency conditions begin to emerge. Harbor Patrol continues to take soundings in the interim and monitor for further degradation of conditions.

Political Advocacy for Federal Funding

On April 3rd, the President's Office of Management and Budget (OMB) released the President's Budget for Fiscal Year 2027 and dredging of the Ventura Harbor Entrance Channel (and all navigation projects under the Los Angeles District of the Corps of Engineers) was unfunded.

While this does not mean the Corps cannot receive funding from Congress for dredging, it does mean that until a budget is passed, the Corps cannot act to dredge Ventura Harbor.

Senators Padilla and Schiff both issued congressionally directed spending (CDS) requests in the FY27 budget. However, the lack of appropriations activity by the Senate this summer and fall has failed to advance all CDS requests by all Senators. There is no certainty that *any* CDS's will move forward due to the stalemate in the Senate and the uncertain outcome of the election.

The Corps have already submitted their budget requests to the OMB for 2028 as of this past summer. Advocacy to support the Corps' requests are essential now to work to get Ventura Harbor back into the President's Budget.

Next Steps

Staff continue to work to ensure that Ventura Harbor will be included as part of the Corps Work Plan in FY27. While this is generally the most secure method of funding, the timing is poor as it will almost certainly be made available after the end of the dredging environmental window in 2027. Staff are continuing to work with Carpi & Clay to set up one-on-one meetings with OMB and our elected representatives to secure inclusion in the FY27 Work Plan and also pursue inclusion in the FY28 President's Budget. The timing of these meetings were expected to take place in late October, which is consistent for the timing of what is known as the "pass back" (around late November (frequently called "Pass back Day"), the OMB "passes back" its decisions to federal agencies regarding their proposed funding levels, including projects such as dredging Ventura Harbor. However, the District's lobbyist has been unsuccessful in scheduling this meeting so far.

On October 22nd, a letter on behalf of the District from Congressman Carbajal to the OMB to restate the importance of Ventura Harbor to the nation and therefore the need for federal funding for the project both in the FY27 Work Plan and the FY28 President's Budget. Staff have requested that Senators Padilla and Schiff also make this request from the OMB.

Staff have also been working with Carpi & Clay to alert the OMB and our congressional representatives to keep them advised of the shoaling issue and concerns over changes that could result from El Niño.

DETACHED BREAKWATER REPAIR

USACE has completed their assessment of the condition and have determined the need for repairs of the breakwater. USACE staff have advised that it is their intent to try to secure FY27 Work Plan funding to repair the breakwater in the coming 12~18 months. The amount required for the repair is similar to the cost of annual dredging (~$8 million).

During discussions with Corps staff at CMANC, Corps staff suggested that should duplicative funding be secured for dredging Ventura Harbor, that funding could be repurposed to perform the breakwater repairs or vice versa, as they are considered part of the same navigation project.

INNER HARBOR DREDGING

A hydrographic survey of the inner harbor was conducted in February 2026, to verify that the inner harbor navigation conditions remain excellent. At this time, no inner harbor dredging appears to be needed in 2026 or 2027 unless there is a very significant event that deposits extreme amounts of material within the harbor. The inner harbor will be re-surveyed in 2027.

ATTACHMENT:

Attachment 1 – Letter from Congressman Carbajal to OMB

ATTACHMENT 1

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
COAST GUARD AND MARITIME TRANSPORTATION, RANKING MEMBER
AVIATION
HIGHWAYS AND TRANSIT
COMMITTEE ON ARMED SERVICES
STRATEGIC FORCES
TACTICAL AIR AND LAND FORCES
COMMITTEE ON AGRICULTURE
NUTRITION AND FOREIGN AGRICULTURE

Salud O. Carbajal
24th District, California

2331 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3601

125 E. DE LA GUERRA STREET
SUITE 203B
SANTA BARBARA, CA 93101
(805) 730-1710

505 POLI STREET, SUITE 201
VENTURA, CA 93001
(805) 730-1710

1411 MARSH STREET, SUITE 205
SAN LUIS OBISPO, CA 93401
(805) 546-8348

CARBAJAL.HOUSE.GOV

October 22, 2026

The Honorable Russell Vought
Director
Office of Management and Budget
Executive Office of the President
725 17th Street NW
Washington, DC 20503

Dear Director Vought:

As the Office of Management and Budget (OMB) considers budget priorities for the U.S. Army Corps of Engineers (USACE) Operations and Maintenance account (O&M) in both Fiscal Year 2027 (FY27) USACE work plan and Fiscal Year (FY28) President's Budget Proposal to Congress, I urge you to include funding for maintenance dredging of the federally authorized Ventura Harbor Entrance Channel and Sand Trap. Ventura Harbor's contributions to the nation align with the Administration's stated goals for maritime dominance and funds are critical to ensuring that Ventura's entrance channel remains open to safe navigation to support emerging defense technologies and fisheries alike. As we prepare for the effects of El Niño along the Pacific Coast, the need for continued O&M funding has become more crucial.

Ventura Harbor plays an important role in supporting national security while remaining a vital hub for California's commercial fishing industry. Maintaining the harbor's entrance through annual operations and maintenance (O&M) dredging is essential to ensuring safe, reliable access for both national security operations and the commercial fishing fleet.

I am proud of the role that Ventura Harbor is playing to support national security, and I am committed to ensuring that Ventura's longstanding commercial fishing dominance is supported through annual O&M dredging. Ventura Harbor supports one of the most productive commercial fishing fleets on the West Coast and serves as a critical landing port for California market squid, one of the nation's most valuable fisheries. Recent landings approached 50 million pounds annually with an ex-vessel value nearing $28 million. The Harbor supports commercial fishing vessels and workers, fuel providers, ship repair facilities, marine suppliers, and the broader seafood supply chain – including significant seafood exports. The economic activity generated by Harbor operations exceeds $117 million annually and sustains hundreds of working-waterfront jobs.

Prior to FY27, funding for Ventura Harbor has consistently been included in the President's Budget request to Congress. And because the project was fully authorized and executed in FY26, it was not included in the FY26 Army Corps Work Plan. Unless this omission is reversed, annual

maintenance dredging may be delayed beyond what is necessary to maintain safe navigation. Given the anticipated effects of El Niño conditions on sediment transport and harbor shoaling this winter, the risk of a significant navigation emergency is increasing.

Importantly, Ventura Harbor is positioned for substantial growth in domestic seafood production. The Ventura Port District has secured state investments expected to increase squid landings by approximately 70 percent beginning in 2028, securing its position as the top commercial fishing harbor in California. In addition, Ventura Harbor will serve as the operational base for a newly permitted 2,000-acre offshore aquaculture project, among the largest commercial aquaculture developments in the United States. The harbor will support vessel operations, installation activities, maintenance services, and the landing and distribution of harvested seafood products. These emerging industries represent the type of domestic production, food security, and private-sector investment that federal policy seeks to encourage. Reliable access through the federal navigation channel is foundational to their success and thus their private investments.

Ventura Harbor is the only deep-draft Harbor of Refuge along a significant stretch of the Southern California coast. Commercial fishing vessels, government vessels, and emergency response assets rely upon safe access during severe weather and other emergencies. Oil spill response vessels stationed in Ventura Harbor, as well as vessels supporting National Oceanic and Atmospheric Administration and U.S. Coast Guard missions, depend on continued navigability of the federal channel. The Harbor is also the gateway to Channel Islands National Park, supporting ferry operations and public access to one of America's premier national parks.

The Ventura Port District has demonstrated its commitment to being a strong federal partner for decades. For example, the District funds and maintains all non-federal interior harbor channels at its own expense. In addition, the District also performs environmental studies, sediment testing, monitoring, permitting, and coordination activities necessary to support federal dredging operations, including providing USACE with the use of the District’s fuel usage permit. The use of District’s resources helps ensure federal dredging can proceed efficiently and cost-effectively. However, with an annual operating budget of roughly $13 million, the District lacks the financial capacity to assume responsibility for dredging the federal navigation project (Public Law 90-483).

Continued timely annual maintenance dredging by the USACE has been demonstrated to be a prudent federal investment in the safety and security of this harbor. History has demonstrated that deferring routine maintenance results in more severe shoaling, increased dredging costs, heightened navigation risks, disruptions to commerce, and the potential need for emergency federal intervention. Resuming consistent federal funding now will prevent significant impacts to these maritime industries and greater federal expenditures in the future while protecting a federal navigation asset that supports maritime commerce, public safety, domestic seafood production and autonomous drone testing for national security.

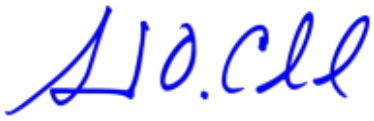
The timing of this federal investment is critical. Ventura Harbor’s environmental work window is from September through early May. However, the bulk of sediment is typically deposited during winter storm activity beginning after Thanksgiving. Given USACE’s commitments to other harbors in the region, the optimal timing of dredging is between early January and March.

Including funding for Ventura Harbor in the President's Budget proposal sends a clear message to USACE that the Administration values the national security and economic contributions of the Harbor and recognizes the tight timeline in which to perform this annual need.

Ventura Harbor is a nationally significant working waterfront, deep-draft commercial fishing port, Harbor of Refuge, and maritime industrial center that supports domestic food production, marine transportation, public safety, federal agency operations, and California's coastal economy. Failure to maintain the federal entrance channel would have consequences extending well beyond Ventura County. For all of these reasons, I respectfully request that OMB restore funding for the Ventura Harbor Entrance Channel and Sand Trap in the FY27 USACE work plan, to fully fund the project in the President's FY28 Budget proposal to Congress and ensure that annual maintenance dredging can once again proceed on schedule.

Thank you for your consideration of this important request. Please do not hesitate to contact my office at (202) 225-3601 if you require any additional information.

Sincerely,



Salud Carbajal
Member of Congress

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Todd Mitchell, Deputy General Manager
Sergio Gonzalez, Facilities Manager
Matt Tevere, Maintenance Supervisor
SUBJECT: October 2026 Facilities Report

MAINTENANCE ACTIVITES

VHV 1583/1591 (La Petit/Greek) PLANTER REHAB
Status: Completed
Budget: Budgeted (Grounds Maintenance)
The planter located in between Le Petite and The Greek was long overdue for a renovation. Our in-house landscape team removed the overgrown and outdated landscaping. Staff reworked the irrigation and re-planted new drought-tolerant plants from the Harbor Village landscape palette to match with the planters that have already been re-planted.



BEFORE



DURING





AFTER

LAUNCH RAMP CHANNEL ISLANDS MARINE PRESERVE SIGN
Status: Completed
Budget: Budgeted (Grounds Maintenance)
The Channel Islands National Marine Sanctuary sign/map metal backboard support was deteriorating and needed to be replaced. Our in-house maintenance team removed the sign and installed new backing. The sign was re-installed and painted to give it a new and refreshed look.



BEFORE



DURING





AFTER

VHV 1591 SUITE 207 TENANT IMPROVEMENT
Status: Completed
Budget: Budgeted (Tenant Improvement)
Facilities coordinated with contractors to replace all flooring and baseboards following with complete repainting of the suite. The Maintenance team went in after the contractors finished and completed the turnover by replacing all ceiling tiles, window coverings, door hardware, lighting upgrades and water heater.




BEFORE




AFTER

VHV PROMENADE FIRE PIT SERVICE
Status: Completed
Budget: Budgeted (Grounds Maintenance)
The promenade fire pit needed its annual service. The maintenance team removed all the glass beads and thoroughly cleaned the fire pit. Staff installed a new controller, cleaned the old glass beads as well as adding additional new glass beads to give the fire pit a clean fresh appearance.



BEFORE



DURING



DURING



AFTER

FACILITIES: Staff continue to perform everyday maintenance and on the spot repairs throughout Ventura Harbor Village, other District properties, equipment, vehicles, and vessels. Facilities also assist other Departments on special projects.

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
John Higgins, Harbor Patrol Chief
SUBJECT: October 2026 Harbor Patrol Report

Public Safety Overview:

The favorable weather continued through early October. To support visitor safety, the Port District maintained weekend Lifeguard coverage through the end of the month. Several significant swell events impacted local waters, and shoaling at the harbor entrance remained a persistent hazard for vessel traffic. In response, Harbor Patrol and Marine Safety Officers deployed a second hazard buoy and spent considerable time on the water conducting proactive boater outreach and safety contacts.

October also marked the start of the commercial and recreational lobster season. The Harbormaster coordinated with the local commercial fleet to provide staging space at the launch ramp for trap deployment. This effort supports an organized and efficient start to the season once trap deployment becomes legally authorized. Unlike recreational hoop nets, commercial lobster traps are not required to display lights and may be placed as close as 650ft from structures. While the Port District has limited regulatory authority outside the harbor, the Harbor Patrol Chief and Officers have worked cooperatively with the commercial fleet over many years to maintain traps north of the designated navigation channel.

United States Lifesaving Association: Medal of Valor and Heroic Acts Awards:



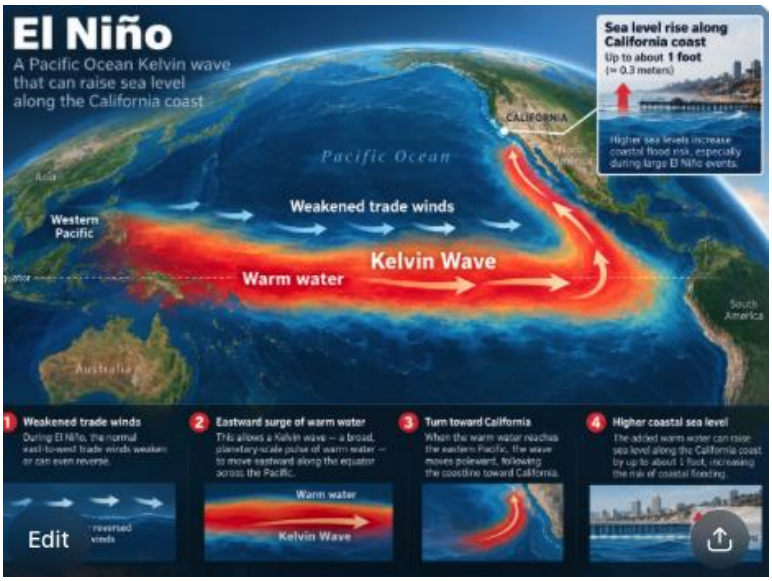
Harbor Patrol Officer Christian Bennett, Harbor Patrol Officer Garret Winter, and Part-Time Marine Safety Officer Nick Givens were recognized for their heroic actions during a vessel rescue in the surf on May 25, 2025. Officer Bennett received the United States Lifesaving Association (USLA) Medal of Valor, while Officer Winter and Marine Safety Officer Givens received the USLA Heroic Act Award.



With the support of the Port District Commission and General Manager, the three recipients attended the awards ceremony in Santa Cruz, California. The Harbor Patrol Chief, who was attending a JPIA Risk Management Conference in Monterey, also attended the ceremony. Their actions reflect exceptional courage, professionalism, and commitment to public service and represent the Ventura Port District at the highest level.

Super El Niño:

The Harbor Patrol Chief and Port District staff continue to monitor and prepare for the potential impacts of the forecasted Super El Niño. The Harbor Patrol Chief participates in biweekly coordination meetings and receives daily weather briefings from the National Weather Service regarding current conditions and forecasted storm activity.



In addition to these briefings, the District maintains a strong working relationship with the National Weather Service office in Oxnard and routinely coordinates with meteorologists to obtain clarification and additional insight on forecasted weather events.

These efforts help ensure the District remains informed and prepared to respond to changing conditions.

King Tides/Kelvin Wave:

King Tides this year have been amplified by an El Niño-related Kelvin Wave, which raises sea levels as warmer water moves across the Pacific. Elevated water levels began affecting local tide forecasts in late September and may continue for several weeks or months. Kelvin Waves can add as much as one foot above predicted tide levels. During several high tide events in October, Harbor Patrol staff observed water levels approaching eight feet on the Harbor tide gauge.



Staff continues to closely monitor forecast conditions, particularly the period between Thanksgiving and Christmas when California typically experiences some of the highest tides of the year. If a significant Pacific storm coincides with these elevated tides, the combined effects of higher sea levels, storm surge, and wave action could result in coastal flooding and water reaching farther inland than normal.

Patrols during recent high tide events also highlighted the benefits of the District's ongoing marina infrastructure improvements. In 2015, Resolution No. 3254 established a minimum top elevation of 15 feet above mean lower low water for new piling installations. Ventura West Marina Phase II "I" Dock provides a strong example of this policy in action. Following damage sustained during a

previous tsunami event, a new piling was installed alongside the original dock section. The difference in elevation is substantial and demonstrates how these improvements enhance the marina's resilience to future coastal hazards and extreme water level events.

Santa Clara River Flow:

The Santa Clara River naturally closed during early summer as persistent Southern Hemisphere swells transported sand north toward Ventura Harbor. As water levels increased behind the closure, the river sought the lowest available path and gradually shifted north toward the Harbor. While similar events have occurred in the past, this year's event was more pronounced.

Strong beach buildup from dredging activities and continued southern swell activity created a high berm along the shoreline and a low area between the water and dune system. This allowed King Tide flooding and river flows to collect and expand within the area. Conditions continued to worsen until water reached the Surfers Knoll groin and began discharging into the ocean between the groin and South Jetty.

As river velocities increased, the situation became an immediate public safety concern and posed a potential threat to District infrastructure, including the groin structure. In response, the General Manager activated additional District resources and staff closed affected parking lots, installed warning signage, and increased coordination with local, state, and federal agencies.

The General Manager assumed the role of Incident Commander and worked in unified command with the City of Ventura and California State Parks to evaluate response options. California State Parks obtained authorization to breach the river at its southern edge, allowing natural flows to resume while relieving pressure on the upcoast channel. The City of Ventura funded and coordinated the heavy equipment necessary to complete the work.

The event was resolved within approximately 72 hours. The coordinated efforts of the Ventura Port District, City of Ventura, and California State Parks successfully eliminated the public safety hazard and protected the groin structure from potential damage.

Harbor Cove Beach:

In early October, the District met with California Coastal Commission staff and beach volleyball representatives to discuss the proposed relocation of volleyball courts at Harbor Cove Beach. The site visit provided a valuable opportunity to demonstrate public safety concerns firsthand. Staff reviewed existing beach infrastructure, including the access trail, Harbor Patrol vehicle routes, and lifeguard tower operations, while explaining how these elements support emergency response activities.

The General Manager, Deputy General Manager, Harbor Patrol Chief, District Legal Counsel, and Rincon Consultants accompanied Commission staff through Harbor Cove and identified common pedestrian travel routes, areas of public congregation, and challenges faced by public safety vehicles accessing various portions of the beach.

Commission staff requested additional documentation to support several of the District's public safety concerns. Staff is currently compiling the requested information for submittal. The District remains hopeful that a reasonable compromise can be reached that preserves a portion of the existing courts while minimizing the placement of new courts adjacent to restroom facilities and within the primary beach access corridor.

South Beach:

Using the Port District's UAV, the Harbor Patrol Chief captured aerial photographs of South Beach to document post-summer sand accumulation. The image below shows that the groin at the top of the photograph is now largely buried by sand. This is a significant change from previous years and is largely attributed to the persistent Southern Hemisphere swell activity experienced throughout the summer.



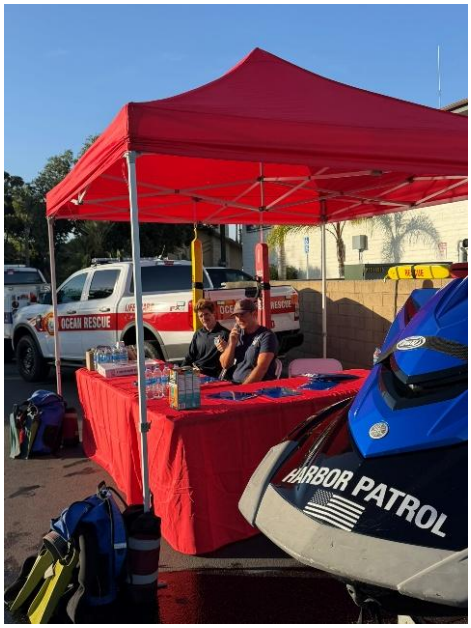
While the photograph does not fully capture the beach profile, darker sand visible near the lower center of the image marks an area where high tide water had previously pooled. Later in the month, this low area became the river's primary path as it flowed north toward the groin structure.

Lifeguard Program Development Team Meeting:

While planning for a District-operated Lifeguard Program for several years, staff is now focused on developing a fully operational program by spring 2027. With that goal approaching quickly, the Harbor Patrol team continues to devote significant time and effort to program development. The team includes the Harbor Patrol Chief, Senior Harbor Patrol Officer Brendan Donohue, Harbor Patrol Officer III Greg Williams, Harbor Patrol Officer Ian Ayers, and Harbor Patrol Officer Andrew Waller.

In early October, staff met with Port Hueneme Head Lifeguard Jason Johnson to discuss lifeguard operations, training, and certification requirements. The City of Port Hueneme, a fellow JPIA member, operates a beach of similar length but with a larger land-based footprint that includes a public pier. During the three-hour meeting, Mr. Johnson shared valuable information on training standards, state and local medical certification requirements, and program implementation. He also offered ongoing guidance and training support to help prepare District staff for the upcoming transition.

Lifeguard & Marine Safety Officer Open House:



Building on recent momentum, Harbor Patrol hosted its first combined Lifeguard and Marine Safety Officer Open House and Job Fair on October 17th from 9:00AM to noon. Staff arrived early to prepare the venue and display equipment, including Rescue Water Craft and specialized response vehicles. The event began with an interactive presentation that was also streamed for prospective candidates unable to attend in person.

Attendees learned about the Ventura Port District, its history, and the vision for the future Lifeguard Program. Staff also reviewed the application process, tryouts, training requirements, and summer staffing goals. A key message was that the District is committed to providing more than seasonal employment. The program is designed to develop skilled water safety professionals while creating opportunities to advance from Lifeguard to Marine Safety Officer and ultimately Harbor Patrol Officer.

Fourteen prospective candidates attended the event and were highly engaged throughout the day. Participants included Ventura State Lifeguards currently working under the District's contract, lifeguards from Orange County who learned of the opportunity through social media and professional contacts, and other experienced lifeguards, many of whom were already certified EMTs.

Attendees received a comprehensive tour of the Harbor Patrol facility, equipment, and specialized vehicles. The program also included boat tours of Ventura Harbor and South Beach, allowing candidates to view the future work area firsthand. The event concluded with a program overview, a question-and-answer session, and a light lunch provided in appreciation of their participation.

Staff considers the event a success and plans to host additional open houses in the coming months. These events will help maintain interest in the program and continue building a strong pool of qualified candidates for future recruitment efforts.

October 22nd Rain - Barranca Debris:



While the first rain generally brings a large collection of debris into the Harbor, the late October storm brought the traditional items but also included 9 full-sized trash cans. Harbor Patrol Staff collected most of the large items along with the 9 full-sized trash cans and coordinated with Harrison Trash Services to pick up and reunite the trash cans with their proper owners.

Harbor Patrol 911 Calls January (20):

Incident	Case Numbers	Units	Priority	Problem	Agency	Address	City	Response Date
26-0086480		HARB1, HARB3, LIFEGD1, ME2, MED667	M5	UNKNOWN PROBLEM NON EMD	Ventura County Fire Department	1600 SPINNAKER DR	Ventura	10/3/2026 1:59:08 PM
26-0088210		HARB1, HARB2	M5	TRAUMATIC INJURIES NON EMD	Ventura County Fire Department	1401 SPINNAKER DR	Ventura	10/8/2026 1:49:22 PM
26-0088281		HARB1, ME2	F10	ALARMS - LASR	Ventura County Fire Department	1755 Spinnaker Dr	Ventura	10/8/2026 5:09:42 PM
26-0088659		HARB1, ME2, MED681	M5	SICK PERSON	Ventura County Fire Department	1215 Anchors Way	Ventura	10/9/2026 8:02:58 PM
26-0088857		HARB1, ME2, MED473	M5	UNKNOWN PROBLEM NON EMD	Ventura County Fire Department	1080 Navigator Dr	Ventura	10/10/2026 1:47:44 PM
26-0091253		HARB1, LIFEGD1, ME2, MED471	F4	TC	Ventura County Fire Department	E HARBOR BLVD / SPINNAKER DR	Ventura	10/17/2026 12:26:02 PM
26-0091911		HARB1, MED495, SQ2	M5	DIABETIC PROBLEMS NON EMD	Ventura County Fire Department	1363 Spinnaker Dr	Ventura	10/19/2026 10:00:59 AM
26-0092436		HARB1, ME8, MED473	M1	FALL HIGH	Ventura County Fire Department	1057 Navigator Dr	Ventura	10/20/2026 9:46:41 PM
26-0092671		HARB1, MED495, SQ2	M5	TRAUMATIC INJURIES NON EMD	Ventura County Fire Department	1600 SPINNAKER DR	Ventura	10/21/2026 3:53:12 PM
26-0093041		HARB1, HARB3, ME8, MED495, SQ2	M1	CHOKING HIGH	Ventura County Fire Department	1583 Spinnaker Dr	Ventura	10/22/2026 5:53:08 PM
26-0093523		HARB1, HARB3, MED475, SQ2	M5	MEDICAL ALARM	Ventura County Fire Department	1591 Spinnaker Dr	Ventura	10/24/2026 12:36:29 PM
26-0093704		B1, EMS48, HARB1, HARB2, ME5, ME8, MED471, MED474, MT5, SQ2	F3	TC (HEAVY RESCUE)	Ventura County Fire Department	E HARBOR BLVD / SCHOONER DR	Ventura	10/25/2026 1:46:28 AM
26-0094547		HARB1, HARB2, MED473, SQ2	M3	CHEST PAIN NON TRAUMA HIGH	Ventura County Fire Department	923 Puerto Pl	Ventura	10/27/2026 3:46:44 PM
26-0094666		HARB1, MED473, SQ2	M7	FALL NO CODE	Ventura County Fire Department	1651 Anchors Way	Ventura	10/28/2026 1:04:29 AM
26-0094764		HARB1, MED495, SQ2	M7	FALL NO CODE	Ventura County Fire Department	1651 Anchors Way	Ventura	10/28/2026 10:37:09 AM
26-0094905		HARB1, MED681, SQ2	M5	FALL	Ventura County Fire Department	1215 Anchors Way	Ventura	10/28/2026 6:20:29 PM
26-0095176		HARB1, HARB3, ME101	F7	FIRE ALARM	Ventura County Fire Department	1755 Spinnaker Dr	Ventura	10/29/2026 2:48:55 PM
26-0095472		HARB1	F7	SPECIAL EVENT STAND BY	Ventura County Fire Department	1591 Spinnaker Dr	Ventura	10/30/2026 3:18:01 PM
26-0095876		HARB1, MED473, SQ2	M5	BEHAVIORAL EMERGENCY NON EMD	Ventura County Fire Department	1400 ANCHORS WAY	Ventura	11/1/2026 12:53:40 AM
26-0096105		HARB1, MED473, SQ2	M3	BREATHING PROBLEMS HIGH	Ventura County Fire Department	1049 Marina Dr	Ventura	11/1/2026 6:29:01 PM

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO:	Board of Port Commissioners
FROM:	Brian D. Pendleton, General Manager
	Todd Mitchell, Deputy General Manager
SUBJECT:	October 2026 State and Federal Legislative Report

Staff received a report from Townsend Public Affairs (Townsend) including the final list of Chaptered Bills for the upcoming vote in November. A version of the report that summarizes bills that could affect harbors, ports, and special districts is attached (Attachment 2). Townsend has also provided an End of State Legislative Session Memo (Attachment 3). No issues of great impact were identified, although some do potentially modify how meetings are held under the Brown Act.

Townsend will facilitate meetings with state legislators after the election to discuss potential grant opportunities in the coming year including invitations to have them visit and tour the harbor to learn of eligible needs.

Staff continue to coordinate with the Office of Management and Budget, the US Army Corps of Engineers, CMANC and Carpi & Clay regarding dredging issues, which are covered under that report.

ATTACHMENTS:
Attachment 1 – Townsend Public Affairs, Inc. October 2026 Report
Attachment 2 – Townsend Public Affairs – Chaptered Bills List
Attachment 3 – Townsend Public Affairs – Elections Memo
Attachment 4 – Carpi & Clay October 2026 Report

TOWNSEND PUBLIC AFFAIRS
WWW.TOWNSENDPA.COM

MONTHLY LEGISLATIVE REPORT

To: **Ventura Port District**

From: **Townsend Public Affairs**

Date: **November 4, 2026**

Subject: **October 2026 Monthly Legislative Report**

STATE UPDATES

EXECUTIVE BRANCH ACTIVITY

Office of Environmental Health Hazard Assessment Releases New Climate Change Report

The California Office of Environmental Health Hazard Assessment, which operates under the California Environmental Protection Agency, released the fifth edition of its report *Indicators of Climate Change in California,* published to document changes in the state's climate and their effects on the environment and human health. The report includes 49 indicators and eight tribal reports documenting accelerated and compounding climate impacts across California's water systems, wildfires, public health, and ecosystems. Overall, the report finds that climate change is increasing the severity and scale of wildfire, intensifying extreme heat, reshaping ecosystems and environments, and impacting human health and well-being.

Specifically, the report documented a growing mismatch between when water is available and when demand is highest, as warming shifts more precipitation from snow to rain, causes snow to melt earlier, and causes water to reach rivers and reservoirs sooner. Extreme heat has become more frequent, with minimum nighttime temperatures rising by about 3.9 degrees Fahrenheit since 1895. Average acres burned by wildfires between 2020 and 2024 reached 5.7 times the pre-2000 average, with all but two of California's largest wildfires in documented history occurring since 2000. Warming, drought, and wildfire have altered the state's forests, wildlife communities, and seasonal cycles.

Wildlife ranges have also changed, with 25 of 34 small mammal species in the Sierra Nevada having shifted their elevational ranges over the past century. Ocean acidification and marine heatwaves have altered conditions for marine life, with six of the last seven years experiencing record marine heatwaves. Increased carbon dioxide being absorbed by the ocean has changed the ocean's chemistry in ways that affect the growth and survival of various marine species.

The report points to these indicators as descriptive of a state in which the consequences of climate change are becoming more visible, noting that the shifts do not occur independently and often compound one another. Additionally, the report notes that the results of these shifts disproportionately affect communities with higher exposure or fewer resources to prepare for and recover from the climate hazards they exacerbate.

California Economy Continues to Grow as State Revenues Exceed Budget Projections

The California Department of Finance released its October 2026 Finance Bulletin, which highlighted continued economic growth and stronger than expected state revenues. The state's inflation-adjusted gross domestic product (GDP) grew at an annualized rate of 2.5% throughout the second quarter of 2026, down from 3.2% in the first quarter, but exceeding the national growth rate which sat at 2.2%. This growth was primarily driven by the information, financial activities, education, and health care sectors. Personal income also increased 4.5% year over year in the second quarter, which slightly outpaces the national rate of 4.4%. Housing permitting activity remained strong as well, up 15.5% through August 2026 when compared with the year to date through August 2025, which was largely driven by a 37.3% increase in multifamily housing permitting.

According to the bulletin, preliminary State General Fund revenues exceeded previously established projections by approximately $2.9 billion, or 14.9%, in September. Corporation tax receipts represented $1.3 billion of the higher than anticipated funds, followed by personal income tax receipts at $1.1 billion. Sales and use tax revenues also exceeded expectations by $159 million, or 5.6% during the month of September. Altogether, General Fund cash receipts have exceeded the April projections by approximately $5.5 billion, including $828 million of that amount attributable to cash collected during the 2025-26 fiscal year.

Newsom Announces Disaster Response Upgrades and Wildfire Preparations

Governor Newsom announced the deployment of a new satellite-based disaster intelligence technology and the reopening of California's State Operations Center at the Governor's Office of Emergency Services (Cal OES) headquarters outside of Sacramento. A new agreement with satellite-imaging company ICEYE gives Cal OES access to near real time satellite imagery which allows it to monitor flooding, wildfires, and other natural disasters, even during heavy cloud cover, smoke, or darkness. The information gathered will allow officials to better assess the impacts of, and direct action during, emergencies. It is noted that this information will also be shared with local emergency officials to improve coordination and situational awareness.

The newly renovated State Operations Center, which acts as the state's central emergency command and control center, now features upgraded communications technology, a larger operations floor, and increased operational capacity with 10 added positions. This announcement comes amid California's preparation for what is projected to be a historic El Niño event, with warnings from state officials indicating heightened risks of severe storms, flooding, landslides, coastal erosion, and debris flows. These upgrades and new developments, according to the governor, are intended to improve the state's ability to support local agencies and accelerate emergency response and recovery efforts.

As the Santa Ana winds increased during October, Governor Newsom has directed CAL FIRE and Cal OES to preposition additional resources and place the State Operations Center in an elevated level of readiness. For CAL FIRE, this means a staffing increase and the positioning of engine strike teams across Southern California to reinforce the crews and engines already there. For Cal OES, this manifests in the positioning of additional firefighters, aircraft, and equipment in Orange, Ventura, Los Angeles, and Santa Barbara counties. These actions are meant to bolster local fire departments with additional resources as fire danger increases as a result of strong winds, low humidity, and dry vegetation.

The governor's office additionally urged Californians to prepare for dangerous winds and wildfire conditions by developing a wildfire action plan, signing up for emergency alerts, avoiding outdoor activities that could create sparks, preparing for high winds, and planning for potential power outages.

Department of Insurance Finalizes New Regulation

California Insurance Commissioner Ricardo Lara announced that the Office of Administrative Law had approved the Comprehensiveness Review Regulation and the department had posted the final regulation, which establishes a new voluntary process meant to improve both transparency and efficiency during the insurance rate review process. Under the regulation, personal and commercial insurance companies may submit their proposed rate changes to the Department of Insurance (DOI) for review prior to their formal application under the Proposition 103 process. During this initial review, DOI staff will evaluate supporting information, identify potential deficiencies, and develop a preliminary range of rates. The regulation requires review materials and findings to be public, which is intended to allow Californians to see how the DOI evaluates proposed increases and identifies potential savings. Insurers are not required to participate in this process and may choose to proceed directly to the formal rate application process.

As part of Commissioner Lara's Sustainable Insurance Strategy, which seeks to improve insurance affordability and availability while strengthening regulatory oversight, the new regulation is designed to reduce delays in the rate approval process by identifying deficiencies in insurers' submissions before they submit formal rate applications. According to the DOI, its review of property, commercial, and vehicle insurance rate filings has saved consumers approximately $6.9 billion since 2019.

California Continues Integrating AI Into State Government

Governor Newsom announced the launch of a new Skills Matching tool to help Californians find state jobs. Assisted by GenAI, the tool will automatically match job seekers' skills and experience to state job classifications. While still described as a prototype, the tool was launched through a partnership between the California Department of Human Resources (CalHR) and the Office of Data and Innovation (ODI). According to the governor's release, the tool does not store or save any information or data on the website and works by allowing a user to upload their resume. Nearly 8,000 individuals have submitted their resumes to the tool since its soft launch.

This is not the first time AI has been integrated into state government. In 2023, Governor Newsom issued an executive order directing state agencies to begin adopting generative AI, exploring its beneficial uses, and using it to streamline procurement. As a result, the Department of Technology developed Poppy, a generative AI tool specifically tailored for state government use. On July 1, 2026, this tool became available to all state departments. On July 8, the Department of Technology announced a state partnership with Anthropic, which made its flagship product, Claude, available across state government as well. Through the agreement, Claude became available for purchase at a 50% discount for all state departments, in addition to every city and county in the state. In September, Governor Newsom announced the launch of AskCA, an AI-powered prototype tool designed to help Californians navigate state and local services. Built by the California Office of Data and Innovation, the tool is promoted as assisting with jobs, health, housing, and more.

LEGISLATIVE BRANCH ACTIVITY

Assembly Holds Hearing on Utility Finances

The Assembly Committee on Utilities and Energy held an oversight hearing titled *The Tipping Point: Historic Growth, Generational Investment, and Utility Investability* on October 28. Ahead of the hearing, the committee released a report examining the financial challenges faced by the state's electric utilities as they simultaneously pursue infrastructure investments. The report found that the three largest investor-owned utilities (IOUs) in California have planned approximately $125 billion in capital investments between 2026 and 2030. However, utilities' ability to finance these investments while maintaining affordable rates is a major challenge.

During the hearing, utilities, regulators, and industry representatives warned that rising wildfire liability combined with declining credit ratings could increase borrowing costs, raise consumer bills, and delay infrastructure investment and housing development. PG&E cited its recent $2 billion capital investment deferral as a result of ongoing financial uncertainty, and the California Building Industry Association warned that delayed utility investments could leave finished housing developments without electricity for months. The Independent Energy Producers Association framed the financial challenges faced by utilities as an existential threat, and the Los Angeles Department of Water and Power emphasized that increased borrowing costs for publicly owned utilities cannot be absorbed by shareholders and instead must be borne by ratepayers directly. However, the Utility Reform Network argued that capping utility wildfire liability is not the best solution, instead advocating for reforms to utility debt to equity ratios, limitations on wildfire fund payouts, and establishing the state as the wildfire insurer of last resort.

Overall, the message received by members of the committee was simple, with the chair, Assemblymember Cottie Petrie-Norris (D-Irvine), rounding out the discussion with the following statement: “One thing that has been very clear from today’s discussion is that the stakes for California could not be higher and that the crisis is not in six months the crisis is unfolding before our very eyes.” As this was an oversight hearing, the committee did not take any formal action.

Assembly Holds Joint Hearing on Subrogation

On October 29, the Assembly Committees on Utilities and Energy and Insurance held a joint informational hearing on insurance subrogation and its impact on utility ratepayers and insurance policyholders. According to the background document published prior to the hearing, California utilities paid an estimated $38 billion in wildfire compensation between 2017 and 2024, with insurer subrogation accounting for an estimated $15 billion (about 40%) of that amount. Public entities accounted for an estimated $1.5 billion of that amount (about 4%). However, limiting or eliminating subrogation could shift costs from utility ratepayers to insurance policyholders through increased premiums, which could have a sizable effect on insurance affordability and availability.

Panelists discussed the potential impacts of modifying the state’s wildfire insurance subrogation framework on wildfire victims, insurance policyholders, and utility ratepayers. Attorney Mark Grotefeld argued that subrogation is essential to holding utilities accountable, incentivizing wildfire risk reduction, and providing the investigative resources needed to establish utility liability. Consulting actuary Nancy Watkins estimated that eliminating subrogation could increase statewide insurance premiums by ten to eleven percent, with wildfire premiums in high-risk areas increasing by three or four times, while capping subrogation at fifty percent could result in a statewide premium increase of up to six percent. Stanford researcher Michael Wara detailed the potential costs of subrogation for electric ratepayers, estimating that a hypothetical $22 billion

utility-caused wildfire could increase monthly electric bills by $4.15 to $33 depending on the utility. Wara estimated that limiting or eliminating subrogation could substantially reduce those costs for ratepayers, highlighting the tradeoff between insurance affordability, ratepayer costs, and utility accountability.

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LEGISLATIVE UPDATE

To: **Ventura Port District**

From **Townsend Public Affairs**

Date: **October 22, 2026**

Subject: **2026 Chaptered Bills Affecting Ports, Harbors & Special Districts**

2026 CHAPTERED BILLS AFFECTING PORTS, HARBORS, & SPECIAL DISTRICTS

Below is a summary of tracked measures that were signed into law or chaptered during the second year of the 2025-26 legislative session and that affect ports, harbors, and special districts, organized by topic area.

PORTS, HARBORS, COASTAL, & GOODS MOVEMENT BILLS	
BILL	**SUMMARY**
AB 35 (Alvarez)	Exempts regulations implementing the 2024 climate bond (Proposition 4) from the Administrative Procedure Act and requires administering agencies to publish draft guidelines and hold public meetings on them.
AB 2175 (Garcia)	Makes logistics and manufacturing businesses eligible to aggregate multiple meters under net energy metering tariffs if the CPUC extends meter aggregation.
SB 1213 (Reyes)	Conditions eligibility of medium- and heavy-duty vehicle models for state clean vehicle incentive programs on manufacturers providing pricing data.
SB 1268 (Gonzalez)	Establishes the Outdoors for All initiative within the Natural Resources Agency to expand outdoor public recreation spaces and align funding for equitable outdoor access.

GOVERNANCE, TRANSPARENCY & LIABILITY BILLS	
BILL	**SUMMARY**
AB 1821 (Pacheco)	Converts the initial Public Records Act response deadline from calendar days to 10 business days.
AB 1908 (McKinnor)	Allows enforcement of tort settlement agreements with local public entities when the settlement is payable from a victims' compensation fund or similar program.

GOVERNANCE, TRANSPARENCY & LIABILITY BILLS	
BILL	**SUMMARY**
AB 2323 (McKinnor)	Requires legally mandated public notices to be published both in print and on the newspaper's website, and bars newspapers from charging fees to access or post them online.
AB 2640 (Hadwick)	Allows local agencies to offset decreases in pending mandate reimbursement claims from any unpaid reimbursement claims.
SB 239 (Arreguín)	Allows courts to treat threats against local elections officials or elected local officials as an aggravating factor at sentencing.
SB 577 (Laird)	Makes a series of changes to relevant law to mitigate the fiscal impact of childhood sexual assault claims against public entities and to diminish the prevalence of childhood sexual abuse.
SB 747 (Wiener)	Creates a state cause of action against any person who, under color of law, deprives someone of rights secured by the U.S. Constitution.
SB 992 (Niello)	Preserves and enhances existing flexibilities for small special districts to complete required audits.
SB 994 (Cabaldon)	Prohibits local agency officials from entering into nondisclosure agreements on public business that prevent them from sharing information with fellow board or council members.
SB 1126 (Choi)	Beginning January 1, 2028, requires local agencies with websites to post audited financial statements or annual comprehensive financial reports within 30 days of completion.
SB 1159 (Cabaldon)	Clarifies that AI systems, autonomous agents, and robots are not a “person” or “member of the public” under the Brown Act, the Public Records Act, and related open-government statutes.
SB 1187 (Durazo)	Repeals the July 1, 2026 agenda-translation and electronic-fulfillment mandates created by SB 707, while retaining remote-participation requirements.

PUBLIC CONTRACTING & PUBLIC WORKS BILLS	
BILL	**SUMMARY**
AB 1198 (Haney)	Revises how prevailing wage updates apply to certain public works contracts by extending new wage determinations to large contracts and creating a faster process to challenge those rates.
AB 1838 (Berman)	Requires contractors bidding on local public works to disclose wage and hour violation history, allows disqualification for failure to disclose, and requires a local appeal process.
SB 935 (Choi)	Eliminates the January 1, 2031, sunset on local agency design-build authority, extending it indefinitely.
SB 1205 (Valladares)	Caps retention on public design-bid-build contracts for architecture and engineering services at 5% and requires release within 60 days of completion, with exceptions for complex projects.

PUBLIC EMPLOYMENT BILLS	
BILL	**SUMMARY**
AB 1883 (Bryan)	Prohibits employers from using AI-powered workplace surveillance tools to collect neural data or infer emotional state.
SB 1149 (Durazo)	Expands bereavement leave to cover the death of a person designated by the employee, while allowing employers to limit employees to one designated person per 12-month period.

HARBOR POLICE & PUBLIC SAFETY BILLS	
BILL	**SUMMARY**
AB 2041 (Carrillo)	Requires public safety agencies not providing pre-arrival instructions to 911 callers by January 1, 2027, to report their compliance status to their local EMS agency.

UTILITY, WATER & SANITATION DISTRICT BILLS	
BILL	**SUMMARY**
AB 34 (Patterson)	Extends the large hydroelectric exemption from renewable procurement requirements for local publicly owned electric utilities to compliance periods set by the Energy Commission after 2030.
AB 1945 (Hadwick)	Allows municipal utility districts to send delinquency notices electronically and authorizes districts with fewer than 100,000 customers to offer a residential prepay option for electric service.
AB 2619 (Papan)	Requires data centers to report projected and annual water use to cities, counties, and water suppliers.
AB 2728 (Soria)	Authorizes local agencies, including groundwater sustainability agencies, to exempt de minimis groundwater extractors from groundwater monitoring and management fees upon making specified findings.
AB 2777 (Environmental Safety and Toxic Materials)	Allows the State Water Board to assess fees in place of the annual charge on Clean Water State Revolving Fund financial assistance, at any rate permitted under federal law.
SB 868 (Wiener)	Exempts, until January 1, 2030, portable solar devices, as defined, from requirements in state law and electric utility rules regarding connecting to the electrical distribution system, known as interconnection. Prohibits, beginning January 1, 2030, the sale of devices that do not meet the safety and certification requirements of this bill.
SB 1005 (Caballero)	Allows local agencies that opt in by resolution to round cash transactions to the nearest $0.05.
SB 1371 (Durazo)	Voids force majeure provisions in local solid waste franchise contracts entered into or substantially amended on or after January 1, 2027, that excuse service during labor disputes.

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MIDTERM ELECTIONS UPDATE

To: **Ventura Port District**

From: **Townsend Public Affairs**

Date: **November 4, 2026**

Subject: **Midterm Elections Preliminary Update**

EXECUTIVE SUMMARY

On Tuesday, November 3, voters across California and the nation cast ballots in the 2026 Midterm Elections. The results will determine control of Congress, California's next gubernatorial administration, and the composition of the State Legislature heading into the 2027–2028 legislative session. California voters also considered statewide ballot measures with implications for state and local finances, public services, and local decision-making.

As of 12:00 pm on November 4, approximately 7.9 million ballots had been counted statewide, with additional ballots remaining to be processed. The results summarized below are preliminary and reflect the information available at the time of publication. Close races may remain unresolved as county elections officials continue counting ballots.

The principal takeaways are:

- **Control of Congress:** Democrats have secured control of the US House of Representatives and the US Senate. This outcome will shape federal spending negotiations, legislative priorities, and oversight during the second half of the presidential term.
- **California's Next Governor:** Xavier Becerra has won the gubernatorial contest with 63.9% of the vote. The transition to a new administration will create opportunities to engage on local government priorities, agency leadership, and the development of the next state budget.
- **State Legislature:** Preliminary results indicate a gain of Democrat seats in both houses.
- **Statewide Ballot Measures:** Voters demonstrated support for increased housing investment and maintaining existing tax revenues while rejecting or appearing poised to reject proposals involving new wealth taxes, restrictions on local taxing authority, and changes to environmental review requirements.
- **Implications for the District:** The District's legislative representation will remain stable in 2027 with Assemblymember Steve Bennett's victory in AD-38, and Senate President Pro Tempore Monique Limón not up for reelection.

OVERVIEW OF RACES		
OFFICE	**CONTESTS**	**NOTES**
Congressional Special Election	1 Race	Special election for Congressional District 1
U.S. House of Representatives	52 Races	All California congressional districts on the ballot; first election under Proposition 50 congressional maps
Statewide Ballot Measures	14 Measures	Proposed changes to state law and the California Constitution
Constitutional Officers	8 Statewide Races	Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner, and Superintendent of Public Instruction
California State Senate	20 Races	Half of the Senate's 40 seats were up for election
California State Assembly	80 Races	All Assembly seats were on the ballot

CONGRESSIONAL RACES

The national midterm results will determine the balance of power in Congress for the next two years. As of 11am PST on November 4, the Democratic Party has secured 237 seats in the House of Representatives, with 59 contests unresolved. They are expected to secure a 50-seat majority when the counting has finished. In the Senate, the anticipated balance stands at 44 Republicans, 52 Democrats, and 2 independents who caucus with Democrats, with two races in Alaska and Mississippi unresolved.

The Democratic party swept both the House and Senate in the Midterms, flipping both chambers with significant majorities. The results represent the largest number of flipped seats since the 2006 elections. While this change will not empower Democrats to unilaterally pass legislation, it will enable them to stop the President's legislative agenda.

Chamber	Republican Seats	Democratic Seats	Unresolved Races	Control
U.S. House of Representatives	139	**237**	59	**Democratic**
U.S. Senate	44	**54***	2	**Democratic**

Senate totals include seats not up for election. Seat totals reflect Cook Political Report/New York Times as of 11am PST on November 4, 2026.
**Independents not denoted as both Senate independents caucus with Democrats.*

The 2026 Midterm Elections represent the first federal elections conducted under California's new congressional district boundaries, established through **Proposition 50.** The new map

substantially altered several districts and increased the number of California districts with a Democratic party advantage based on prior elections.

Almost every competitive seat in California, created by Prop. 50, shifted towards the Democratic candidate. In Congressional District (CD) 6, **Democrat Richard Pan, facing incumbent Kevin Kiley,** has a commanding 7% lead with 55% of votes in. In CD-22, **Democrat Randy Villegas leads over incumbent Republican David Valadado** by 16%, with 67% of votes counted. In CD-48, **Democrat Marni von Wilpert** holds a 10% lead over **Republican Jim Desmond** in the race to replace retiring **Congressman Darrell Issa.** In CD-3, incumbent **Congressman Ami Bera** is fending off **Republican challenger Robb Tucker** with a 7% lead and 55% of votes counted.

Additionally, incumbent Republican members **Ken Calvert and Young Kim** had their districts combined into CD-40, where Calvert is leading over Kim with 55% of the vote and 42% of votes cast. Incumbent members are also demonstrating a strong showing, with long-serving members such as **Doris Matsui, Brad Sherman, and Maxine Waters** leading in their races. Though in CD-4, where incumbent **Democrat Mike Thompson** is facing **Democratic Challenger Eric Jones,** Jones is holding a slight lead over Thompson at 52% with 41% of votes counted.

UNITED STATES HOUSE OF REPRESENTATIVES **Denotes incumbent member of Congress*	
CD 1	**CD 2**
James Gallagher (R) – 43% **Mike McGuire (D) – 57%**	**Jared Huffman (D)* – 68%** Robin Littau (R) – 32%
CD 3	**CD 4**
Ami Bera (D)* – 57% Robb Tucker (R) – 43%	**Mike Thompson (D)* – 52%** Eric Jones (D) – 48%
CD 5	**CD 6**
Tom McClintock (R)* – 56% Michael Masuda (D) – 44%	Kevin Kiley (NPP)* – 43% **Richard Pan (D) – 57%**
CD 7	**CD 8**
Doris Matsui (D)* - 57% Mai Vang (D) – 43%	**John Garamendi (D)* - 72%** Rudy Recile (R) – 28%
CD 9	**CD 10**
Josh Harder (D)* - 66% John McBride (R) – 34%	**Mark DeSaulnier (D)* - 69%** Jeff Frese (R) – 31%
CD 11	**CD 12**
Scott Wiener (D) – 55% Connie Chan (D) – 45%	**Lateefah Simon (D)* - 80%** Jamie Joyce (D) – 20%
CD 13	**CD 14**
Adam Gray (D)* - 61% Kevin Lincoln (R) – 39%	**Aisha Wahab (D) – 57%** Melissa Hernandez (D) – 43%
CD 15	**CD 16**

Kevin Mullin (D)* - 77% Charles Hoelter (R) – 23%	**Sam Liccardo (D)* - 76%** Peter Sundin Soulé (R) – 24%
CD 17	**CD 18**
Ro Khanna (D)* - 71% Ritesh Tandon (R) – 29%	**Zoe Lofgren (D)* - 72%** Shane Lewis (R) – 28%
CD 19	**CD 20**
Jimmy Panetta (D)* - 72% Peter Coe Verbica (R) – 28%	**Vince Fong (R)* - 63%** Sandra Van Scotter (D) – 37%
CD 21	**CD 22**
Jim Costa (D)* - 62% Kyle Kirkland (R) – 38%	David G. Valadao (R)* - 34% **Randy Villegas (D) – 66%**
CD 23	**CD 24**
Jay Obernolte (R)* - 51% Tessa Lynn Hodge (D) – 49%	**Salud Carbajal (D)* - 66%** Bob Smith (R) – 34%
CD 25	**CD 26**
Raul Ruiz (D)* - 64% Joe Males (R) – 36%	**Jacqui Irwin (D) – 62%** Sam Gallucci (R) – 38%
CD 27	**CD 28**
George Whitesides (D)* - 62% Jason Gibbs (R) – 38%	**Judy Chu (D)* - 62%** April A. Verlato (R) – 38%
CD 29	**CD 30**
Luz Maria Rivas (D)* - 60% Angélica María Dueñas (D) – 40%	**Laura Friedman (D)* - 75%** Scott Alan Meyers (R) – 25%
CD 31	**CD 32**
Gil Cisneros (D) – 64% Eric Ching (R) – 36%	**Brad Sherman (D)* – 66%** Larry Thompson (R) – 34%
CD 33	**CD 34**
Pete Aguilar (D)* - 68% Stephanie Vargas (R) – 23%	Jimmy Gomez (D)* - 41% **Angela Gonzales-Torres (D) – 59%**
CD 35	**CD 36**
Norma J. Torres (D)* - 66% Mike Cargile (R) – 34%	**Ted Lieu (D)* - 71%** Houston Brignano (R) – 29%
CD 37	**CD 38**
Sydney Kamlager-Dove (D)* - 62% Samantha Mota (D) – 38%	**Hilda Solis (D) – 65%** Pedro Antonio Casas (D) – 35%
CD 39	**CD 40**
Mark Takano (D) – 65% Steve Manos (R) – 35%	**Ken Calvert (R)* – 55%** Young Kim (R)* – 45%

CD 41	CD 42
Linda Sanchez (D)* - 65% Mitch Clemmons (R) – 35%	**Robert Garcia (D)* - 60%** Brian Burley (R) – 40%
CD 43	**CD 44**
Maxine Waters (D)* - 81% Christian Morales (R) – 19%	**Nanette Diaz Barragan (D)* - 80%** Genevieve Angel (R) – 20%
CD 45	**CD 46**
Derek Tran (D)* - 59% Chuong V. Vo (R) – 41%	**Lou Correa (D)* - 68%** David Pan (R) – 32%
CD 47	**CD 48**
Dave Min (D)* - 57% Jenny Rae Le Roux (R) – 43%	Jim Desmond (R) – 40% **Marni von Wilpert (D) – 60%**
CD 49	**CD 50**
Mike Levin (D)* - 57% Armen Kurdian (R) – 43%	**Scott Peters (D)* - 61%** Steve Cohen (R) – 39%
CD 51	**CD 52**
Sara Jacobs (D)* – 63% Ricardo Cabrera (R) – 37%	**Juan Vargas (D)* - 69%** Jeff Belle (R) – 31%

Results as of 11am PST on November 4, 2026. Results provided by Cook Political Report, New York Times, and California Secretary of State website.

CALIFORNIA STATEWIDE BALLOT MEASURES

Preliminary results from California's November 3 election indicate voter support for significant housing investments, expanded state budget reserves, and continued education and healthcare funding. As of November 4, **seven statewide measures were leading toward approval and seven were leading toward rejection.** Four measures were projected to pass and two were projected to fail, while eight remained uncalled. **Proposition 5**, concerning state recall procedures, remained particularly close, with 50.3 percent support.

For local agencies, the most significant outcomes include the projected approval of **Proposition 1**, authorizing $11.25 billion in affordable housing and veterans' housing bonds, and **Proposition 37**, establishing a loan program for qualifying middle-income homebuyers. These measures would expand state resources supporting affordable housing development and homeownership. In contrast, **Proposition 43**, requiring two-thirds voter approval for citizen-sponsored local special taxes, was trailing with 54.9 percent opposed. **Proposition 45**, establishing expedited environmental review and litigation procedures for specified projects, was also trailing, with 54.1 percent opposed.

The proposed **billionaires tax, Proposition 40**, was heading toward rejection, with 55.6 percent opposed. Results were mixed for the related tax measures. **Proposition 41**, addressing state special-tax audits and spending-limit requirements, was trailing, while **Proposition 42**, restricting new state personal-property taxes and certain retroactive taxes, was leading. If these results hold,

voters would reject the proposed billionaires tax while approving additional restrictions on future state taxation.

Other significant outcomes include the projected approval of **Proposition 2**, expanding the State's Rainy-Day Fund capacity, and **Proposition 3**, making existing higher income tax rates permanent to support schools and healthcare. **Proposition 39**, establishing additional voter identification requirements, and **Proposition 44**, imposing spending requirements on community health clinics, were projected to fail.

The chart below summarizes preliminary results as of November 4. Results remain unofficial and subject to change as additional ballots are counted.

STATEWIDE BALLOT MEASURES					
Proposition	**Measure**	**Summary**	**Yes**	**No**	**Preliminary Status**
1	**Veterans and Affordable Housing Bond Act of 2026**	Authorizes $11.25 billion in general obligation bonds, including $10 billion for affordable housing programs and $1.25 billion for the CalVet Home Loan Program.	**59.4%**	40.6%	**Projected to pass**
2	**Save for California's Future Act**	Increases the constitutional limit on the State's Rainy-Day Fund from 10 percent to 20 percent of annual General Fund revenues.	**59.6%**	40.4%	**Projected to pass**
3	**Permanent Funding for Schools and Health Care Through the Existing Tax on High Incomes**	Makes permanent higher personal income tax rates on high-income taxpayers that are currently scheduled to expire in 2031.	**58.7%**	41.3%	**Projected to pass**
4	**California Fair Elections Act of 2026**	Allows state and local governments to establish public campaign financing programs without requiring them to do so.	48.0%	**52.0%**	**Leading toward rejection**
5	**Recall of State Officers**	Eliminates the replacement-candidate portion of state recall elections and fills resulting vacancies through applicable succession or vacancy procedures.	**50.3%**	49.7%	**Narrowly leading toward approval**

37	**Middle-Income Homebuyer Loan Program**	Authorizes up to $25 billion in bonds to provide qualifying middle-income buyers with loans covering a portion of the purchase price of newly constructed homes or qualifying converted properties.	**61.0%**	39.0%	**Projected to pass**
38	**Bonds for Immunology and Immunotherapy Research**	Authorizes $8.4 billion in general obligation bonds for research, including funding directed toward cancer, heart disease, and Alzheimer's disease.	**55.7%**	44.3%	**Leading toward approval**
39	**Voter Identification and Citizenship Verification Requirements**	Establishes identification requirements for in-person and mail voting, requires voter identification cards to be available upon request, and adds citizenship-verification reporting requirements.	41.4%	**58.6%**	**Projected to fail**
40	**One-Time Tax on Certain Individuals and Trusts**	Imposes a one-time tax of up to 5 percent on covered assets exceeding $1 billion, allocating revenue primarily to healthcare, with additional funding for food assistance or education.	44.4%	**55.6%**	**Leading toward rejection**
41	**Audits of Programs Funded by State Special Taxes and State Spending-Limit Requirements**	Requires audits of programs supported by specified state special taxes and prohibits new state taxes from exempting their revenue from the State Appropriations Limit.	47.6%	**52.4%**	**Leading toward rejection**
42	**Prohibition on New State Personal Property Taxes and Certain Retroactive Taxes**	Restricts new state taxes on the ownership or control of personal property and certain retroactive state taxes.	**54.3%**	45.7%	**Leading toward approval**
43	**Local Taxes and the Two-**	Requires two-thirds voter approval for all local special taxes, including	45.1%	**54.9%**	**Leading toward rejection**

	Thirds Vote Requirement	those placed on the ballot through citizen initiatives.			
44	**Community Health Clinic Spending Requirements**	Requires nonprofit Federally Qualified Health Centers to spend at least 90 percent of revenue on program services advancing their charitable purposes, subject to specified exceptions and enforcement provisions.	18.2%	**81.8%**	**Projected to fail**
45	**Environmental Review for Certain Projects**	Establishes expedited environmental review and litigation procedures for specified housing, transportation, water, healthcare, and clean-energy projects.	45.9%	**54.1%**	**Leading toward rejection**

Implications for Local Agencies

The projected approval of **Proposition 1** would provide significant additional resources for affordable housing development, creating funding opportunities for local agencies and their housing partners. **Proposition 37** would complement these investments by expanding financing options for qualifying middle-income homebuyers. Implementation schedules, eligibility requirements, and the timing of funding availability will determine how local agencies can incorporate these resources into their housing strategies.

The potential rejection of **Propositions 43 and 45** would preserve existing requirements in two areas of particular importance to local government. If Proposition 43 fails, the existing voter approval framework for citizen-sponsored local special taxes would remain unchanged. If Proposition 45 fails, its proposed expedited environmental review and litigation procedures would not take effect, and local agencies would continue to advance projects under otherwise applicable law.

The preliminary results for **Propositions 40, 41, and 42** also carry implications for state fiscal policy. If current trends hold, the proposed billionaires tax and its anticipated healthcare revenues would not materialize, while Proposition 42 would establish additional restrictions on future state taxation. The scope and implementation of those restrictions would require further assessment. TPA will continue monitoring outstanding returns and evaluating implementation timelines, funding opportunities, and operational considerations as results are finalized.

STATEWIDE CONSTITUTIONAL OFFICES

Democrat Xavier Becerra won California's gubernatorial election, defeating Republican **Steve Hilton** and securing the governorship as Governor Gavin Newsom completes his final term. Preliminary returns showed Becerra receiving approximately 64 percent of the vote, compared with 36 percent for Hilton. Becerra brings experience as California Attorney General, a member of Congress, and U.S. Secretary of Health and Human Services. His victory continues Democratic

control of the Governor's Office and establishes the leadership that will guide the State's budget and policy priorities beginning in 2027.

The other statewide constitutional officer contests resulted in Democratic victories. Incumbent Attorney General **Rob Bonta**, Secretary of State **Shirley Weber**, and Controller **Malia Cohen** secured reelection. Treasurer **Fiona Ma** won the Lieutenant Governor's race against **Gloria Romero**, while Lieutenant Governor **Eleni Kounalakis** won the Treasurer's race against **Jennifer Hawks**. These outcomes provide continuity in several statewide offices while shifting leadership in the Lieutenant Governor's and Treasurer's offices.

The Insurance Commissioner's race remained unresolved as of November 4. Jane Kim led State Senator **Ben Allen** with approximately 52 percent of the vote. The outcome will determine leadership of an office central to ongoing efforts to address insurance availability, affordability, and wildfire-related market pressures.

In the nonpartisan **Superintendent of Public Instruction** contest, **Richard Barrera** led **Sonja Shaw** with approximately 57 percent of the vote. The race had not yet been called in the preliminary results reviewed for this update.

STATEWIDE OFFICES **Denotes Incumbent*	
GOVERNOR	**LIEUTENANT GOVERNOR**
Xavier Becerra (D) – 63.9% Steve Hilton (R) – 36.1%	**Fiona Ma (D) – 63.8%** Gloria Romero (R) – 36.2%
SECRETARY OF STATE	**CONTROLLER**
Shirley Weber (D)* – 64.7% Donald P Wagner (R) – 35.3%	**Malia M. Cohen (D)* – 63.8%** Herb W Morgan (R) – 36.2%
TREASURER	**ATTORNEY GENERAL**
Eleni Kounalakis (D) – 64.0% Jennifer Hawks (R) – 36.0%	**Rob Bonta (D)* – 63.8%** Michael E. Gates (R) – 36.2%
INSURANCE COMMISSIONER	**SUPERINTENDENT OF PUBLIC INSTRUCTION**
Ben Allen (D) – 48.0% **Jane Kim (D) – 52.0%**	Sonja Shaw – 42.9% **Richard Barrera – 57.1%**

CALIFORNIA STATE SENATE

Twenty State Senate seats were on the ballot. Early results suggest that most safe Democratic and safe Republican districts are proceeding largely as expected, while several Central Valley, Inland Empire, Orange County, and San Diego-area contests are likely to receive heightened attention in November.

In Senate District 4, after incumbent Republican Marie Alvarado-Gil failed to advance to the General Election, Republican **Alexandra Duarte** and Democrat **Jaron Brandon** filled the top two spots on the ballot. While still a competitive race, Duarte holds a few point lead over Brandon after the first tranche of ballot drops.

In Senate District 6, encompassing parts of Sacramento and Placer Counties, incumbent Republican and Senate Republican Leader **Roger Niello** maintains a slim lead over Democrat **Sean Frame** in a race that was not expected to be competitive. Ballots are expected to continue to come in in Niello's favor, but this will be a closely watched race nonetheless.

In Senate District 14, Republican **Darin DuPont** and Democratic Assemblymember **Esmeralda Soria** competed for the open Central Valley seat being vacated by Senator Anna Caballero. Despite heavy Republican investment in the race, Soria is emerging as the favored frontrunner to secure the seat by early ballot counts.

In Senate District 40, former San Diego City Attorney **Mara Elliott** holds a lead over Republican **Kristie Bruce-Lane** in a district has been trending more favorable to Democrats, and would be a Democratic pickup to flip the district.

CALIFORNIA STATE SENATE **Denotes Incumbent of the State Senate*	
SD 2	**SD 4**
Damon Connolly (D) – 74.8% Tief Gibbs – 25.2%	Jaron Brandon (D) – 47.8% **Alexandra Duarte (R) – 52.2%**
SD 6	**SD 8**
Roger Niello (R)* – 51.8% Sean Frame (D) – 48.2%	**Angelique Ashby (D)* – 72.4%** Susan A Mason (R) – 27.6%
SD 10	**SD 12**
Linda R. Price (R) – 27.6% **Scott Sakakihara (D) – 72.4%**	**Nathan Magsig (R) – 63.6%** William Brown Jr. (LIB) – 36.4%
SD 14	**SD 16**
Darin S. DuPont (R) – 35.8% **Esmeralda Soria (D) – 64.2%**	**Melissa Hurtado (D)* – 60.3%** Guillermo Gonzalez (R) – 39.7%
SD 18	**SD 20**
Steve Padilla (D)* – 67.0% Art Hodges (R) – 33.0%	**Caroline Menjivar (D)* – 73.9%** Tony Rodriguez (R) – 26.1%
SD 22	**SD 24**
Susan Rubio (D)* – 67.0% Mike Netter (R) – 33.0%	John M. Erickson (D) – 42.0% **Brian Goldsmith (D) – 58.0%**
SD 26	**SD 28**
Sara Hernandez (D) – 57.0% Sarah Rascón (D) – 43.0%	**Lola Smallwood-Cuevas (D)* – 83.9%** Joe Lisuzzo (R) – 16.1%
SD 30	**SD 32**
Bob J. Archuleta (D)* – 67.2% Araceli Martinez (R) – 32.8%	**Kelly Seyarto (R)* – 53.1%** Tiffanie Tate (D) – 46.9%
SD 34	**SD 36**

Avelino Valencia (D) – 67.0% Rhonda Shader (R) – 33.0%	Tony Strickland (R)* – 49.8% **Chris Duncan (D) – 50.2%**
SD 38	**SD 40**
Catherine S. Blakespear (D)* – 55.9% Laura Bassett (R) – 44.1%	**Mara Elliott (D) – 52.5%** Kristie Bruce-Lane (R) – 47.5%

CALIFORNIA STATE ASSEMBLY

All 80 State Assembly seats appeared on the November General Election ballot. While many districts remain safely Democratic or Republican, several competitive or newly open seats are expected to shape the balance of power, ideological composition, and leadership dynamics within the Assembly.

In Assembly District 27, Democratic Fresno County Supervisor **Brian Pacheco** is projected to outlast Republican **Mike Murphy** in the open seat being vacated by Assemblymember Esmeralda Soria. The race was one of the top Republican targets to pick up, yet Pacheco has a comfortable lead over Murphy.

In Assembly District 36, **Ida S. Obeso-Martinez** had a 10,000-vote lead over incumbent Republican **Jeff Gonzalez** as of Wednesday morning in a target for Democrats after Republicans flipped the district in 2024.

In Assembly District 47, **Leila Namvar** holds a lead over incumbent Republican **Greg Wallis** in one of the state's more competitive Assembly districts, which was a priority district to hold for Republicans.

In Assembly District 58, **Clarissa Cervantes** leads with a strong gap over incumbent Republican **Leticia Castillo** after the two were separated by slim margins in the Primary.

The Assembly results also suggest that business, technology, labor, and progressive independent expenditure activity played a meaningful role in several open-seat primaries, particularly in districts where same-party Democrats competed for a place in the top two. These contests will be important to monitor because they may influence not only partisan control, but also the ideological composition of the Democratic caucus.

CALIFORNIA STATE ASSEMBLY **Denotes Incumbent of the State Assembly*	
AD 1	**AD 2**
Heather Hadwick (R)* – 56.8% Dianna Margaret James (D) – 43.2%	**Chris Rogers (D)* – 70.8%** Michael Greer (R) – 29.2%
AD 3	**AD 4**
Dom Belza (R) – 57.0% James "Jamie" Johansson (R) – 43.0%	**Cecilia M. Aguiar-Curry (D)* – 100.0%**
AD 5	**AD 6**
Joe Patterson (R)* – 56.3% Neva Parker (D) – 43.7%	**Maggy Krell (D)* – 83.4%** Jagtar Singh (D) – 16.6%

AD 7	AD 8
Josh Hoover (R)* – 47.5% **Amy L. Slavensky – 52.5%**	**David Tangipa (R)* – 100.0%**
AD 9	**AD 10**
Heath Flora (R)* – 57.4% Matthew Adams (D) – 42.6%	**Stephanie Nguyen (D)* – 72.3%** Vinaya Singh (R) – 27.7%
AD 11	**AD 12**
Lori D. Wilson (D)* – 64.4% Jenny Leilani Callison (NPP) – 35.6%	**Jackie Elward (D) – 56.7%** Eric Lucan (D) – 43.3%
AD 13	**AD 14**
Rhodesia Ransom (D)* – 65.4% Tom Patti (R) – 34.6%	**Buffy Wicks (D)* – 79.8%** Mark Rendon (GRN) – 20.2%
AD 15	**AD 16**
Anamarie Avila Farias (D)* – 69.2% Arthur Webb (NPP) – 30.8%	**Rebecca Bauer-Kahan (D)* – 68.3%** Joseph A. Rubay (R) – 31.7%
AD 17	**AD 18**
Matt Haney (D)* – 88.9% Manuel Noris-Barrera (R) – 11.1%	**Mia Bonta (D)* – 78.4%** Andre Sandford (D) – 21.6%
AD 19	**AD 20**
Catherine Stefani (D)* – 81.2% Philip Louis Wing (R) – 18.8%	**Liz Ortega (D)* – 75.2%** Patricia Muga (R) – 24.8%
AD 21	**AD 22**
Diane Papan (D)* – 77.4% Jabra J Muhawieh (R) – 22.6%	**Juan Alanis (R)* – 100.0%**
AD 23	**AD 24**
Marc Berman (D)* – 75.0% David G. Johnson (R) – 25.0%	**Alex Lee (D)* – 70.2%** Max Hsia (R) – 29.8%
AD 25	**AD 26**
Ash Kalra (D)* – 72.3% Himat Singh Bainiwal (R) – 27.7%	**Patrick Ahrens (D)* – 74.4%** Tim Gorsulowsky (R) – 25.6%
AD 27	**AD 28**
Mike Murphy (R) – 36.7% **Brian Pacheco (D) – 63.3%**	**Gail Pellerin (D)* – 71.4%** Carol Pefley (R) – 28.6%
AD 29	**AD 30**
Robert Rivas (D)* – 71.0% Dennis P. Sanchez (R) – 29.0%	**Dawn Addis (D)* – 66.4%** Shannon Kessler (R) – 33.6%
AD 31	**AD 32**
Annalisa Perea (D) – 67.4%	**David Couch (R) – 100.0%**

Jim Polsgrove (R) – 32.6%	
AD 33	**AD 34**
Alexandra (Ali) Macedo (R)* – 51.9% Hipolito Angel Cerros (D) – 48.1%	**Charles Frederick Hughes (R) – 53.0%** Randall Putz (D) – 47.0%
AD 35	**AD 36**
Saul Ayon (R) – 31.7% **Andrae Gonzales (D) – 68.3%**	Jeff Gonzalez (R)* – 41.3% **Ida S. Obeso-Martinez (D) – 58.7%**
AD 37	**AD 38**
Gregg Hart (D)* – 66.3% Sari Domingues (R) – 33.7%	**Steve Bennett (D)* – 70.2%** Michael MacDonald (D) – 29.8%
AD 39	**AD 40**
Juan Carrillo (D)* – 69.4% Paul Andre Marsh (R) – 30.6%	**Pilar Schiavo (D)* – 58.6%** Rickey Tracy Hayes II – 41.4%
AD 41	**AD 42**
John Harabedian (D)* – 65.0% Adam Christopher Vena (R) – 35.0%	**Deborah Klein Lopez (D) – 55.9%** Ted Nordblum (R) – 44.1%
AD 43	**AD 44**
Celeste Rodriguez (D)* – 78.6% Ricardo Benitez (R) – 21.4%	**Nicholas “Nick” Shultz (D)* – 71.1%** Carolyn Daniels (R) – 28.9%
AD 45	**AD 46**
James C. Ramos (D)* – 70.8% Greg Abdouch (R) – 29.2%	**Jesse Gabriel (D)* – 68.7%** Tracey Schroeder – 31.3%
AD 47	**AD 48**
Greg Wallis (R)* – 44.1% **Leila Namvar (D) – 55.9%**	**Blanca Rubio (D)* – 67.4%** Dan T. Tran (R) – 32.6%
AD 49	**AD 50**
Mike Fong (D)* – 67.3% Long David Liu (R) – 32.7%	**Robert Garcia (D)* – 66.0%** Victoria Viveros Mageno (R) – 34.0%
AD 51	**AD 52**
Rick Chavez Zbur (D)* – 62.8% Colin D. Hernandez (D) – 37.2%	**Jessica Caloza (D)* – 86.0%** Andrea Lee Anderson (R) – 14.0%
AD 53	**AD 54**
Michelle Rodriguez (D)* – 66.7% Rafaela Romero (R) – 33.3%	**Mark Gonzalez (D)* – 81.5%** Alexandra Briseno (R) – 18.5%
AD 55	**AD 56**
Isaac G. Bryan (D)* – 66.3% Ashley M. Brown (D) – 33.7%	**Lisa Calderon (D)* – 65.9%** Jessica Martinez (R) – 34.1%
AD 57	**AD 58**

Sade Elhawary (D)* – 88.4% Constance Jewel Menzies (R) – 11.6%	Leticia Castillo (R)* – 39.7% **Clarissa Cervantes (D) – 60.3%**
AD 59	**AD 60**
Phillip Chen (R)* – 61.6% Victor Hernandez (GRN) – 38.4%	**Corey A. Jackson (D)* – 65.2%** Ed Delgado (R) – 34.8%
AD 61	**AD 62**
Tina Simone McKinnor (D)* – 83.0% Brian Lockwood (R) – 17.0%	**José Luis Solache (D)* – 75.7%** Paul Irving Jones (R) – 24.3%
AD 63	**AD 64**
Natasha Johnson (R)* – 57.3% Kevin Akin (P&F) – 42.7%	**Blanca Pacheco (D)* – 69.5%** Paul Ortiz Jr. (R) – 30.5%
AD 65	**AD 66**
Ayanna Davis (D) – 80.4% Lydia A. Gutiérrez – 19.6%	**Paul Seo (D) – 61.9%** Sara Deen (D) – 38.1%
AD 67	**AD 68**
Paulo Morales (R) – 38.3% **Mark Pulido (D) – 61.7%**	Jessie Lopez (D) – 47.6% **David Penaloza (D) – 52.4%**
AD 69	**AD 70**
Josh Lowenthal (D)* – 67.5% Carolyn J. Essex (D) – 32.5%	**Tri Ta (R)* – 50.8%** Paula Swift (D) – 49.2%
AD 71	**AD 72**
Kate Sanchez (R)* – 54.3% JJ Galvez (D) – 45.7%	Chris Kluwe (D) – 49.2% **Gracey Van Der Mark (R) – 50.8%**
AD 73	**AD 74**
Cottie Petrie-Norris (D)* – 61.9% Urson Russel (R) – 38.1%	**Laurie Davies (R)* – 50.2%** Sergio Farias (D) – 49.8%
AD 75	**AD 76**
Carl DeMaio (R)* – 56.0% Gerald C. Boursiquot (D) – 44.0%	**Darshana Patel (D)* – 58.5%** Carrie S. Espinoza Villanueva (R) – 41.5%
AD 77	**AD 78**
Tasha Boerner (D)* – 63.1% Trinity Hannaway (R) – 36.9%	**Chris Ward (D)* – 70.3%** Payton Galvez (R) – 29.7%
AD 79	**AD 80**
LaShae Sharp-Collins (D)* – 66.8% Andrew Lawson (R) – 33.2%	**David A. Alvarez (D)* – 67.9%** Alejandro Galicia (R) – 32.1%

CARPI & CLAY

Federal Update

October 30, 2026

A Look Ahead: Lame Duck Session

Congress faces a crowded legislative agenda when Members return to Washington, D.C. on November 9, following the midterm elections. At the top of the agenda will be FY 2027 appropriations, as the current continuing resolution (CR) expires on December 11. Congress will need to either finalize and pass the FY27 appropriations bills, or another short-term CR to avoid a government shutdown. The December 11 deadline also applies to the surface transportation programs at the Department of Transportation. With the House's BUILD America 250 Act still awaiting floor action and no comprehensive Senate reauthorization bill introduced, another extension is likely as work on a long-term reauthorization continues into the next Congress.

The CR's prohibition on the Office of Management and Budget (OMB) finalizing its proposed rewrite of the Uniform Guidance governing federal grants also expires after December 11. Absent congressional action to extend the prohibition, OMB will be permitted to move forward with finalizing and implementing the rule. Beyond these deadlines, Congress is expected to consider several other legislative priorities, including the annual National Defense Authorization Act, the Water Resources Development Act of 2026, a new Farm Bill, and bipartisan permitting reform legislation. Lawmakers may also address expiring health care provisions, the National Flood Insurance Program, other expiring federal authorities or supplemental funding requests.

Additionally, Republicans are discussing the possibility of advancing a third budget reconciliation package during the lame-duck session, potentially addressing defense spending and an increase in the debt limit. However, no agreement has been reached on whether or how such legislation would advance. With a limited number of legislative days remaining, the outcome of the midterm elections and negotiations between congressional leaders will help determine which items are completed before the 119th Congress adjourns at the end of the year.

House Republicans Set Leadership Elections

House Republicans have announced that they will choose their leaders for the 120th Congress on November 11, just one week after the elections. If Republicans hold the majority, members will also nominate a speaker ahead of the January 3 floor vote.

Census Bureau Proposes Changes to Decennial Census

The U.S. Census Bureau published a **proposed rule** that would significantly change how the federal government conducts the decennial census. The proposal would limit the population count to U.S. citizens and lawful permanent residents, excluding undocumented immigrants and most individuals residing in the United States on temporary visas. It would also revise how the Census Bureau determines an individual's primary residence, shifting from a Census Day-based approach to one that considers where an individual lawfully resided for the greatest number of days during the 89 days preceding April 1. Additionally, the proposal would eliminate questions regarding race, ethnicity, and sexual orientation from the decennial census form, although the Bureau could continue collecting demographic information through other sources. The census population counts help determine congressional representation, guide redistricting, and inform the distribution of roughly $2.8 billion federal funding annually across hundreds of programs. The public comment period closes on November 2nd.

Senate Unveils Bipartisan Permitting Reform

On September 30, Environment & Public Works Chair Shelly Moore Capito (R-WV), Ranking Member Sheldon Whitehouse (D-RI), Energy & Natural Resources Chair Mike Lee (R-UT), and Ranking Member Martin Heinrich (D-NM) introduced **S. 5653, the Bipartisan American Affordability and Jobs Act of 2026**. The bill would make broad changes to the federal environmental review and permitting process, including several provisions that could affect the delivery of transportation and other locally sponsored infrastructure projects.

Key provisions include:

- **Faster, narrower federal review.** Certain repairs, replacements, and upgrades to existing infrastructure could fall outside NEPA, while environmental assessments generally would be due within one year and environmental impact statements within two years.

- **More state and local involvement.** State and local agencies could serve as cooperating or joint lead agencies, federal agencies could rely on comparable state environmental reviews, and some Endangered Species Act consultations would be shortened.

- **Greater certainty once projects are approved.** NEPA challenges generally would have to be filed within 150 days, courts typically would allow projects to continue while agencies correct deficiencies, and federal agencies would face new limits on revoking or materially changing permits held by local governments and other non-federal project sponsors.

The Senate is expected to consider the legislation after the midterm elections during the lame-duck session.

Senate Confirms Labor Secretary

Before heading out to town for the congressional recess, the Senate confirmed Keith Sonderling to serve as the Secretary of the Department of Labor by a vote of 47-41. Sonderling has been serving as the acting secretary since April.

LEGISLATIVE ACTIVITY

Bipartisan Senators Introduce Endangered Species Act Reform Bill. Senators Adam Schiff (D-CA) and Pete Ricketts (R-NE) introduced ***the Improving Species Recovery Act***, legislation intended to modernize implementation of the Endangered Species Act (ESA) and accelerate species recovery. The bill would establish measurable conservation milestones, create standardized baseline data and reporting requirements for listed species, provide greater regulatory flexibility as recovery milestones are achieved, and encourage voluntary conservation efforts by states and private landowners. Additionally, the bill would direct the U.S. Fish and Wildlife Service to expand digital tools and explore the use of artificial intelligence to automate and expedite interagency consultation and permitting reviews while maintaining compliance with the ESA.

Community Disaster Protection Act Introduced to Expand Disaster Insurance Options. Representatives Dave Min (D-CA) and Johnny Olszewski (D-MD) introduced ***the Community Disaster Protection Act*** (H.R. 10686), legislation aimed at expanding access to affordable disaster insurance in communities facing heightened risks from wildfires, floods, hurricanes, and other natural disasters. The bill would establish a five-year pilot program administered by the Federal Emergency Management Agency (FEMA) to provide competitive grants to local governments and community organizations to develop and implement community-based catastrophe insurance programs. These programs would offer innovative approaches to addressing gaps in traditional insurance coverage, improving affordability, and strengthening community resilience. The bill has been referred to the House Financial Services Committee for consideration.

Senate Commerce Committee Ranking Member Releases AI Governance Framework. On October 7, Senator Maria Cantwell (D-WA), Ranking Member of the Senate Commerce, Science, and Transportation Committee, **released** a comprehensive framework outlining six principles to guide federal legislation and executive actions addressing the risks associated with advanced artificial intelligence (AI) systems. The framework calls for enforceable federal safety standards, continuous testing and independent audits, greater transparency and accountability, public-private partnerships, protections for children and workers, and international cooperation on AI safety. Cantwell proposed that the National Institute of Standards and Technology work with other federal agencies to establish risk-based safety standards and require independent audits of covered AI systems before their release.

Senate Commerce Committee Ranking Member Releases Updated State Data on Transportation Funding Cuts. Commerce Committee Ranking Member Maria Cantwell (D-WA) released **updated state-by-state reports** detailing the impacts of the expiration of $36.8

billion in advance appropriations provided under the Infrastructure Investment and Jobs Act (IIJA). The IIJA's advanced appropriations expired on October 1 without renewal, resulting in a reduction of more than 30 percent in federal transportation funding to states. The reports warn that without action to restore funding, four key freight programs could face a 67 percent reduction, four rail programs an 83 percent reduction, and three local economic development grant programs, a 90 percent reduction.

FEDERAL GRANTS

DOT Announces INFRA Grant Awards. The Department of Transportation (DOT) has **announced** $426 million to 12 projects in 12 states under Track 1 of the Nationally Significant Multimodal Freight & Highway Projects (INFRA) program. DOT also **announced** $200 million in Track 2 awards for projects in 12 states. The INFRA program supports nationally and regionally significant freight and highway infrastructure projects aimed at improving the safety, efficiency, and reliability of transportation networks and the movement of people and goods.

FEMA Announces Assistance to Firefighter Grant Awards. The Federal Emergency Management Agency (FEMA) has **announced** $648 million in Assistance to Firefighter Grant program to more than 1,600 fire departments and first responder organizations across the country. The grants help to fund equipment, staff and support they need to carry out their critical, life-saving missions.

States Challenge FEMA Immigration-Related Grant Conditions. FEMA is seeking to require states and other recipients to cooperate with federal immigration enforcement as a condition of receiving certain FEMA and homeland security grants, including the Emergency Management Performance Grant (EMPG) program. On October 7, 21 states and the District of Columbia asked a federal judge to block the FY 2026 requirements, arguing that they violate an October 2025 court ruling that blocked a similar policy. The requirements apply to nine grant programs, including EMPG and eight post-9/11 homeland security grant programs. The court will now consider whether the new conditions violate its previous ruling and should be blocked from taking effect.

FHWA Publishes Prioritization Process Pilot Program NOFO. FHWA has **published** a NOFO for the availability of $2 million through the Prioritization Process Pilot Program (PPPP). The program provides grants to states and metropolitan planning organizations to develop and implement transparent, data-driven processes for evaluating, scoring, and prioritizing transportation projects for inclusion in long-range transportation plans and improvement programs. Applications are due by October 30, 2026.

GAO Report Identifies $2.2 Billion in Pending FEMA BRIC Grants. The Government Accountability Office (GAO) issued a **report** that found approximately $2.2 billion in FEMA Building Resilient Infrastructure and Communities (BRIC) funding remained unawarded across 700 sub applications from fiscal years 2020 through 2023. FEMA suspended the program in April 2025 before announcing its reinstatement in March 2026 following a federal court ruling. GAO found that FEMA typically took seven to nine months to complete grant reviews and that delays and uncertainty surrounding the program have increased project costs and created

challenges for state and local governments planning hazard mitigation investments. The report also identified shortcomings in FEMA's communication with applicants regarding the program's status. GAO issued seven recommendations to improve the grant review process, strengthen communication with applicants and stakeholders, and establish performance measures to evaluate program effectiveness.

OSHA Announces Susan Harwood Training Grant Program Awardees. The Occupational Safety and Health Administration (OSHA) has **announced** $10.2 million in grant funds to 67 organizations, including institutions of higher education, through the Susan Harwood Training Grant Program. The grants help to fund training and education on hazard awareness, prevention, and controls to protect workers from on-the-job hazards through the development of quality classroom-ready training and educational materials that identify and prevent workplace hazards.

FEDERAL AGENCY ACTIONS AND PERSONNEL CHANGES

FCC Expands Spectrum Access for Drone Operations. The Federal Communications Commission (FCC) **adopted** a Report and Order removing longstanding restrictions on the use of the 800 MHz cellular band for unmanned aircraft systems (UAS), commonly known as drones. The action makes 50 megahertz of licensed spectrum available for drone command, control, communications, and payload operations. The restrictions, originally adopted in 1991 to prevent interference with terrestrial cellular networks, are no longer considered necessary for drones due to advances in wireless network technology. The FCC expects the change to support expanded commercial drone operations and innovation while maintaining protections against network interference.

FEMA Releases National Study on Emergency Management Staffing and Capacity. On October 16, the FEMA **released** the *Emergency Management Organizational Structures, Staffing, and Capacity Study*, an assessment of the challenges facing emergency management agencies nationwide. FEMA funded the study, and Argonne National Laboratory conducted the research, gathering information from 1,689 local jurisdictions, 37 states, 59 tribal nations, and four territories. The study highlights the critical role of local emergency management agencies in disaster preparedness and response and identifies widespread staffing and funding shortages. FEMA emphasized the importance of locally led, state-managed, and federally supported emergency management and called for greater state and local investment in emergency management capabilities. In conjunction with the report, FEMA and Argonne National Laboratory **launched** the National Emergency Management Data Explorer (NEMDEX), an online tool to review survey findings.

FEMA and FCC Schedule Nationwide Emergency Alert System Test. FEMA, in coordination with the Federal Communications Commission, will conduct a nationwide test of the Emergency Alert System on November 17, at approximately 2:20 p.m. ET. The test will assess the ability of radio and television broadcasters, cable systems, satellite providers, and other participating communications providers to receive and relay national emergency alerts.

Federal law requires FEMA to conduct a nationwide test of the public alert and warning system at least once every three years.

Treasury Announces New Federal Fraud Reporting Portal. Treasury **announced** the launch of Fraud.gov, a government-wide portal for the public to report suspected fraud, waste, abuse, improper payments, and misuse of federal funds. The portal will use artificial intelligence to help standardize reports and direct allegations to the appropriate federal agencies, inspectors general, or law enforcement organizations for review.

##

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Todd Mitchell, Deputy General Manager
Dave Werneburg, Marina Supervisor
SUBJECT: October 2026 Marina Report

MARINA DEPARTMENT ACTIVITIES

Ventura Harbor Village Marina

Total Slip Count	102	100%
Slips Assigned	102	100%
Slips Occupied	65	64%
Slips Available	0	0%

Port District Dry Storage – 19A

Total Spaces	88	100%
Active Contracts	81	92%
Available	7	8 %

COMMERCIAL FISHING

California Market Squid Harvest – Ventura Harbor
2026-27 Squid Season opened April 1, 2026, and remains open through March 31, 2027, unless the seasonal limit is reached.

California Market Squid Statistics		
State-wide Seasonal Squid Limit:	118,000 tons	236,000,000 lbs.
Ventura Landings – No Sept Landings	0 tons	0 lbs.
Ventura Season-to-date:	191 tons	382,518 lbs.

2026-2027 Squid Landings
There were no squid landings in Ventura in the month of October. Some squid has been reported along the upper Oregon coast. Both Del Mar Seafoods and Silver Bay have strategically positioned portable pumps in Northern California (Half Moon Bay, etc.) in anticipation of better water conditions. Unusually warm water conditions, such as are being experienced now, are often a result of strong El Niño conditions which in turn affects fish landings. Conditions remain generally unsuitable for squid development. Similar conditions have affected the industry in 1997-1998, 2015-2016, and 2023-2024.

Lobster Fishing
The California spiny lobster fishery is predominantly located in the Southern California Bight, from Point Conception to the U.S.-Mexico Border including the islands off Southern California. The fishery has both commercial and recreational participants operating out of Ventura Harbor. Commercial harvest averages approximately 660,000 pounds annually and the stock is considered stable with a low risk of over-exploitation (as reported by Douglas J Neilson, California Department of Fish and Game, 2011).

Ventura Harbor supports eight full-time commercial lobster vessels, with several additional vessels utilizing harbor facilities throughout the season. Local fishermen operate from Gaviota to Malibu and throughout the Channel Islands. Historically, California spiny lobster has been marketed to overseas Asian markets; however, dockside prices have declined from more than $20 per pound to approximately $11 per pound due to increased competition and farm-raised

product. Commercial fishers continue to adapt through direct sales and participation in local farmers markets.

Recreational participation in lobster fishing is also strong. Lobster catches at Ventura Harbor and Santa Cruz Island represent approximately 8% of the harvest from the top 10 recreational lobster catch sites in California. Ventura Harbor supports the dive vessels Peace, Spectra, and Raptor, with October trips routinely selling out. The Harbor's public launch ramp and dry storage facilities support increased activity from October 1 through March 15 in support of the fishery's recreational diving and hoop-netting activities.

Learn more:
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=247236&inline
https://caseagrant.ucsd.edu/seafood-profiles/california-spiny-lobster
https://wildlife.ca.gov/Conservation/Marine/Invertebrates/Lobster
https://wildlife.ca.gov/Conservation/Marine/Lobster-FMP

Dry Storage 19A
Enterprise Security has assembled the new camera systems off site and are scheduled to install the hardware in November. There remain some outstanding logistical issues regarding connectivity to the Port District location before final installation. Engineers are testing several scenario options.

Marina Fuel Tank Replacement Project
60,000 gallons of ballast water has been removed from the underground tanks and pumped back into the harbor (fresh water was used). Final pressure testing is scheduled for mid-November. Full, unobstructed path-of-travel will be restored in November. It is expected that full fuel service will be restored in November and the project should conclude by the end of November.

Commercial Fisheries Modernization Project
Marina staff continue to be engaged in the planning phases of the commercial fisheries modernization project. There are weekly internal coordination meetings organized by the Capital Projects Manager to align all District staff on activities and to ensure all input is available. The Department's role in the project will continue to grow as the project continues to transition from planning to construction. Staff anticipate leasing discussions with the squid fishery tenants to begin in late November or early December.

OCTOBER MARKETING REPORT - *Visitor Experience*

October 2026 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.







EVENTS - *HOWL-O-WEEN Dog Costumes Contest*

The annual HOWL-O-WEEN Dog Costume Contest on **Saturday, October 24**, brought dog owners and spectators to the Main Lawn for a lively afternoon of Halloween costumes and community fun. Costumed dogs competed in five categories, **including Most Sea-Worthy and Best in Show**, before parading along the waterfront promenade. **Ventura Pet Barn was the main sponsor and provided goody bags for registered dogs**, and Village businesses contributed prizes for the winners and runners up.

75+	400+	10
Dogs + 1 duck!	Attendance	Category Winners

EVENTS - *Trick or Treat, Witches Night Market & Witches Paddle*

On Friday, October 30, families collected candy from **24 participating Village businesses** and enjoyed the **Seaside Skeleton Hunt, live pumpkin carving and Halloween crafts**, while **costumed witches and warlocks paddled through the harbor** as spectators watched from the promenade. The **NEW Witches Night Market extended the festivities**.

375+	1000+	5000+
Witches in Attendance	Trick or Treaters	Pieces of candy at VHV booth





ENTERTAINMENT - *October Live Music*

October 3 (Sat) | Colin Kyffin Trio
October 4 (Sun) | Looking West
October 10 (Sat) | Surfer Joe Band
October 17 (Sat) | Teresa Russell
October 18 (Sun) | Karen & Joe Trio
October 24 (Sat) | DJ Bennett
October 30 (Fri) | DJ Bennett



REVENUE - *October Onsite Rentals*

Onsite Rentals included NSSA Surf Contest, Walk to End Alzheimer's, Electric Vehicle Showcase, SB Adventure Co. Kayaking Day, NCL Tik Toker Day, Ventura Missionary Baptism Service, Buenaventura Art Association Grand Opening, & Witches Night Market.



$4.8K+
Rental Income

OCTOBER MARKETING REPORT - Content Development

October 2026 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.



SOCIAL MEDIA - Performance Metrics

@venturaharbor

91k Total Audience

Impressions up 40% compared to Oct. last year.

1.3 mil Impressions

43k Engagements

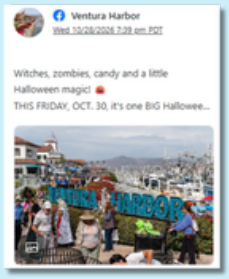
23k Clicks

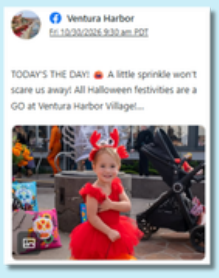
Followers engaged most with an influencer collaboration on **Seafood Month** coverage, and **Harbor Halloween Event Promotions**

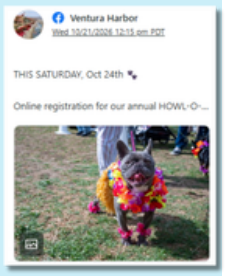
148% increase in engagements compared to Oct. 2025.

Sample Posts:









COPYWRITE - Enewsletters / Blog Performance

3 Newsletters

20k Subscribers

6k Opens

722 Link Clicks

Promo for Seafood Month, HOWL-O-ween, Withches Paddle & Night Market, Seaside Trick or Treat & Thriller Zombies,



Open rate was **10%** higher than prior month. A TON of regional interest in Harbor Halloween events!

WEBSITE - Traffic

43k Total Sessions

Social media and email led to **48%** of site visits in Oct.

Most viewed October pages:

1. **Trick or Treat** (8,386)
2. **Witches Paddle** (6,689)
3. **Howl-o-ween** (4,129)
4. **Seafood Month** (2,959)



REELS - Short Video Compilations

Sr. Marketing & Event Coordinator curated 7 reels using a mix of original & professional content to promote October happenings, plus collaborated on 2 influencer ads including Seafood Month featuring **Boatyard Pub, Baja Bay Surf & Taco, Wild Local, Andria's Seafood,** and **Brophy Bros.,** and HOWL-o-ween feat. pet-friendly **Deep Sea Wine.** Additional collabs with **tourism partners - Visit Ventura & VC Coast .**

12 Total Reels

346k Views

ADVERTISING - Digitial & Print

Paid Social and Print topics promoted in October 2026:

- Harbor Heat Wave
- Seafood Month
- HOWL-o-ween
- Trick or Treat
- Witches Paddle

8.51% Average Click-Thru Rate (CTR) on Ventura Harbor Meta Ads in Oct.

CTR for Oct. 2026 is **more than four times the national benchmark** of 2%. This reflects effective audience targeting and engaging content that drives interest in Ventura Harbor Village.





OCTOBER MARKETING REPORT - *Outreach & Stewardship*

October 2026 report showcases samples & highlights of the Ventura Harbor Visitor Attraction Plan.

OUTREACH & COVERAGE - *PR & Editorial*

October happenings & event exposure **KABC Television Eyewitness News, KNBC TV, and KEYT TV.** Editorial placements highlighted in **Parade Magazine, 805 Living Magazine, and a host of publications such as LA Parent Magazine, Mommy Poppins, Moms LA, SoCal City Kids, Fun with Kids In LA, and Ventura County Mom Collective**. The **Log Newspaper** prominently covered Ventura Harbor/Ventura Harbor Village in its annual Ventura Issue on Oct. 23. Other publications included **Ventura Breeze, VC Reporter, The Ventura Wave, Conejo Valley Guide, and Camarillo Macaroni Kid**.





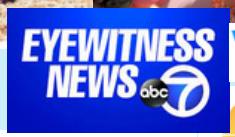
























ONSITE EVENT - *EV Car Show*

On Oct. 4, Electric Vehicle Showcase drew strong visitor interest to **EV displays, owner meet-ups, and educational outreach** on the main lawn.



CULTURAL ACTIVATION -

A Día de los Muertos display featured an **offerenda** and honored the spirit of remembrance during the Trick or Treat event.



ONSITE EVENT - *Walk to End Alzheimer's*

On Oct. 3, Harbor sidewalks served as the route for the annual **Walk to End Alzheimer's, uniting hundreds of participants** in support of awareness, research, and community connection.



VENTURA PORT DISTRICT

DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Todd Mitchell, Deputy General Manager
Jessica Snipas, Business Operations Manager
Christian Garcia, Business Operations Analyst II
SUBJECT: October 2026 Property and Leasing Report

LEASING HIGHLIGHTS

- Tenant Engagement
  - Staff continue to coordinate with architects, the City, JPIA, and multiple tenants regarding their planning, building, and safety permits.
  - Insurance and business license audits are ongoing.
  - Staff met with four tenants regarding exploring future tenancy, initial inspection, final inspection, site reviews, or space discussions.
  - For the Parking Program, staff continue to respond to all emails sent to parking@venturaharbor.com and address tenant communications.
- Leasing Advertising, Showings, and Executions
  - Staff attended the Ventura Chamber of Commerce's Board meeting and one ribbon cutting.
  - Staff met with a broker to discuss the 1575 Spinnaker Drive restaurant spaces.
  - Advertising:
    i. Ads are placed in the Ventura Chamber of Commerce's Connection Breakfast.
    ii. Ads are placed on LoopNet and CoStar Diamond Package Listings. (The Diamond Package ensures our listing appears as one of the top results on their websites and is also promoted through banners on other sites.) Note, LoopNet listings are accessible to the general public, while CoStar's platform is limited to memberships, which generally are industry professionals, such as brokers.
- Yardi Software
  - As of 11/5/26, 99% of tenants registered on the tenant portal (no change-*and this is the best we will get!*), 94% paid via the portal, and 97% submitted their sales online (no change).
- Looking Forward: Continuing to Implement Leasing Strategy
  - Staff will need to review lease templates to accommodate the Yardi system.

CURRENT VACANCY REPORT

1) 1575 Spinnaker Drive #205 (Office suite)
   - The previous tenant, SEEAG, chose not to exercise its lease option due to a need for additional space and has since moved out of the premises. Marketing efforts for the suite will commence once the most impactful phases of construction for the 1575 restaurant project are complete. In the interim, the suite is being used to temporarily relocate a tenant whose existing space is affected by construction.
2) 1575 Spinnaker Drive #101/102/103/105A & B (Restaurant suite)
   - MCM Construction is currently constructing the façade and patio of 1575 Spinnaker Dr. Staff continue marketing efforts and recruitment through email outreach, cold calls, and restaurant visits.
3) 1591 Spinnaker Drive #117C (Retail suite)
   - The previous tenant, The Ultimate Escape Rooms, Inc., vacated the suite on 9/15/26. Staff is evaluating the space for future renovation and will continue to market the suite.

CURRENT AVAILABILITY REPORT

1) 1575 Spinnaker Drive #204C (Office suite – Moorhouse Financial Services, Inc.)
    - The tenant is in a month-to-month status because the renovation of the downstairs restaurant spaces will require installation of new ventilation that will pass through and modify a portion of the suite.
2) 1567 Spinnaker Drive #200 (Retail suite – MK Enterprises, Inc. dba Margarita Villa Mexican Restaurant)
    - The tenant's lease expired in January 2026, and tenant is in a month-to-month status pending completion of negotiations for a new lease.

CATEGORY	TOTAL Square Footage	Harbor Vacancy Sq Ft	Harbor Vacancy %	Harbor Available Sq Ft	Harbor Available %	City * Vacancy %	City * Available %
Office	38,580	1,326	3%	275	1%	17%	20%
Retail	20,260	1,291	6%	0	0%	18%	25%
Restaurant	33,622	3,720	11%	1,880	6%	0%	No Data

> Harbor Vacancy --- The suite is unoccupied, and it does not have a lease.

Office:	1575 #205
	1591 #207
Retail:	1591 #117C
Restaurant:	1575 #101/102/103/105 A & B

> Harbor Available --- (1) MTM leases with existing Tenant in process to renew lease; or
(2) MTM lease or agreement that the suite is available to be leased.

Office:	1575 #204C
Retail:	N/A
Restaurant:	1567 #200

*** City: Based on comparable square footage within Ventura 93001 area as reported by CoStar Group.**

SALES REPORTS

The attached summary of sales for three Harbor Village business categories: restaurants, retail, and charters. The report compares the monthly sales for 2025 and 2026. They also include year-to-date (YTD) comparisons. The YTD overall sales for all Harbor Village Tenants through the month of Sept is up 3.64% and is down 0.48% over the same period last year.

ATTACHMENTS:

Attachment 1 – Sept 2026 Sales Report
Attachment 2 – Oct LoopNet Activity Report

Ventura Harbor Village
Tenant Sales Summary

Month of September

	September-2026	September-2025	% Change
Restaurants	$ 1,941,955	$ 1,928,311	0.71%
Retail	$ 391,004	$ 365,934	6.85%
Charters	$ 894,089	$ 948,260	-5.71%
Total	$ 3,227,048	$ 3,242,504	-0.48%

Year-to-date through September

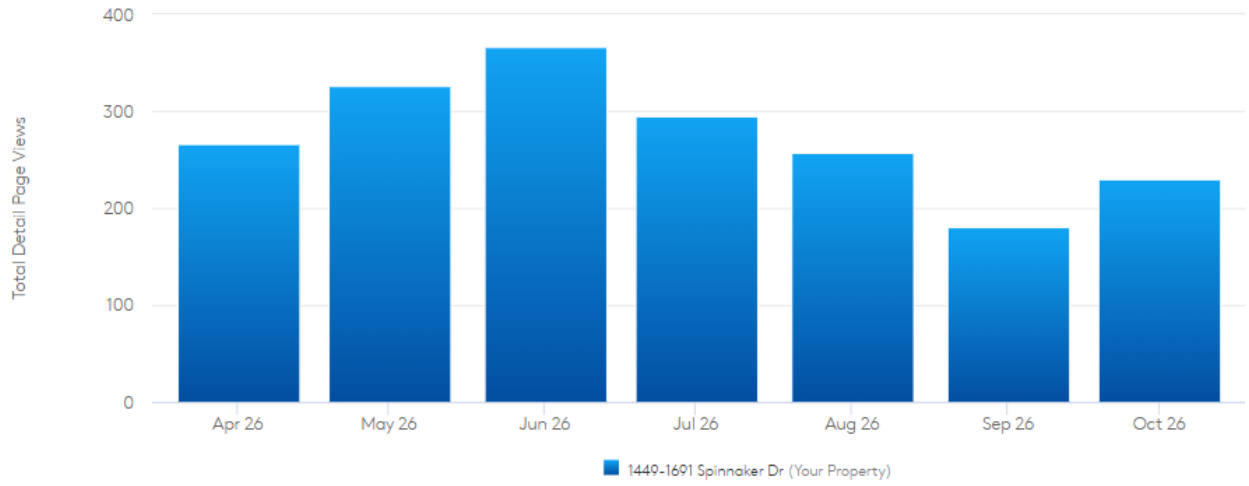
	Jan - Sept 2026	Jan - Sept 2025	% Change
Restaurants	$ 18,845,887	$ 18,499,223	1.87%
Retail	$ 4,051,461	$ 3,868,329	4.73%
Charters	$ 8,259,638	$ 7,695,842	7.33%
Total	$ 31,156,987	$ 30,063,394	3.64%

Quarter-to-date
July-September

	Jul - Sept 2026	Jul - Sept 2025	% Change
Restaurants	$ 7,173,455	$ 7,232,468	-0.82%
Retail	$ 1,564,624	$ 1,467,192	6.64%
Charters	$ 3,258,592	$ 3,289,785	-0.95%
Total	$ 11,996,671	$ 11,989,445	0.06%

ATTACHMENT 2
LoopNet Activity Report

LoopNet April 2026 – October 2026 Listing Activity Report for Total Views



LoopNet October 2026 Activity Summary

Activity Summary

Summary of everyone that has seen your property.

10/01/2026 - 10/31/2026

43,150 Total Views	17,855 Unique Prospects	10s Average Time on Page
230 Detail Page Views	2.0 Frequency	33m 4s Total Time on Page



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

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

VENTURA PORT DISTRICT **CONSENT AGENDA ITEM A**

BOARD COMMUNICATION Meeting Date: November 18, 2026

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) Administrative Services Manager, Sarah Clancy to attend the 2027 CSMFO Annual Conference in Sacramento, CA, from February1-4, 2027.
b) Accountant II, Jessica Perkins to attend the 2027 CSMFO Annual Conference in Sacramento, CA, from February1-4, 2027.

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 commissioners and/or staff participate in the events listed herein.

GUIDING PRINCIPLES:

5) Building 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 OBJECTIVE:

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.
2) Collaborate with City, regional, state, and federal agency officials in pursuit of mutually beneficial projects and programs.

BACKGROUND:

CALIFORNIA SOCIETY OF MUNICIPAL FINANCE OFFICERS

The 2027 CSMFO Annual Conference is where finance professionals from local governments and special districts come together to share insights, foster collaboration, and enhance their skills. As a premier event in the realm of local government finance, the CSMFO Annual Conference serves as a platform for sharing best practices, discussing emerging trends, and exploring innovative solutions to the challenges faced by finance professionals today.

Sessions and workshops led by employees of CalPERS, GASB, GFOA, financial services providers, and other governments will be tailored to current financial priorities allowing actionable takeaways to bring back and share with our team.

This conference promises to be an enriching experience that will help attendees grow their knowledge, expand their network, and connect with fellow professionals dedicated to excellence in public finance.

FISCAL IMPACTS:
Travel costs related to these activities are included in the FY26-27 budget.

CSMFO	**CLANCY**	**PERKINS**
Registration	$650.00	$650.00
Lodging	$1,000.00	$1,000.00
Meals	$325.00	$325.00
Airfare	$250.00	$250.00
Parking/Mileage	$150.00	$150.00
TOTAL	**$2,375.00**	**$2,375.00**

ATTACHMENTS:
None.



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

CONSENT AGENDA ITEM B
APPROVAL OF PAYMENTS FOR OCTOBER 2026

VENTURA PORT DISTRICT **CONSENT AGENDA ITEM B**
BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Sarah Clancy, Administrative Services Manager
SUBJECT: Approval of Payments for October 2026

RECOMMENDATION:
That the Board of Port Commissioners review and approve payments made by check, ACH, and EFT for the month of October 2026.

SUMMARY:
Attached for the Board's review is the payment register for October 2026.

GUIDING PRINCIPLES:
3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
6) Provide exceptional public service and organizational transparency.

FIVE-YEAR OBJECTIVES:
E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures, and programs.
    1) Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:
The accounts payable payment registers for October 2026 can be found as Attachment 1. The register includes a brief description of the purpose for each check.

In attachment 2, staff have provided supplemental information for payment expenditures exceeding $20,000 that are non-routine, to correspond with the District's check signing policy.

FISCAL IMPACT:
There is no fiscal impact outside of expenditures approved with the FY26-27 Annual Budget.

ATTACHMENTS:
Attachment 1 – Accounts Payable Payment Registers – October 2026
Attachment 2 – Non-Routine Expenditures over $20,000

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
515	ALSCO INC	10/5/2026	EFT			
				LLOS2571615	215.65	Laundering uniforms, rugs and towels
				LLOS2573467	217.48	Laundering uniforms, rugs and towels
Total 515					**433.13**	
516	CARPI & CLAY	10/5/2026	EFT			
				26-09-VPD	5,000.00	Washington Lobbyist - Sep 26
Total 516					**5,000.00**	
517	CHANNEL WATCH MARINE SERVICES INC	10/5/2026	EFT			
				260562	6,822.00	Save Grant-Vessel disposal
				260563	9,359.00	Save Grant-Vessel disposal
Total 517					**16,181.00**	
518	CLEAN FOODS INC	10/5/2026	EFT			
				97219	26.61	Coffee supplies
Total 518					**26.61**	
519	CLIFTON LARSON ALLEN LLP	10/5/2026	EFT			
				L261514967	13,377.00	FY 25 Audit billing
Total 519					**13,377.00**	
520	COASTAL COPY, INC	10/5/2026	EFT			
				1204107	94.02	Marina printer lease
Total 520					**94.02**	
521	CYBERCOPY INC.	10/5/2026	EFT			
				B215858	327.56	1567 Staircase signage
				B216857	93.74	VHV Hispanic Heritage month signage
Total 521					**421.30**	
522	DIAL SECURITY INC	10/5/2026	EFT			
				548045	299.00	1431 NPS Security and fire alarm monitoring services
Total 522					**299.00**	
523	E.J. HARRISON & SONS INC.	10/5/2026	EFT			
				00160587 Sep 26	10,243.40	Trash services
				00299377 Sep 26	455.34	Trash services
				02230396 Sep 26	139.29	Trash services
				00604626 Sep 26	690.55	Trash services
Total 523					**11,528.58**	
524	FAST UNDERCAR	10/5/2026	EFT			
				150-105296	-27.86	Credit-Returned merchandise-EV1
				101-368663	12.74	EV1- Cabin air filter
				101-363956	99.56	EV1-Brakes and rotors
				062-911083	8.87	EV1-windshield wiper blade
				150-228500	118.16	Maintenance vehicle windshield wiper blades
				062-927533	32.22	VPD vehicle windshield washer fluid
				065-1523031	6.44	VPD vehicle windshield washer fluid
Total 524					**250.13**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
525	FERGUSON ENTERPRISES LLC	10/5/2026	EFT			
				7030915	58.57	1449 Plumbing clean-out cover
Total 525					**58.57**	
526	GRAINGER INC.	10/5/2026	EFT			
				9091551714	89.22	1567 Galvanized gate paint
				9096881819	52.18	Emergency prepare sand bags
				9091457318	48.35	VPD shop stock-Batteries
Total 526					**189.75**	
527	JANITEK CLEANING SOLUTIONS	10/5/2026	EFT			
				60143A	93.40	1431 NPS/1691 Janitorial services
				60304A	239.87	Marketing office janitorial services
				60303A	1,781.38	NPS 1431/1691 Janitorial services
Total 527					**2,114.65**	
528	MAVCCO FUEL	10/5/2026	EFT			
				Aug 26	1,550.94	Boat Fuel - Aug 26
Total 528					**1,550.94**	
529	MCCORMIX CORP.	10/5/2026	EFT			
				44108	316.97	Maintenance vehicle fuel
Total 529					**316.97**	
530	PREMIER PROPERTY PRESERVATION LLC	10/5/2026	EFT			
				189732	5,970.50	VHV Janitorial services-Sep 26
Total 530					**5,970.50**	
531	SEARLE CREATIVE GROUP	10/5/2026	EFT			
				26405	870.00	Digital marketing, website maintenance, and annual pro license
Total 531					**870.00**	
532	TAYLOR M TESTA	10/5/2026	EFT			
				008	525.00	Photography and video content - Instagram stores-Sep 26
Total 532					**525.00**	
533	VALLEY SCENE MAGAZINE	10/5/2026	EFT			
				000281	400.00	VHV Movie night Ebalst
Total 533					**400.00**	
534	WEST COAST AIR CONDITIONING	10/5/2026	EFT			
				IAC13922	1,000.66	1559 HVAC repair and service
Total 534					**1,000.66**	
535	WEST MARINE PRO	10/5/2026	EFT			
				5157242	281.20	Dock pedestal electric breakers
Total 535					**281.20**	
536	LAZ KARP ASSOCIATES, LLC	10/6/2026	EFT			
				SI1059407	22,676.34	Parking management - monthly fixed fee- Aug 26 and additional event staffing
Total 536					**22,676.34**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
537	RRM DESIGN GROUP	10/12/2026	EFT			
				2998-04-PR25-9	3,850.50	Parcel 5 - Ventura Cultural Arts Park Phase 1- May 26
Total 537					**3,850.50**	
538	FERGUSON ENTERPRISES LLC	10/13/2026	EFT			
				6545483	919.63	1691 restroom and shower plumbing repairs
				6944576	43.63	1691 Restroom repair
				6959779	9.34	Island Packers restroom toilet repair
Total 538					**972.60**	
539	ALEJANDRA'S NURSERY	10/19/2026	EFT			
				418416	1,229.75	1591 planter rehab
Total 539					**1,229.75**	
540	ALSCO INC	10/19/2026	EFT			
				LLOS2575384	216.77	Laundering of uniforms, rugs and towels
				LLOS2577284	214.94	Laundering of uniforms, rugs and towels
Total 540					**431.71**	
541	CAL TERMITE & PEST CONTROL	10/19/2026	EFT			
				111742	35.00	1575 Termite inspection
				112510	1,800.00	1583 #203 Termite treatment
				113406	350.00	VHV pest control services
Total 541					**2,185.00**	
542	CLEAN FOODS INC	10/19/2026	EFT			
				97612	154.68	Coffee supplies
Total 542					**154.68**	
543	COASTAL COPY, INC	10/19/2026	EFT			
				1206511	639.03	Administration/Marketing copier leases
Total 543					**639.03**	
544	CYBERCOPY INC.	10/19/2026	EFT			
				B218111	118.15	Halloween event printing promo
				B217797	1,596.85	October event graphics, posters and onsite banners
				B217782	61.13	Printing to showcase Parade of Lights design
				B217688	323.20	VHV digital processing dog costume promo items
Total 544					**2,099.33**	
545	DATACHECK	10/19/2026	EFT			
				20470	35.00	Tenant background check
Total 545					**35.00**	
546	DAVES SIGNS	10/19/2026	EFT			
				11262A	1,276.84	Balance due - Construction fence signage
Total 546					**1,276.84**	
547	E.J. HARRISON & SONS INC.	10/19/2026	EFT			
				00968480 Oct 26	609.23	Trash service- 40 yard roll- off
				00325251	483.95	Trash service- 40 yard roll- off
Total 547					**1,093.18**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
548	FERGUSON ENTERPRISES LLC	10/19/2026	EFT			
				7057921	345.16	TI - 1591 #207 power supply cord
Total 548					**345.16**	
549	JANITEK CLEANING SOLUTIONS	10/19/2026	EFT			
				60335A	1,360.00	1431 Emergency attic space clean out
Total 549					**1,360.00**	
550	K & L GATES LLP	10/19/2026	EFT			
				100353234	3,058.62	Coastal Commission Permitting and Marina Lease - Aug 26
				100363834	1,868.17	Coastal Commission Permitting and Marina Lease - Sep 26
Total 550					**4,926.79**	
551	LUMINEX SECURITY GROUP	10/19/2026	EFT			
				295 to 297	6,232.00	1603 Anchors Way security services
				340 to 342	6,232.00	1603 Anchors Way security services
Total 551					**12,464.00**	
552	MCCORMIX CORP.	10/19/2026	EFT			
				44599	549.88	Maintenance vehicle fuel
Total 552					**549.88**	
553	MR. PAINTING, INC.	10/19/2026	EFT			
				3453	9,900.00	TI - 1591 # 207 painting
Total 553					**9,900.00**	
554	PHOTO-SCAN OF LOS ANGELES	10/19/2026	EFT			
				38368	5,063.24	Fish pier hoists- installation of new wireless connection
				38350	957.95	Monthly key card and camera monitoring
Total 554					**6,021.19**	
555	SANBELL	10/19/2026	EFT			
				9278	264.00	Fisheries project survey - Sep 26
				9144	1,200.00	Fisheries project- Fuel line survey - Sep 26
				9152	480.00	General engineering services -Sep 26
Total 555					**1,944.00**	
556	SEARLE CREATIVE GROUP	10/19/2026	EFT			
				26406	704.25	Website maintenance services
Total 556					**704.25**	
557	THE FLAG FACTORY	10/19/2026	EFT			
				37124	53.82	Promenade Marquee replacement light bulbs
Total 557					**53.82**	
558	TIME TO SHINE	10/19/2026	EFT			
				68486	3,082.50	VHV monthly window cleaning services
				68299	3,562.50	VHV quarterly window cleaning services
Total 558					**6,645.00**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
559	WEST MARINE PRO	10/19/2026	EFT			
				5192012	310.21	Dock pedestal -Replace 30A breakers
				5158069	187.46	Dock pedestal -Replace 50A breakers
Total 559					**497.67**	
560	TAYLOR PRINTING CO, LLC	10/28/2026	EFT			
				45599	784.96	California compliant parking ticket books
Total 560					**784.96**	
779	VENTURA WATER	10/6/2026	ACH			
				10003300 Sep 26	805.59	10003300 Sep 26
				10010300 Sep 26	253.69	10010300 Sep 26
				10011300 Sep 26	698.75	10011300 Sep 26
				10012300 Sep 26	544.43	10012300 Sep 26
				10013300 Sep 26	1,444.19	10013300 Sep 26
				10014300 Sep 26	4,240.05	10014300 Sep 26
				10015300 Sep 26	274.37	10015300 Sep 26
				10016300 Sep 26	1,659.66	10016300 Sep 26
				10017300 Sep 26	678.78	10017300 Sep 26
				10018300 Sep 26	1,124.46	10018300 Sep 26
				10019300 Sep 26	359.57	10019300 Sep 26
				10020300 Sep 26	565.57	10020300 Sep 26
				10021300 Sep 26	3,605.34	10021300 Sep 26
				10022300 Sep 26	568.69	10022300 Sep 26
				10024300 Sep 26	1,409.74	10024300 Sep 26
				10071300 Sep 26	219.73	10071300 Sep 26
				10081300 Sep 26	120.56	10081300 Sep 26
				10082300 Sep 26	692.29	10082300 Sep 26
				10083300 Sep 26	285.57	10083300 Sep 26
				10104300 Sep 26	82.40	10104300 Sep 26
				10108300 Sep 26	253.69	10108300 Sep 26
				10109300 Sep 26	565.57	10109300 Sep 26
				10110300 Sep 26	1,209.42	10110300 Sep 26
				10111300 Sep 26	807.42	10110300 Sep 26
				41641300 Sep 26	301.79	41641300 Sep 26
				41644300 Sep 26	579.23	41644300 Sep 26
Total 779					**23,350.55**	
780	SOUTHERN CALIF. EDISON	10/6/2026	ACH			
				10873 Sep 26	122.94	10873 Sep 26
				58291 Sep 26	496.23	58291 Sep 26
				69707 Sep 26	45.06	69707 Sep 26
				96751 Sep 26	20.14	96751 Sep 26
Total 780					**684.37**	
782	SOUTHERN CALIF. EDISON	10/28/2026	ACH			
				26501 Oct 26	25.54	26501 Oct 26
				30433 Oct 26	66.44	30433 Oct 26
				33701 Oct 26	348.17	33701 Oct 26
				43532 Oct 26	531.35	43532 Oct 26
				61460 Oct 26	541.56	61460 Oct 26
				73704 Oct 26	213.23	73704 Oct 26
				83037 Oct 26	49.69	83037 Oct 26

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
				88160 Oct 26	256.06	88160 Oct 26
				93625 Oct 26	349.70	93625 Oct 26
				94121 Oct 26	147.64	94121 Oct 26
				94883 Oct 26	6,336.01	94883 Oct 26
				96751 Oct 26	2.71	96751 Oct 26
Total 782					**8,868.10**	
783	P. E. R. S.	10/1/2026	ACH			
				PR 090426	28,574.52	PR 090426
Total 783					**28,574.52**	
784	CALIF. SPECIAL DISTRICT ASSOC.	10/8/2026	ACH			
				92125	10,427.00	2027 membership dues
Total 784					**10,427.00**	
785	AT&T	10/8/2026	ACH			
				2020020216	1,233.85	Administration - internet
Total 785					**1,233.85**	
786	THE GAS COMPANY	10/9/2026	ACH			
				01506002 Oct 26	106.45	01506002 Oct 26
				21506004 Oct 26	55.65	21506004 Oct 26
				24007661 Oct 26	29.55	24007661 Oct 26
				31506000 Oct 26	337.15	31506000 Oct 26
				31506002 Oct 26	78.94	31506002 Oct 26
Total 786					**607.74**	
787	P. E. R. S.	10/9/2026	ACH			
				100000018423758	700.00	Annual GASB 68 reports
Total 787					**700.00**	
788	CALPERS HEALTH BENEFITS DIVISI	10/9/2026	ACH			
				Oct 26	38,689.54	Health insurance premiums - Oct 26
Total 788					**38,689.54**	
789	MISSION SQUARE	10/13/2026	ACH			
				PR 100226	2,720.71	Employee 457 contribution PR 100226
Total 789					**2,720.71**	
790	CALPERS HEALTH BENEFITS DIVISI	10/13/2026	ACH			
				PR 100226	6,151.41	Employee 457 contribution PR 100226
Total 790					**6,151.41**	
791	P. E. R. S.	10/14/2026	ACH			
				PR 091826	28,036.94	PR 091826
Total 791					**28,036.94**	
792	NETCHEX	10/14/2026	ACH			
				202610-3254	804.58	Monthly payroll processing fee
Total 792					**804.58**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
793	LOOPNET	10/14/2026	ACH			
				124843834	1,200.00	VHV leasing advertising - Oct 26
Total 793					**1,200.00**	
794	NETCHEX	10/15/2026	ACH			
				2316830	136,516.62	PR 101626
Total 794					**136,516.62**	
795	MISSION SQUARE	10/22/2026	ACH			
				PR 101626	2,720.71	Employee 457 contribution PR 101626
Total 795					**2,720.71**	
796	CALPERS	10/22/2026	ACH			
				PR 101626	6,151.41	Employee 457 contribution PR 101626
Total 796					**6,151.41**	
797	AT&T	10/22/2026	ACH			
				Oct 26 -Mktg	151.20	Marketing - internet
Total 797					**151.20**	
798	LEGALSHIELD	10/23/2026	ACH			
				Oct 26	69.75	LegalShield premiums - Oct 26
				Sep 26	69.75	LegalShield premiums - Sep 26
Total 798					**139.50**	
799	VISION SERVICE PLAN-(CA)	10/23/2026	ACH			
				826011862	757.76	Vision insurance premiums - Oct 26
Total 799					**757.76**	
800	SUN LIFE FINANCIAL	10/23/2026	ACH			
				Oct 26	1,289.23	Dental insurance premiums -Oct 26
Total 800					**1,289.23**	
801	STANDARD INSURANCE COMPANY	10/23/2026	ACH			
				Oct 26	4,866.06	Life/AD&D/LTD insurance premiums - Oct 26
Total 801					**4,866.06**	
802	NETCHEX	10/28/2026	ACH			
				2324877	30,168.26	Q3 2026 comp run
Total 802					**30,168.26**	
803	COSTAR REALTY INFORMATION, INC	10/28/2026	ACH			
				124917761	1,013.99	VHV leasing analytics -Oct 26
Total 803					**1,013.99**	
804	NETCHEX	10/29/2026	ACH			
				2326161	146,886.55	PR 103026
Total 804					**146,886.55**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
805	SWIFT CHIP, INC	10/2/2026	ACH			
				30744	6,844.88	Computer server room equipment
				30833	11,309.53	IT services - Oct 26
				30835	712.00	Microsoft subscriptions - Oct 26
				30834	1,020.00	Server back-up- Oct 26
Total 805					**19,886.41**	
806	T-MOBILE	10/5/2026	ACH			
				Oct 26	212.00	Parking Stations Internet - Sep 26
Total 806					**212.00**	
807	T-MOBILE	10/5/2026	ACH			
				Oct 26A	1,336.88	VPD cell phones - Oct 26
Total 807					**1,336.88**	
808	SEIU LOCAL 721	10/5/2026	ACH			
				Sep 26	301.50	Sep 26 dues
Total 808					**301.50**	
809	THE HOME DEPOT PRO	10/9/2026	ACH			
				Aug 26	313.96	Statement End Date 082826
Total 809					**313.96**	
810	LOWE'S BUSINESS ACCTS/SYNCB	10/13/2026	ACH			
				Oct 26	995.40	Statement End Date 091726
Total 810					**995.40**	
811	AMAZON CAPITAL SERVICES	10/20/2026	ACH			
				Oct 26	2,158.94	Amazon Charges -Sep 26
Total 811					**2,158.94**	
812	WEX BANK	10/22/2026	ACH			
				115716638	955.48	VPD vehicle fuel
Total 812					**955.48**	
813	WELLS FARGO BUSINESS CREDIT	10/29/2026	ACH			
				Sep 26	28,958.21	Wells Fargo Company Credit Card activity -Sep 26
Total 813					**28,958.21**	
814	NETCHEX	10/1/2026	ACH			
				2306907	144,156.50	PR 100226
				2306907	13,097.28	PR 100226 -Pre-pay
Total 814					**157,253.78**	
61877	ARAMSCO, INC	10/7/2026	Check			
				S7935229.001	1,715.38	Janitorial supplies
				S7944192.001	831.01	Janitorial supplies
Total 61877					**2,546.39**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61878	ASCAP	10/7/2026	Check			
				110000113334	2,320.50	VHV -Music licensing fees for live performances
Total 61878					**2,320.50**	
61879	C E D	10/7/2026	Check			
				9009-1073043	63.41	VPD Shop Stock-Light Bulbs
Total 61879					**63.41**	
61880	CREATIVE COAST PRODUCTIONS	10/7/2026	Check			
				00075	1,050.00	Shrek -Movie night staffing and live music performances on 10/03 and 10/04
Total 61880					**1,050.00**	
61881	CUSTOM AWARDS & ENGRAVING	10/7/2026	Check			
				15276	96.98	VHV Dog costume prize ribbons
Total 61881					**96.98**	
61882	GANNETT CALIFORNIA LOCALIQ	10/7/2026	Check			
				0007870647	1,409.94	Harbor Patrol engine bid posting
Total 61882					**1,409.94**	
61883	GREEN THUMB INTERNATIONAL	10/7/2026	Check			
				547059	344.79	Power hedge trimmer
				547020	56.22	VPD landscaping chainsaw parts
Total 61883					**401.01**	
61884	HD SUPPLY, INC	10/7/2026	Check			
				9250741530	-214.30	Credit for smoke alarms never received
				9251524306	96.96	VHV Maintenance shack sink replacement
				9253761712	214.30	VPD administration smoke alarm batteries
Total 61884					**96.96**	
61885	JAKE DAVID	10/7/2026	Check			
				331	552.00	Filming and editing Ventura art and chalk festival
Total 61885					**552.00**	
61886	Julianne Martin	10/7/2026	Check			
				efund 9/28/202611:10 I	627.56	Refunding Q-6171
Total 61886					**627.56**	
61887	MATILIJA WATER	10/7/2026	Check			
				Sep 26	70.52	Reverse osmosis and water cooler
Total 61887					**70.52**	
61888	MCMASTER-CARR	10/7/2026	Check			
				72676857	287.04	VHV signage mounting hardware
Total 61888					**287.04**	
61889	MUZICRAFT INC.	10/7/2026	Check			
				218639	348.06	VHV public music
Total 61889					**348.06**	
61890	RASMUSSEN & ASSOCIATES INC	10/7/2026	Check			
				21952	9,372.50	1575 Exterior facade architectural support
Total 61890					**9,372.50**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61891	SERVICE-PRO FIRE PROTECTION	10/7/2026	Check			
				B-4863	164.95	Entry feature backflow inspection
Total 61891					**164.95**	
61892	SR FAX	10/7/2026	Check			
				6204597	128.40	Fax to email service - E fax sub- annual service
Total 61892					**128.40**	
61893	SUSAN BEJECKIAN PUBLIC RELATIONS	10/7/2026	Check			
				65	1,800.00	Monthly public relations - Oct 26
Total 61893					**1,800.00**	
61894	TED SHRED INC	10/7/2026	Check			
				530	1,160.00	VHV Pirate Day entertainers
Total 61894					**1,160.00**	
61896	TODD MITCHELL	10/7/2026	Check			
				110126	731.79	Reimburse-Mileage-JPIA HR Academy, CSDA leadership, CMANC fall conference
				092426	53.26	Reimburse-Pot Luck-Ventura County commercial fishermans assoc.
Total 61896					**785.05**	
61897	VENTURA COUNTY REPORTER	10/7/2026	Check			
				2026-191752	775.00	Best of Ventura- printed ad
Total 61897					**775.00**	
61898	VENTURA WATER STORE	10/7/2026	Check			
				2154061	65.00	Bottled water service
				2154058	30.00	Bottled water service
				2154059	50.00	Bottled water service
				2154060	10.00	Bottled water service
Total 61898					**155.00**	
61899	ZERO WASTE USA	10/7/2026	Check			
				833703	978.05	Dog waste mitts
Total 61899					**978.05**	
61900	HORN'S BACKFLOW & PLUMBING SERVICE, INC.	10/8/2026	Check			
				111282	2,085.00	1691 Emergency hydro jetting
Total 61900					**2,085.00**	
61901	J. W. ENTERPRISES	10/8/2026	Check			
				405412	-11.04	Credit due at pick up - Temporary ADA restroom at Surfers Knoll during construction
				405411	121.12	Portable toilet rental at Launch ramp
				403346	121.12	Portable toilet rental at Launch ramp
				411147	123.12	Portable toilet rental at Launch ramp
				412357	123.12	Portable toilet rental at Launch ramp
				403347	338.28	Temporary ADA restroom at Surfers Knoll during construction
				404359	338.28	Temporary ADA restroom at Surfers Knoll during construction
Total 61901					**1,154.00**	
61902	PORTA-STOR	10/8/2026	Check			
				482452	95.00	Temp storage pod rental for Maintenance department
Total 61902					**95.00**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61903	THE DESIGN KOLLECTIVE	10/15/2026	Check			
				1258	1,750.00	Creative services - Aug 26
				1263	1,575.00	POL design and village refresh brand-Sep 26
Total 61903					**3,325.00**	
61904	AFLAC	10/16/2026	Check			
				939577	1,566.80	Aflac Premiums - Aug 26
				248357	1,566.80	Aflac Premiums - Sep 26
Total 61904					**3,133.60**	
61905	1ST IMPRINT	10/20/2026	Check			
				6094	575.35	Boat 5 decals
Total 61905					**575.35**	
61906	ALEXANDRIA DANIELSON	10/20/2026	Check			
				VH101301	1,256.25	Graphic design for events, event applications and ads
Total 61906					**1,256.25**	
61907	ALL STAR EQUIPMENT INC.	10/20/2026	Check			
				13562	18,723.56	Balance-Completion of Brophy's drop-in floor
Total 61907					**18,723.56**	
61908	ALLIANT INSURANCE SERVICES	10/20/2026	Check			
				3740851	1,364.00	Extra event insurances required
Total 61908					**1,364.00**	
61909	ARAMSCO, INC	10/20/2026	Check			
				S7935229.002	91.05	Janitorial supplies
				S7944192.002	182.10	Janitorial supplies
				S7944192.003	75.10	Janitorial supplies
				S7955169.001	528.22	Janitorial supplies
				S7967427.002	997.82	Janitorial supplies
				S7906934.003	309.79	VPD janitorial supplies
				S7906934.004	61.96	VPD janitorial supplies
				S7967427.001	341.43	VPD janitorial supplies
Total 61909					**2,587.47**	
61910	C E D	10/20/2026	Check			
				9009-1073809	98.57	TI-1591 # 207 hardware
Total 61910					**98.57**	
61911	CHEMSEARCH FE	10/20/2026	Check			
				9796006	1,974.90	VPD shop stock-plumbing chemicals
Total 61911					**1,974.90**	
61912	COLLETTE ARCHITECTS, P.C.	10/20/2026	Check			
				2601.04	2,160.00	1431-Evaluation for future office space
Total 61912					**2,160.00**	
61913	CREATIVE COAST PRODUCTIONS	10/20/2026	Check			
				00077	900.00	VHV live music performance 10/17 and 10/18
Total 61913					**900.00**	
61914	CREATIVE COAST PRODUCTIONS	10/20/2026	Check			
				00076	750.00	VHV live music performance 10/10 and 10/11
Total 61914					**750.00**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61915	DOWNTOWN VENTURA PARTNERS	10/20/2026	Check			
				2026-04	900.00	VHV October - December advertising
Total 61915					**900.00**	
61916	EARTH SYSTEMS PACIFIC	10/20/2026	Check			
				862379	2,797.50	1575 Deputy inspection services
				862679	1,869.50	1575 Deputy inspection services
				863327	4,696.00	1575 Deputy inspection services
				863809	17,116.50	1575 Facade renovation micro pile monitoring
Total 61916					**26,479.50**	
61917	FOUREST TREE SERVICE, INC	10/20/2026	Check			
				3723	18,737.00	VHV tree trimming
Total 61917					**18,737.00**	
61918	FRIEDLEYS SCREEN & GLASS	10/20/2026	Check			
				12027	1,245.14	1575 # 206A replacement window panes
Total 61918					**1,245.14**	
61919	GANNETT CALIFORNIA LOCALIQ	10/20/2026	Check			
				0007913471	732.18	Boat 1 engine bid notice
				0007913409	3,957.13	VPD Job posting-Painter
Total 61919					**4,689.31**	
61920	GREEN THUMB INTERNATIONAL	10/20/2026	Check			
				547149	80.41	Maintenance -Equipment service parts
Total 61920					**80.41**	
61921	HD SUPPLY, INC	10/20/2026	Check			
				9254693207	1,011.06	TI- 1591 #207 Faux wood-cabinet/window areas
Total 61921					**1,011.06**	
61922	INDUSTRIAL BOLT AND SUPPLY	10/20/2026	Check			
				277981-1	56.03	1583 restroom door hardware
				277781-1	25.43	Hardware-launch ramp signage board
Total 61922					**81.46**	
61923	J. W. ENTERPRISES	10/20/2026	Check			
				413615	123.12	Emergency launch ramp potable restroom service
Total 61923					**123.12**	
61924	JC SWEEPING	10/20/2026	Check			
				1131	810.00	VHV parking lot sweeping
Total 61924					**810.00**	
61925	JESSICA SNIPAS	10/20/2026	Check			
				100826	188.40	Reimburse - Travel - ISCS conference 09/14-09/16
Total 61925					**188.40**	
61926	KEENE MUSIC SERVICES, LLC	10/20/2026	Check			
				KMS2026-69	642.50	Deposit-For live Carolers on 10/30/26
Total 61926					**642.50**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61927	KIMLEY-HORN AND ASSOCIATES, INC.	10/20/2026	Check			
				37022904	920.00	Fisheries bait tank conceptual engineering
				36697223	9,915.00	Technical investigation -Bait tank location suitability -Jul 26
Total 61927					**10,835.00**	
61928	MCM CONSTRUCTION, INC.	10/20/2026	Check			
				Application 7, proj 0786	216,040.65	1575 Exterior Wall Facade - Draw 7
Total 61928					**216,040.65**	
61929	MCMASTER-CARR	10/20/2026	Check			
				72762687	144.99	Hardware - launch ramp signage board
Total 61929					**144.99**	
61930	MOLO INC	10/20/2026	Check			
				1901395	5,748.00	Annual Dry Storage subscription
Total 61930					**5,748.00**	
61931	NITRO SOFTWARE, INC	10/20/2026	Check			
				INV202621135	532.24	Nitro sign software - Oct 2026 - Jul 2027
Total 61931					**532.24**	
61932	PAIGE SCHOUTEN	10/20/2026	Check			
				6	175.00	VHV-Graphic design for Halloween activities
Total 61932					**175.00**	
61933	PORTA-STOR	10/20/2026	Check			
				21487	10.00	Nitro sign software - Oct 2026 - Jul 2027
Total 61933					**10.00**	
61934	RING CENTRAL INC	10/20/2026	Check			
				CD_001578590	987.32	VPD monthly phone service
Total 61934					**987.32**	
61935	RUBY HEDRICK	10/20/2026	Check			
				100826	125.84	Reimburse-LA Outlook travel - Los Angeles 09/15
Total 61935					**125.84**	
61936	SERGIO GONZALEZ	10/20/2026	Check			
				101426	407.62	Reimburse-Milage 2026 CJPIA Risk Forum class - Monterey, CA 10/06-10/09
Total 61936					**407.62**	
61937	SMITH PIPE & SUPPLY INC.	10/20/2026	Check			
				4424569	26.51	VHV irrigation repair parts
				4423526	26.36	VPD irrigation repair parts
Total 61937					**52.87**	
61938	SUNRIDGE LANDSCAPE MAINT., INC	10/20/2026	Check			
				00128	1,800.00	Monthly contracted mowing service- Sep 26
Total 61938					**1,800.00**	
61939	THE ACORN NEWSPAPERS	10/20/2026	Check			
				2026-193770	570.00	VHV Halloween event ads
Total 61939					**570.00**	

Payment Register

Period: From 10/01/2026 to 10/31/2026

Checks/ACH/EFT	Vendor	Check Date	Payment Method	Invoice #	Amount	Description
61940	THE CITY OF VENTURA	10/20/2026	Check			
				CINV-00001821	100.00	Trash services
Total 61940					**100.00**	
61941	TRAFFIC TECHNOLOGIES LLC	10/20/2026	Check			
				54761	235.98	Temporary "NO PARKING" parking lot signage
Total 61941					**235.98**	
61942	VCSDA	10/20/2026	Check			
				0017	725.00	Annual membership - 26/27
Total 61942					**725.00**	
61943	VENTURA BREEZE	10/20/2026	Check			
				Inv-001551	882.00	Halloween event ads
Total 61943					**882.00**	
61944	VENTURA COUNTY REPORTER	10/20/2026	Check			
				2026-193344	295.00	Digital banner Halloween ads
				2026-193342	300.00	E-Blast promo Halloween events
Total 61944					**595.00**	
61945	MOLO INC	10/20/2026	Check			
				1866328	13,186.80	Annual Marina Software Subscription
Total 61945					**13,186.80**	
61946	CALIFORNIA ELECTRICAL SUPPLY	10/21/2026	Check			
				897-1110102	2,851.44	Fish pump conduit
Total 61946					**2,851.44**	
61947	HORN'S BACKFLOW & PLUMBING SERVICE, INC.	10/21/2026	Check			
				111875	1,202.67	Line tracing fisheries
Total 61947					**1,202.67**	
61948	RASMUSSEN & ASSOCIATES INC	10/21/2026	Check			
				21754	1,540.00	1559 # 101 -exterior and interior architectural support - Apr 26
				21868	8,008.75	1575 exterior facade architectural support -Jun 26
				21869	581.25	VPD administration office remodel architectural support-Jun 26
				21755	232.50	VPD administration office remodel consult - Apr 26
Total 61948					**10,362.50**	
61949	JESSICA PERKINS	10/30/2026	Check			
				100626	1,428.35	Reimbursement- - Travel to Yardi conference 10/06-10/09 Sand Diego
Total 61949					**1,428.35**	
					1,228,172.04	

ATTACHMENT 2
Non-Routine Expenditures over $20,000.00 for October 2026

- Earth Systems Pacific was paid $26,479.50 with Check number 61916 on 10/20/26 – VHV 1575 Spinnaker deputy inspection services and façade renovation micro pile monitoring.
- MCM Construction, Inc was paid $216,040.65 with Check number 61928 on 10/20/26 – Draw 7 for 1575 Spinnaker Exterior Wall Façade.



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

CONSENT AGENDA ITEM C
AWARD OF BID FOR THE 1583 SPINNAKER DRIVE UPPER REROOFING PROJECT

VENTURA PORT DISTRICT **CONSENT AGENDA ITEM C**
BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Todd Mitchell, Deputy General Manager
Justin Fleming, Capital Projects Manager
SUBJECT: Award of Bid for the 1583 Spinnaker Drive Upper Reroofing Project

RECOMMENDATION:
That the Board of Port Commissioners award the 1583 Spinnaker Drive Upper Reroofing Project to Garland/DBS, Inc. in the amount of $590,993.

SUMMARY:
The FY 2026-27 Capital Improvement Projects budget includes $700,000 for the complete reroofing of the upper roof portions of 1583 Spinnaker Drive. Following completion of a competitive bidding process conducted by Garland, the lowest bid was received in the amount of $590,993.Staff is recommending that the Board approve the project and authorize the award of the contract to Garland/DBS, Inc. to proceed with the complete replacement of the designated upper roof sections.

Garland/DBS, Inc. bid includes replacement of the tiled roofs for each building and a 30-year labor and material warranty on the upper slope portions and a 5-year warranty on the underlayment on the tile mansard roof sections. The new roofs are expected to last approximately 40 years.

Garland/DBS, Inc. has contracted multiple projects to the District with high-quality work, good cooperation, and with reasonable change orders. Therefore, the District anticipates good performance on this project.

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

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

BACKGROUND:
Since 2015, the District has been systematically reroofing buildings throughout Harbor Village as part of its ongoing investment in maintaining and improving District facilities and infrastructure.
In early 2025, Staff identified several roof areas at 1575 and 1583 Spinnaker Drive that required replacement. The initial phase of work focused on the lower roof sections of both buildings, including areas at 1583 Spinnaker Drive that would become difficult to access following the completion of improvements to the Boatyard Pub patio. This work also included improvements to waterproofing and access around the parapet where the restaurant's exhaust system is located, as well as replacement of the copper gutter along the rear passthrough section.

The lower roof replacement work at both 1575 and 1583 Spinnaker Drive has since been completed.

As part of the District's continued roof replacement program, the FY 2026-27 Capital Improvement Projects budget allocated $700,000 toward the complete reroofing of the upper roof portions of 1583 Spinnaker Drive. Garland was engaged to conduct the competitive bidding process for the project. Upon completion of the bidding process, the project received a bid of $590,993, coming in $109,007 below the approved budget.

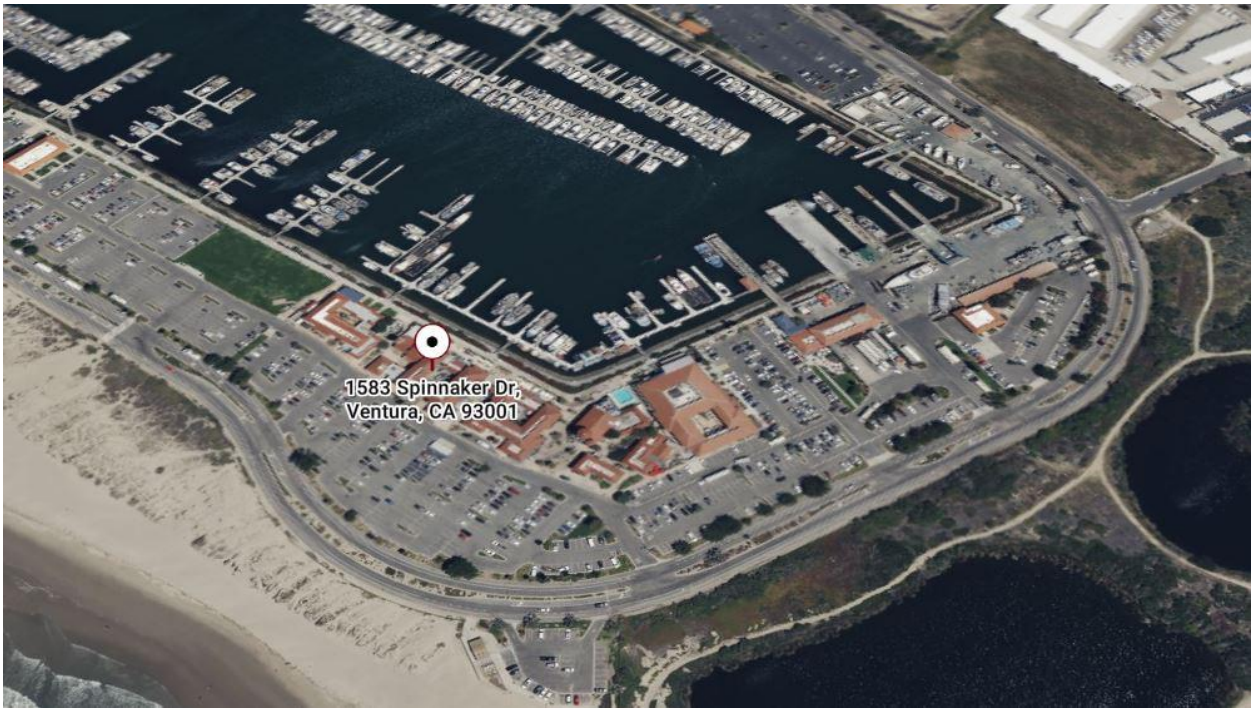
The proposed work will address the remaining upper roof sections of 1583 Spinnaker Drive, continuing the District's efforts to proactively maintain its Harbor Village buildings, protect existing facilities, and reduce the potential for future water intrusion and associated maintenance costs.

FISCAL IMPACT:
The FY26-27 Capital Improvement Projects budget includes $700,000 for the reroofing of the upper roof portions of 1583 Spinnaker Drive. Following Garland's competitive bidding process, the bid was received in the amount of $590,993.

The proposed contract amount is $109,007 below the approved budget, representing approximately 15.6% in project savings. The existing budget is enough to absorb any unforeseen issues, or potential remediations beyond the scope of work, that may be encountered throughout the course of construction; therefore, no additional adjustments should be required in the budget to meet the needs of the project.

ATTACHMENTS:
Attachment 1 – Location Map

ATTACHMENT 1 – LOCATION MAP





BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

CONSENT AGENDA ITEM D
AUTHORIZATION TO ADVANCE LIFEGUARD TOWER FUNDING

VENTURA PORT DISTRICT **CONSENT AGENDA ITEM D**

BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
John Higgins, Harbor Patrol Chief/Harbormaster
Brendan Donohue, Senior Harbor Patrol Officer
SUBJECT: Authorization to Advance Lifeguard Tower Funding

RECOMMENDATION:
That the Board of Port Commissioners authorizes the General Manager to advance up to $225,000 from the FY2027-2028 Capital Improvement Plan to the FY2026-2027 Capital Improvement Plan for the procurement of lifeguard towers.

SUMMARY:
When the 2025 five-year Capital Improvement Program (CIP) budget was developed, $225,000 was allocated for lifeguard towers in FY 2027/28. At the time, this was a reasonable estimate of when the expenditure might occur, since discussions regarding the District's future Lifeguard program had not yet been finalized.

As California State Parks is now preparing to remove the existing towers from Ventura Harbor beaches, staff recommends taking action at this time to procure replacement towers.

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

5-YEAR OBJECTIVE:
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.
V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:
Lifeguard towers are an essential part of any beach lifeguard program, providing elevated observation points that improve surveillance, incident detection, and public safety. Tower design and weight are important considerations, as the units must be relocated throughout the season and removed or repositioned during winter operations. Modern towers constructed from fiberglass and aluminum offer a service life exceeding 15 years while needing minimal maintenance. Additionally, lifeguard towers provide opportunities for sponsorship and advertising revenue, which may help offset a portion of the initial purchase cost over the asset's life.

Lifeguard towers are an essential component of a beach lifeguard program, providing shelter from changing weather conditions while serving as secure storage for equipment and personal belongings. Lifeguards spend much of their shift outside the tower conducting public education, enforcing regulations, rendering medical aid, and performing rescues, making a protected space for rest and recovery important during periods of heat, wind, or cold marine conditions. Towers also safeguard District equipment such as first aid supplies, binoculars, radios, and rescue gear, while providing secure storage for personal items. In addition, on-site storage keeps critical equipment at its designated location, reducing daily transport, improving operational capability, and ensuring resources are immediately available when needed.

Lifeguard towers provide an immediate, obvious reference point for beach patrons to go to for help and can have informational signage affixed to them to aid even when lifeguards are off duty. A specific benefit of their status as buildings that represent the place where the guardians of the beach are kept is that lost children often gravitate towards them for help looking for their parents, and if the guard is unable to locate the parents from their elevated platform, the parents are usually reunited with their missing kids at the tower when they are pulled towards those beacons of helpfulness while seeking someone to assist them in their search.

FUTURE LIFEGUARD OPERATIONS

Over the past year, after the Board approved proceeding with a Lifeguard program, staff evaluated several options, including acquiring one or more existing towers, leasing towers from California State Parks, constructing towers in-house, and purchasing towers from a private vendor. In October, California State Parks notified the District that all existing towers would be relocated to beaches North of Ventura, eliminating the possibility of acquiring or leasing those units. Staff also determined that constructing towers was not a practical option due to material costs, labor requirements, weight considerations, and ongoing maintenance concerns.

Staff identified two qualified vendors and, following discussions with each, are confident that new towers, if ordered promptly, can be delivered before the start of the 2027 summer season.

Advancing the FY27/28 lifeguard tower funding to be used in FY 26/27 will allow the District to take expedited action to have towers fabricated and installed in time for the commencement of the lifeguard program in 2027.

FISCAL IMPACT:

If approved, this would advance up to $225,000 from the FY2027-2028 Capital Improvement Plan to the FY2026-2027 Capital Improvement Plan.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

STANDARD AGENDA ITEM 1
ADOPTION OF RESOLUTION NO. 3565 APPROVING AMENDMENTS TO THE VENTURA PORT DISTRICT'S PROCUREMENT AND PURCHASING POLICY AND RESCINDING RESOLUTION NO. 3519

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 1**

BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners

FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Sarah Clancy, Administrative Services Manager
Reid Miller, Lagerlof LLP

SUBJECT: Adoption of Resolution No. 3565 Approving Amendments to the Ventura Port District's Procurement and Purchasing Policy and Rescinding Resolution No. 3519

RECOMMENDATION:
That the Board of Port Commissioners adopt Resolution No. 3565 approving amendments to the Ventura Port District's Procurement and Purchasing Policy and rescinding Resolution No. 3519.

SUMMARY:
In 2014, the Board of Port Commissioners adopted the Procurement and Purchasing Policy to establish authority, limits, and procedures relating to the District's procurement and purchasing activities in connection with procuring contracts for goods and services from outside vendors, suppliers, service providers, and contractors. This Policy was last updated December 18, 2024.

In the interest of continuously improving the administration and oversight of District purchasing and contracting activities, staff annually review the Procurement and Purchasing Policy (Policy) and are presently recommending amendments to the Policy. The proposed changes establish a clearer hierarchy of approval authority, align purchasing and contracting approval levels, recognize the Deputy General Manager's role, and update payment signing requirements. These amendments are intended to streamline routine administrative processes while maintaining appropriate fiscal controls and Board oversight.

GUIDING PRINCIPLES:
3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
6) Provide exceptional public service and organizational transparency.

5-YEAR OBJECTIVES:
E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.
R) Seek opportunities to grow revenues and secure grants; continue to improve the quality, efficiency, and transparency of financial reporting, monitoring, and property management.

BACKGROUND:
Explanation of Proposed Procurement and Purchasing Policy Amendments
The proposed amendments are intended to establish a more defined and consistent approval structure for District purchases and contracts, strengthen the chain of command, and better align purchasing authority with the District's organizational responsibilities.

The proposed revisions establish a more defined hierarchy of purchasing authority, create a separate approval level for the Deputy General Manager, and better align the approval levels for Non-UPCCA purchases with those established for UPCCA projects. The amendments also retain the existing requirement that non-budgeted purchases and contracts receive prior Board

approval. Accordingly, the proposed changes are intended to improve administrative efficiency while maintaining the Board's oversight of expenditures that have not been included in the adopted budget.

PROPOSED CHANGES:

1. Section III-B – Purchasing of Supplies and Vendor Services Not Used in Connection With or Consumed on Any Work or Project Subject to the UPCCA

a. Section III-B(5) – Purchases Totaling Up to $50,000

Establishes an intermediate approval level within the Non-UPCCA purchasing structure. This creates a more graduated approval process and provides a clearer distinction between staff-level purchasing authority and higher levels of management approval.

b. Section III-B(6) – Purchases Totaling Up to $75,000

Establishes a higher purchasing authority level for the General Manager, subject to the existing safeguards requiring that purchases be included in the adopted budget and that at least two quotes be obtained. This provides the General Manager with appropriate flexibility to manage routine District operations while maintaining competitive price comparisons and budgetary controls.

c. Section III-B(7) – Purchases Over $75,000

Updates the threshold at which Non-UPCCA purchases are subject to the District's competitive bidding procedures. This aligns the competitive procurement threshold with the revised purchasing authority structure while preserving the requirement for Board approval where applicable.

2. Section III-D – Contracts for the Doing of Any Project or Maintenance Work That Is Subject to the UPCCA

a. Contracts Totaling Up to $50,000

Establishes a defined approval level for UPCCA projects and maintenance work that is consistent with the District's revised management hierarchy. The change provides a more structured progression of approval authority for public works-related expenditures while continuing to operate within the requirements and limits of the UPCCA.

3. Section III-F – Professional Service Agreements

Revises the approval threshold for Professional Services Agreements from $25,000 to $75,000, allowing the General Manager and/or Deputy General Manager to approve and execute budgeted professional services agreements up to $75,000 without prior Board approval. This change aligns professional services approval authority with the revised Non-UPCCA purchasing limits and establishes a more consistent management approval structure.

The amendment maintains the requirement that all professional services agreements exceeding the threshold, as well as any agreements not included in the District's current fiscal-year budget, receive prior Board approval. It also retains the requirement that professional service providers be selected based on demonstrated competence and qualifications, at fair and reasonable prices to the District.

The revised threshold is intended to provide greater administrative flexibility for routine and budgeted professional services while preserving Board oversight of larger or non-budgeted commitments.

4. Section III-I – Payment Authorization and Signing Authority

Increases the threshold requiring two authorized signatures on District payments from amounts greater than $25,000 to amounts greater than $50,000. This adjustment better aligns the District's payment authorization requirements with the revised purchasing authority levels.

The District has also implemented a monthly payment register, providing the Board with greater visibility into payments and disbursements made on the District's behalf. The payment register enhances transparency and provides an additional means of oversight. The revised policy maintains the requirement for two signatures on payments exceeding $50,000, with one signature required to be from a member of the Board of Port Commissioners. The same requirements apply to electronic payments, including EFT, ACH, and electronic checks.

5. Exhibits

a. Exhibit C-1 Updates the Non-UPCCA purchasing decision tree to reflect the revised approval levels and dollar thresholds. This provides staff with a clearer, more accessible reference for determining the appropriate approval authority and procurement process.

b. Exhibit C-2 Updates the UPCCA decision tree to reflect the revised approval hierarchy for public projects and maintenance work, helping ensure consistency between the policy language and the accompanying procurement guidance.

c. Exhibit C-3 Updates the applicable decision tree to remain consistent with the revised policy provisions and provide staff with clear guidance for applying the District's procurement and approval requirements.

FISCAL IMPACT:
None.

ATTACHMENT:
Attachment 1 – Ventura Port District Procurement and Purchasing Policy – Redlined
Attachment 2 – Resolution No. 3565

VENTURA
PORT DISTRICT
Established 1952

RESOLUTION NO. ~~35193~~3565

A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT ADOPTING A REVISED PROCUREMENT AND PURCHASING POLICY

WHEREAS, California Public Contract Code Section 20750 et seq. requires certain District contracts in excess of certain prescribed amounts to be let by the Board of Port Commissioners (the "Board") upon competitive bidding.

WHEREAS, the District's Procurement and Purchasing Policy was first adopted by the Board on April 25, 2012, by Resolution No. 3183, establishing the District's competitive bidding procedures as required under the Public Contract Code.

WHEREAS, Public Contract Code Section 22000 et seq. establishes the Uniform Public Construction Cost Accounting Act (the "UPCCA"), which establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies, and authorizes local public agencies to perform public projects or maintenance work by force account, negotiated contract, or purchase order, and to use informal and formal bidding procedures when contracting for public projects or maintenance work, in accordance with the statutory limits set forth in the UPCCA.

WHEREAS, on February 27, 2013, the Board adopted Resolution No. 3213 electing to become subject to the UPCCA, and further elected to utilize the bidding procedures in the UPCCA when contracting for public projects.

WHEREAS, on March 27, 2013, the Board adopted Ordinance No. 48 to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act (California Public Contract Code Section 2200 et seq.).

WHEREAS, on May 8, 2013, the Board adopted Resolution No. 3219 amending Resolution No. 3213 to authorize the use of the UPCCA's bidding procedures when contracting for maintenance work.

WHEREAS, the Procurement and Purchasing Policy also reflects that the competitive bidding requirements of Public Contract Code Section 20751 only apply to purchases by the District of supplies exceeding $25,000.00 that are used in connection with or consumed on any work or project not subject to the UPCCA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. ~~3450~~3519, which was previously passed, approved and adopted by the Board on ~~May 4, 2022~~December 18, 2024, and adopts in its place the amended Procurement and Purchasing Policy attached hereto as Exhibit A.

PASSED, APPROVED and ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on this 18th day of ~~December 2024~~November 2026, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Michael Blumenberg, Chair

ATTEST:

_____
Anthony Rainey, Secretary



Ventura Port District

Procurement

and Purchasing

Policy

Effective October 22, 2014

Revised
March 22, 2017
May 1, 2019
June 17, 2020
September 15, 2021
May 4, 2022
December 18, 2024
November 18, 2026

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I. STATEMENT OF GENERAL POLICY

The District's Board of Port Commissioners (the "Board") has adopted this Procurement and Purchasing Policy to establish the authority, limits, and procedures relating to the District's procurement and purchasing activities in connection with such contracts. All such procurement and purchasing activities for the District shall be administered in accordance with the provisions of this policy, and with the express intent to promote open and fair conduct in all aspects of the procurement and purchasing process.

Except as otherwise provided in Section III-D below, the goal of this Procurement and Purchasing Policy is to enable the Ventura Port District (the "District") to (i) obtain contracts for the purchasing of materials or supplies not used in connection with or consumed on any work or project that falls within the definition of "public projects" or "maintenance work" subject to the California Uniform Public Construction Cost Accounting Act ("UPCCA") as defined in Public Contract Code Section 22002, and (ii) procure services for the District at the best value and in a timely manner, while maintaining fairness to vendors, suppliers, service providers, and contractors, and abiding by applicable laws. Section III-D of this policy also establishes staff purchasing authority levels for contracts for the doing of any work or project which does fall within the definition of "public projects" or "maintenance work" subject to the UPCCA as defined in Public Contract Code Section 22002.

The District intends to maintain a cost-effective purchasing system conforming to good management practices. The Procurement and Purchasing Policy is intended to accomplish the following objectives:

A. Provide all vendors, suppliers, service providers, and contractors with full, fair, prompt and courteous consideration.

B. Keep competition open and fair.

C. Observe strict truthfulness and highest ethics in all transactions.

In order to be successful, the system must be supported by the cooperation of all District personnel. Prior planning and the timely submission of requisitions are essential to expedite the District's procurement and purchasing process and to ensure that this process is conducted in an orderly and lawful manner.

II. ETHICS IN PROCUREMENT AND PURCHASING

In dealing with the District's procurement and purchasing needs, District personnel shall be mindful of the following:

A. That public office is a public trust and to give primary consideration to the District's interests as well as the interests of the public.

B. Procurement and purchasing decisions shall be made without prejudice and to try to maximize the value of each dollar expended.

C. District personnel must avoid unfair business practices or decisions and to give all qualified vendors, suppliers, service providers, and contractors an equal opportunity to participate in the procurement and purchasing process.

D. We shall promote positive relationships with the District's vendors, suppliers, service providers, and contractors through courteous and impartial treatment in all phases of the purchasing cycle.

E. We shall conduct ourselves with fairness and dignity, and demand honesty and truth in the purchasing process.

F. We must avoid the appearance of unethical or compromising practice in relationships, actions, and communications in the procurement and purchasing process.

H. We must refrain from soliciting or accepting money, loans, credits, prejudicial discounts, gifts, favors, or services from past, present or future suppliers, vendors, service providers, or contractors that might influence, or appear to influence, purchasing decisions.

I. All District personnel shall discharge their duties impartially so as to ensure competitive access to governmental procurement by responsible contractors.

J. All District personnel shall conduct themselves in such a manner as to foster public confidence in the integrity of District procurement and purchasing.

III. THE PROCUREMENT AND PURCHASING PROCESS

A. Contract Administration

The District routinely utilizes the services of vendors, suppliers, service providers, and contractors for a variety of operational needs. These include, but are not limited to, the acquisition of equipment, supplies, materials, goods, maintenance services, and construction or renovation of District facilities. All contracts should include, but shall not be limited to, the following provisions:

(1) The term or length of contract.
(2) Description of work to be performed or services/products to be provided.
(3) Schedule for performance.
(4) Indemnity, insurance and bonding requirements.
(5) Warranties and/or guarantees if applicable.
(6) Payment schedule.
(7) Conditions for termination of contract.
(8) District's contracts for public works projects that are subject to California's prevailing wage laws, shall also be subject to the District's applicable contract addendum with these requirements, as discussed in Section VII, below.

Except as otherwise provided in Section III-D of this Procurement and Purchasing Policy, this policy shall not apply to the performance of, contracting for, or the doing of any "public project" or "maintenance work" subject to the UPCCA as such terms are defined under the UPCCA in Public Contract Code Section 22002. Any such "public project" or "maintenance work" shall be subject to (i) Resolution No. 3213 adopted by the Board on February 27, 2013; (ii) the procedures, terms, and conditions set forth in the UPCCA pursuant to California Public Contract Code Section 22000 et seq.; (iii) the California Uniform Construction Cost Account Commission's (the "Commission") policies and procedures manual and cost accounting review procedures; (iv) Ordinance No. 48 adopted by the Board on March 27, 2013; (v) Resolution No. 3219 adopted by

the Board on May 8, 2013;(vi) Ordinance No. 52 adopted by the Board on May 1, 2019; and (vii) any other resolutions, policies, and procedures that may be adopted or promulgated by the Board from time to time, and until such time as the Board has adopted a resolution electing to discontinue the District's participation under the UPCCA.

B. Purchasing of Supplies and Vendor Services *Not* Used in Connection with or Consumed on any Work or Project Subject to the UPCCA. (The policies in this Section III-B are further summarized in the procurement limits chart attached to this policy as **Exhibit "A"** and the decision tree attached as **Exhibit "C-1**.")

The policies in this Section III-B govern the procurement of District contracts for the purchasing of supplies or vendor services that are (i) ***not*** subject to the UPCCA and (ii) ***not*** used in connection with the purchase or performance of work on, or consumed in connection with, any "public project" or "maintenance" work or services subject to the UPCCA, as defined under the UPCCA in Public Contract Code Section 22002 (each, a "Non-UPCCA Good or Service"). If a District contract is for the purchasing of any work or services (and/or supplies used in connection with any such work or services) that fit within the UPCCA's definition of either a "public project" or "maintenance" work, as summarized in the "UPCCA Summary Sheet" attached as **Exhibit "B**,**"** the policies in this Section III-B do ***not*** apply, and the procurement and contracting process shall instead be governed by the District's adopted UPCCA ordinances, resolutions, and policies, including those set forth in Section III-D.

(1) *Purchases totaling up to $1,000.00*

The General Manager and any Level 1, Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $1,000.00, without competitive bidding. Level 1 employees shall not be authorized to execute any such contract or to make any such purchase until such employee has obtained the prior approval of his or her immediate supervisor.

(2) *Purchases totaling up to $2,500.00*

The General Manager and any Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $2,500.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least one (1) quote is obtained from a vendor, supplier, service provider, or contractor concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least one (1) quote has *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or to make any such purchase until such employee's immediate supervisor has reviewed and approved the written quote and the proposed contract or purchase order.

(3) *Purchases totaling up to $10,000.00*

The General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $10,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least one (1) quote is

obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least one (1) quote has *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board. Level 3 employees shall not be authorized to execute any such contract or to make any such purchase until the General Manager has reviewed and approved the written quote and the proposed contract or purchase order.

(4) *Purchases totaling up to $25,000.00*

The General Manager and any Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $25,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(5) *Purchases totaling up to $50,000.00*

The General Manager and any Level 5 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $50,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(6) *Purchases totaling up to $75,000.00*

The General Manager of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $75,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(~~5~~7) *Purchases Over $~~25~~75,000.00*

Any purchase order or contract for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price greater than $~~25~~75,000.00 is subject to the competitive bidding procedures set forth in Section III-C, below, unless an applicable exception under either (i) Section-III(F) (Professional Service Agreements) or (ii) Section-IV, below, applies.

C. Competitive Bidding Procedures for Work or Projects Not Subject to the UPCCA.

As provided, among other things, in Public Contract Code Section 20751, contracts for the purchasing of supplies or vendor services not used in connection with or consumed on any District work or project subject to the UPCCA must be let by competitive bidding where the amount of the contract exceeds $25,000.00. This subsection sets out the competitive bidding procedures for such contracts.

When the supplies or vendor services are within the current approved fiscal year's budget, the General Manager shall cause to be prepared the appropriate plans, specifications, scope of work, or other descriptive information for the publication of a notice inviting sealed bids for performance for the proposed purchase. When those supplies or vendor services are not within the current fiscal year's budget, the General Manager will make a recommendation to the Board with a cost estimate and other supporting documentation appropriate for the size and scope of the proposed purchase in order for the Board to approve a change to the budget prior to publishing a competitive bid.

Once the competitive bid plans, specifications, scope of work or other information has been prepared, the notice advertising the competitive bid shall be published in a newspaper of general circulation in accordance with the Public Contract Code.

The contract documents shall be prepared utilizing the District's standard forms, with such modifications as may be appropriate for the particular supplies or materials to be acquired and purchased. In the event of an emergency, applicable Public Contract Code provisions will be followed.

All bids shall be presented under sealed cover on forms furnished by the District. Sealed bids shall be opened at the time and place stated in the advertisement for bid with no less than two representatives of the District in attendance. When all bids have been evaluated, the General Manager shall make a recommendation to the Board regarding award of the contract to the lowest responsible bidder.

If the lowest bidder is disqualified for any reason, or if the bids exceed the cost estimates previously approved, the General Manager shall evaluate the options available and make a recommendation to the Board, which may include, but not be limited to, a recommendation of no award. The Board will make the final decision regarding the award of contract under this Section III-C. At the direction of the Board and after legal counsel review, the General Manager shall execute any such contract.

D. Contracts for the Doing of Any Public Project or Maintenance Work that is Subject to the UPCCA. (The following policies in this Section III-D are at the discretion of the Board of Commissioners. They are equal to or above and beyond that which is required by the UPCCA. The policies in this Section III-D are further summarized in the decision trees attached to this policy as **Exhibit "C-1**" and **Exhibit "C-2**.**"** The UPCCA's definitions of (i) a "public project" and (ii) the type of "maintenance" work that is subject to the UPCCA and this Section III-D are set forth in the "UPCCA Summary Sheet" attached as **Exhibit "B."**)

(1) *Contracts totaling up to $1,000.00*

The doing of any "public project" or "maintenance" work of the District that is subject to the UPCCA (as defined in the UPCCA Summary Sheet) or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements

– personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $1,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 1 employee, Level 2 employee, Level 3 employee, or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. Level 1 employees shall not be authorized to execute any such contract or purchase order until such employee has obtained the prior approval of his/her immediate supervisor. No notice inviting informal bid for any such public project or maintenance work need be provided.

(2) *Contracts totaling up to $2,500.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $2,500.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 2, Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order), shall require prior approval from the Board at a regular or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or purchase order until such employee's immediate supervisor has reviewed and approved the proposed contract or purchase order. No notice inviting informal bid for any such public project or maintenance work need be provided.

(3) *Contracts totaling up to $10,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $10,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(4) *Contracts totaling up to $25,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $25,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(5) *Contracts totaling up to $50,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $50,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(~~5~~6) *Contracts totaling up to $75,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $75,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(~~6~~7) *Contracts totaling $75,000.00 - $220,000.00*

Any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than $75,000.00 but less than or equal to $220,000.00, must go through the UPCCA's informal bid process as set forth in the District's Ordinance No. 48 adopted March 27, 2013, as amended by the District's Ordinance No. 52 adopted May 1, 2019, as may be further amended from time to time, and as summarized in the UPCCA Summary Sheet. The General Manager shall be authorized to send out a notice inviting informal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The informal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA as summarized in the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account. If all bids received are greater than $220,000.00, the Board can adopt by resolution by a four-fifths (4/5) vote and award the contract at $235,000.00 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting informal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

(~~7~~8) *Contracts over $220,000.00*

Unless otherwise provided in Section III-D(6), above, any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than $220,000.00 is subject to the UPCCA's formal bidding procedures (including the notice inviting formal bids, adoption of plans, and the awarding of bid) as summarized in the attached UPCCA Summary Sheet. The General Manager shall be authorized to send out a notice inviting formal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The formal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA, as summarized in the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account or by the informal bidding procedures detailed for public projects greater than $75,000.00 but less than or equal to $220,000.00. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting formal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

E. Change Orders.

The General Manager shall have the authority to approve and execute on behalf of the District any change order to a contract (i) awarded by District personnel (including the General Manager) or the Board pursuant to Section III of this Procurement and Purchasing Policy; or (ii) awarded by the Board (or by any person who the Board has delegated authority to) for a public project or maintenance work under the UPCCA, as follows:

(1) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to $10,000.00 that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.

(2) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to $10,000.00 that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manger has obtained the prior approval of the Board at a regular or special meeting of the Board.

(3) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than $10,000.00 (but within ten percent (10%) of the original contract amount) that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.

(4) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than $10,000.00 (but within ten percent (10%) of the original contract amount) that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.

(5) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a "public project" or "maintenance work" under the UPCCA) greater than $10,000.00 that are more than ten percent (10%) of the original contract amount, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board.

F. Professional Service Agreements.

Professional services are defined as unique, technical and/or infrequent functions performed by an independent contractor/vendor qualified by education, experience, certification and/or technical ability to provide services. Typical District services that are obtained through professional services contracts include architectural, landscape architectural, professional engineering, environmental, land surveying, construction and project management, information technology, consulting, marketing, legal, and financial services. Professional services contracts

shall be awarded to professional service providers on the basis of demonstrated competence and qualifications for the types of services to be performed, and at fair and reasonable prices to the District, using the District's standard Professional Services Agreement. The Board shall approve all Professional Services Agreements over the amount of $~~25,000.00~~75,000.00. The General Manager and/or Deputy General Manager is authorized to enter into a Professional Services Agreement in an amount of $~~25,000.00~~75,000.00 or less without prior Board approval provided the services have been included in the District's then-current fiscal budget. Any Professional Services Agreement not included in the District's then-current fiscal year budget requires the prior approval of the Board. The representative for the District identified in the Professional Service Agreement is authorized to approve routine invoices for contracts and services that have already been authorized by the Board or the General Manager and/or Deputy General Manager. The policies in this Section III-D(F) are further summarized in the decision tree attached to this policy as **Exhibit "C-1**."

G. Prohibition against Serial or Cumulative Expenditures.

The authority for making expenditures or executing contracts as provided in this policy is intended to enable the General Manager and District staff to understand the scope of this authority in procurement activities made on behalf of the District. The structuring of transactions in a serial or cumulative manner so as to avoid the requirement of approval by the Board is strictly prohibited and will not be tolerated. In addition, for public projects or maintenance work of the District that is subject to the UPCCA, the UPCCA prohibits a local agency to split or separate into smaller work orders or projects any such public project or maintenance work for purposes of avoiding the UPCCA's formal bidding requirements, as summarized in the attached UPCCA Summary Sheet. Thus, the costs associated with the purchase of materials or supplies, when purchased or used as part of a public project or maintenance work subject to the UPCCA, become part of the project cost and must be considered when applying the bid limits set forth in Section III-D above. For example, on a public project subject to the UPCCA that will pay a contractor $110,000.00 for construction services and a separate vendor $110,001.00 for the purchase of materials or supplies to be used on the project, such project will have a total contract price of $220,001.00 and the contracting services and the separate purchase of materials and supplies will each be subject to the UPCCA's formal bidding procedures applicable to public projects or maintenance work of more than $220,000.00. Likewise, as an example, if maintenance work subject to the UPCCA will have a total cost of $100,000.00 (e.g., $50,000.00 to be paid for maintenance services to one contractor and $50,000.00 to be paid to a separate vendor for materials and supplies for that maintenance project), the maintenance services contract and the purchasing contract will each be subject to the UPCCA's informal bidding procedures for public projects and maintenance work that costs more than $75,000.00 in total.

H. Future Modifications of Bid Limit Thresholds.

In the event the bid limit thresholds proscribed in Public Contract Code Section 22032 are later modified, District staff is hereby authorized and directed to revise this Procurement and Purchasing Policy to conform with the maximum bid threshold limits permitted by law. Upon such an event, District staff shall notify the Board of the bid threshold limit modifications and the corresponding amounts.

I. Payment Authorization and Signing Authority

The authorization to approve a purchase, contract, or expenditure under this Procurement and Purchasing Policy is separate from the authority to authorize payment or disbursement of District funds. All payments made by the District, regardless of the procurement method or the employee who authorized the underlying purchase or contract, shall be subject to the following payment authorization and signing requirements.

(1) Checks

(a) Checks in amounts less than or equal to $50,000.00 shall require the signature of one (1) authorized District signatory.

(b) Checks in amounts greater than $50,000.00 shall require two (2) authorized signatures, one of which must be a member of the Board of Port Commissioners.

(2) Electronic Funds Transfers (EFT), Automated Clearing House (ACH) Payments, and Electronic Checks

Electronic payments, including EFT, ACH, and electronic checks, shall be subject to the same payment authorization requirements established for paper checks under subsection (1), above. Accordingly, electronic payments of $50,000.00 or less shall require authorization by one (1) authorized District signatory, and electronic payments greater than $50,000.00 shall require authorization by two (2) authorized signatories, one of which must be a member of the Board of Port Commissioners.

For electronic payments, the required authorization shall be documented through the District's financial institution's electronic payment approval process or other appropriate written documentation maintained by the District.

(3) General Requirements

All payments shall be supported by appropriate documentation, including invoices, contracts, purchase orders, or other records evidencing the District's obligation to make payment. Payment authorization shall not independently authorize a purchase, contract, or expenditure that has not otherwise received the required approval under this Procurement and Purchasing Policy or other applicable District policy or Board authorization.

IV. EXCEPTIONS TO COMPETITIVE BIDDING

The following exceptions shall apply to the competitive bidding procedures set forth in Section III-C above:

A. Sole Source Procurement.

There may be limited situations where the District requires particular contracts for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, for which there is no substantial equivalent and which are, in fact, available from only one vendor, supplier, service provider, or contractor, and therefore, in such situations, the use of competitive bidding may be impractical.

The Board has determined that it is in the District's best interests to authorize the General Manager to engage in sole source procurement under limited circumstances. The General Manager, on behalf of the District, may execute a contract for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, on a sole source basis, and without competitive bidding, on the following conditions:

(1) The General Manager determines, after conducting a good faith review of available sources, that there is only one source for such supplies required by the District.

(a) Examples of sole source procurements include, but shall not be limited to, the following:

(i) ***Licensed or Patented Applications:*** The vendor, supplier, service provider, or contractor is the sole provider of a licensed, patented, or proprietary application, product, material, supplies, or item required by the District that has unique design or performance features providing superior utility not obtainable from similar vendors, suppliers, service providers, or contractors.

(ii) ***Authorized Service Provider, Repair and Warranty Services:*** The District requires service or repair support for such supplies and the vendor, supplier, service provider, or contractor is either a factory authorized warranty service provider or such vendor, supplier, service provider, or contractor is required for warranty services pursuant to the terms and conditions of an existing District contract.

(iii) ***Unique Design:*** The District has a specialized need and the vendor, supplier, service provider, or contractor is the sole provider of such supplies that can meet the District's specialized needs or to perform the intended functions. This includes products with special features essential for the completion of a task or project, or with physical or artistic design characteristics that satisfy aesthetic requirements.

(iv) ***Trial and Evaluation Projects:*** A limited duration, limited scope, pilot, trial or evaluation of a product, range of products or services. A trial or evaluation project would typically be part of establishing a standard for a District department, or to pilot a particular product or services for a District need.

(v) ***Grant Funded Approved Products and/or Vendors:*** Where a granting authority is providing funding for the procurement of products and/or services and the granting authority requires that those products and/or services must be selected from an approved list of products and/or vendors at the time of application, the District may procure the approved product and/or services, provided that:

1. The grantor has approved the grant to the District.
2. The products and/or services procured are from the grantor's approved products/services list.
3. That such procurements in excess of $25,000 be approved by the Board.

(2) Such sole-source contract has been included in the District's then-current fiscal budget.

(3) The General Manager provides a written report to the Board containing the following information:

(a) A brief description of the circumstances surrounding the sole source procurement, and the need for immediate acquisition.

(b) A statement and/or justification of the General Manager's good faith determination that a sole source opportunity has been presented to the District.

(c) A brief description of the supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the sole-source vendor, supplier, service provider, or contractor.

(4) The Board approves the sole-source contract at the next scheduled workshop or regular or special meeting of the Board.

If such sole source contract has not been previously included in the District's then-current fiscal budget or such contract exceeds the amount budgeted for that particular contract in the District's then-current fiscal budget, such contract shall require prior Board approval.

B. Piggybacking.

Piggyback contracting occurs when a public agency enters into a contract, without competitive bidding, with a particular supplier, vendor, service provider, or contractor who has already been awarded a contract for the purchase of the same or similar materials or supplies by another public agency or governmental entity pursuant to that agency's or entity's competitive bidding process. Piggybacking on other public agency or governmental entity contracts can reduce administrative and project costs and achieve greater efficiency and economies of scale.

The Board has determined that it is in the District's best interests to authorize the General Manager to participate in piggybacking opportunities whenever possible. The District may piggyback on other public agency or governmental entity contracts for the purchase of the same or similar materials or supplies and the General Manager is authorized to execute on behalf of the District a contract for the purchasing of such materials or supplies used in connection with or consumed on any project or work not subject to the UPCCA without separate competitive bidding by the District, on the following conditions:

(1) The General Manager has determined that it is in the District's best interest to engage in a piggybacking opportunity for the purchase or contract of such materials or supplies with a particular vendor, supplier, service provider, or contractor if such opportunity will result in significantly reduced costs to the District (administrative costs, project costs, or otherwise), or will achieve greater efficiency or economies of scale for District projects.

(2) Such vendor, supplier, service provider, or contractor has been previously awarded a contract with another local, state, or federal agency or governmental entity pursuant to that agency's or entity's competitive bidding process to provide materials or supplies that are same or similar or related to the District's proposed contract or purchase.

(3) Such piggybacking contract has been included in the District's then-current fiscal budget.

(4) The General Manager provides a written report to the Board containing the following information:

(a) A brief description of the circumstances surrounding the piggybacking opportunity;

(b) A brief description of the benefits and cost savings the District will receive as a result of the piggybacking opportunity; and

(c) A brief description of the materials or supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the vendor, supplier, service provider, or contractor.

(5) The Board has approved the piggybacking contract at the next scheduled workshop or regular or special meeting of the Board.

Notwithstanding anything contained in Section III or this Section IV-B to the contrary, the District's dredging projects located within the Ventura Harbor will be subject to Public Contract Code Section 20751.2, which authorizes the District to award a contract for the performance of dredging work within the District's boundaries without competitive bidding, provided each of the following apply: (a) the dredging contractor was selected through a federal competitive bidding process for a federal dredging project then underway in the County of Ventura; and (b) the Board makes written findings, based on substantial evidence in the record, that the contract awarded pursuant to such section 20751.2 is likely to cost less than a contract awarded pursuant to Public Contract Code Section 20751.

C. Emergencies.

Pursuant to Public Contract Code Section 20751.1, in case of an emergency, the Board may, by resolution passed by a four-fifths (4/5) vote of all of its members, declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, and thereupon proceed to expend any sum or enter into a contract involving the expenditure of any sum needed in the emergency without observance of the provisions requiring contracts, bids, or notice for any purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA. If notice for bid to let contracts will not be given, the Board shall also comply with Public Contract Code Section 22050. In case of any emergency involving a public project or maintenance work under the UCCPA, the terms and conditions set forth in Public Contract Code Section 22035 shall control.

An "emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

D. Local Vendor Preference.

In determining the lowest responsible bid pursuant to the District's competitive bidding procedures set forth in Section III-C, above, or in determining the lowest responsible bid pursuant to the formal bidding procedures set forth in the UPCCA, and as summarized in the attached UPCCA Summary Sheet, the Board finds it desirable and in the best interests of the District to

establish a local business preference program in order to reduce the competitive barriers faced by local businesses (the "Local Business Preference Program").

This Local Business Preference Program shall be taken into account in determining the lowest responsible bid in awarding a contract subject to the District's competitive bidding procedures set forth in Section III-C, or in determining the lowest responsible bid pursuant to the formal bidding procedures set forth in the UPCCA, and as summarized in the attached UPCCA Summary Sheet.

(1) Local Business Preference Program.
In determining the lowest responsible bid, the General Manager shall include the following:

(a) For (i) any District contract for the purchasing of materials or supplies used in connection with or consumed on any work or project subject to the UPCCA reasonably estimated by the General Manager to have a contract amount greater than $25,000.00; or (ii) any public project or maintenance work subject to the UPCCA's formal bidding procedures, the District shall assign a five percent (5%) bid price reduction "preference" during the bid evaluation process (the "Local Business Preference") to any bid from any person or entity that is determined by the General Manger to be a Local Business (as defined in subsection (b) of this Section IV-D(1)).

(b) "Local Business" shall mean a person or entity that has for at least twelve (12) months immediately preceding submittal of its bid maintained its principal business office within the geographic boundaries of Ventura County, California.

(c) Except as otherwise provided in this Section IV-D, the provisions set forth in this Section IV-D shall not supersede the other provisions set forth in this Procurement and Purchasing Policy or the uniform public construction cost accounting procedures set forth in the UPCCA, whichever shall apply. If any inconsistency or conflict exists or arises between the terms of this Section IV-D and the other provisions set forth in this Procurement and Purchasing Policy or the UPCCA, whichever shall apply, such other provisions shall control.

(d) This Local Business Preference Program shall not be applied under the following circumstances:

(i) National contracts;

(ii) Revolving fund (petty cash) purchases;

(iii) Credit card purchases;

(iv) Contracts not subject to the District's competitive bidding procedures;

(v) Any contracts funded by the federal government where there are conflicting requirements for minority or women-owned business participation.

(vi) Where such preference is otherwise prohibited by law;

(vii) Emergency procurements;

(viii) Piggybacking or sole source procurements; or

(ix) Contracts or projects relating to dredging or dock rehabilitation and/or replacement.

(2) Procedures for the Local Business Preference Program

(a) Once all bids are opened, the bids of those bidders who are Local Businesses shall be reduced by five percent (5%) for purposes of determining the lowest responsible bidder. If the bid of a Local Business, after applying the Local Business Preference, is then the lowest responsible bidder (the "Lowest Local Business Bidder"), that Lowest Local Business Bidder shall have the opportunity to reduce its bid to match the bid of the actual lowest responsible bidder, in writing, within one (1) business day, whereupon the General Manager shall make a recommendation to the Board to award that Lowest Local Business Bidder with the contract if the General Manager determines, in his or her sole discretion, that such bid is responsive to all of the terms and conditions stated in the District's previously published notice inviting bids.

(b) If the Lowest Local Business Bidder does not elect to reduce its bid to match the bid of the actual lowest responsible bidder, then the next lowest Local Business bidder (the "Second Lowest Local Business Bidder") shall be given the opportunity to match the bid of the actual lowest responsible bidder in the time and manner set forth in subsection (a) of this Section IV-D(2), above; *provided, however*, the bid of such Second Lowest Local Business Bidder must also be within five percent (5%) of the actual lowest responsible bid.

(c) An award may be made to the lowest aggregate responsible bidder for all items on the invitation to bid, on a group or an individual basis, whichever is found to be in the best interest of the District.

(d) All bids are subject to rejection by the Board in its absolute and sole discretion, and in those instances where evaluation dictates the rejection of the lowest bid as not meeting the requirements established in the invitation to bid, the vendor shall be notified of the reason for rejection.

V. FEDERALLY FUNDED PROCUREMENT POLICY

A. Purpose and Applicability.

This section pertains to federally funded projects and purchases. The purpose of this section is to ensure compliance with all applicable federal requirements when federal financial assistance is being expended by the District. Procurements funded in whole or in part with federal funds must comply with Code of Federal Regulations (CFR), Title 2 – Grants and Agreements, Subtitle A – Office of Management and Budget Guidance for Federal Financial Assistance, Subpart D (Procurement Standards) of Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §§ 200.317 to 200.327).

To the extent that any provisions of this policy are inconsistent with any other District regulations, the provisions of this policy shall prevail with respect to federally funded procurements. If any provisions of this policy become inconsistent with federal requirements, whether due to a change in federal law or regulations, through judicial precedent, or for any other reason, then the District shall not be required to comply with the inconsistent provision.

B. Methods of Procurement.

In addition to the District's purchasing policy approval limits, one of the following methods should be used:

(1) ***Micro-purchase****:* Purchases where the aggregate dollar amount does not exceed $10,000, or the current limitation set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1, where this threshold is periodically adjusted for inflation. No bid or quote process is required. No cost or price analysis is required. Purchases should be distributed among a range of qualified vendors.

(2) ***Small purchase:*** Purchases up to the Simplified Acquisition threshold (the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods), which is currently $250,000, and is adjusted from time to time. Informal purchasing procedures are acceptable, but price or rate quotes must be obtained from an adequate number of sources. Purchases made should be distributed among a range of qualified vendors.

(3) ***Sealed bid:*** Purchases over the Simplified Acquisition threshold, which is currently $250,000, and is adjusted from time to time. Under this purchase method, formal and public solicitation is required, and the fixed price (lump sum or unit price) is awarded to the responsible bidder who conformed to all material terms and is the lowest in price. This method is the preferred procurement method for construction contracts if the following conditions apply:

(a) A complete, adequate, and realistic specification or purchase description is available;

(b) Two or more responsible bidders are willing and able to compete effectively for the business, and,

(c) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally based on price.

If this method is used, the following requirements shall apply:

(i) The invitation for bids will be publicly advertised, including through electronic advertising, and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date for opening the bids.

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the terms or services in order for the bidder to properly respond.

(iii) All bids will be publicly opened at the time and place prescribed in the invitation for bids.

(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts will only be used in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

(v) Any or all bids may be rejected if there is a sound documented reason.

(4) ***Competitive proposals:*** Purchases over the Simplified Acquisition threshold, which is currently $250,000, and is adjusted from time to time. This procurement method requires formal solicitation, fixed price, or cost-reimbursement contracts, and is used when sealed bids are not appropriate. The contract should be awarded to the responsible firm whose proposal is most advantageous to the program, with price being one of the various factors. If this method is used, the following requirements apply:

(a) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

(b) Proposals must be solicited from an adequate number of qualified sources.

(c) The methods for conducting technical evaluations of the proposals received and for selecting recipients may include, but not be limited to: oral interviews, references, past performance, availability to perform work, and certifications as determined by project scope.

(d) Any response that takes exception to any mandatory items in this proposal process may be rejected and not considered.

(e) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

(f) Competitive proposal procedures may be used for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.

(5) ***Noncompetitive proposals:*** Also known as sole-source procurement, this may be appropriate only when one or more of the following criteria are met:

(a) The item is available only from a single source;

(b) The public emergency for the requirement will not permit a delay resulting from competitive solicitation;

(c) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the nonfederal entity; or

(d) After solicitation of a number of sources, competition is determined inadequate.

C. Contract Cost and Price.

A cost or price analysis shall be performed in connection with every procurement action in excess of the Simplified Acquisition threshold ($250,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, independent estimates shall be made prior to receiving bids and proposals.

(1) Profit shall be negotiated as a separate element of the price for each contract in which there is a no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(2) Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the District under Subpart E – Cost

Principles of 2 CFR Part 200 –Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

(3) The cost plus a percentage of cost and percentage of construction cost methods of contracting shall be used.

D. Single Audit Threshold.

If the District, as a non–Federal entity, expends $1,000,000 or more in federal awards during its fiscal year, the District must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 C.F.R. §§ 200.501-200.507.

VI. VENDOR AND CONTRACTOR REGISTRATION DIRECTORY

The District invites vendors to express their interest in doing business with the District. Vendors and contractors to which this Procurement and Purchasing Policy apply may download registration forms from the District's website located at https://venturaharbor.com/public-bidding/. To properly register with the District, all such vendors and contractors interested in doing business with the District shall be required to complete a registration form and submit it to the District by email or mail.

VII. PREVAILING WAGES AND VENDOR AND CONTRACTOR REGISTRATION REQUIREMENTS

A. Prevailing Wages.

Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[1] and its implementing regulations set forth in Title 8 of the California Code of Regulations (collectively, "Prevailing Wage Laws"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "Public Work").[2] This includes construction, demolition, repair, alteration, maintenance,[3] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location.

Accordingly, most contracts between the District and vendors or contractors (collectively, in this Section VII, "Contractor") for construction-related services that are subject to this Procurement and Purchasing Policy will trigger the prevailing wage requirements applicable to a Public Work project. This Section VII discusses these requirements.

[1] *See* Labor Code sections 1720 through 1861.

[2] The definition of "public works" triggering Labor Code compliance can be found in Labor Code sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000.

B. Application to District Leases and Contracts for Tenant Improvements.

Applying these definitions and concepts to tenant improvements that may be required and contracted for at the outset of a lease where the landlord is a public agency and the tenant is a private entity, if the tenant is required to do tenant improvements and pays for those improvements itself, then the tenant improvements are typically **not** a Public Work project. Conversely, if any portion of the tenant improvements that constitute a Public Work will be paid for using District funds, then the **entire project** is Public Work project, and laborers must be paid prevailing wages.

This can happen, and Contractor and any subcontractors must abide by all applicable Prevailing Wage Laws, if **any portion** of a Public Work project will be paid for using District funds. Such as, for example, tenant improvements required under a District lease agreement that will be: (i) paid for by the District directly but performed by the tenant's contractor (regardless of whether the District or the tenant contracts for the contractor's services); (ii) paid for by the District in the form of a direct payment to the tenant or its contractor before, during, or after completing the tenant improvements (as a reimbursement), and/or as a credit for some future expense, such as rent; (iii) paid for by way of a tenant improvement allowance established under a written lease or other contract with the District; or (iv) part of a larger project undertaken by the District.

Based on these considerations, with respect to any tenant improvements authorized or required under a District lease or other contract, the Board has determined that it is in the District's best interests to either (a) have the District's own workforce construct the tenant improvements, in which case prevailing wages would not be required; (b) have the tenant perform the work itself, or contract and pay for the improvements using its own funds (without any reimbursements or credits from the District); or (c) have the District contract for the tenant improvement project, and require Contractor to pay prevailing wages and meet the other requirements of the DIR that are summarized in this Section VII below. This determination will be decided by the Board on a case-by-case basis, and any resulting obligations concerning such will be clearly set out in a written lease agreement or other form of contract between the District and the tenant.

C. Excluded Workers and Projects.

The Prevailing Wage Laws apply to "work performed under contract" and not to work carried out by the District's own workforce. In addition, and with respect to the above example involving tenant improvements, if tenant improvements are being performed by a tenant directly or on behalf of a tenant and **no** District funds, reimbursements, or credits are provided in exchange for the tenant improvements, the prevailing wage requirements applicable to a Public Work project will **not** be triggered and laborers do not need to be paid prevailing wage for that project.

D. Prevailing Wage Information and Requirements.

(1) **Prevailing Wage Rates**. The applicable California prevailing wage rate(s) can be found at www.dir.ca.gov and are on file with the District's principal office. Contractor is required to have a copy of the applicable wage determination posted and/or available at each jobsite. Overtime must be paid for work in excess of 8 hours per day or 40 hours per week pursuant to Labor Code Sections 1811-1813. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location of the project and the amount of travel incurred by workers on the Public Work project, certain travel and subsistence payments may also be required. Contractors and subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements

can be found at www.dir.ca.gov, including Industrial Welfare Commission Order No. 16-2001.

(2) **Registration and Labor Compliance**. Pursuant to Labor Code Sections 1725.5 and 1771.1, all Contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract with the District to perform a Public Work project must be registered with the Department of Industrial Relations ("DIR") as a "public works contractor" **at the time of bid**; *provided, however*, where a prime contract is less than (i) $15,000 for maintenance work or (ii) $25,000 for construction, alternation, demolition or repair work, registration is **not** required. No bid will be accepted, and no contract will be entered into, without proof of the Contractor's and subcontractors' current registration with the DIR to perform a public works project. The Contractor and its subcontractors, of any tier, must maintain active registration with the DIR for the duration of any contracted Public Work project. If a contract with the District is for a Public Work project, it will be Contractor's and its subcontractors' sole responsibility to comply with all applicable Prevailing Wage Laws and registration and labor compliance requirements, including the submission of certified payroll records directly to (a) the District and (b) the DIR, pursuant to the Prevailing Wage Laws and the terms of the District's contract addendum with the prevailing wage requirements, which is attached to this policy as "**Exhibit E**."

E. District Verification and Monitoring Requirements.

If a contract between the District and any Contractor is for a Public Work project that is subject to the Prevailing Wage Laws, the representative for the District identified in the contract for the project should complete the applicable sections in the District's "Contractor Notice to Proceed" form attached to this policy as **Exhibit "D"** and (i) verify that the Contractor and all subcontractors have registered with the DIR at the time of the bid award (unless one of the exemptions in Section VII-D(2) applies); (ii) verify whether a "PWC-100" form must be filed with the DIR; (iii) obtain certified payroll documents from the Contractor and any subcontractors performing work on the project within the first two (2) weeks of the project's start date; and (iv), at the conclusion of the project, record a Notice of Completion with the Ventura County Recorder's office for each Prevailing Wage project by the required deadline.

F. Interaction and Application of California's Prevailing Wage Laws for Purely Federal Projects Under the Davis-Bacon Act.

The California law restricting the reduction of the "basic hourly rate" under California's Prevailing Wage Laws is distinct from the federal prevailing wage laws under the Davis-Bacon Act. The Davis Bacon Act does not prohibit the crediting of employer payments or benefit contributions towards fulfilling the hourly wage rate listed in the contract wage determination on federally funded projects. Contractors performing work on projects which are governed by *both* the federal Davis-Bacon Act and the California prevailing wage requirements must, however, continue to comply with state requirements in order to be in compliance with California law.

When (i) contractors perform work on a Public Work project that has mixed funding (both federal and state); or (ii) federally funded projects are controlled or carried out by the District (or California awarding bodies of any sort), the application of state prevailing wage rates is required when those rates are *higher* than the federal prevailing wage laws under the Davis-Bacon Act.

VIII. BUDGETING FOR CAPITAL IMPROVEMENT PROJECTS

In developing the District's fiscal budget, District staff shall use the following guidelines in identifying, managing, administering, and budgeting for capital projects for the following fiscal year:

A. Start early in the fiscal year to clearly define a project; involve a range of staff levels; take into consideration aesthetics, marketing, and maintenance issues in developing projects.

B. Provide any reports, plans, drawings, specifications, design ideas, cost benefit studies and analysis, and other related materials that may be necessary or useful in assisting the Board in determining whether a particular capital improvement project should be approved in connection with the Board's approval of the District's proposed budget for a particular fiscal year.

C. Work diligently with any ad hoc committees of the Board for purposes of making recommendations of potential capital improvement projects.

D. After a particular project has been identified and budgeted, District staff should diligently engage in interviewing and selecting qualified design or engineering firms or consultants to assist the District in designing and preparing the plans and specifications of such project.

E. District staff shall work with the design or engineering firm or consultant in establishing project targets and milestones in order to ensure that the project is proceeding according to schedule and to plan.

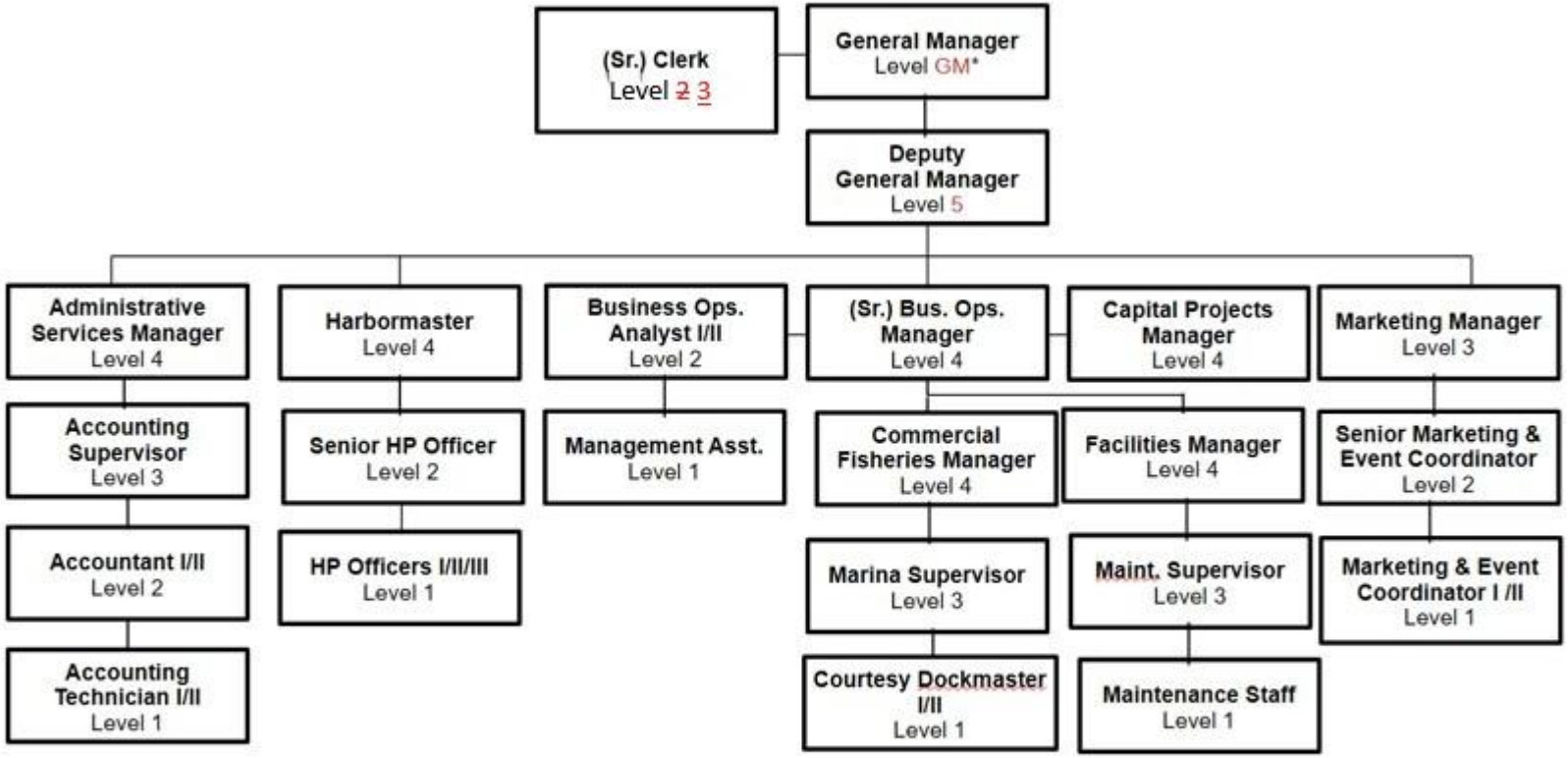
IX. EXHIBITS

The following exhibits that are attached to this policy are incorporated herein by reference:

Exhibit A	District Employee Procurement Limits Chart
Exhibit B	UPCCA Summary Sheet
Exhibit C-1	Ventura Port District Procurement Policy Decision Tree: 2 of the 3 Service Types
Exhibit C-2	Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types
Exhibit D	Contractor Notice to Proceed
Exhibit E-1	Prevailing wage requirements for larger public works projects
Exhibit E-2	Prevailing wage requirements for smaller public works projects

EXHIBIT "A"

Ventura Port District
Employee Procurement
Limits Chart
REV 11/2026



Purchasing of Supplies Used in connection with or consumed on any work or project not subject to the UPCCA:
Level 1: Purchases totaling up to $1,000
Level 2: Purchases totaling up to $2,500.00
Level 3: Purchases totaling up to $10,000.00
Level 4: Purchases totaling up to $25,000.00
Level 5: Purchases totaling up to $50,000.00
GM: Purchases totaling up to $75,000.00

Contracts for the Doing of any Public Project or Maintenance Work that is subject to the UPCCA:
Level 1: Contracts totaling up to $1,000
Level 2: Contracts totaling up to $2,500.00
Level 3: Contracts totaling up to $10,000.00
Level 4: Contracts totaling up to $25,000.00
Level 5: Contracts totaling up to $50,000.00
GM: Contracts totaling up to $75,000.00*

EXHIBIT "B"
VENTURA PORT DISTRICT
UPCCA SUMMARY SHEET

Contracts for the Doing of "Public Projects"

- "Public Project" means any of the following:
  - Construction, reconstruction, erection, alteration, renovation, improvement, demolition, installation and repair work involving any publicly owned, leased or operated facility.
  - Painting or repainting of any publicly owned, leased, or operated facility. A "facility" means any plant, building, structure, ground facility, utility system, real property, streets and highways, or other public work of improvement.

- Public Projects totaling up to $75,000.00
  - Can be performed by the District's employees by force account, negotiated contract, or purchase order.
  - No notice inviting informal bid required.

- Public Projects greater than $75,000.00 but less than or equal to $220,000.00
  - Must send out notice inviting informal bids
    - Contents of notice:
      - Describe project in general terms and how to obtain more detailed information about the project.
      - State the time and place for the submission of bids.
      - Project title and contract number (if any).
      - Cost Range.
      - Location of project site.
      - District's contact information.
      - Bid bond/performance bond/payment bond requirements.
    - Mailing of Notice:
      - Mail notice to all contractors for the category of work to be bid as shown on the qualified bidder's list developed by the District.
      - Additional contractors and/or construction trade journals may be notified at the District's discretion.
      - If no list of qualified contractors is maintained by the District for the particular category of work to be performed, the notice inviting informal bids shall be sent only to the construction trade journals specified by the California Uniform Construction Cost Accounting Commission's (the "Commission") current Cost Accounting Policies and Procedures Manual (last updated in 2021 and accessible here: https://www.sco.ca.gov/ard_cuccac.html).
      - If the product or service is proprietary in nature such that it can only be obtained from certain contractor(s), the notice inviting informal bids may be sent exclusively to such contractor(s).
      - All mailing of notices to contractors and construction trade journals inviting informal bids must be completed not less than 10 calendar days before bids are due.
    - Bids received in excess of $220,000.00

- If all bids received are greater than $220,000.00, the Board can adopt by resolution by a four-fifths (4/5) vote and award the contract at $235,000.00 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable.
- Otherwise, formal bidding procedures must be used for public projects of more than $220,000.00.

- Awarding of Bid
  - The District can reject any and **all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
    - Informs the lowest responsible bidder of the District's intent to reject the bid; and
    - Is mailed at least 2 business days prior to the hearing at which the District intends to reject the bid.
  - If the District rejects all bids received after the first invitation for informal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
    - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
    - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote (4/5) of the Board declaring that the District's employees can perform the project more economically.
  - If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
  - If no bids are received, the project may be performed by employees of the District by force account.

- Public Projects greater than $220,000.00. (Referred to in the District's Procurement and Purchasing Policy as the "UPCCA's **formal** bidding process.")
  - Must send out notice inviting formal bids
    - Contents of notice:
      - Describe project in distinct terms and how to obtain more detailed information about the project.
      - State the time and place for the receiving and opening of sealed bids.
      - Project title and contract number (if any).
      - Cost Range.
      - Location of project site.
      - District's contact information.
      - Bid bond/performance bond/payment bond requirements.

        - Publication of notice:
            - The notice inviting formal bids must be published in a newspaper of general circulation, printed and published in Ventura County, at least 14 calendar days before the date of the opening of the bids.
        - Mailing/Emailing/Faxing of Notice:
            - The notice inviting formal bids must also be sent electronically, if available, by email or fax, and mailed to the construction trade journals specified in the Commission's current Cost Accounting Policies and Procedures Manual. (last updated in 2021 and accessible here: https://www.sco.ca.gov/ard_cuccac.html).
            - Note: The District is not required to mail a notice to any specified trade journal if that trade journal is charging for its services or is out of business. Instead, the District should find some other method of notifying potential contractors of published jobs providing information on how to be added to the District's informal bidding lists (e.g., through the District's website).
    - Adoptions of Plans
        - The Board must adopt plans, specifications, and working details for all public projects exceeding $220,000.00.
    - Awarding of Bid
        - The District can reject any and **all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
            - Informs the lowest responsible bidder of the District's intent to reject the bid; and
            - Is mailed at least 2 business days prior to the hearing at which the District intends to reject the bid.
        - If the District rejects all bids received after the first invitation for formal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
            - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
            - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote (4/5) of the Board declaring that the District's employees can perform the project more economically.
        - If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
        - If no bids are received, the project may be performed by employees of the District by force account or by the informal bidding procedures detailed for public projects greater than $75,000.00 but less than or equal to $220,000.00, as summarized above.

Contracts for the Doing of "Maintenance Work"

- "Maintenance Work" means any of the following:
  - Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
  - Minor repainting.
  - Resurfacing of streets and highways at less than one inch.
  - Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
  - Work to be performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

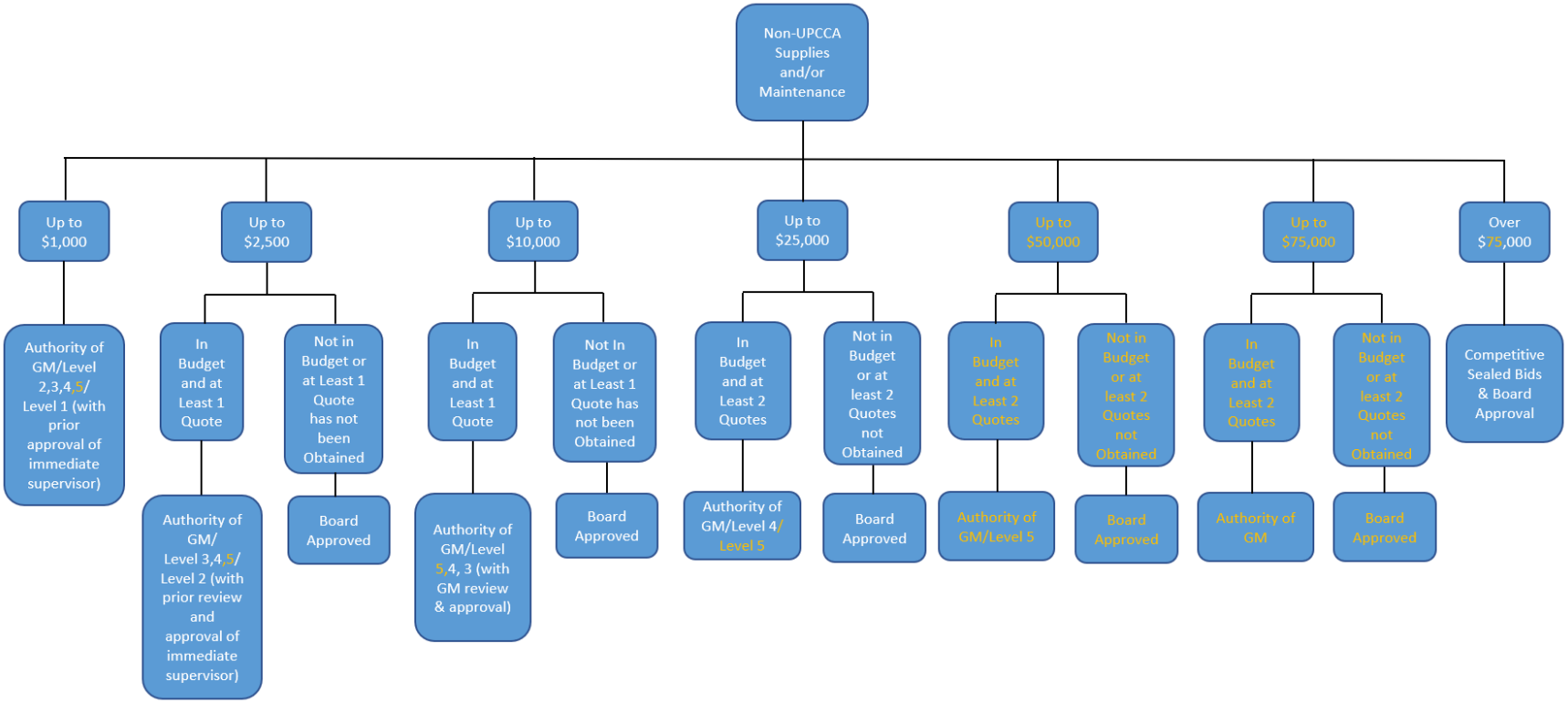
- Maintenance Work totaling up to $75,000
  - Can be performed by the District's employees by force account, negotiated contract, or purchase order.
  - No notice inviting informal bid required.

- Maintenance Work greater than $75,000 but less than or equal to $220,000
  - Same requirements as for public projects greater than $75,000 but less than or equal to $220,000 – see above.

- Maintenance Work greater than $220,000 (referred to in the District's Procurement and Purchasing Policy as the "UPCCA's **formal** bidding process")
  - Same requirements as for public projects greater than $220,000 – see above.

Exhibit "C-1"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types

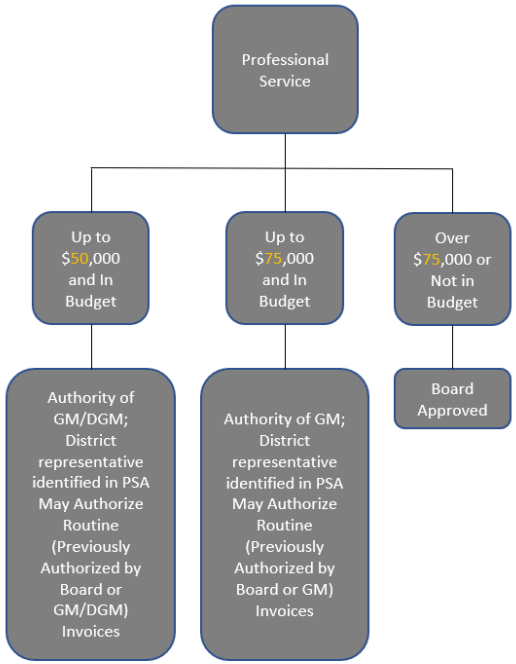


Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 1 of 3

Exhibit "C-2"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types

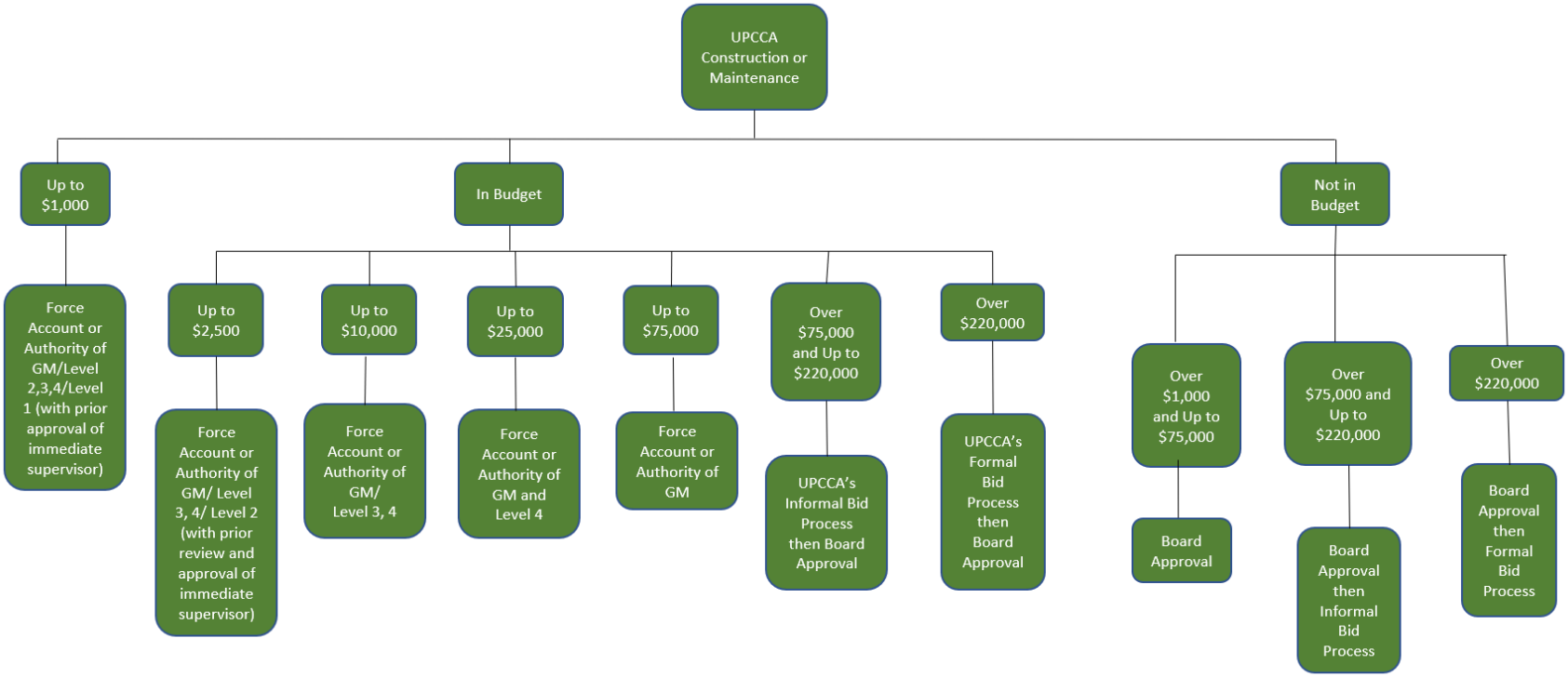


Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 2 of 3

Exhibit "C-3"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types



Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 3 of 3

EXHIBIT "D"
CONTRACTOR NOTICE TO PROCEED

Project: _____ Job Code: _____

Project Manager: _____ Start Date: _____

Contract Ceiling: $_____

Budgeted Value (if applicable): $_____

Change Order Limit (10% of contract or total budget): $_____

_____ Confirmation of procurement in conformance with Procurement Policy thresholds

_____ Verification of contract signatures

_____ Receipt of Certificate of Insurance including Endorsement

Is this job subject to Prevailing Wage? _____

If yes, all of these apply:

_____ Verification of contractor and subcontractor DIR registration at time of bid award (fine of up to $100/day for us up to $10k)

_____ Verification of Contractors State License Board (CSLB) and Worker's Comp registration

_____ Verification of whether a PWC-100 must be filed:
- Maintenance projects over $15,000
- All other construction work over $25,000
- within 30 days of award of contract or by 1st day worked, whichever is sooner – unless emergency work, then 30 days or completion, whichever is earlier
- $100/day fine for us for each day late

_____ Obtain Certified Payroll within first two weeks of job start:
- Review classification of workers
- Verify training contributions
- Travel & subsistence if applicable
- Fringe Benefit Forms

_____ District must file Notice of Completion for each prevailing wage project (note this would include dredging)

Comments (e.g. Special Exception for competitive bidding; Federally funded Project; Project was completed by using the Local Business Preference Program):

_____

EXHIBIT "E-1"
PREVAILING WAGE REQUIREMENTS FOR LARGER PUBLIC WORKS PROJECTS

1. Prevailing Wages. Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[4] and its implementing regulations set forth in Title 8 of the California Code of Regulations ("*Regulations*") (collectively, "*Prevailing Wage Laws*"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "*Public Work*").[5] This includes construction, demolition, repair, alteration, maintenance,[6] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code (on occasion, "*LC §* ") section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location pursuant to LC § 1720.3.

2. Incorporation by Reference. The Prevailing Wage Laws require that certain provisions be included in all contracts for a public works. If the contract (the "*Contract*") with the Ventura Port District (the "*District*") this exhibit and agreement (this "*Agreement*") is attached to, which is incorporated herein by this reference, is for the performance of any Public Work project ("*Project*"), the contractor or consultant ("*Contractor*") and any subcontractor or subconsultant performing any work on that Project (collectively, "*Subcontractor*") must comply with all applicable requirements under the Prevailing Wage Laws, including, but not limited to, the requirements in this Agreement below.

3. Apprentices. If the prime contract or any subcontract for the Project exceeds thirty thousand dollars ($30,000), Contractor and Subcontractors shall comply with all applicable requirements of LC § 1777.5, LC § 1777.6, LC § 1777.7, and the Regulations concerning the employment and wages of apprentices. Contractor and Subcontractors are responsible for compliance with this Section 3 for all apprenticeable occupations. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on a public works project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.

4. Compliance with Prevailing Wage Requirements. Pursuant to the Prevailing Wage Laws, the Contractor and all Subcontractors shall ensure that all workers employed by them who perform work on the Project are paid not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations ("*DIR*").

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[4] *See* Labor Code sections 1720 through 1861.

[5] The definition of "public works" triggering Labor Code compliance can be found in Labor Code Sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000 of the Regulations.

4.1. Copies of such prevailing rate of per diem wages are on file at the office of the District and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at: http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. The Contractor and all Subcontractors shall post a copy of the prevailing rate of per diem wages determination at appropriate conspicuous points each job site for the Project and shall make them available to any interested party upon request. These wage rates are made a specific part of this Agreement by reference pursuant to LC § 1773.2 and will be applicable to all work performed at all Project sites.

4.2. The wage rates determined by the DIR refer to expiration dates. If the published wage rate does not refer to a predetermined wage rate to be paid after the expiration date, then the published rate of wage shall be in effect for the life of this Agreement. If the published wage rate refers to a predetermined wage rate to become effective upon expiration of the published wage rate and the predetermined wage rate is on file with the DIR, such predetermined wage rate shall become effective on the date following the expiration date and shall apply to this Agreement in the same manner as if it had been published in said publication. If the predetermined wage rate refers to one or more additional expiration dates with additional predetermined wage rates, which expiration dates occur during the life of this Agreement, each successive predetermined wage rate shall apply to this Agreement on the date following the expiration date of the previous wage rate. If the last of such predetermined wage rates expires during the life of this Agreement, such wage rate shall apply to the balance of this Agreement.

5. **DIR Registration Requirements.** No Contractor or Subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to LC § 1725.5 [with limited exceptions from this requirement for bid purposes only under LC § 1771.1(a)]. Except as otherwise provided in Section 5.4 below or LC § 1771.1(a), Contractor and Subcontractors shall ***not*** be qualified to bid on, be listed in a bid or proposal (subject to the requirements of California Public Contract Code section 4104), or engage in the performance of any contract for a public works project, unless currently registered and qualified to perform "public work" pursuant to LC § 1725.5 ***at the time of bidding*** on the contract for the project. It is not a violation of this Section 5 for an unregistered contractor to submit a bid that is authorized by California Business and Professions Code section 7029.1 or California Public Contract Code sections 10164 or 20103.5, provided the Contractor is registered to perform "public work" pursuant to LC § 1725.5 at the time the contract for the public works project is awarded.

   Notwithstanding anything to the contrary in this Agreement, no bid will be accepted by the District, and no contract will be awarded or entered into for the Project, without proof of current registration with the DIR to perform "public work" from: (i) Contractor; (ii) Subcontractors; and (iii) any professional service provider, design consultant, architect, or engineer that will be performing any surveying, material testing, or inspection services, as well as any Subcontractor performing this work (even if the professional service provider or firm is not doing the work, if they will be subcontracting any of that work to others, then the professional service provider also needs to be registered). The applicable parties in provisions (i)-(iii) of this Section 5 shall maintain active registration with the DIR for the duration of their work on the Project, and it shall be these parties' sole responsibility to comply with all applicable Prevailing Wage Laws and registration and labor compliance

requirements applicable to their work on the Project, including, but not limited to, the submission of Certified Payroll Records directly to the DIR in accordance with this Section 5, the Agreement, and the applicable Prevailing Wage Laws.

5.1. A Contractor's inadvertent error in listing a Subcontractor that is not registered with the DIR pursuant to LC § 1725.5 in response to a solicitation shall not be grounds for filing a protest or grounds for considering the bid or proposal non-responsive provided that any of the following apply: (i) the Subcontractor is registered prior to the proposal due date; (ii) within 24 hours after the proposal due date, the Subcontractor is registered and has paid the penalty registration fee specified in LC § 1725.5; or (iii) the Subcontractor is replaced by another registered Subcontractor pursuant to California Public Contract Code section 4107.

5.2. By submitting a bid or proposal to the District for the Project and signing the incorporated Contract, Contractor is certifying that Contractor has verified that all Subcontractors used on the Project are registered with the DIR in compliance with LC § 1771.1 and LC § 1725.5. Contractor shall provide proof of registration for themselves and all listed Subcontractors to the District (i) at the time of the bid or proposal due date or (ii) upon request.

5.3. The District may ask Contractor for the most current list of all Subcontractors, along with their DIR registration numbers, utilized on the Project at any time during performance of the contract for the Project, and Contractor shall provide the list within ten (10) calendar days of the District's request.

5.4. Pursuant to LC § 1725.5(f) and LC § 1771.1(n), the requirements in this Section 5 do ***not*** apply to work performed on (i) a public works project of twenty-five thousand dollars ($25,000) or less when the project is for construction, alteration, demolition, installation, or repair work, or (ii) a public works project of fifteen thousand dollars ($15,000) or less when the project is for maintenance work.

6. Payroll Record Maintenance and Submission Requirements. Contractor and Subcontractors shall maintain weekly certified payroll records showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed in connection with the Project as mandated by LC § 1776(a). The "payroll records" that must be maintained and certified weekly by Contractor and Subcontractors are defined in 8 CCR section 16000 of the Regulations to mean "[a]ll time cards, cancelled checks, cash receipts, trust fund forms, books, documents, schedules, forms, reports, receipts or other evidences which reflect job assignments, work schedules by days and hours, and the disbursement by way of cash, check, or in whatever form or manner, of funds to a person(s) by job classification and/or skill pursuant to a public works project."

6.1. Contractor and Subcontractors shall certify under penalty of perjury that (i) the payroll records enumerated under Section 6 above and specified in LC § 1776(a) are true and accurate and (ii) they have complied with the requirements of LC § 1771, LC § 1811, and LC § 1815 for any work performed by their employees on the Project (collectively, "*Certified Payroll Records*").

6.2. The term "Certified Payroll Records" shall include all required documentation to comply with the mandates set forth in the Prevailing Wage Laws, as well as any additional documentation requested by the District or its designee; including, but not limited to: (i) fringe benefit statements and backup documentation, such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable); and (ii) apprenticeship forms, such as DAS-140 and DAS-142, for itself and all applicable Subcontractors for the time period covering such payment request (collectively, "*Verification Records*").

6.3. Except as otherwise provided in Section 5.4 above, in addition to submitting (i) Certified Payroll Records on DIR form "A-131" or an equivalent document and (ii) any requested Verification Records to the ***District*** electronically on a weekly basis (eCPRs filed with the DIR are NOT an acceptable substitute for Certified Payroll Records to be submitted to the District), Contractor and all Subcontractors shall submit "electronic certified payroll records" ("*eCPRs*") directly to the Labor Commissioner using DIR's online eCPR system, on and through the DIR's website, in the format prescribed by the DIR, and no hard copy of these records will be accepted. In addition, Contractor shall require and cause all Subcontractors to prepare and submit all records required by LC § 1771.4, LC § 1776, and this Agreement to the District and the DIR in accordance with the Prevailing Wage Laws and this Agreement's terms.

6.4. If either Contractor or a Subcontractor is exempt from the DIR registration requirement under Section 5.4 above, then Contractor or each such Subcontractor is not required to furnish eCPRs directly to the Labor Commissioner but shall (i) submit Certified Payroll Records and any requested Verification Records to the District and (ii) retain the records for at least three (3) years after completion of their work on the Project, pursuant to LC § 1771.4(a)(4).

6.5. If progress payments are contemplated under the Contract or any agreement for the Project, as a condition to receiving progress payments, final payment, and payment of retention on the Project, Contractor must present to the District, along with its request for payment, all applicable and necessary Certified Payroll Records and Verified Records (for itself and all applicable Subcontractors) for the time period covering such payment request.

6.6. Contractor acknowledges that (i) the submission of eCPRs directly to the DIR pursuant to LC § 1771.4.(a)(3) is a requirement *separate and distinct* from (ii) the obligation in LC § 1776(d) "to file a certified copy of the records with the entity that requested the records enumerated in subdivision (a) [of LC § 1776] within 10 days after receipt of a written request" for such records. For the avoidance of doubt, Contractor and Subcontractors shall comply with the requirements in both LC § 1771.4(a)(3) and LC § 1776(d), and Contractor and Subcontractors that have electronically furnished eCPRs are not excused from timely furnishing to the Labor Commissioner (or any entity described under this Section 6.6 below) "a certified copy of all payroll records," consisting of Certified Payroll Records and Verification Records requested by an entity authorized to request such under LC § 1776, no later than 10 calendar days after receipt of such a written request ("*Record Request Deadline*"). Certified Payroll Records for any employee of Contractor or Subcontractors requested pursuant to LC § 1776(d) shall be made available for

inspection and copying by the District's representatives at all reasonable hours at Contractor's principal office, and Contractor and Subcontractor shall provide copies of these materials, or permit inspection of them, as follows:

a. An employee's Certified Payroll Records shall be made available for inspection or furnished to the employee or the employee's authorized representative upon written request pursuant to LC § 1776(b)(1) no later than the applicable Record Request Deadline.

b. All Certified Payroll Records enumerated in Section 6 above shall be made available for inspection or furnished upon request to a representative of the District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the DIR no later than the applicable Record Request Deadline, and all such records shall not be altered or obliterated by Contractor or its Subcontractors. Unless required to be furnished directly to the Labor Commissioner as eCPRs in accordance with LC § 1771.4(a)(3), all Certified Payroll Records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the DIR.

c. If a request for Certified Payroll Records is made by the public pursuant LC § 1776(b)(3), the public shall ***not*** be given access to Certified Payroll Records by the Contractor or its Subcontractors at their principal office. Contractor and all Subcontractors are required to forward any such requests by the public to the District representative designated in the Contract for the Project by both e-mail and regular mail on the business day following receipt of the request. Any copy of Certified Payroll Records made available for inspection as copies and/or furnished upon request to the public or any public agency by the District will be marked or obliterated in such a manner as to prevent disclosure of each individual employee's name, address, and social security number. The name and address of Contractor and Subcontractors performing the work shall not be marked or obliterated.

7. Working Hours. Contractor and Subcontractors shall comply with LC §§ 1810 through 1815, including but not limited to: (i) restricting working hours on the Project to eight (8) hours a day and forty hours a week, unless all hours worked by their employees in excess of 8 hours up to and including twelve (12) hours in any workday are compensated at not less than 1½ times the basic rate of pay; and (ii) specifying penalties to be imposed on contractors and subcontractors of $25 per worker, per day, for each day the worker works more than 8 hours per day and 40 hours per week in violation of LC §§ 1810 through 1815. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location(s) of the Project and the amount of travel incurred by workers on the Project, certain travel and subsistence payments may also be required. Contractors and Subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca. gov, including Industrial Welfare Commission Order No. 16-2001.

8. Required Provisions for Subcontracts. The Contractor shall include, at a minimum, a copy of the following provisions in any contract they enter into with a Subcontractor: Labor Code Sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.

9. Labor Code section 1861 Certification. In accordance with LC § 3700, Contractor is required to secure the payment of compensation of its employees. By signing the incorporated Contract, Contractor certifies that:

> "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Agreement."

10. Compliance Monitoring and Enforcement. This public works Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, and Contractor shall (i) comply with and (ii) cause all Subcontractors to comply with all Regulations and requirements from the DIR relating to labor compliance monitoring and enforcement. In executing the Contract, Contractor acknowledges that it has reviewed all applicable labor compliance requirements and included the cost of complying with such requirements in its bid.

11. Stop Order. Contractor acknowledges and understanding that if Contractor or its Subcontractors engage in the performance of any work on the Project without having been registered in violation of LC § 1725.5 or LC § 1771.1, the Labor Commissioner may issue and serve a stop order prohibiting the use of the unregistered Contractor or Subcontractor on the Project, until the unregistered Contractor or Subcontractor is registered. Failure to observe a stop order is a misdemeanor.

12. Indemnification. Contractor shall defend, indemnify, and hold the District, its elected officials, officers, employees, agents, and volunteers free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure of Contractor or Subcontractors to comply with the Prevailing Wage Laws or the terms of this Agreement. To the fullest extent permitted by law, Contractor hereby specifically waives and agrees not to assert, in any manner, any past, present, or future claim for indemnification under LC § 1781. The foregoing indemnity shall survive termination of this Agreement.

13. No Additional Compensation. Full compensation for conforming to the requirements in this Agreement shall be considered as included in the Contract price, and no additional compensation will be paid to Contractor or Subcontractors to abide by these requirements.

13.1. The District may require Contractor and all Subcontractors to submit certified payroll through an electronic portal. No additional compensation will be paid to the Contractor or Subcontractors if the District decides to use this collection method.

14. Penalties for Violations. The District or the DIR may impose penalties upon Contractor and Subcontractors for failure to comply with the Prevailing Wage Laws applicable to the Project.

14.1. Wage Violations. These penalties are up to (i) $200 per day, per worker, for each wage violations identified pursuant to LC § 1775. In the event a worker of Contractor or Subcontractors performing work on the Project is paid less than the prevailing wage rate for the work or craft in which the worker is employed, Contractor and Subcontractors shall comply with LC § 1775. Any penalties authorized under LC § 1775 shall be in addition to any other applicable penalties allowed under the Prevailing Wage Laws, the Contract, or this Agreement.

14.2. Overtime Violations. These penalties are up to $25 per worker, per day, for each day the worker works more than 8 hours per day and 40 hours per week. Penalties may also be imposed for failing to pay premium pay that may be required when Contractor's or Subcontractors' workers perform work on weekends, holidays, and during shift work.

14.3. Apprenticeship Violations. Contractors and all Subcontractors that fail to comply with the specific apprenticeship requirements on the Project may be fined $100 to $300 for each calendar day of non-compliance pursuant to LC § 1777.7.

14.4. Failure to Submit eCPRs to DIR. Any Contractor or Subcontractor that fails to submit eCPRs directly to the Labor Commissioner as required is subject to a monetary penalty by the Labor Commissioner under LC § 1771.4(a)(3)(B) of $100 for each day of non-compliance, up to a total of $5,000 per publics work project. These penalties only accrue against the actual contractor or subcontractor that failed to furnish eCPRs and are enforced through the process discussed in LC § 1741.

14.5. Failure to Respond to Request for Certified Payroll Records. In addition to any penalties that may be imposed by the Labor Commissioner under Section 14.4 above, in the event Contractor or any Subcontractor fails to furnish the requested Certified Payroll Records to any party authorized to request such under Section 6.6 above [and as specified in LC § 1776(d)] by the appliable Record Request Deadline, he, she, or it shall, as a penalty to the District, forfeit one hundred dollars ($100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from any progress payments then due. Contractor is not subject to a penalty assessment pursuant to this subsection due to the failure of a Subcontractor to comply with a written notice requesting Certified Payroll Records pursuant to LC § 1776(d).

14.6. Withholding of Payments. Failure to submit Certified Payroll Records to the Labor Commissioner when mandated by this Agreement or the Project's parameters will also result in the withholding of progress, retention, and final payment. The District shall withhold any portion of a payment, including the entire payment amount, until the: (i) Certified Payroll Records; and (ii) any Verification Records requested under this Agreement are properly submitted, reviewed, and found to be in full compliance with the law. If the records in this subsection do not comply with the requirements of LC § 1720 et seq., the District may continue to hold sufficient funds to cover estimated wages and penalties under the Contract.

EXHIBIT "E-2"
PREVAILING WAGE REQUIREMENTS FOR SMALLER PUBLIC WORKS PROJECTS

1. Prevailing Wages. Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[7] and its implementing regulations set forth in Title 8 of the California Code of Regulations ("*Regulations*") (collectively, "*Prevailing Wage Laws*"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "*Public Work*").[8] This includes construction, demolition, repair, alteration, maintenance,[9] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code (on occasion, "*LC §* ") section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location pursuant to LC § 1720.3.

2. Incorporation by Reference. The Prevailing Wage Laws require that certain provisions be included in all contracts for a public works. If the contract (the "*Contract*") with the Ventura Port District (the "*District*") this exhibit and agreement (this "*Agreement*") is attached to, which is incorporated herein by this reference, is for the performance of any Public Work project (the "*Project*"), the contractor ("*Contractor*") and any subcontractor or subconsultant performing any work on that Project (collectively, "*Subcontractor*") must comply with all applicable requirements under the Prevailing Wage Laws, including, but not limited to, the requirements in this Agreement. In addition, it is the intent of the parties to the Contract to effectuate the requirements of Labor Code sections 1771, 1774, 1775, 1776, 1777.5, 1813, and 1815 within this Agreement, and Contractor and Subcontractors shall therefore comply with those sections of the Labor Code, and the Prevailing Wage Laws, to the fullest extent required by law.

3. Apprentices. If the prime contract or any subcontract for the Project exceeds thirty thousand dollars ($30,000), Contractor and Subcontractors shall comply with all applicable requirements of LC § 1777.5, LC § 1777.6, LC § 1777.7, and the Regulations concerning the employment and wages of apprentices. Contractor and Subcontractors are responsible for compliance with this Section 3 for all apprenticeable occupations. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on a public works project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.

[7] *See* Labor Code sections 1720 through 1861.
[8] The definition of "public works" triggering Labor Code compliance can be found in Labor Code sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000 of the Regulations.

4. Public Works Contractor Registration. Subject to the exceptions in Section 4.1 below and LC § 1771.1(a), all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform a public works project must be registered with the DIR as a "public works contractor" ***at the time of bid***. No bid will be accepted, and no contract will be awarded or entered into with Contractor, Subcontractors, or any professional service provider or firm that will be performing any surveying, material testing, or inspection services, including any Subcontractor performing this work for the Project, without proof of current registration with the DIR to perform a public works project at the time of bid (even if the professional service provider or firm is not doing the work, if they will be subcontracting any of that work to others, then the professional service provider also needs to be registered). Contractor shall (i) maintain active registration and (ii) cause Subcontractors to maintain active registration with the DIR for the duration of their work on the Project and provide proof of such to the District no later than ten (10) calendar days of the District's request.

4.1. Exception to Contractor Registration Requirement. Pursuant to LC § 1725.5(f) and LC § 1771.1(n), the requirements in Section 4 do ***not*** apply to work performed on (i) a public works project of twenty-five thousand dollars ($25,000) or less when the project is for construction, alteration, demolition, installation, or repair work, or (ii) a public works project of fifteen thousand dollars ($15,000) or less when the project is for maintenance work.

5. Working Hours. Contractor and Subcontractors shall comply with LC §§ 1810 through 1815, including but not limited to: (i) restricting working hours on the Project to eight (8) hours a day and forty (40) hours a week, unless all hours worked by their employees in excess of 8 hours up to and including twelve (12) hours in any workday are compensated at not less than 1½ times the basic rate of pay; and (ii) specifying penalties to be imposed on contractors and subcontractors of $25 per worker per day for each day the worker works more than 8 hours per day and 40 hours per week in violation of LC §§ 1810 through 1815. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location(s) of the Project and the amount of travel incurred by workers on the Project, certain travel and subsistence payments may also be required. Contractors and Subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca.gov, including Industrial Welfare Commission Order No. 16-2001.

6. Payroll Records. Pursuant to LC § 1776, Contractor and Subcontractors shall maintain weekly certified payroll records (as defined in 8 CCR section 16000) showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed in connection with the work on the Project. Contractor shall (i) certify under penalty of perjury that records maintained and submitted by Contractor are true and accurate; and (ii) cause Subcontractors to certify weekly payroll records under penalty of perjury and submit all materials required under this Section 6 to each applicable party. In addition to submitting the certified payroll records to the District on a weekly basis on DIR form "A-131" or an equivalent document (eCPRs are NOT an acceptable substitute for certified payroll records to be submitted to the District), pursuant to LC § 1771.4, Contractor and Subcontractors shall furnish certified payroll records directly to the Department of Industrial Relations ("*DIR*") on a weekly basis as "electronic certified payroll records" ("*eCPRs*"), in the format prescribed by the DIR, using DIR's online eCPR system, on and through the DIR's website, and no hard copy of these records will be accepted. If either Contractor or a Subcontractor is exempt from the DIR registration requirement under Section 4.1 above, then Contractor or each such Subcontractor is not required

to furnish eCPRs directly to the Labor Commissioner but shall (i) submit Certified Payroll Records and any requested Verification Records to the District and (ii) retain the records for at least three (3) years after completion of their work on the Project, pursuant to LC § 1771.4(a)(4).

7. In the event of noncompliance with the requirements of this Section 6, Contractor and Subcontractors shall have ten (10) calendar days after receiving written notice ("*Record Request Deadline*") from a party authorized under LC § 1776 to request such certified payroll records and all supporting documentation needed to comply with this Section 6.

8. Labor Code section 1861 Certification. In accordance with LC § 3700, Contractor is required to secure the payment of compensation of its employees. By signing the incorporated Contract, Contractor certifies that:

> "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Agreement."

9. Labor Compliance. Copies of such prevailing rate of per diem wages are on file at the office of the District and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at: http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. The Contractor and all Subcontractors shall post a copy of the prevailing rate of per diem wages determination at appropriate conspicuous points at each job site for the Project and shall make them available to any interested party upon request. These wage rates are made a specific part of this Agreement by reference pursuant to LC § 1773.2 and will be applicable to all work performed at all Project sites.

10. Compliance Monitoring and Enforcement. This public works Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, and Contractor shall (i) comply with and (ii) cause all Subcontractors to comply with all Regulations and requirements from the DIR relating to labor compliance monitoring and enforcement. In executing the Contract, Contractor acknowledges that it has reviewed all applicable labor compliance requirements and included the cost of complying with such requirements in its bid.

11. Required Provisions for Subcontracts. The Contractor shall include, at a minimum, a copy of the following provisions in any contract they enter into with a Subcontractor: Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.

12. Indemnification. Contractor shall defend, indemnify, and hold the District, its elected officials, officers, employees, agents, and volunteers free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure of Contractor or Subcontractors to comply with the Prevailing Wage Laws or the terms of this Agreement. To the fullest extent permitted by law, Contractor hereby specifically waives and agrees not to assert, in any manner, any past, present, or future claim for indemnification under LC § 1781. The foregoing indemnity shall survive termination of this Agreement.

13. No Additional Compensation. The District may require Contractor and all Subcontractors to submit certified payroll through an electronic portal. Full compensation for conforming to the requirements in this Section 12 and Agreement shall be considered as included in the Contract price, and no additional compensation will be paid to Contractor or Subcontractors to abide by these requirements.

14. Penalties for Violations. The District or the DIR may impose penalties upon Contractor and Subcontractors for failure to comply with the Prevailing Wage Laws applicable to the Project. These penalties are up to (i) $200 per day, per worker, for each wage violations identified pursuant to LC § 1775; (ii) $100 per day, per worker, for failure to provide the required certified payroll records and documentation requested pursuant to LC § 1776 by the Records Request Deadline in Section 6 above; (iii) $25 per day, per worker, for any overtime violation pursuant to LC § 1813 (penalties may also be imposed for failing to pay premium pay that may be required when Contractor's or Subcontractors' workers perform work on weekends, holidays, and during shift work); and (iv) $100 to $300 for each calendar day of non-compliance with the specific apprenticeship requirements pursuant to LC § 1777.7. In the event a worker of Contractor or Subcontractors performing work on the Project is paid less than the prevailing wage rate for the work or craft in which the worker is employed, Contractor and Subcontractors shall comply with LC § 1775. Any penalties authorized under LC § 1775 shall be in addition to any other applicable penalties allowed under the Prevailing Wage Laws, the Contract, or this Agreement.

VENTURA
PORT DISTRICT
Established 1952

RESOLUTION NO. 3565

A RESOLUTION BY THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT ADOPTING A REVISED PROCUREMENT AND PURCHASING POLICY

WHEREAS, California Public Contract Code Section 20750 et seq. requires certain District contracts in excess of certain prescribed amounts to be let by the Board of Port Commissioners (the "Board") upon competitive bidding.

WHEREAS, the District's Procurement and Purchasing Policy was first adopted by the Board on April 25, 2012, by Resolution No. 3183, establishing the District's competitive bidding procedures as required under the Public Contract Code.

WHEREAS, Public Contract Code Section 22000 et seq. establishes the Uniform Public Construction Cost Accounting Act (the "UPCCA"), which establishes a uniform cost accounting standard for construction work performed or contracted by local public agencies, and authorizes local public agencies to perform public projects or maintenance work by force account, negotiated contract, or purchase order, and to use informal and formal bidding procedures when contracting for public projects or maintenance work, in accordance with the statutory limits set forth in the UPCCA.

WHEREAS, on February 27, 2013, the Board adopted Resolution No. 3213 electing to become subject to the UPCCA, and further elected to utilize the bidding procedures in the UPCCA when contracting for public projects.

WHEREAS, on March 27, 2013, the Board adopted Ordinance No. 48 to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act (California Public Contract Code Section 2200 et seq.).

WHEREAS, on May 8, 2013, the Board adopted Resolution No. 3219 amending Resolution No. 3213 to authorize the use of the UPCCA's bidding procedures when contracting for maintenance work.

WHEREAS, the Procurement and Purchasing Policy also reflects that the competitive bidding requirements of Public Contract Code Section 20751 only apply to purchases by the District of supplies exceeding $25,000.00 that are used in connection with or consumed on any work or project not subject to the UPCCA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Port Commissioners of the Ventura Port District hereby rescinds Resolution No. 3519, which was previously passed, approved and adopted by the Board on December 18, 2024, and adopts in its place the amended Procurement and Purchasing Policy attached hereto as Exhibit A.

PASSED, APPROVED and ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on this 18th day of November 2026, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Michael Blumenberg, Chair

ATTEST:

_____
Anthony Rainey, Secretary



Ventura Port District

Procurement

and Purchasing

Policy

Effective October 22, 2014

Revised
March 22, 2017
May 1, 2019
June 17, 2020
September 15, 2021
May 4, 2022
December 18, 2024
November 18, 2026

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I. STATEMENT OF GENERAL POLICY

The District's Board of Port Commissioners (the "Board") has adopted this Procurement and Purchasing Policy to establish the authority, limits, and procedures relating to the District's procurement and purchasing activities in connection with such contracts. All such procurement and purchasing activities for the District shall be administered in accordance with the provisions of this policy, and with the express intent to promote open and fair conduct in all aspects of the procurement and purchasing process.

Except as otherwise provided in Section III-D below, the goal of this Procurement and Purchasing Policy is to enable the Ventura Port District (the "District") to (i) obtain contracts for the purchasing of materials or supplies not used in connection with or consumed on any work or project that falls within the definition of "public projects" or "maintenance work" subject to the California Uniform Public Construction Cost Accounting Act ("UPCCA") as defined in Public Contract Code Section 22002, and (ii) procure services for the District at the best value and in a timely manner, while maintaining fairness to vendors, suppliers, service providers, and contractors, and abiding by applicable laws. Section III-D of this policy also establishes staff purchasing authority levels for contracts for the doing of any work or project which does fall within the definition of "public projects" or "maintenance work" subject to the UPCCA as defined in Public Contract Code Section 22002.

The District intends to maintain a cost-effective purchasing system conforming to good management practices. The Procurement and Purchasing Policy is intended to accomplish the following objectives:

A. Provide all vendors, suppliers, service providers, and contractors with full, fair, prompt and courteous consideration.

B. Keep competition open and fair.

C. Observe strict truthfulness and highest ethics in all transactions.

In order to be successful, the system must be supported by the cooperation of all District personnel. Prior planning and the timely submission of requisitions are essential to expedite the District's procurement and purchasing process and to ensure that this process is conducted in an orderly and lawful manner.

II. ETHICS IN PROCUREMENT AND PURCHASING

In dealing with the District's procurement and purchasing needs, District personnel shall be mindful of the following:

A. That public office is a public trust and to give primary consideration to the District's interests as well as the interests of the public.

B. Procurement and purchasing decisions shall be made without prejudice and to try to maximize the value of each dollar expended.

C. District personnel must avoid unfair business practices or decisions and to give all qualified vendors, suppliers, service providers, and contractors an equal opportunity to participate in the procurement and purchasing process.

D. We shall promote positive relationships with the District's vendors, suppliers, service providers, and contractors through courteous and impartial treatment in all phases of the purchasing cycle.

E. We shall conduct ourselves with fairness and dignity, and demand honesty and truth in the purchasing process.

F. We must avoid the appearance of unethical or compromising practice in relationships, actions, and communications in the procurement and purchasing process.

H. We must refrain from soliciting or accepting money, loans, credits, prejudicial discounts, gifts, favors, or services from past, present or future suppliers, vendors, service providers, or contractors that might influence, or appear to influence, purchasing decisions.

I. All District personnel shall discharge their duties impartially so as to ensure competitive access to governmental procurement by responsible contractors.

J. All District personnel shall conduct themselves in such a manner as to foster public confidence in the integrity of District procurement and purchasing.

III. THE PROCUREMENT AND PURCHASING PROCESS

A. Contract Administration

The District routinely utilizes the services of vendors, suppliers, service providers, and contractors for a variety of operational needs. These include, but are not limited to, the acquisition of equipment, supplies, materials, goods, maintenance services, and construction or renovation of District facilities. All contracts should include, but shall not be limited to, the following provisions:

(1) The term or length of contract.
(2) Description of work to be performed or services/products to be provided.
(3) Schedule for performance.
(4) Indemnity, insurance and bonding requirements.
(5) Warranties and/or guarantees if applicable.
(6) Payment schedule.
(7) Conditions for termination of contract.
(8) District's contracts for public works projects that are subject to California's prevailing wage laws, shall also be subject to the District's applicable contract addendum with these requirements, as discussed in Section VII, below.

Except as otherwise provided in Section III-D of this Procurement and Purchasing Policy, this policy shall not apply to the performance of, contracting for, or the doing of any "public project" or "maintenance work" subject to the UPCCA as such terms are defined under the UPCCA in Public Contract Code Section 22002. Any such "public project" or "maintenance work" shall be subject to (i) Resolution No. 3213 adopted by the Board on February 27, 2013; (ii) the procedures, terms, and conditions set forth in the UPCCA pursuant to California Public Contract Code Section 22000 et seq.; (iii) the California Uniform Construction Cost Account Commission's (the "Commission") policies and procedures manual and cost accounting review procedures; (iv) Ordinance No. 48 adopted by the Board on March 27, 2013; (v) Resolution No. 3219 adopted by

the Board on May 8, 2013;(vi) Ordinance No. 52 adopted by the Board on May 1, 2019; and (vii) any other resolutions, policies, and procedures that may be adopted or promulgated by the Board from time to time, and until such time as the Board has adopted a resolution electing to discontinue the District's participation under the UPCCA.

B. Purchasing of Supplies and Vendor Services *Not* Used in Connection with or Consumed on any Work or Project Subject to the UPCCA. (The policies in this Section III-B are further summarized in the procurement limits chart attached to this policy as **Exhibit "A"** and the decision tree attached as **Exhibit "C-1**.")

The policies in this Section III-B govern the procurement of District contracts for the purchasing of supplies or vendor services that are (i) ***not*** subject to the UPCCA and (ii) ***not*** used in connection with the purchase or performance of work on, or consumed in connection with, any "public project" or "maintenance" work or services subject to the UPCCA, as defined under the UPCCA in Public Contract Code Section 22002 (each, a "Non-UPCCA Good or Service"). If a District contract is for the purchasing of any work or services (and/or supplies used in connection with any such work or services) that fit within the UPCCA's definition of either a "public project" or "maintenance" work, as summarized in the "UPCCA Summary Sheet" attached as **Exhibit "B**,**"** the policies in this Section III-B do ***not*** apply, and the procurement and contracting process shall instead be governed by the District's adopted UPCCA ordinances, resolutions, and policies, including those set forth in Section III-D.

(1) *Purchases totaling up to $1,000.00*

The General Manager and any Level 1, Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $1,000.00, without competitive bidding. Level 1 employees shall not be authorized to execute any such contract or to make any such purchase until such employee has obtained the prior approval of his or her immediate supervisor.

(2) *Purchases totaling up to $2,500.00*

The General Manager and any Level 2, Level 3, or Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $2,500.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least one (1) quote is obtained from a vendor, supplier, service provider, or contractor concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least one (1) quote has *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or to make any such purchase until such employee's immediate supervisor has reviewed and approved the written quote and the proposed contract or purchase order.

(3) *Purchases totaling up to $10,000.00*

The General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $10,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least one (1) quote is

obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least one (1) quote has *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board. Level 3 employees shall not be authorized to execute any such contract or to make any such purchase until the General Manager has reviewed and approved the written quote and the proposed contract or purchase order.

(4) *Purchases totaling up to $25,000.00*

The General Manager and any Level 4 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $25,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(5) *Purchases totaling up to $50,000.00*

The General Manager and any Level 5 employee of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $50,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(6) *Purchases totaling up to $75,000.00*

The General Manager of the District shall be authorized to approve, and to execute on behalf of the District, any purchase orders or contracts for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price less than or equal to $75,000.00, without competitive bidding, so long as (i) such contract or purchase has been included in the District's then-current fiscal budget and (ii) at least two (2) quotes are obtained from competing vendors, suppliers, service providers, or contractors concerning the price and terms and conditions of the proposed contract or purchase. If such contract or purchase has *not* been previously included in the District's then-current fiscal budget or at least two (2) quotes have *not* been obtained, such contract or purchase shall require prior approval from the Board at a regular or special meeting of the Board.

(7) *Purchases Over $75,000.00*

Any purchase order or contract for the purchasing of a Non-UPCCA Good or Service with a contract price or purchase price greater than $75,000.00 is subject to the competitive bidding procedures set forth in Section III-C, below, unless an applicable exception under either (i) Section-III(F) (Professional Service Agreements) or (ii) Section-IV, below, applies.

C. Competitive Bidding Procedures for Work or Projects Not Subject to the UPCCA.

As provided, among other things, in Public Contract Code Section 20751, contracts for the purchasing of supplies or vendor services not used in connection with or consumed on any District work or project subject to the UPCCA must be let by competitive bidding where the amount of the contract exceeds $25,000.00. This subsection sets out the competitive bidding procedures for such contracts.

When the supplies or vendor services are within the current approved fiscal year's budget, the General Manager shall cause to be prepared the appropriate plans, specifications, scope of work, or other descriptive information for the publication of a notice inviting sealed bids for performance for the proposed purchase. When those supplies or vendor services are not within the current fiscal year's budget, the General Manager will make a recommendation to the Board with a cost estimate and other supporting documentation appropriate for the size and scope of the proposed purchase in order for the Board to approve a change to the budget prior to publishing a competitive bid.

Once the competitive bid plans, specifications, scope of work or other information has been prepared, the notice advertising the competitive bid shall be published in a newspaper of general circulation in accordance with the Public Contract Code.

The contract documents shall be prepared utilizing the District's standard forms, with such modifications as may be appropriate for the particular supplies or materials to be acquired and purchased. In the event of an emergency, applicable Public Contract Code provisions will be followed.

All bids shall be presented under sealed cover on forms furnished by the District. Sealed bids shall be opened at the time and place stated in the advertisement for bid with no less than two representatives of the District in attendance. When all bids have been evaluated, the General Manager shall make a recommendation to the Board regarding award of the contract to the lowest responsible bidder.

If the lowest bidder is disqualified for any reason, or if the bids exceed the cost estimates previously approved, the General Manager shall evaluate the options available and make a recommendation to the Board, which may include, but not be limited to, a recommendation of no award. The Board will make the final decision regarding the award of contract under this Section III-C. At the direction of the Board and after legal counsel review, the General Manager shall execute any such contract.

D. Contracts for the Doing of Any Public Project or Maintenance Work that is Subject to the UPCCA. (The following policies in this Section III-D are at the discretion of the Board of Commissioners. They are equal to or above and beyond that which is required by the UPCCA. The policies in this Section III-D are further summarized in the decision trees attached to this policy as **Exhibit "C-1**" and **Exhibit "C-2**.**"** The UPCCA's definitions of (i) a "public project" and (ii) the type of "maintenance" work that is subject to the UPCCA and this Section III-D are set forth in the "UPCCA Summary Sheet" attached as **Exhibit "B."**)

(1) *Contracts totaling up to $1,000.00*

The doing of any "public project" or "maintenance" work of the District that is subject to the UPCCA (as defined in the UPCCA Summary Sheet) or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements

– personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $1,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 1 employee, Level 2 employee, Level 3 employee, or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. Level 1 employees shall not be authorized to execute any such contract or purchase order until such employee has obtained the prior approval of his/her immediate supervisor. No notice inviting informal bid for any such public project or maintenance work need be provided.

(2) *Contracts totaling up to $2,500.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $2,500.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 2, Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order), shall require prior approval from the Board at a regular or special meeting of the Board. Level 2 employees shall not be authorized to execute any such contract or purchase order until such employee's immediate supervisor has reviewed and approved the proposed contract or purchase order. No notice inviting informal bid for any such public project or maintenance work need be provided.

(3) *Contracts totaling up to $10,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $10,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 3 or Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(4) *Contracts totaling up to $25,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $25,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager and any Level 4 employee of the District shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(5) *Contracts totaling up to $50,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $50,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(6) *Contracts totaling up to $75,000.00*

The doing of any public project or maintenance work of the District that is subject to the UPCCA, or any contract for the doing of any such public project or maintenance work, with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) less than or equal to $75,000.00 can be performed (i) by the District's employees by force account, (ii) by negotiated contract, or (iii) by purchase order, so long as such public project or maintenance work has been included in the District's then-current fiscal budget. If the doing of any such public project or maintenance work is to be performed by negotiated contract or by purchase order, the General Manager shall be authorized to approve and to execute on behalf of the District any such negotiated contract or purchase order. If such public project or maintenance work has not been previously included in the District's then-current fiscal budget, the doing of any such public project or maintenance work (whether by force account, negotiated contract, or purchase order) shall require prior approval from the Board at a regular or special meeting of the Board. No notice inviting informal bid for any such public project or maintenance work need be provided.

(7) *Contracts totaling $75,000.00 - $220,000.00*

Any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than $75,000.00 but less than or equal to $220,000.00, must go through the UPCCA's informal bid process as set forth in the District's Ordinance No. 48 adopted March 27, 2013, as amended by the District's Ordinance No. 52 adopted May 1, 2019, as may be further amended from time to time, and as summarized in the UPCCA Summary Sheet. The General Manager shall be authorized to send out a notice inviting informal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The informal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA as summarized in the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account. If all bids received are greater than $220,000.00, the Board can adopt by resolution by a four-fifths (4/5) vote and award the contract at $235,000.00 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting informal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

(8) *Contracts over $220,000.00*

Unless otherwise provided in Section III-D(6), above, any contract for the doing of any public project or maintenance work of the District that is subject to the UPCCA with a total contract price (which includes all cost elements – personnel, materials, supplies, subcontracts, equipment and overhead – associated with the proposed public project or maintenance work) greater than $220,000.00 is subject to the UPCCA's formal bidding procedures (including the notice inviting formal bids, adoption of plans, and the awarding of bid) as summarized in the attached UPCCA Summary Sheet. The General Manager shall be authorized to send out a notice inviting formal bid on the proposed public project or maintenance work without prior Board approval so long as such project or work has been included in the District's then-current fiscal budget. The formal bid results will be brought before the Board to consider whether to reject any and all bids or to award a bid to the lowest responsible bidder in the manner required by the UPCCA, as summarized in the attached UPCCA Summary Sheet. If no bids are received, the proposed public project or maintenance work may be performed by the District's employees by force account or by the informal bidding procedures detailed for public projects greater than $75,000.00 but less than or equal to $220,000.00. If the proposed public project or maintenance work has not been previously included in the District's then-current fiscal budget, the General Manager may not send out a notice inviting formal bid on the proposed public project or maintenance work without first obtaining the Board's prior approval at a regular or special meeting of the Board.

E. <u>Change Orders.</u>

The General Manager shall have the authority to approve and execute on behalf of the District any change order to a contract (i) awarded by District personnel (including the General Manager) or the Board pursuant to Section III of this Procurement and Purchasing Policy; or (ii) awarded by the Board (or by any person who the Board has delegated authority to) for a public project or maintenance work under the UPCCA, as follows:

(1) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to $10,000.00 that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.

(2) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) less than or equal to $10,000.00 that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manger has obtained the prior approval of the Board at a regular or special meeting of the Board.

(3) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than $10,000.00 (but within ten percent (10%) of the original contract amount) that does not cause the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager may authorize such change order without having to obtain prior approval of the Board.

(4) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a public project or maintenance work under the UPCCA) greater than $10,000.00 (but within ten percent (10%) of the original contract amount) that causes the total contract amount to exceed the amount budgeted for that particular contract in the District's then-current fiscal budget, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board at a regular or special meeting of the Board.

(5) For change orders (including any change order to a contract awarded by the Board or by any person who the Board has delegated authority to for a "public project" or "maintenance work" under the UPCCA) greater than $10,000.00 that are more than ten percent (10%) of the original contract amount, the General Manager shall be prohibited from authorizing such change order until such time as the General Manager has obtained the prior approval of the Board.

F. <u>Professional Service Agreements.</u>

Professional services are defined as unique, technical and/or infrequent functions performed by an independent contractor/vendor qualified by education, experience, certification and/or technical ability to provide services. Typical District services that are obtained through professional services contracts include architectural, landscape architectural, professional engineering, environmental, land surveying, construction and project management, information technology, consulting, marketing, legal, and financial services. Professional services contracts

shall be awarded to professional service providers on the basis of demonstrated competence and qualifications for the types of services to be performed, and at fair and reasonable prices to the District, using the District's standard Professional Services Agreement. The Board shall approve all Professional Services Agreements over the amount of $75,000.00. The General Manager and/or Deputy General Manager is authorized to enter into a Professional Services Agreement in an amount of $75,000.00 or less without prior Board approval provided the services have been included in the District's then-current fiscal budget. Any Professional Services Agreement not included in the District's then-current fiscal year budget requires the prior approval of the Board. The representative for the District identified in the Professional Service Agreement is authorized to approve routine invoices for contracts and services that have already been authorized by the Board or the General Manager and/or Deputy General Manager. The policies in this Section III-D(F) are further summarized in the decision tree attached to this policy as **Exhibit "C-1**."

G. Prohibition against Serial or Cumulative Expenditures.

The authority for making expenditures or executing contracts as provided in this policy is intended to enable the General Manager and District staff to understand the scope of this authority in procurement activities made on behalf of the District. The structuring of transactions in a serial or cumulative manner so as to avoid the requirement of approval by the Board is strictly prohibited and will not be tolerated. In addition, for public projects or maintenance work of the District that is subject to the UPCCA, the UPCCA prohibits a local agency to split or separate into smaller work orders or projects any such public project or maintenance work for purposes of avoiding the UPCCA's formal bidding requirements, as summarized in the attached UPCCA Summary Sheet. Thus, the costs associated with the purchase of materials or supplies, when purchased or used as part of a public project or maintenance work subject to the UPCCA, become part of the project cost and must be considered when applying the bid limits set forth in Section III-D above. For example, on a public project subject to the UPCCA that will pay a contractor $110,000.00 for construction services and a separate vendor $110,001.00 for the purchase of materials or supplies to be used on the project, such project will have a total contract price of $220,001.00 and the contracting services and the separate purchase of materials and supplies will each be subject to the UPCCA's formal bidding procedures applicable to public projects or maintenance work of more than $220,000.00. Likewise, as an example, if maintenance work subject to the UPCCA will have a total cost of $100,000.00 (e.g., $50,000.00 to be paid for maintenance services to one contractor and $50,000.00 to be paid to a separate vendor for materials and supplies for that maintenance project), the maintenance services contract and the purchasing contract will each be subject to the UPCCA's informal bidding procedures for public projects and maintenance work that costs more than $75,000.00 in total.

H. Future Modifications of Bid Limit Thresholds.

In the event the bid limit thresholds proscribed in Public Contract Code Section 22032 are later modified, District staff is hereby authorized and directed to revise this Procurement and Purchasing Policy to conform with the maximum bid threshold limits permitted by law. Upon such an event, District staff shall notify the Board of the bid threshold limit modifications and the corresponding amounts.

I. Payment Authorization and Signing Authority

The authorization to approve a purchase, contract, or expenditure under this Procurement and Purchasing Policy is separate from the authority to authorize payment or disbursement of District funds. All payments made by the District, regardless of the procurement method or the employee who authorized the underlying purchase or contract, shall be subject to the following payment authorization and signing requirements.

(1) Checks
(a) Checks in amounts less than or equal to $50,000.00 shall require the signature of one (1) authorized District signatory.
(b) Checks in amounts greater than $50,000.00 shall require two (2) authorized signatures, one of which must be a member of the Board of Port Commissioners.

(2) Electronic Funds Transfers (EFT), Automated Clearing House (ACH) Payments, and Electronic Checks
Electronic payments, including EFT, ACH, and electronic checks, shall be subject to the same payment authorization requirements established for paper checks under subsection (1), above. Accordingly, electronic payments of $50,000.00 or less shall require authorization by one (1) authorized District signatory, and electronic payments greater than $50,000.00 shall require authorization by two (2) authorized signatories, one of which must be a member of the Board of Port Commissioners.
For electronic payments, the required authorization shall be documented through the District's financial institution's electronic payment approval process or other appropriate written documentation maintained by the District.

(3) General Requirements
All payments shall be supported by appropriate documentation, including invoices, contracts, purchase orders, or other records evidencing the District's obligation to make payment. Payment authorization shall not independently authorize a purchase, contract, or expenditure that has not otherwise received the required approval under this Procurement and Purchasing Policy or other applicable District policy or Board authorization.

IV. EXCEPTIONS TO COMPETITIVE BIDDING

The following exceptions shall apply to the competitive bidding procedures set forth in Section III-C above:

A. Sole Source Procurement.

There may be limited situations where the District requires particular contracts for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, for which there is no substantial equivalent and which are, in fact, available from only one vendor, supplier, service provider, or contractor, and therefore, in such situations, the use of competitive bidding may be impractical.

The Board has determined that it is in the District's best interests to authorize the General Manager to engage in sole source procurement under limited circumstances. The General Manager, on behalf of the District, may execute a contract for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, on a sole source basis, and without competitive bidding, on the following conditions:

(1) The General Manager determines, after conducting a good faith review of available sources, that there is only one source for such supplies required by the District.

(a) Examples of sole source procurements include, but shall not be limited to, the following:

(i) ***Licensed or Patented Applications:*** The vendor, supplier, service provider, or contractor is the sole provider of a

licensed, patented, or proprietary application, product, material, supplies, or item required by the District that has unique design or performance features providing superior utility not obtainable from similar vendors, suppliers, service providers, or contractors.

(ii) ***Authorized Service Provider, Repair and Warranty Services:*** The District requires service or repair support for such supplies and the vendor, supplier, service provider, or contractor is either a factory authorized warranty service provider or such vendor, supplier, service provider, or contractor is required for warranty services pursuant to the terms and conditions of an existing District contract.

(iii) ***Unique Design:*** The District has a specialized need and the vendor, supplier, service provider, or contractor is the sole provider of such supplies that can meet the District's specialized needs or to perform the intended functions. This includes products with special features essential for the completion of a task or project, or with physical or artistic design characteristics that satisfy aesthetic requirements.

(iv) ***Trial and Evaluation Projects:*** A limited duration, limited scope, pilot, trial or evaluation of a product, range of products or services. A trial or evaluation project would typically be part of establishing a standard for a District department, or to pilot a particular product or services for a District need.

(v) ***Grant Funded Approved Products and/or Vendors:*** Where a granting authority is providing funding for the procurement of products and/or services and the granting authority requires that those products and/or services must be selected from an approved list of products and/or vendors at the time of application, the District may procure the approved product and/or services, provided that:

1. The grantor has approved the grant to the District.
2. The products and/or services procured are from the grantor's approved products/services list.
3. That such procurements in excess of $25,000 be approved by the Board.

(2) Such sole-source contract has been included in the District's then-current fiscal budget.

(3) The General Manager provides a written report to the Board containing the following information:

(a) A brief description of the circumstances surrounding the sole source procurement, and the need for immediate acquisition.

(b) A statement and/or justification of the General Manager's good faith determination that a sole source opportunity has been presented to the District.

(c) A brief description of the supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the sole-source vendor, supplier, service provider, or contractor.

(4) The Board approves the sole-source contract at the next scheduled workshop or regular or special meeting of the Board.

If such sole source contract has not been previously included in the District's then-current fiscal budget or such contract exceeds the amount budgeted for that particular contract in the District's then-current fiscal budget, such contract shall require prior Board approval.

B. <u>Piggybacking.</u>

Piggyback contracting occurs when a public agency enters into a contract, without competitive bidding, with a particular supplier, vendor, service provider, or contractor who has already been awarded a contract for the purchase of the same or similar materials or supplies by another public agency or governmental entity pursuant to that agency's or entity's competitive bidding process. Piggybacking on other public agency or governmental entity contracts can reduce administrative and project costs and achieve greater efficiency and economies of scale.

The Board has determined that it is in the District's best interests to authorize the General Manager to participate in piggybacking opportunities whenever possible. The District may piggyback on other public agency or governmental entity contracts for the purchase of the same or similar materials or supplies and the General Manager is authorized to execute on behalf of the District a contract for the purchasing of such materials or supplies used in connection with or consumed on any project or work not subject to the UPCCA without separate competitive bidding by the District, on the following conditions:

(1) The General Manager has determined that it is in the District's best interest to engage in a piggybacking opportunity for the purchase or contract of such materials or supplies with a particular vendor, supplier, service provider, or contractor if such opportunity will result in significantly reduced costs to the District (administrative costs, project costs, or otherwise), or will achieve greater efficiency or economies of scale for District projects.

(2) Such vendor, supplier, service provider, or contractor has been previously awarded a contract with another local, state, or federal agency or governmental entity pursuant to that agency's or entity's competitive bidding process to provide materials or supplies that are same or similar or related to the District's proposed contract or purchase.

(3) Such piggybacking contract has been included in the District's then-current fiscal budget.

(4) The General Manager provides a written report to the Board containing the following information:

(a) A brief description of the circumstances surrounding the piggybacking opportunity;

(b) A brief description of the benefits and cost savings the District will receive as a result of the piggybacking opportunity; and

(c) A brief description of the materials or supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the vendor, supplier, service provider, or contractor.

(5) The Board has approved the piggybacking contract at the next scheduled workshop or regular or special meeting of the Board.

Notwithstanding anything contained in Section III or this Section IV-B to the contrary, the District's dredging projects located within the Ventura Harbor will be subject to Public Contract Code Section 20751.2, which authorizes the District to award a contract for the performance of dredging work within the District's boundaries without competitive bidding, provided each of the following apply: (a) the dredging contractor was selected through a federal competitive bidding process for a federal dredging project then underway in the County of Ventura; and (b) the Board makes written findings, based on substantial evidence in the record, that the contract awarded pursuant to such section 20751.2 is likely to cost less than a contract awarded pursuant to Public Contract Code Section 20751.

C. Emergencies.

Pursuant to Public Contract Code Section 20751.1, in case of an emergency, the Board may, by resolution passed by a four-fifths (4/5) vote of all of its members, declare and determine that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, and thereupon proceed to expend any sum or enter into a contract involving the expenditure of any sum needed in the emergency without observance of the provisions requiring contracts, bids, or notice for any purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA. If notice for bid to let contracts will not be given, the Board shall also comply with Public Contract Code Section 22050. In case of any emergency involving a public project or maintenance work under the UCCPA, the terms and conditions set forth in Public Contract Code Section 22035 shall control.

An "emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

D. Local Vendor Preference.

In determining the lowest responsible bid pursuant to the District's competitive bidding procedures set forth in Section III-C, above, or in determining the lowest responsible bid pursuant to the formal bidding procedures set forth in the UPCCA, and as summarized in the attached UPCCA Summary Sheet, the Board finds it desirable and in the best interests of the District to establish a local business preference program in order to reduce the competitive barriers faced by local businesses (the "Local Business Preference Program").

This Local Business Preference Program shall be taken into account in determining the lowest responsible bid in awarding a contract subject to the District's competitive bidding procedures set forth in Section III-C, or in determining the lowest responsible bid pursuant to the

formal bidding procedures set forth in the UPCCA, and as summarized in the attached UPCCA Summary Sheet.

(1) Local Business Preference Program.

In determining the lowest responsible bid, the General Manager shall include the following:

(a) For (i) any District contract for the purchasing of materials or supplies used in connection with or consumed on any work or project subject to the UPCCA reasonably estimated by the General Manager to have a contract amount greater than $25,000.00; or (ii) any public project or maintenance work subject to the UPCCA's formal bidding procedures, the District shall assign a five percent (5%) bid price reduction "preference" during the bid evaluation process (the "Local Business Preference") to any bid from any person or entity that is determined by the General Manger to be a Local Business (as defined in subsection (b) of this Section IV-D(1)).

(b) "Local Business" shall mean a person or entity that has for at least twelve (12) months immediately preceding submittal of its bid maintained its principal business office within the geographic boundaries of Ventura County, California.

(c) Except as otherwise provided in this Section IV-D, the provisions set forth in this Section IV-D shall not supersede the other provisions set forth in this Procurement and Purchasing Policy or the uniform public construction cost accounting procedures set forth in the UPCCA, whichever shall apply. If any inconsistency or conflict exists or arises between the terms of this Section IV-D and the other provisions set forth in this Procurement and Purchasing Policy or the UPCCA, whichever shall apply, such other provisions shall control.

(d) This Local Business Preference Program shall not be applied under the following circumstances:

(i) National contracts;

(ii) Revolving fund (petty cash) purchases;

(iii) Credit card purchases;

(iv) Contracts not subject to the District's competitive bidding procedures;

(v) Any contracts funded by the federal government where there are conflicting requirements for minority or women-owned business participation.

(vi) Where such preference is otherwise prohibited by law;

(vii) Emergency procurements;

(viii) Piggybacking or sole source procurements; or

(ix) Contracts or projects relating to dredging or dock rehabilitation and/or replacement.

(2) Procedures for the Local Business Preference Program

(a) Once all bids are opened, the bids of those bidders who are Local Businesses shall be reduced by five percent (5%) for purposes of determining the lowest responsible bidder. If the bid of a Local Business, after applying the Local Business Preference, is then the lowest responsible bidder (the "Lowest Local Business Bidder"), that Lowest Local Business Bidder shall have the opportunity to reduce its bid to match the bid of the actual lowest responsible bidder, in writing, within one (1) business day, whereupon the General Manager shall make a recommendation to the Board to award that Lowest Local Business Bidder with the contract if the General Manager determines, in his or her sole discretion, that such bid is responsive to all of the terms and conditions stated in the District's previously published notice inviting bids.

(b) If the Lowest Local Business Bidder does not elect to reduce its bid to match the bid of the actual lowest responsible bidder, then the next lowest Local Business bidder (the "Second Lowest Local Business Bidder") shall be given the opportunity to match the bid of the actual lowest responsible bidder in the time and manner set forth in subsection (a) of this Section IV-D(2), above; *provided, however*, the bid of such Second Lowest Local Business Bidder must also be within five percent (5%) of the actual lowest responsible bid.

(c) An award may be made to the lowest aggregate responsible bidder for all items on the invitation to bid, on a group or an individual basis, whichever is found to be in the best interest of the District.

(d) All bids are subject to rejection by the Board in its absolute and sole discretion, and in those instances where evaluation dictates the rejection of the lowest bid as not meeting the requirements established in the invitation to bid, the vendor shall be notified of the reason for rejection.

V. FEDERALLY FUNDED PROCUREMENT POLICY

A. Purpose and Applicability.

This section pertains to federally funded projects and purchases. The purpose of this section is to ensure compliance with all applicable federal requirements when federal financial assistance is being expended by the District. Procurements funded in whole or in part with federal funds must comply with Code of Federal Regulations (CFR), Title 2 – Grants and Agreements, Subtitle A – Office of Management and Budget Guidance for Federal Financial Assistance, Subpart D (Procurement Standards) of Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR §§ 200.317 to 200.327).

To the extent that any provisions of this policy are inconsistent with any other District regulations, the provisions of this policy shall prevail with respect to federally funded procurements. If any provisions of this policy become inconsistent with federal requirements, whether due to a change in federal law or regulations, through judicial precedent, or for any other reason, then the District shall not be required to comply with the inconsistent provision.

B. Methods of Procurement.

In addition to the District's purchasing policy approval limits, one of the following methods should be used:

(1) ***Micro-purchase****:* Purchases where the aggregate dollar amount does not exceed $10,000, or the current limitation set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1, where this threshold is periodically adjusted for inflation. No bid or quote process is required. No cost or price analysis is required. Purchases should be distributed among a range of qualified vendors.

(2) ***Small purchase:*** Purchases up to the Simplified Acquisition threshold (the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods), which is currently $250,000, and is adjusted from time to time. Informal purchasing procedures are acceptable, but price or rate quotes must be obtained from an adequate number of sources. Purchases made should be distributed among a range of qualified vendors.

(3) ***Sealed bid:*** Purchases over the Simplified Acquisition threshold, which is currently $250,000, and is adjusted from time to time. Under this purchase method, formal and public solicitation is required, and the fixed price (lump sum or unit price) is awarded to the responsible bidder who conformed to all material terms and is the lowest in price. This method is the preferred procurement method for construction contracts if the following conditions apply:

(a) A complete, adequate, and realistic specification or purchase description is available;

(b) Two or more responsible bidders are willing and able to compete effectively for the business, and,

(c) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally based on price.

If this method is used, the following requirements shall apply:

(i) The invitation for bids will be publicly advertised, including through electronic advertising, and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date for opening the bids.

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the terms or services in order for the bidder to properly respond.

(iii) All bids will be publicly opened at the time and place prescribed in the invitation for bids.

(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts will only be used in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

(v) Any or all bids may be rejected if there is a sound documented reason.

(4) ***Competitive proposals:*** Purchases over the Simplified Acquisition threshold, which is currently $250,000, and is adjusted from time to time. This procurement method requires formal solicitation, fixed price, or cost-reimbursement contracts, and is used when sealed bids are not appropriate. The contract should be awarded to the responsible firm whose proposal is most advantageous to the program, with price being one of the various factors. If this method is used, the following requirements apply:

(a) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

(b) Proposals must be solicited from an adequate number of qualified sources.

(c) The methods for conducting technical evaluations of the proposals received and for selecting recipients may include, but not be limited to: oral interviews, references, past performance, availability to perform work, and certifications as determined by project scope.

(d) Any response that takes exception to any mandatory items in this proposal process may be rejected and not considered.

(e) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

(f) Competitive proposal procedures may be used for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.

(5) Noncompetitive proposals: Also known as sole-source procurement, this may be appropriate only when one or more of the following criteria are met:

(a) The item is available only from a single source;

(b) The public emergency for the requirement will not permit a delay resulting from competitive solicitation;

(c) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the nonfederal entity; or

(d) After solicitation of a number of sources, competition is determined inadequate.

C. <u>Contract Cost and Price.</u>

A cost or price analysis shall be performed in connection with every procurement action in excess of the Simplified Acquisition threshold ($250,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, independent estimates shall be made prior to receiving bids and proposals.

(1) Profit shall be negotiated as a separate element of the price for each contract in which there is a no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(2) Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the District under Subpart E – Cost

Principles of 2 CFR Part 200 –Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

(3) The cost plus a percentage of cost and percentage of construction cost methods of contracting shall be used.

D. Single Audit Threshold.

If the District, as a non–Federal entity, expends $1,000,000 or more in federal awards during its fiscal year, the District must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 C.F.R. §§ 200.501-200.507.

VI. VENDOR AND CONTRACTOR REGISTRATION DIRECTORY

The District invites vendors to express their interest in doing business with the District. Vendors and contractors to which this Procurement and Purchasing Policy apply may download registration forms from the District's website located at https://venturaharbor.com/public-bidding/. To properly register with the District, all such vendors and contractors interested in doing business with the District shall be required to complete a registration form and submit it to the District by email or mail.

VII. PREVAILING WAGES AND VENDOR AND CONTRACTOR REGISTRATION REQUIREMENTS

A. Prevailing Wages.

Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[1] and its implementing regulations set forth in Title 8 of the California Code of Regulations (collectively, "Prevailing Wage Laws"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "Public Work").[2] This includes construction, demolition, repair, alteration, maintenance,[3] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location.

Accordingly, most contracts between the District and vendors or contractors (collectively, in this Section VII, "Contractor") for construction-related services that are subject to this Procurement and Purchasing Policy will trigger the prevailing wage requirements applicable to a Public Work project. This Section VII discusses these requirements.

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[1] *See* Labor Code sections 1720 through 1861.

[2] The definition of "public works" triggering Labor Code compliance can be found in Labor Code sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000.

B. Application to District Leases and Contracts for Tenant Improvements.

Applying these definitions and concepts to tenant improvements that may be required and contracted for at the outset of a lease where the landlord is a public agency and the tenant is a private entity, if the tenant is required to do tenant improvements and pays for those improvements itself, then the tenant improvements are typically **not** a Public Work project. Conversely, if any portion of the tenant improvements that constitute a Public Work will be paid for using District funds, then the **entire project** is Public Work project, and laborers must be paid prevailing wages.

This can happen, and Contractor and any subcontractors must abide by all applicable Prevailing Wage Laws, if **any portion** of a Public Work project will be paid for using District funds. Such as, for example, tenant improvements required under a District lease agreement that will be: (i) paid for by the District directly but performed by the tenant's contractor (regardless of whether the District or the tenant contracts for the contractor's services); (ii) paid for by the District in the form of a direct payment to the tenant or its contractor before, during, or after completing the tenant improvements (as a reimbursement), and/or as a credit for some future expense, such as rent; (iii) paid for by way of a tenant improvement allowance established under a written lease or other contract with the District; or (iv) part of a larger project undertaken by the District.

Based on these considerations, with respect to any tenant improvements authorized or required under a District lease or other contract, the Board has determined that it is in the District's best interests to either (a) have the District's own workforce construct the tenant improvements, in which case prevailing wages would not be required; (b) have the tenant perform the work itself, or contract and pay for the improvements using its own funds (without any reimbursements or credits from the District); or (c) have the District contract for the tenant improvement project, and require Contractor to pay prevailing wages and meet the other requirements of the DIR that are summarized in this Section VII below. This determination will be decided by the Board on a case-by-case basis, and any resulting obligations concerning such will be clearly set out in a written lease agreement or other form of contract between the District and the tenant.

C. Excluded Workers and Projects.

The Prevailing Wage Laws apply to "work performed under contract" and not to work carried out by the District's own workforce. In addition, and with respect to the above example involving tenant improvements, if tenant improvements are being performed by a tenant directly or on behalf of a tenant and **no** District funds, reimbursements, or credits are provided in exchange for the tenant improvements, the prevailing wage requirements applicable to a Public Work project will **not** be triggered and laborers do not need to be paid prevailing wage for that project.

D. Prevailing Wage Information and Requirements.

(1) **Prevailing Wage Rates**. The applicable California prevailing wage rate(s) can be found at www.dir.ca.gov and are on file with the District's principal office. Contractor is required to have a copy of the applicable wage determination posted and/or available at each jobsite. Overtime must be paid for work in excess of 8 hours per day or 40 hours per week pursuant to Labor Code Sections 1811-1813. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location of the project and the amount of travel incurred by workers on the Public Work project, certain travel and subsistence payments may also be required. Contractors and subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements

can be found at www.dir.ca.gov, including Industrial Welfare Commission Order No. 16-2001.

(2) **Registration and Labor Compliance**. Pursuant to Labor Code Sections 1725.5 and 1771.1, all Contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract with the District to perform a Public Work project must be registered with the Department of Industrial Relations ("DIR") as a "public works contractor" **at the time of bid**; *provided, however*, where a prime contract is less than (i) $15,000 for maintenance work or (ii) $25,000 for construction, alternation, demolition or repair work, registration is **not** required. No bid will be accepted, and no contract will be entered into, without proof of the Contractor's and subcontractors' current registration with the DIR to perform a public works project. The Contractor and its subcontractors, of any tier, must maintain active registration with the DIR for the duration of any contracted Public Work project. If a contract with the District is for a Public Work project, it will be Contractor's and its subcontractors' sole responsibility to comply with all applicable Prevailing Wage Laws and registration and labor compliance requirements, including the submission of certified payroll records directly to (a) the District and (b) the DIR, pursuant to the Prevailing Wage Laws and the terms of the District's contract addendum with the prevailing wage requirements, which is attached to this policy as "**Exhibit E**."

E. District Verification and Monitoring Requirements.

If a contract between the District and any Contractor is for a Public Work project that is subject to the Prevailing Wage Laws, the representative for the District identified in the contract for the project should complete the applicable sections in the District's "Contractor Notice to Proceed" form attached to this policy as **Exhibit "D"** and (i) verify that the Contractor and all subcontractors have registered with the DIR at the time of the bid award (unless one of the exemptions in Section VII-D(2) applies); (ii) verify whether a "PWC-100" form must be filed with the DIR; (iii) obtain certified payroll documents from the Contractor and any subcontractors performing work on the project within the first two (2) weeks of the project's start date; and (iv), at the conclusion of the project, record a Notice of Completion with the Ventura County Recorder's office for each Prevailing Wage project by the required deadline.

F. Interaction and Application of California's Prevailing Wage Laws for Purely Federal Projects Under the Davis-Bacon Act.

The California law restricting the reduction of the "basic hourly rate" under California's Prevailing Wage Laws is distinct from the federal prevailing wage laws under the Davis-Bacon Act. The Davis Bacon Act does not prohibit the crediting of employer payments or benefit contributions towards fulfilling the hourly wage rate listed in the contract wage determination on federally funded projects. Contractors performing work on projects which are governed by *both* the federal Davis-Bacon Act and the California prevailing wage requirements must, however, continue to comply with state requirements in order to be in compliance with California law.

When (i) contractors perform work on a Public Work project that has mixed funding (both federal and state); or (ii) federally funded projects are controlled or carried out by the District (or California awarding bodies of any sort), the application of state prevailing wage rates is required when those rates are *higher* than the federal prevailing wage laws under the Davis-Bacon Act.

VIII. BUDGETING FOR CAPITAL IMPROVEMENT PROJECTS

In developing the District's fiscal budget, District staff shall use the following guidelines in identifying, managing, administering, and budgeting for capital projects for the following fiscal year:

A. Start early in the fiscal year to clearly define a project; involve a range of staff levels; take into consideration aesthetics, marketing, and maintenance issues in developing projects.

B. Provide any reports, plans, drawings, specifications, design ideas, cost benefit studies and analysis, and other related materials that may be necessary or useful in assisting the Board in determining whether a particular capital improvement project should be approved in connection with the Board's approval of the District's proposed budget for a particular fiscal year.

C. Work diligently with any ad hoc committees of the Board for purposes of making recommendations of potential capital improvement projects.

D. After a particular project has been identified and budgeted, District staff should diligently engage in interviewing and selecting qualified design or engineering firms or consultants to assist the District in designing and preparing the plans and specifications of such project.

E. District staff shall work with the design or engineering firm or consultant in establishing project targets and milestones in order to ensure that the project is proceeding according to schedule and to plan.

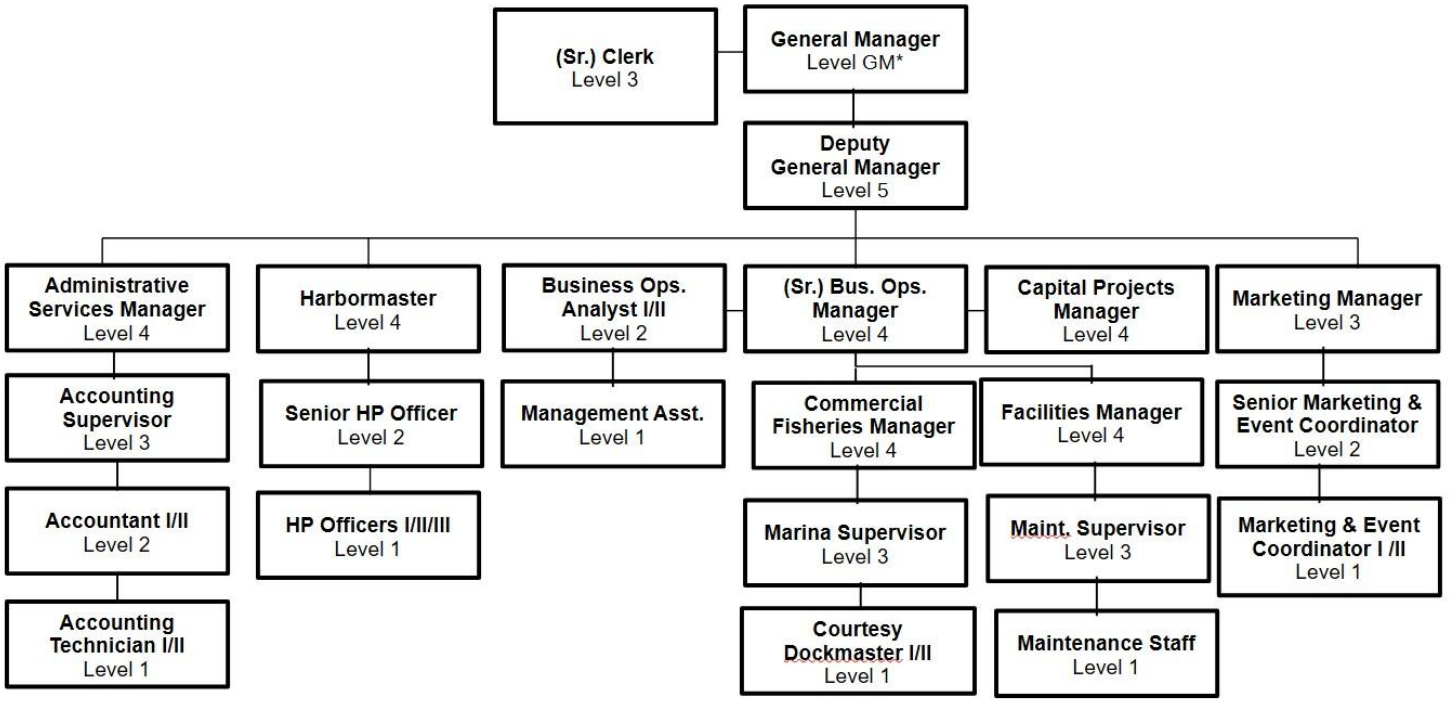
IX. EXHIBITS

The following exhibits that are attached to this policy are incorporated herein by reference:

Exhibit A	District Employee Procurement Limits Chart
Exhibit B	UPCCA Summary Sheet
Exhibit C-1	Ventura Port District Procurement Policy Decision Tree: 2 of the 3 Service Types
Exhibit C-2	Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types
Exhibit D	Contractor Notice to Proceed
Exhibit E-1	Prevailing wage requirements for larger public works projects
Exhibit E-2	Prevailing wage requirements for smaller public works projects

EXHIBIT "A"

Ventura Port District
Employee Procurement
Limits Chart
REV 11/2026



Purchasing of Supplies Used in connection with or consumed on any work or project not subject to the UPCCA:
Level 1: Purchases totaling up to $1,000
Level 2: Purchases totaling up to $2,500.00
Level 3: Purchases totaling up to $10,000.00
Level 4: Purchases totaling up to $25,000.00
Level 5: Purchases totaling up to $50,000.00
GM: Purchases totaling up to $75,000.00

Contracts for the Doing of any Public Project or Maintenance Work that is subject to the UPCCA:
Level 1: Contracts totaling up to $1,000
Level 2: Contracts totaling up to $2,500.00
Level 3: Contracts totaling up to $10,000.00
Level 4: Contracts totaling up to $25,000.00
Level 5: Contracts totaling up to $50,000.00
GM: Contracts totaling up to $75,000.00*

EXHIBIT "B"
VENTURA PORT DISTRICT
UPCCA SUMMARY SHEET

Contracts for the Doing of "Public Projects"

- "Public Project" means any of the following:
  - Construction, reconstruction, erection, alteration, renovation, improvement, demolition, installation and repair work involving any publicly owned, leased or operated facility.
  - Painting or repainting of any publicly owned, leased, or operated facility. A "facility" means any plant, building, structure, ground facility, utility system, real property, streets and highways, or other public work of improvement.

- Public Projects totaling up to $75,000.00
  - Can be performed by the District's employees by force account, negotiated contract, or purchase order.
  - No notice inviting informal bid required.

- Public Projects greater than $75,000.00 but less than or equal to $220,000.00
  - Must send out notice inviting informal bids
    - Contents of notice:
      - Describe project in general terms and how to obtain more detailed information about the project.
      - State the time and place for the submission of bids.
      - Project title and contract number (if any).
      - Cost Range.
      - Location of project site.
      - District's contact information.
      - Bid bond/performance bond/payment bond requirements.
    - Mailing of Notice:
      - Mail notice to all contractors for the category of work to be bid as shown on the qualified bidder's list developed by the District.
      - Additional contractors and/or construction trade journals may be notified at the District's discretion.
      - If no list of qualified contractors is maintained by the District for the particular category of work to be performed, the notice inviting informal bids shall be sent only to the construction trade journals specified by the California Uniform Construction Cost Accounting Commission's (the "Commission") current Cost Accounting Policies and Procedures Manual (last updated in 2021 and accessible here: https://www.sco.ca.gov/ard_cuccac.html).
      - If the product or service is proprietary in nature such that it can only be obtained from certain contractor(s), the notice inviting informal bids may be sent exclusively to such contractor(s).
      - All mailing of notices to contractors and construction trade journals inviting informal bids must be completed not less than 10 calendar days before bids are due.
    - Bids received in excess of $220,000.00

- If all bids received are greater than $220,000.00, the Board can adopt by resolution by a four-fifths (4/5) vote and award the contract at $235,000.00 or less to the lowest responsible bidder if the Board determines the cost estimate of the District was reasonable.
- Otherwise, formal bidding procedures must be used for public projects of more than $220,000.00.

- Awarding of Bid
  - The District can reject any and **all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
    - Informs the lowest responsible bidder of the District's intent to reject the bid; and
    - Is mailed at least 2 business days prior to the hearing at which the District intends to reject the bid.
  - If the District rejects all bids received after the first invitation for informal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
    - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
    - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote (4/5) of the Board declaring that the District's employees can perform the project more economically.
  - If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
  - If no bids are received, the project may be performed by employees of the District by force account.

- Public Projects greater than $220,000.00. (Referred to in the District's Procurement and Purchasing Policy as the "UPCCA's **formal** bidding process.")
  - Must send out notice inviting formal bids
    - Contents of notice:
      - Describe project in distinct terms and how to obtain more detailed information about the project.
      - State the time and place for the receiving and opening of sealed bids.
      - Project title and contract number (if any).
      - Cost Range.
      - Location of project site.
      - District's contact information.
      - Bid bond/performance bond/payment bond requirements.

- Publication of notice:
    - The notice inviting formal bids must be published in a newspaper of general circulation, printed and published in Ventura County, at least 14 calendar days before the date of the opening of the bids.
- Mailing/Emailing/Faxing of Notice:
    - The notice inviting formal bids must also be sent electronically, if available, by email or fax, and mailed to the construction trade journals specified in the Commission's current Cost Accounting Policies and Procedures Manual. (last updated in 2021 and accessible here: https://www.sco.ca.gov/ard_cuccac.html).
    - Note: The District is not required to mail a notice to any specified trade journal if that trade journal is charging for its services or is out of business. Instead, the District should find some other method of notifying potential contractors of published jobs providing information on how to be added to the District's informal bidding lists (e.g., through the District's website).

- Adoptions of Plans
    - The Board must adopt plans, specifications, and working details for all public projects exceeding $220,000.00.
- Awarding of Bid
    - The District can reject any and **all** bids presented if the District, prior to rejecting all bids and declaring that the project can be more economically performed by the District's employees, provides a written notice to an apparent low bidder that does the following:
        - Informs the lowest responsible bidder of the District's intent to reject the bid; and
        - Is mailed at least 2 business days prior to the hearing at which the District intends to reject the bid.
    - If the District rejects all bids received after the first invitation for formal bids, the District, after reevaluating its cost estimates of the project, has one of the two following options available to it:
        - The District can abandon the project or re-advertise for bids in the manner described by the UPCCA.
        - The District can have the project done by force account without further compliance with the UPCCA by passage of a resolution by a four-fifths vote (4/5) of the Board declaring that the District's employees can perform the project more economically.
    - If a contract is awarded, it must be awarded to the lowest responsible bidder. If there are two bids that are the lowest responsible bids, then the District may accept the one it chooses.
    - If no bids are received, the project may be performed by employees of the District by force account or by the informal bidding procedures detailed for public projects greater than $75,000.00 but less than or equal to $220,000.00, as summarized above.

Contracts for the Doing of "Maintenance Work"

- "Maintenance Work" means any of the following:
  - Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
  - Minor repainting.
  - Resurfacing of streets and highways at less than one inch.
  - Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
  - Work to be performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

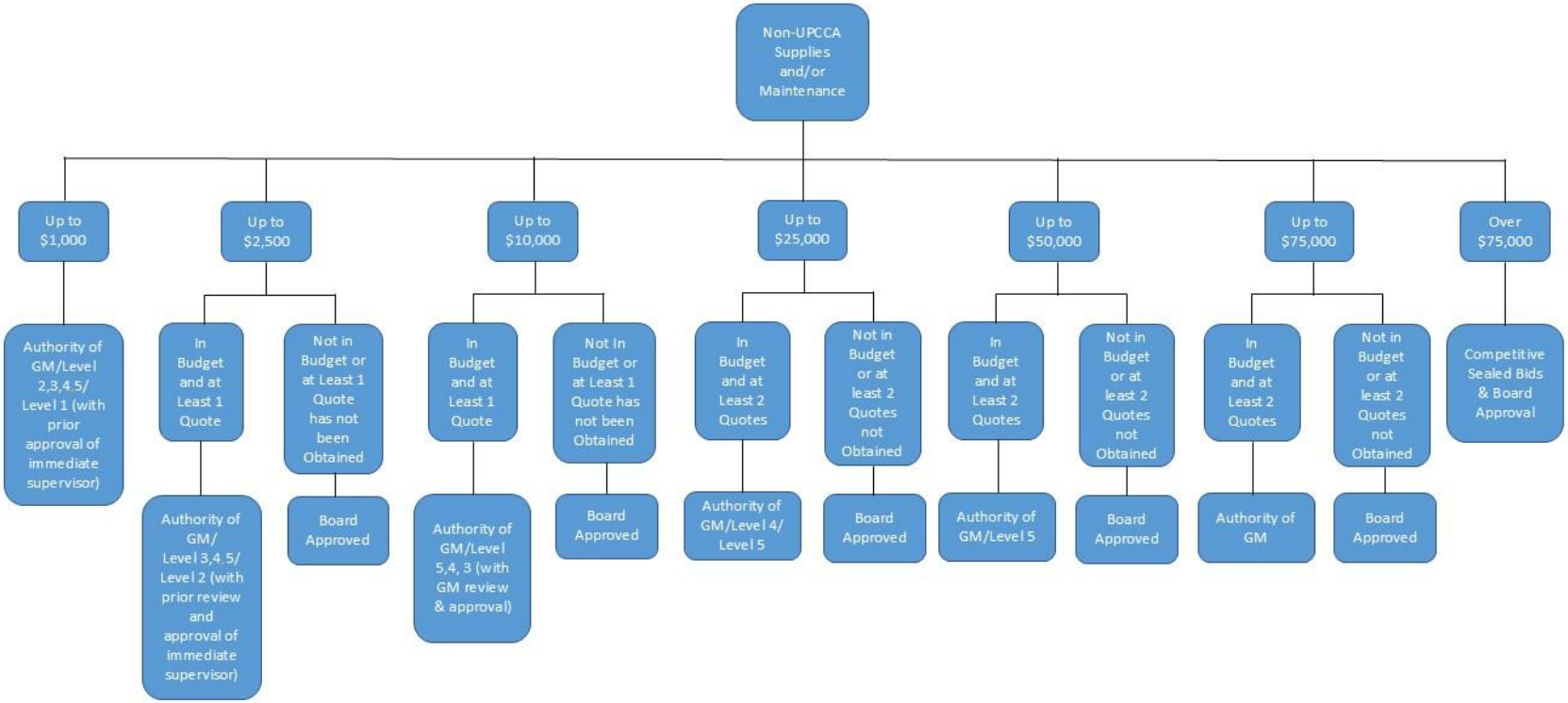
- Maintenance Work totaling up to $75,000
  - Can be performed by the District's employees by force account, negotiated contract, or purchase order.
  - No notice inviting informal bid required.

- Maintenance Work greater than $75,000 but less than or equal to $220,000
  - Same requirements as for public projects greater than $75,000 but less than or equal to $220,000 – see above.

- Maintenance Work greater than $220,000 (referred to in the District's Procurement and Purchasing Policy as the "UPCCA's **formal** bidding process")
  - Same requirements as for public projects greater than $220,000 – see above.

Exhibit "C-1"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types

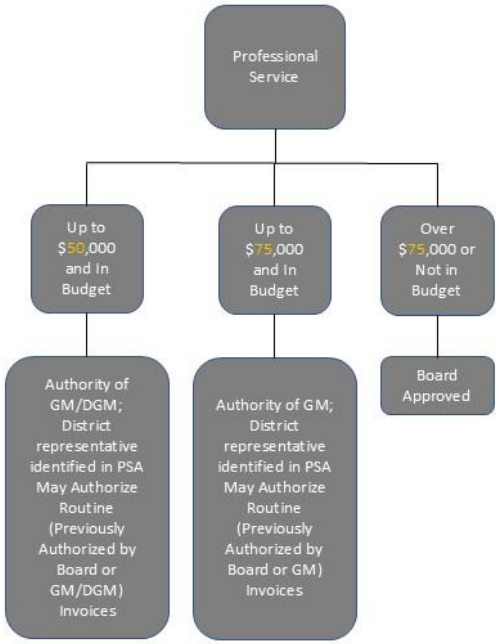


Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 1 of 3

Exhibit "C-2"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types

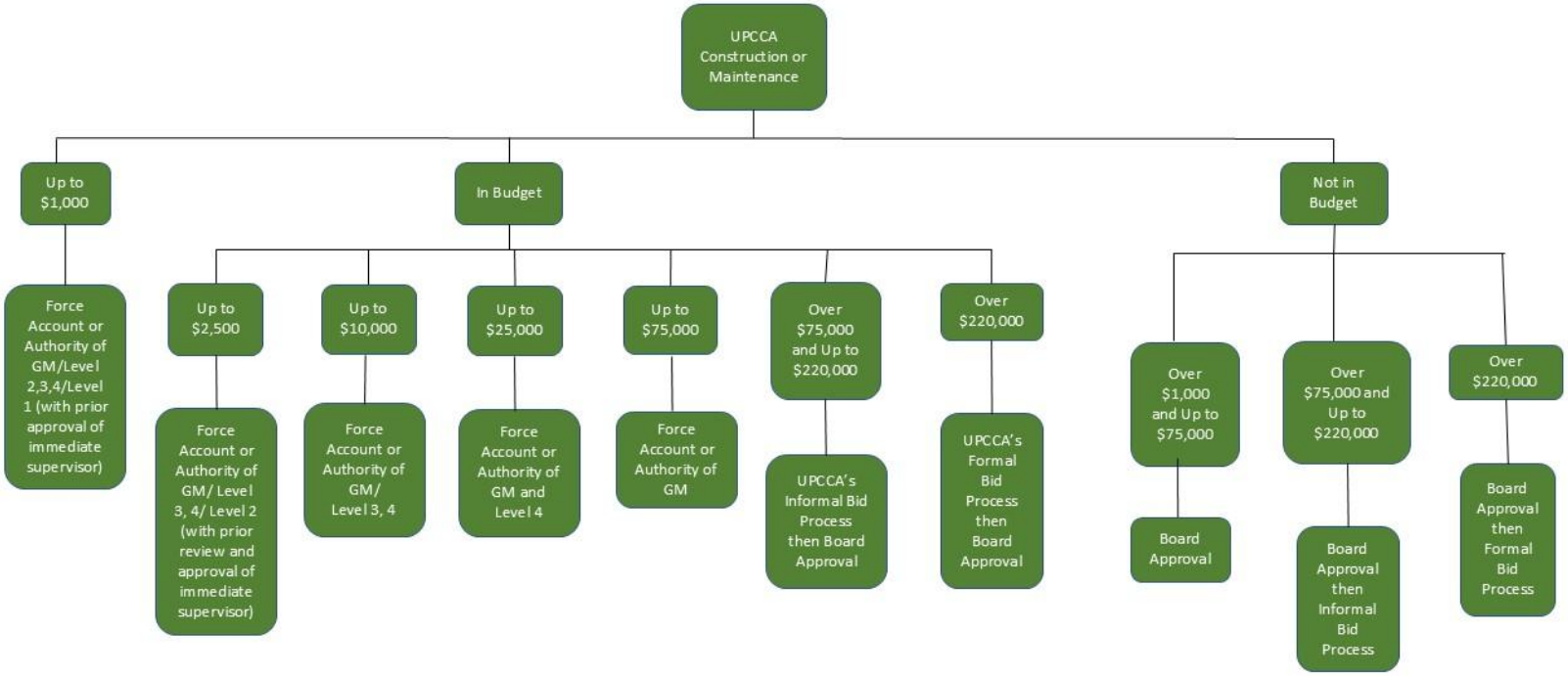


Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 2 of 3

Exhibit "C-3"

Ventura Port District Procurement Policy Decision Tree: 1 of the 3 Service Types



Ventura Port District Procurement and Purchasing Policy
UPCCA: California Uniform Public Construction Cost Accounting Act (generally construction projects).
Rev: December 18, 2024, November 18, 2026

Contract Notice to Proceed: Attachment Page 3 of 3

EXHIBIT "D"
CONTRACTOR NOTICE TO PROCEED

Project: _____ Job Code: _____

Project Manager: _____ Start Date: _____

Contract Ceiling: $_____

Budgeted Value (if applicable): $_____

Change Order Limit (10% of contract or total budget): $_____

_____ Confirmation of procurement in conformance with Procurement Policy thresholds

_____ Verification of contract signatures

_____ Receipt of Certificate of Insurance including Endorsement

Is this job subject to Prevailing Wage? _____

If yes, all of these apply:

_____ Verification of contractor and subcontractor DIR registration at time of bid award (fine of up to $100/day for us up to $10k)

_____ Verification of Contractors State License Board (CSLB) and Worker's Comp registration

_____ Verification of whether a PWC-100 must be filed:
- Maintenance projects over $15,000
- All other construction work over $25,000
- within 30 days of award of contract or by 1st day worked, whichever is sooner – unless emergency work, then 30 days or completion, whichever is earlier
- $100/day fine for us for each day late

_____ Obtain Certified Payroll within first two weeks of job start:
- Review classification of workers
- Verify training contributions
- Travel & subsistence if applicable
- Fringe Benefit Forms

_____ District must file Notice of Completion for each prevailing wage project (note this would include dredging)

Comments (e.g. Special Exception for competitive bidding; Federally funded Project; Project was completed by using the Local Business Preference Program):

_____

EXHIBIT "E-1"
PREVAILING WAGE REQUIREMENTS FOR LARGER PUBLIC WORKS PROJECTS

1. Prevailing Wages. Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[4] and its implementing regulations set forth in Title 8 of the California Code of Regulations ("*Regulations*") (collectively, "*Prevailing Wage Laws*"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "*Public Work*").[5] This includes construction, demolition, repair, alteration, maintenance,[6] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code (on occasion, "*LC §* ") section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location pursuant to LC § 1720.3.

2. Incorporation by Reference. The Prevailing Wage Laws require that certain provisions be included in all contracts for a public works. If the contract (the "*Contract*") with the Ventura Port District (the "*District*") this exhibit and agreement (this "*Agreement*") is attached to, which is incorporated herein by this reference, is for the performance of any Public Work project ("*Project*"), the contractor or consultant ("*Contractor*") and any subcontractor or subconsultant performing any work on that Project (collectively, "*Subcontractor*") must comply with all applicable requirements under the Prevailing Wage Laws, including, but not limited to, the requirements in this Agreement below.

3. Apprentices. If the prime contract or any subcontract for the Project exceeds thirty thousand dollars ($30,000), Contractor and Subcontractors shall comply with all applicable requirements of LC § 1777.5, LC § 1777.6, LC § 1777.7, and the Regulations concerning the employment and wages of apprentices. Contractor and Subcontractors are responsible for compliance with this Section 3 for all apprenticeable occupations. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on a public works project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.

4. Compliance with Prevailing Wage Requirements. Pursuant to the Prevailing Wage Laws, the Contractor and all Subcontractors shall ensure that all workers employed by them who perform work on the Project are paid not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations ("*DIR*").

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[4] *See* Labor Code sections 1720 through 1861.

[5] The definition of "public works" triggering Labor Code compliance can be found in Labor Code Sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000 of the Regulations.

4.1. Copies of such prevailing rate of per diem wages are on file at the office of the District and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at: http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. The Contractor and all Subcontractors shall post a copy of the prevailing rate of per diem wages determination at appropriate conspicuous points each job site for the Project and shall make them available to any interested party upon request. These wage rates are made a specific part of this Agreement by reference pursuant to LC § 1773.2 and will be applicable to all work performed at all Project sites.

4.2. The wage rates determined by the DIR refer to expiration dates. If the published wage rate does not refer to a predetermined wage rate to be paid after the expiration date, then the published rate of wage shall be in effect for the life of this Agreement. If the published wage rate refers to a predetermined wage rate to become effective upon expiration of the published wage rate and the predetermined wage rate is on file with the DIR, such predetermined wage rate shall become effective on the date following the expiration date and shall apply to this Agreement in the same manner as if it had been published in said publication. If the predetermined wage rate refers to one or more additional expiration dates with additional predetermined wage rates, which expiration dates occur during the life of this Agreement, each successive predetermined wage rate shall apply to this Agreement on the date following the expiration date of the previous wage rate. If the last of such predetermined wage rates expires during the life of this Agreement, such wage rate shall apply to the balance of this Agreement.

5. **DIR Registration Requirements.** No Contractor or Subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to LC § 1725.5 [with limited exceptions from this requirement for bid purposes only under LC § 1771.1(a)]. Except as otherwise provided in Section 5.4 below or LC § 1771.1(a), Contractor and Subcontractors shall ***not*** be qualified to bid on, be listed in a bid or proposal (subject to the requirements of California Public Contract Code section 4104), or engage in the performance of any contract for a public works project, unless currently registered and qualified to perform "public work" pursuant to LC § 1725.5 ***at the time of bidding*** on the contract for the project. It is not a violation of this Section 5 for an unregistered contractor to submit a bid that is authorized by California Business and Professions Code section 7029.1 or California Public Contract Code sections 10164 or 20103.5, provided the Contractor is registered to perform "public work" pursuant to LC § 1725.5 at the time the contract for the public works project is awarded.

   Notwithstanding anything to the contrary in this Agreement, no bid will be accepted by the District, and no contract will be awarded or entered into for the Project, without proof of current registration with the DIR to perform "public work" from: (i) Contractor; (ii) Subcontractors; and (iii) any professional service provider, design consultant, architect, or engineer that will be performing any surveying, material testing, or inspection services, as well as any Subcontractor performing this work (even if the professional service provider or firm is not doing the work, if they will be subcontracting any of that work to others, then the professional service provider also needs to be registered). The applicable parties in provisions (i)-(iii) of this Section 5 shall maintain active registration with the DIR for the duration of their work on the Project, and it shall be these parties' sole responsibility to comply with all applicable Prevailing Wage Laws and registration and labor compliance

requirements applicable to their work on the Project, including, but not limited to, the submission of Certified Payroll Records directly to the DIR in accordance with this Section 5, the Agreement, and the applicable Prevailing Wage Laws.

5.1. A Contractor's inadvertent error in listing a Subcontractor that is not registered with the DIR pursuant to LC § 1725.5 in response to a solicitation shall not be grounds for filing a protest or grounds for considering the bid or proposal non-responsive provided that any of the following apply: (i) the Subcontractor is registered prior to the proposal due date; (ii) within 24 hours after the proposal due date, the Subcontractor is registered and has paid the penalty registration fee specified in LC § 1725.5; or (iii) the Subcontractor is replaced by another registered Subcontractor pursuant to California Public Contract Code section 4107.

5.2. By submitting a bid or proposal to the District for the Project and signing the incorporated Contract, Contractor is certifying that Contractor has verified that all Subcontractors used on the Project are registered with the DIR in compliance with LC § 1771.1 and LC § 1725.5. Contractor shall provide proof of registration for themselves and all listed Subcontractors to the District (i) at the time of the bid or proposal due date or (ii) upon request.

5.3. The District may ask Contractor for the most current list of all Subcontractors, along with their DIR registration numbers, utilized on the Project at any time during performance of the contract for the Project, and Contractor shall provide the list within ten (10) calendar days of the District's request.

5.4. Pursuant to LC § 1725.5(f) and LC § 1771.1(n), the requirements in this Section 5 do ***not*** apply to work performed on (i) a public works project of twenty-five thousand dollars ($25,000) or less when the project is for construction, alteration, demolition, installation, or repair work, or (ii) a public works project of fifteen thousand dollars ($15,000) or less when the project is for maintenance work.

6. Payroll Record Maintenance and Submission Requirements. Contractor and Subcontractors shall maintain weekly certified payroll records showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed in connection with the Project as mandated by LC § 1776(a). The "payroll records" that must be maintained and certified weekly by Contractor and Subcontractors are defined in 8 CCR section 16000 of the Regulations to mean "[a]ll time cards, cancelled checks, cash receipts, trust fund forms, books, documents, schedules, forms, reports, receipts or other evidences which reflect job assignments, work schedules by days and hours, and the disbursement by way of cash, check, or in whatever form or manner, of funds to a person(s) by job classification and/or skill pursuant to a public works project."

6.1. Contractor and Subcontractors shall certify under penalty of perjury that (i) the payroll records enumerated under Section 6 above and specified in LC § 1776(a) are true and accurate and (ii) they have complied with the requirements of LC § 1771, LC § 1811, and LC § 1815 for any work performed by their employees on the Project (collectively, "*Certified Payroll Records*").

6.2. The term "Certified Payroll Records" shall include all required documentation to comply with the mandates set forth in the Prevailing Wage Laws, as well as any additional documentation requested by the District or its designee; including, but not limited to: (i) fringe benefit statements and backup documentation, such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable); and (ii) apprenticeship forms, such as DAS-140 and DAS-142, for itself and all applicable Subcontractors for the time period covering such payment request (collectively, "*Verification Records*").

6.3. Except as otherwise provided in Section 5.4 above, in addition to submitting (i) Certified Payroll Records on DIR form "A-131" or an equivalent document and (ii) any requested Verification Records to the ***District*** electronically on a weekly basis (eCPRs filed with the DIR are NOT an acceptable substitute for Certified Payroll Records to be submitted to the District), Contractor and all Subcontractors shall submit "electronic certified payroll records" ("*eCPRs*") directly to the Labor Commissioner using DIR's online eCPR system, on and through the DIR's website, in the format prescribed by the DIR, and no hard copy of these records will be accepted. In addition, Contractor shall require and cause all Subcontractors to prepare and submit all records required by LC § 1771.4, LC § 1776, and this Agreement to the District and the DIR in accordance with the Prevailing Wage Laws and this Agreement's terms.

6.4. If either Contractor or a Subcontractor is exempt from the DIR registration requirement under Section 5.4 above, then Contractor or each such Subcontractor is not required to furnish eCPRs directly to the Labor Commissioner but shall (i) submit Certified Payroll Records and any requested Verification Records to the District and (ii) retain the records for at least three (3) years after completion of their work on the Project, pursuant to LC § 1771.4(a)(4).

6.5. If progress payments are contemplated under the Contract or any agreement for the Project, as a condition to receiving progress payments, final payment, and payment of retention on the Project, Contractor must present to the District, along with its request for payment, all applicable and necessary Certified Payroll Records and Verified Records (for itself and all applicable Subcontractors) for the time period covering such payment request.

6.6. Contractor acknowledges that (i) the submission of eCPRs directly to the DIR pursuant to LC § 1771.4.(a)(3) is a requirement *separate and distinct* from (ii) the obligation in LC § 1776(d) "to file a certified copy of the records with the entity that requested the records enumerated in subdivision (a) [of LC § 1776] within 10 days after receipt of a written request" for such records. For the avoidance of doubt, Contractor and Subcontractors shall comply with the requirements in both LC § 1771.4(a)(3) and LC § 1776(d), and Contractor and Subcontractors that have electronically furnished eCPRs are not excused from timely furnishing to the Labor Commissioner (or any entity described under this Section 6.6 below) "a certified copy of all payroll records," consisting of Certified Payroll Records and Verification Records requested by an entity authorized to request such under LC § 1776, no later than 10 calendar days after receipt of such a written request ("*Record Request Deadline*"). Certified Payroll Records for any employee of Contractor or Subcontractors requested pursuant to LC § 1776(d) shall be made available for

inspection and copying by the District's representatives at all reasonable hours at Contractor's principal office, and Contractor and Subcontractor shall provide copies of these materials, or permit inspection of them, as follows:

a. An employee's Certified Payroll Records shall be made available for inspection or furnished to the employee or the employee's authorized representative upon written request pursuant to LC § 1776(b)(1) no later than the applicable Record Request Deadline.

b. All Certified Payroll Records enumerated in Section 6 above shall be made available for inspection or furnished upon request to a representative of the District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the DIR no later than the applicable Record Request Deadline, and all such records shall not be altered or obliterated by Contractor or its Subcontractors. Unless required to be furnished directly to the Labor Commissioner as eCPRs in accordance with LC § 1771.4(a)(3), all Certified Payroll Records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the DIR.

c. If a request for Certified Payroll Records is made by the public pursuant LC § 1776(b)(3), the public shall ***not*** be given access to Certified Payroll Records by the Contractor or its Subcontractors at their principal office. Contractor and all Subcontractors are required to forward any such requests by the public to the District representative designated in the Contract for the Project by both e-mail and regular mail on the business day following receipt of the request. Any copy of Certified Payroll Records made available for inspection as copies and/or furnished upon request to the public or any public agency by the District will be marked or obliterated in such a manner as to prevent disclosure of each individual employee's name, address, and social security number. The name and address of Contractor and Subcontractors performing the work shall not be marked or obliterated.

7. Working Hours. Contractor and Subcontractors shall comply with LC §§ 1810 through 1815, including but not limited to: (i) restricting working hours on the Project to eight (8) hours a day and forty hours a week, unless all hours worked by their employees in excess of 8 hours up to and including twelve (12) hours in any workday are compensated at not less than 1½ times the basic rate of pay; and (ii) specifying penalties to be imposed on contractors and subcontractors of $25 per worker, per day, for each day the worker works more than 8 hours per day and 40 hours per week in violation of LC §§ 1810 through 1815. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location(s) of the Project and the amount of travel incurred by workers on the Project, certain travel and subsistence payments may also be required. Contractors and Subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca. gov, including Industrial Welfare Commission Order No. 16-2001.

8. Required Provisions for Subcontracts. The Contractor shall include, at a minimum, a copy of the following provisions in any contract they enter into with a Subcontractor: Labor Code Sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.

9. Labor Code section 1861 Certification. In accordance with LC § 3700, Contractor is required to secure the payment of compensation of its employees. By signing the incorporated Contract, Contractor certifies that:

> "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Agreement."

10. Compliance Monitoring and Enforcement. This public works Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, and Contractor shall (i) comply with and (ii) cause all Subcontractors to comply with all Regulations and requirements from the DIR relating to labor compliance monitoring and enforcement. In executing the Contract, Contractor acknowledges that it has reviewed all applicable labor compliance requirements and included the cost of complying with such requirements in its bid.

11. Stop Order. Contractor acknowledges and understanding that if Contractor or its Subcontractors engage in the performance of any work on the Project without having been registered in violation of LC § 1725.5 or LC § 1771.1, the Labor Commissioner may issue and serve a stop order prohibiting the use of the unregistered Contractor or Subcontractor on the Project, until the unregistered Contractor or Subcontractor is registered. Failure to observe a stop order is a misdemeanor.

12. Indemnification. Contractor shall defend, indemnify, and hold the District, its elected officials, officers, employees, agents, and volunteers free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure of Contractor or Subcontractors to comply with the Prevailing Wage Laws or the terms of this Agreement. To the fullest extent permitted by law, Contractor hereby specifically waives and agrees not to assert, in any manner, any past, present, or future claim for indemnification under LC § 1781. The foregoing indemnity shall survive termination of this Agreement.

13. No Additional Compensation. Full compensation for conforming to the requirements in this Agreement shall be considered as included in the Contract price, and no additional compensation will be paid to Contractor or Subcontractors to abide by these requirements.

13.1. The District may require Contractor and all Subcontractors to submit certified payroll through an electronic portal. No additional compensation will be paid to the Contractor or Subcontractors if the District decides to use this collection method.

14. Penalties for Violations. The District or the DIR may impose penalties upon Contractor and Subcontractors for failure to comply with the Prevailing Wage Laws applicable to the Project.

14.1. Wage Violations. These penalties are up to (i) $200 per day, per worker, for each wage violations identified pursuant to LC § 1775. In the event a worker of Contractor or Subcontractors performing work on the Project is paid less than the prevailing wage rate for the work or craft in which the worker is employed, Contractor and Subcontractors shall comply with LC § 1775. Any penalties authorized under LC § 1775 shall be in addition to any other applicable penalties allowed under the Prevailing Wage Laws, the Contract, or this Agreement.

14.2. Overtime Violations. These penalties are up to $25 per worker, per day, for each day the worker works more than 8 hours per day and 40 hours per week. Penalties may also be imposed for failing to pay premium pay that may be required when Contractor's or Subcontractors' workers perform work on weekends, holidays, and during shift work.

14.3. Apprenticeship Violations. Contractors and all Subcontractors that fail to comply with the specific apprenticeship requirements on the Project may be fined $100 to $300 for each calendar day of non-compliance pursuant to LC § 1777.7.

14.4. Failure to Submit eCPRs to DIR. Any Contractor or Subcontractor that fails to submit eCPRs directly to the Labor Commissioner as required is subject to a monetary penalty by the Labor Commissioner under LC § 1771.4(a)(3)(B) of $100 for each day of non-compliance, up to a total of $5,000 per publics work project. These penalties only accrue against the actual contractor or subcontractor that failed to furnish eCPRs and are enforced through the process discussed in LC § 1741.

14.5. Failure to Respond to Request for Certified Payroll Records. In addition to any penalties that may be imposed by the Labor Commissioner under Section 14.4 above, in the event Contractor or any Subcontractor fails to furnish the requested Certified Payroll Records to any party authorized to request such under Section 6.6 above [and as specified in LC § 1776(d)] by the appliable Record Request Deadline, he, she, or it shall, as a penalty to the District, forfeit one hundred dollars ($100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from any progress payments then due. Contractor is not subject to a penalty assessment pursuant to this subsection due to the failure of a Subcontractor to comply with a written notice requesting Certified Payroll Records pursuant to LC § 1776(d).

14.6. Withholding of Payments. Failure to submit Certified Payroll Records to the Labor Commissioner when mandated by this Agreement or the Project's parameters will also result in the withholding of progress, retention, and final payment. The District shall withhold any portion of a payment, including the entire payment amount, until the: (i) Certified Payroll Records; and (ii) any Verification Records requested under this Agreement are properly submitted, reviewed, and found to be in full compliance with the law. If the records in this subsection do not comply with the requirements of LC § 1720 et seq., the District may continue to hold sufficient funds to cover estimated wages and penalties under the Contract.

EXHIBIT "E-2"
PREVAILING WAGE REQUIREMENTS FOR SMALLER PUBLIC WORKS PROJECTS

1. Prevailing Wages. Any project that constitutes a "public works" under California Labor Code section 1720 et seq., is subject to the requirements of Chapter 1 of Part 7 of Division 2 of the Labor Code[7] and its implementing regulations set forth in Title 8 of the California Code of Regulations ("*Regulations*") (collectively, "*Prevailing Wage Laws*"), which require the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements. Prevailing wages apply to all projects defined as a "public works" project by the State of California that cost more than $1,000 and are performed under a contract "paid for in whole or in part out of public funds," excluding work done by a public agency itself (collectively, "*Public Work*").[8] This includes construction, demolition, repair, alteration, maintenance,[9] and the installation of photovoltaic systems under a power purchase agreement when certain conditions are met under California Labor Code (on occasion, "*LC §* ") section 1720.6. This also includes (i) service and warranty work on public buildings and structures and land surveying; (ii) surveying, material testing, or inspection services provided for a Public Work construction project during the design, site assessment, feasibility study, and other preconstruction phases of construction; (iii) concrete deliveries and certain delivery of paving materials which are incorporated into the project at the time of delivery; and (iv) work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite and the hauling of refuse from a Public Work jobsite to an outside disposal location pursuant to LC § 1720.3.

2. Incorporation by Reference. The Prevailing Wage Laws require that certain provisions be included in all contracts for a public works. If the contract (the "*Contract*") with the Ventura Port District (the "*District*") this exhibit and agreement (this "*Agreement*") is attached to, which is incorporated herein by this reference, is for the performance of any Public Work project (the "*Project*"), the contractor ("*Contractor*") and any subcontractor or subconsultant performing any work on that Project (collectively, "*Subcontractor*") must comply with all applicable requirements under the Prevailing Wage Laws, including, but not limited to, the requirements in this Agreement. In addition, it is the intent of the parties to the Contract to effectuate the requirements of Labor Code sections 1771, 1774, 1775, 1776, 1777.5, 1813, and 1815 within this Agreement, and Contractor and Subcontractors shall therefore comply with those sections of the Labor Code, and the Prevailing Wage Laws, to the fullest extent required by law.

3. Apprentices. If the prime contract or any subcontract for the Project exceeds thirty thousand dollars ($30,000), Contractor and Subcontractors shall comply with all applicable requirements of LC § 1777.5, LC § 1777.6, LC § 1777.7, and the Regulations concerning the employment and wages of apprentices. Contractor and Subcontractors are responsible for compliance with this Section 3 for all apprenticeable occupations. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on a public works project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.

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[7] *See* Labor Code sections 1720 through 1861.

[8] The definition of "public works" triggering Labor Code compliance can be found in Labor Code sections 1720 and 1771. "Maintenance" is defined at 8 CCR section 16000 of the Regulations.

4. Public Works Contractor Registration. Subject to the exceptions in Section 4.1 below and LC § 1771.1(a), all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform a public works project must be registered with the DIR as a "public works contractor" ***at the time of bid***. No bid will be accepted, and no contract will be awarded or entered into with Contractor, Subcontractors, or any professional service provider or firm that will be performing any surveying, material testing, or inspection services, including any Subcontractor performing this work for the Project, without proof of current registration with the DIR to perform a public works project at the time of bid (even if the professional service provider or firm is not doing the work, if they will be subcontracting any of that work to others, then the professional service provider also needs to be registered). Contractor shall (i) maintain active registration and (ii) cause Subcontractors to maintain active registration with the DIR for the duration of their work on the Project and provide proof of such to the District no later than ten (10) calendar days of the District's request.

4.1. Exception to Contractor Registration Requirement. Pursuant to LC § 1725.5(f) and LC § 1771.1(n), the requirements in Section 4 do ***not*** apply to work performed on (i) a public works project of twenty-five thousand dollars ($25,000) or less when the project is for construction, alteration, demolition, installation, or repair work, or (ii) a public works project of fifteen thousand dollars ($15,000) or less when the project is for maintenance work.

5. Working Hours. Contractor and Subcontractors shall comply with LC §§ 1810 through 1815, including but not limited to: (i) restricting working hours on the Project to eight (8) hours a day and forty (40) hours a week, unless all hours worked by their employees in excess of 8 hours up to and including twelve (12) hours in any workday are compensated at not less than 1½ times the basic rate of pay; and (ii) specifying penalties to be imposed on contractors and subcontractors of $25 per worker per day for each day the worker works more than 8 hours per day and 40 hours per week in violation of LC §§ 1810 through 1815. Special prevailing wage rates generally apply to work performed on weekends, holidays, and for certain shift work. Depending on the location(s) of the Project and the amount of travel incurred by workers on the Project, certain travel and subsistence payments may also be required. Contractors and Subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca.gov, including Industrial Welfare Commission Order No. 16-2001.

6. Payroll Records. Pursuant to LC § 1776, Contractor and Subcontractors shall maintain weekly certified payroll records (as defined in 8 CCR section 16000) showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed in connection with the work on the Project. Contractor shall (i) certify under penalty of perjury that records maintained and submitted by Contractor are true and accurate; and (ii) cause Subcontractors to certify weekly payroll records under penalty of perjury and submit all materials required under this Section 6 to each applicable party. In addition to submitting the certified payroll records to the District on a weekly basis on DIR form "A-131" or an equivalent document (eCPRs are NOT an acceptable substitute for certified payroll records to be submitted to the District), pursuant to LC § 1771.4, Contractor and Subcontractors shall furnish certified payroll records directly to the Department of Industrial Relations ("*DIR*") on a weekly basis as "electronic certified payroll records" ("*eCPRs*"), in the format prescribed by the DIR, using DIR's online eCPR system, on and through the DIR's website, and no hard copy of these records will be accepted. If either Contractor or a Subcontractor is exempt from the DIR registration requirement under Section 4.1 above, then Contractor or each such Subcontractor is not required

to furnish eCPRs directly to the Labor Commissioner but shall (i) submit Certified Payroll Records and any requested Verification Records to the District and (ii) retain the records for at least three (3) years after completion of their work on the Project, pursuant to LC § 1771.4(a)(4).

7. In the event of noncompliance with the requirements of this Section 6, Contractor and Subcontractors shall have ten (10) calendar days after receiving written notice ("*Record Request Deadline*") from a party authorized under LC § 1776 to request such certified payroll records and all supporting documentation needed to comply with this Section 6.

8. Labor Code section 1861 Certification. In accordance with LC § 3700, Contractor is required to secure the payment of compensation of its employees. By signing the incorporated Contract, Contractor certifies that:

> "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Agreement."

9. Labor Compliance. Copies of such prevailing rate of per diem wages are on file at the office of the District and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at: http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. The Contractor and all Subcontractors shall post a copy of the prevailing rate of per diem wages determination at appropriate conspicuous points at each job site for the Project and shall make them available to any interested party upon request. These wage rates are made a specific part of this Agreement by reference pursuant to LC § 1773.2 and will be applicable to all work performed at all Project sites.

10. Compliance Monitoring and Enforcement. This public works Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, and Contractor shall (i) comply with and (ii) cause all Subcontractors to comply with all Regulations and requirements from the DIR relating to labor compliance monitoring and enforcement. In executing the Contract, Contractor acknowledges that it has reviewed all applicable labor compliance requirements and included the cost of complying with such requirements in its bid.

11. Required Provisions for Subcontracts. The Contractor shall include, at a minimum, a copy of the following provisions in any contract they enter into with a Subcontractor: Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.

12. Indemnification. Contractor shall defend, indemnify, and hold the District, its elected officials, officers, employees, agents, and volunteers free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure of Contractor or Subcontractors to comply with the Prevailing Wage Laws or the terms of this Agreement. To the fullest extent permitted by law, Contractor hereby specifically waives and agrees not to assert, in any manner, any past, present, or future claim for indemnification under LC § 1781. The foregoing indemnity shall survive termination of this Agreement.

13. No Additional Compensation. The District may require Contractor and all Subcontractors to submit certified payroll through an electronic portal. Full compensation for conforming to the requirements in this Section 12 and Agreement shall be considered as included in the Contract price, and no additional compensation will be paid to Contractor or Subcontractors to abide by these requirements.

14. Penalties for Violations. The District or the DIR may impose penalties upon Contractor and Subcontractors for failure to comply with the Prevailing Wage Laws applicable to the Project. These penalties are up to (i) $200 per day, per worker, for each wage violations identified pursuant to LC § 1775; (ii) $100 per day, per worker, for failure to provide the required certified payroll records and documentation requested pursuant to LC § 1776 by the Records Request Deadline in Section 6 above; (iii) $25 per day, per worker, for any overtime violation pursuant to LC § 1813 (penalties may also be imposed for failing to pay premium pay that may be required when Contractor's or Subcontractors' workers perform work on weekends, holidays, and during shift work); and (iv) $100 to $300 for each calendar day of non-compliance with the specific apprenticeship requirements pursuant to LC § 1777.7. In the event a worker of Contractor or Subcontractors performing work on the Project is paid less than the prevailing wage rate for the work or craft in which the worker is employed, Contractor and Subcontractors shall comply with LC § 1775. Any penalties authorized under LC § 1775 shall be in addition to any other applicable penalties allowed under the Prevailing Wage Laws, the Contract, or this Agreement.



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

STANDARD AGENDA ITEM 2
ADOPTION OF RESOLUTION NO. 3566 APPROVING THE FINANCIAL STATEMENTS FOR JULY THROUGH SEPTEMBER 2026

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 2**
BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Sarah Clancy, Administrative Services Manager
SUBJECT: Adoption of Resolution No. 3566 Approving the Financial Statements for July through September 2026

RECOMMENDATION:
That the Board of Port Commissioners adopts Resolution No. 3566 accepting the financial statements for the Quarter ending September 2026.

SUMMARY:
Attached for the Board's review are the financial statements for the quarter ending September 30, 2026.

GUIDING PRINCIPLES:
3) Grow financial sustainability through a reliable, recurring revenue stream supplemented with grants and public-private partnership investment while maintaining responsible budgeting practices.
6) Provide exceptional public service and organizational transparency.

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

BACKGROUND:
The financial statements for the quarter ending September 30, 2026, shown as Attachment 2, consist of a Comparative Income Statement, Supplementary Notes, a Balance Sheet, a Cashflow Statement, a Distribution of Cash, a Comparison of Lease Rents and a Three-Year Comparative Statement of Revenue and Expenses.

Operational Disbursements
The details reflecting purchases made using the District's Wells Fargo Commercial credit cards for July through September 2026 are included as Attachment 3.

The Quarterly Treasurer's Report for the period ending September 30, 2026, has been included as Attachment 4.

Payroll Disbursements
The District has 26 bi-weekly pay periods per year; ten months of the year will have two regular payroll periods and two months will have three regular pay periods. For this quarter, July, August, and September all contained two regular pay periods for each month.

FISCAL IMPACT:
The Statement of Income and Expenses reflect a positive ‘Change in Net Position’ of $926,549 for the period ended September 30, 2026. This change is a result of normal operations.

ATTACHMENTS:
Attachment 1 – Resolution No. 3566
Attachment 2 – Statement of Income and Expenses – Quarter Ended September 30, 2026
Attachment 3 – Wells Fargo Bank Credit Card Charges – July - September 2026
Attachment 4 – Quarterly Treasurers Report – September 30, 2026

VENTURA
PORT DISTRICT
Established 1952

RESOLUTION NO. 3566

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT CONSENTING TO THE ACCEPTANCE OF THE FINANCIAL STATEMENT AND APPROVAL OF CHECKS

BE IT RESOLVED by the Board of Port Commissioners of the Ventura Port District, that:

A. Accept the Financial Statements for the Quarter ended September 30, 2026.

B. The following Checks are hereby reviewed:

1) Payroll checks and direct deposits in the amounts of $291,405 for July 2026 salaries, $250,364 for August 2026 salaries, and $253,034 for September 2026 salaries.
2) Regular Checks #61680-61876 in the amounts of $1,157,234 for July 2026 expenditures, $165,886 for August 2026 expenditures, and $878,179 for September 2026 expenditures.
3) ACH payments in the amounts of $3,547,012 for July 2026, $693,859 for August 2026 and $362,723 for September 2026.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District, this 18th day of November 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Michael Blumenberg, Chair

ATTEST:

_____
Anthony Rainey, Secretary

ATTACHMENT 2

Comparative Income Statement

Consolidated All Departments
Period = Jul 2026 - Sep 2026
Fiscal Year = Jul 2026 - Jun 2027

	Quarter Actual	Quarter Budget	Variance	% Var	FYTD Actual	F YTD Budget	Variance	% Var	FY26-27 Budget
OPERATING INCOME									
Parcel Lease Income	**$ 1,563,340**	**$ 1,498,284**	**$ 65,056**	**4.34%**	**$ 1,563,340**	**$ 1,498,284**	**$ 65,056**	**4.34%**	**$ 5,993,142**
HARBOR VILLAGE INCOME									
Retail Income	157,555	128,468	29,087	22.64%	157,555	128,468	29,087	22.64%	513,878
Restaurant Income	453,612	390,191	63,421	16.25%	453,612	390,191	63,421	16.25%	1,560,772
Office Rent	236,695	247,050	(10,355)	-4.19%	236,695	247,050	(10,355)	-4.19%	988,203
Charter Boat Income	207,502	171,250	36,252	21.17%	207,502	171,250	36,252	21.17%	685,000
License Agreements	2,250	3,750	(1,500)	-40.00%	2,250	3,750	(1,500)	-40.00%	15,000
Harbor Village Income	**$ 1,057,614**	**$ 940,709**	**$ 116,905**	**12.43%**	**$ 1,057,614**	**$ 940,709**	**$ 116,905**	**12.43%**	**$ 3,762,853**
Appreciation & Lease Approval Income	**$ -**	**$ 290,000**	**$ (290,000)**	**-100.00%**	**$ -**	**$ 290,000**	**$ (290,000)**	**-100.00%**	**$ 540,000**
MARINA INCOME									
Slip Income	281,861	281,250	611	0.22%	281,861	281,250	611	0.22%	1,125,000
Dock Electrical Income	11,117	11,250	(133)	-1.18%	11,117	11,250	(133)	-1.18%	45,000
Commercial Fishing & Offloading Income	44,609	47,750	(3,141)	-6.58%	44,609	47,750	(3,141)	-6.58%	255,000
Dry Storage Income	37,545	33,750	3,795	11.24%	37,545	33,750	3,795	11.24%	135,000
Boat Washdown Income	9,781	2,500	7,281	291.26%	9,781	2,500	7,281	291.26%	10,000
Commercial IDs Income	7,098	10,000	(2,902)	-29.02%	7,098	10,000	(2,902)	-29.02%	10,000
Fishermans Gear Storage	24,951	25,054	(103)	-0.41%	24,951	25,054	(103)	-0.41%	100,219
Marina Income	**$ 416,963**	**$ 411,554**	**$ 5,409**	**1.31%**	**$ 416,963**	**$ 411,554**	**$ 5,409**	**1.31%**	**$ 1,680,219**
Sales of Services & Supplies	**$ 6,168**	**$ 2,496**	**$ 3,672**	**147.13%**	**$ 6,168**	**$ 1,248**	**$ 4,920**	**394.26%**	**$ 10,000**
PARKING FEES									
Parking Fees Revenue	200,269	200,524	(255)	-0.13%	200,269	200,524	(255)	-0.13%	802,100
Parking Citation Revenue	3,739	4,312	(573)	-13.30%	3,739	4,312	(573)	-13.30%	17,250
Parking Income	**$ 204,008**	**$ 204,836**	**$ (828)**	**-0.40%**	**$ 204,008**	**$ 204,836**	**$ (828)**	**-0.40%**	**$ 819,350**
CAM Income	**$ 115,272**	**$ 113,661**	**$ 1,611**	**1.42%**	**$ 115,272**	**$ 113,661**	**$ 1,611**	**1.42%**	**$ 454,645**
MARKETING MERCHANTS PROMO INCOME									
Merchants Promo Fund	36,376	34,989	1,387	3.96%	36,376	34,989	1,387	3.96%	139,966
Harbor Event Fees	7,651	10,500	(2,849)	-27.13%	7,651	34,989	(27,338)	-78.13%	42,000
Mktg Vendor and Booth Income	4,155	2,500	1,655	66.19%	4,155	10,500	(6,345)	-60.43%	10,000
Sponsorships	997	-	997	N/A	997	2,499	(1,502)	-60.11%	20,000
Marketing Income	**$ 49,179**	**$ 47,989**	**$ 1,190**	**2.48%**	**$ 49,179**	**$ 82,977**	**$ (33,798)**	**-40.73%**	**$ 211,966**
TOTAL OPERATING REVENUES	**$ 3,412,543**	**$ 3,509,529**	**$ (96,986)**	**-2.76%**	**$ 3,412,543**	**$ 3,543,269**	**$ (130,726)**	**-3.69%**	**$ 13,472,175**
OPERATING EXPENSES									
PERSONNEL EXPENSES									
SALARIES AND WAGES									
Regular Salaries	930,314	981,580	(51,266)	-5.22%	930,314	978,947	(48,633)	-4.97%	4,253,494
Part Time Help	14,917	25,383	(10,466)	-41.23%	14,917	25,383	(10,466)	-41.23%	110,000
Seasonal Lifeguards	-	-	-	N/A	-	-	-	N/A	55,000
Overtime Pay	24,922	26,250	(1,328)	-5.06%	24,922	26,250	(1,328)	-5.06%	113,750
Holiday Bonus Time	1,071	14,076	(13,005)	-92.39%	1,071	14,076	(13,005)	-92.39%	61,000
Salaries & Wages	**$ 971,224**	**$ 1,047,289**	**$ (76,065)**	**-7.26%**	**$ 971,224**	**$ 1,044,656**	**$ (73,432)**	**-7.03%**	**$ 4,593,244**

ATTACHMENT 2

Comparative Income Statement

Consolidated All Departments
Period = Jul 2026 - Sep 2026
Fiscal Year = Jul 2026 - Jun 2027

	Quarter Actual	Quarter Budget	Variance	% Var	FYTD Actual	F YTD Budget	Variance	% Var	FY26-27 Budget
OTHER PERSONNEL EXPENSES									
Retirement Contributions	82,568	226,656	(144,088)	-63.57%	82,568	226,656	(144,088)	-63.57%	982,180
Payroll Taxes	16,688	17,046	(358)	-2.10%	16,688	17,046	(358)	-2.10%	73,874
Workers Compenstaion	55,716	55,716	-	0.00%	55,716	55,716	-	0.00%	222,865
Medical Benefit & VPD Pd Insurances	85,138	90,395	(5,257)	-5.82%	85,138	90,395	(5,257)	-5.82%	390,050
Employee Benefit Plan	119,493	124,059	(4,566)	-3.68%	119,493	124,059	(4,566)	-3.68%	537,600
Uniform Expense/Allowance & Tool Allowance	8,463	13,000	(4,537)	-34.90%	8,463	13,000	(4,537)	-34.90%	52,000
TOTAL OTHER PERSONNEL EXPENSES	**$ 368,066**	**$ 526,872**	**$ 73,432**	**703.00%**	**$ 368,066**	**$ 526,872**	**$ 73,432**	**703.00%**	**$ 2,258,569**
TOTAL PERSONNEL EXPENSES	**$ 1,339,290**	**$ 1,574,161**	**$ (234,871)**	**-14.92%**	**$ 1,339,290**	**$ 1,571,528**	**$ (232,238)**	**-14.78%**	**$ 6,851,813**
GENERAL EXPENSES									
General Advertising and Promo	4,189	4,500	(311)	-6.90%	4,189	4,500	(311)	-6.90%	18,000
Auto And Boat Maintenance	51,019	62,125	(11,106)	-17.88%	51,019	62,125	(11,106)	-17.88%	248,500
Building Maintenance	34,002	42,750	(8,748)	-20.46%	34,002	42,750	(8,748)	-20.46%	171,000
Communications And Wifi Services	15,050	14,375	675	4.70%	15,050	14,375	675	4.70%	57,500
Conferences Meetings Training	26,387	35,157	(8,770)	-24.94%	26,387	35,157	(8,770)	-24.94%	141,000
Dock Maintenance And Repairs	113,333	28,750	84,583	294.20%	113,333	28,750	84,583	294.20%	115,000
General Insurance	172,513	172,513	-	0.00%	172,513	172,513	-	0.00%	690,055
Grounds Maintenance	54,781	90,625	(35,844)	-39.55%	54,781	90,625	(35,844)	-39.55%	362,500
Sand Management	28,453	10,000	18,453	184.53%	28,453	10,000	18,453	184.53%	40,000
Maintenance Contingency	28,279	31,250	(2,971)	-9.51%	28,279	31,250	(2,971)	-9.51%	125,000
Janitorial Supplies	20,029	20,625	(596)	-2.89%	20,029	20,625	(596)	-2.89%	82,500
Land And Building Rental Exp	24,951	24,325	626	2.57%	24,951	24,325	626	2.57%	97,300
Marketing Expenditures	106,933	94,472	12,461	13.19%	106,933	94,472	12,461	13.19%	513,300
Memberships	17,918	8,625	9,293	107.74%	17,918	8,625	9,293	107.74%	34,500
Subscriptions Cloud Software	41,409	46,607	(5,198)	-11.15%	41,409	46,607	(5,198)	-11.15%	186,430
Office Supplies And Equipment	12,126	16,750	(4,624)	-27.61%	12,126	16,750	(4,624)	-27.61%	67,000
Operating Supplies	17,498	19,375	(1,877)	-9.69%	17,498	19,375	(1,877)	-9.69%	77,500
Other Equipment Rental Repairs	11,168	22,459	(11,291)	-50.27%	11,168	22,459	(11,291)	-50.27%	89,838
Other Expenses	23,920	30,297	(6,377)	-21.05%	23,920	30,297	(6,377)	-21.05%	131,188
Prof Services Legal	98,432	75,000	23,432	31.24%	98,432	75,000	23,432	31.24%	260,000
Professional Outside Services	352,601	490,509	(137,908)	-28.12%	352,601	488,009	(135,408)	-27.75%	1,680,037
Utilities	151,861	143,374	8,487	5.92%	151,861	143,374	8,487	5.92%	573,500
Dredging Related Expenses	(6,091)	59,625	(65,716)	-110.22%	(6,091)	55,125	(61,216)	-111.05%	238,500
TOTAL GENERAL EXPENSES	**$ 1,400,763**	**$ 1,544,088**	**$ (143,325)**	**-9.28%**	**$ 1,400,763**	**$ 1,537,088**	**$ (136,325)**	**-8.87%**	**$ 6,000,148**
TOTAL OPERATING EXPENSES	**$ 2,740,053**	**$ 3,118,249**	**$ (378,196)**	**-12.13%**	**$ 2,740,053**	**$ 3,108,616**	**$ (368,563)**	**-11.86%**	**$ 12,851,961**
NET OPERATING INCOME	**$ 672,490**	**$ 391,280**	**$ 281,210**	**71.87%**	**$ 672,490**	**$ 434,653**	**$ 237,837**	**54.72%**	**$ 620,214**
NONOPERATING REVENUES									
INTEREST INCOME	211,897	176,748	35,149	19.89%	211,897	176,748	35,149	19.89%	707,000
TAXES AND ASSESSMENTS	58,835	-	58,835	N/A	58,835	-	58,835	N/A	1,887,000
INTERGOVERNMENTAL REVENUE	-	10,000	(10,000)	-100.00%	-	10,000	(10,000)	-100.00%	40,000
OTHER INCOME	-	-	-	N/A	-	-	-	N/A	-
NONOPERATING REVENUES	**$ 270,732**	**$ 186,748**	**$ 83,984**	**44.97%**	**$ 270,732**	**$ 186,748**	**$ 83,984**	**44.97%**	**$ 2,634,000**
NONOPERATING EXPENSES									
INTEREST EXPENSE	16,673	27,845	(11,173)	-40.12%	16,673	27,845	(11,173)	-40.12%	278,969
TOTAL NONOPERATING EXPENSES	**$ 16,673**	**$ 27,845**	**$ (11,173)**	**-40.12%**	**$ 16,673**	**$ 27,845**	**$ (11,173)**	**-40.12%**	**$ 278,969**
NET NONOPERATING INCOME	**$ 254,059**	**$ 158,903**	**$ 95,156**	**59.88%**	**$ 254,059**	**$ 158,903**	**$ 95,156**	**59.88%**	**$ 2,355,031**
TOTAL CHANGE IN NET POSITION	**$ 926,549**	**$ 550,183**	**$ 376,366**	**68.41%**	**$ 926,549**	**$ 593,556**	**$ 332,993**	**56.10%**	**$ 2,975,245**

Supplementary Notes - FY 2026–2027 Budget-to-Actual Financials as of September 30, 2026

Many budget line items are not incurred evenly throughout the year. When possible, staff allocate expenditures by month based on anticipated timing or seasonal spending patterns. For expenses with uncertain timing, annual budget amounts are distributed evenly across the year, which may result in quarterly variances. This report reviews fiscal year 2026–2027 fiscal-year-to-date budget-to-actual results through the first quarter. Please keep in mind that these are draft and unaudited financial statements and final numbers may vary once the FY26-27 audit is complete.

Operating Revenues:

Overall, the District is collecting slightly less than expected. Currently Operating Revenues are 2.76%, or $96,986, under budget. Particularly noticeable variances include:

- Parcel Lease Income – (exceeds budget $65,056) Largely due to seasonal summer sales verses budget spread evenly over each of the 12 months.
- Village Lease Income – (exceeds budget $116,905) Largely due to seasonal summer sales verses budget spread evenly over each of the 12 months.
- Appreciation & Lease Approval Income – (under budget $290,000) The closing of Parcel Lease 20 Assignment occurred sooner than expected. These revenues were recorded in June 2026, or in the FY2025-2026 financials, causing FY2025-2026 to be over budget and FY2026-2027 to be under budget.

Operating Expenses:

Overall, The District is spending less than expected. Currently Operating Expenses are 12.13%, or $378,196, under budget. Particularly noticeable variances include:

- Personnel Expenses – (under budget $234,871) Largely due to timing of CalPERS retirement contribution payments
- Maintenance: Grounds, Auto, Boat – (under budget $46,950) Largely due to timing of needs and projects
- Dock Maintenance & Repairs – (over budget $84,583) Largely due to timing of needs and projects
- Professional Outside Services – (under budget $137,908) Largely due to timing of needs

Non-Operating Revenues and Expenses:

Currently The District is 58.88%, or $95,156, over budgeted non-operation Income/Loss. Particularly noticeable variances include:

- Non-Operating Revenues – (over budget $83,984)
    - Interest Income – Largely due to earning at higher interest rates than anticipated
    - Taxes & Assessments – Largely due to receiving past due payments
    - Intergovernmental Income – Largely due to timing of reimbursement requests
- Non-Operating Expenses – (under budget $11,173)
    - Interest Expense – Largely due to timing of payments

Ventura Port District
Balance Sheet
For the Period Ended September 30, 2026

CURRENT ASSETS	
Cash in Banks	15,471,697
Accounts Receivable	6,708,613
Taxes Receivable	105,104
Interest Receivable	150,351
Prepaid Expenses	942,916
Current Portion of Lease Receivable-Tenant Leases	3,345,979
Inventory of supplies	78,219
TOTAL CURRENT ASSETS	**$26,802,878**
NONCURRENT ASSETS	
Long Term Portion of Lease Receivable-Tenant Lease	40,564,311
	$40,564,311
RESTRICTED ASSETS	
Cash - Dredging	3,151,617
Cash - Operating Reserve	2,567,091
Cash - Fisheries Complex	0
TOTAL RESTRICTED ASSETS	**$5,718,708**
FIXED ASSETS	
Land	2,342,629
Harbor Improvements	54,930,740
Equipment	2,628,528
Leased Equipment being Amortized	840,216
	60,742,113
Accumulated depreciation	(25,621,234)
NET FIXED ASSETS	**$35,120,880**
TOTAL ASSETS	**$108,206,776**
DEFERRED OUTFLOWS OF RESOURCES	
Deferred amount on refunding's	72,959
Deferred amount on OPEB	128,885
Deferred amount on pension plan	1,504,038
TOTAL DEFERRED OUTFLOWS OF RESOURCES	**$1,705,882**
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	**$109,912,658**

CURRENT LIABILITIES	
Accounts Payable	1,376,960
Accrued Liabilities	-8,040
Accrued Interest Payable	129,005
Current Portion of Long Term Debt	1,261,419
Current Portion of Compensated Absences	405,653
Current Portion of Accounts Payable-Equipment Lease/SBITAs	117,183
TOTAL CURRENT LIABILITIES	**$3,282,180**
LONG TERM DEBT	
ltd - Notes Payable	5,592,141
TOTAL LONG TERM DEBT	**$5,592,141**
OTHER LIABILITIES	
Long Term Portion of Compensated Absences	86,745
Long Term Portion of Accounts Payable Equipment Lease/SBI	207,315
Net OPEB Liability	1,063,789
Net Pension Liability	4,467,999
Unearned Revenue	1,880,249
Security Deposits	317,213
TOTAL OTHER LIABILITIES	**$8,023,309**
TOTAL LIABILITIES	**$16,897,630**
EQUITY	
Contributed Capital	5,527,147
Retained Earnings-Reserved	645,536
Retained Earnings- Unreserved	42,543,043
Current Year Retained Earnings	926,549
TOTAL EQUITY	**$49,642,275**
DEFERRED INFLOW OF RESOURCES	
Deferred amount on OPEB	524,993
Deferred amount from pension plan	601,533
Deferred amount from Leases	42,246,228
TOTAL DEFERRED INFLOW OF RESOURCES	**$43,372,754**
TOTAL LIABILITIES, EQUITY, AND DEFERRED INFLOW OF RESOURCES	**$109,912,659**

Quarterly Report
(Draft Unaudited)

ATTACHMENT 2

Ventura Port District
Distribution of Cash as of September 30, 2026

	Current Balance
Cash	
Cash on Hand (undeposited)	1,475
Cash in Checking (Wells Fargo)	613,139
Merchant Fund (Wells Fargo)	5,116
Cash in County Treasury	23,407
Total Cash Available for Normal Operations	$ 643,137
Investments Unrestricted Reserves	
Local Agency Investment Fund (LAIF)	3,314,148
Total Investments Unrestricted Reserves	$ 3,314,148
Operation Reserves	
Local Agency Investment Fund (LAIF)	2,552,932
Total Operation Reserves	$ 2,552,932
Dredging Reserves	
Local Agency Investment Fund (LAIF)	3,134,234
Total Dredging Reserves	$ 3,134,234
Fisheries Complex Reserves	
Local Agency Investment Fund (LAIF)	-
Total Fisheries Complex Reserves	$ -
Capital Improvement Reserves	
CA CLASS Investment Fund	$12,184,053
Total Capital Improvement Reserves	$ 12,184,053
TOTAL CASH AND INVESTMENTS	$ 21,828,504

ATTACHMENT 3

Ventura Port District
Wells Fargo Business Credit Card Charges
July 2026

Chase Credit Card holders
Brian Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Jessica Rauch, Executive Assistant/Senior Clerk
Sarah Clancy, Administrative Services Manager
Sergio Gonzalez, Facilities Manager
Justing Fleming, Capital Projects Manager
Jennifer Talt-Lundin, Marketing Manager
Dave Werneburg, Marina Manager
John Higgins, Harbormaster

Staff Member	Trans Date	Vendor	Detailed Descriptions	Amount
Sarah Clancy	07/03/26	Hyatt Regency Chicago	S. Clancy GFOA Conference 07/01 breakfast	12.40
Sarah Clancy	07/03/26	Swissotel Chicago Hotel	S. Clancy GFOA Conference hotel	1,669.37
Sarah Clancy	07/02/26	Hyatt Regency Chicago	S. Clancy GFOA Conference 06/30 breakfast	19.02
Sarah Clancy	07/01/26	Carsons Ribs	S. Clancy GFOA Conference 06/30 dinner	30.70
Sarah Clancy	07/27/26	Claude Ai subscription	Claude Ai subscription	20.00
				1,751.49
Jessica Snipas	07/31/26	ICSC	BOA ICSC credit for overpayment	(297.50)
Jessica Snipas	07/30/26	ICSC	BOA ICSC membership	472.50
				175.00
Justin Fleming	07/24/26	Daves Signs	Construction fence signage production and installation	4,890.48
Justin Fleming	07/29/26	City of San Buenaventura	Credit card fee for plan check fee payment	11.60
Justin Fleming	07/14/26	West Coast Air Conditioning	Air Conditioning repair 1591 #201	1,838.56
Justin Fleming	07/14/26	Supplycounter.com	1603 wireless microphone	1,797.48
Justin Fleming	07/29/26	City of San Buenaventura	Parcel 5 park plan check	400.00
				8,938.12
Sergio Gonzalez	07/10/26	Allcable Inc.	Tenant improvement - cable for 1559 suite 101B	464.31
Sergio Gonzalez	07/06/26	Apple.Com/Bill	Monthly work cell backup	2.99
Sergio Gonzalez	07/07/26	Landscape Lighting World	VHV 1559 CAM planter low voltage lights	1,793.64
Sergio Gonzalez	07/23/26	City of San Buenaventura	City of Ventura annual maintenance permit fee	766.58
Sergio Gonzalez	07/23/26	City of San Buenaventura	City of Ventura maintenance permit fee - payment service charge	22.23
				3,049.75

John Higgins	07/28/26	Badgeandwallet.com	Uniform name tags - Higgins	232.70
John Higgins	07/23/26	Mauirippers.com	Uniforms - Donohue	26.00
John Higgins	07/20/26	Mauirippers.com	Uniforms - Harbor Patrol & MSO shorts	662.48
John Higgins	07/20/26	Mauirippers.com	Uniforms - red lifeguard shorts	632.48
John Higgins	07/21/26	Derecktor Ventura Inc.	Vessel repair/maintenance fireboat	360.00
John Higgins	07/09/26	Riva Racing	Rescue watercraft parts	677.90
John Higgins	07/07/26	Partzilla.Com	Rescue watercraft parts	787.42
John Higgins	07/17/26	Ventura Port District	Washdown Harbor 3 truck	3.50
John Higgins	07/10/26	Harbor Freight Tools	Trailer hitch sleeve H-1	19.38
John Higgins	07/24/26	Ventura County EMS	Graham MSO EMT recertification	100.00
John Higgins	07/15/26	Brophy Bros. Restaurant	HPO III interviews lunch	54.94
John Higgins	07/02/26	Brophy Bros. Restaurant	Staff training & lunch	127.35
John Higgins	07/20/26	USA Today Co Digital	Ventura County Star subscription	75.00
				3,759.15
Todd Mitchell	07/13/26	Southwest Airlines	CMANC Fall conference - Sacramento	262.36
Todd Mitchell	07/02/26	Hyatt Regency Newport Beach	California Special Districts Association GM Conference - hotel	816.12
				1,078.48
Brian Pendleton	07/23/26	The Loose Cannon	Lunch meeting Snipas, Garcia	67.52
Brian Pendleton	07/03/26	Brophy Bros. Restaurant	Lunch meeting with Chair Blumenberg	49.92
Brian Pendleton	07/02/26	Hyatt Regency Newport Beach	CSDA GM Summit hotel	538.08
Brian Pendleton	07/01/26	Brents Deli- Westlake	CSDA GM Summit dinner	40.72
Brian Pendleton	07/06/26	USA Today Co Digital	Ventura County Star subscription	19.99
				716.23
Jessica Rauch	07/28/26	Zoom.com 888-799-9666	Virtual Communications	121.18
Jessica Rauch	07/17/26	The Greek Mediterranean	7.15.26 Commission dinner	81.90
Jessica Rauch	07/16/26	California Special Districts Association	Commissioner Anderson's registration for CSDA Leadership Academy	825.00
Jessica Rauch	07/09/26	Hats Unlimited-Ventura	Gift card for summer luncheon raffle	20.00
Jessica Rauch	07/09/26	Boatyard Pub	Gift card for summer luncheon raffle	20.00
Jessica Rauch	07/09/26	California Special Districts Association	Reimbursement of Commissioner Howell's CSDA Leadership Academy registration	(725.00)
Jessica Rauch	07/08/26	Coastal Cone & Parlor	Gift card for summer luncheon raffle	20.00
Jessica Rauch	07/08/26	Harbor Mart	Gift card for summer luncheon raffle	20.00
Jessica Rauch	07/08/26	Brophy Bros. Restaurant	Gift card for summer luncheon raffle	20.00
Jessica Rauch	07/02/26	Margarita Villa	7.1.26 Commissioner dinner	170.78
Jessica Rauch	07/22/26	California Restaurant Association	California Restaurant Association membership fee and sponsor at restaurant networking event	1,000.00
Jessica Rauch	07/20/26	Juicer.Io / Saas.Group	Software to link twitter to VH.com	19.00
Jessica Rauch	07/27/26	Michaels Stores	Office supplies	146.52
Jessica Rauch	07/21/26	Wayfair	Front office furniture	409.42
Jessica Rauch	07/20/26	Mermaid Gallery	Art for front office	140.08
				2,288.88

Jennifer Talt-Lundin	07/27/26	Office Depot	2027 calendars and sign holders for happy hour hangout	211.54
Jennifer Talt-Lundin	07/31/26	Brophy Bros.	Gift card for happy hour hangout prize	30.00
Jennifer Talt-Lundin	07/24/26	Boatyard Pub	Gift card for happy hour hangout prize	30.00
Jennifer Talt-Lundin	07/20/26	Facebook	Paid social media ads	309.00
Jennifer Talt-Lundin	07/06/26	Facebook	Paid Social media ads	309.00
Jennifer Talt-Lundin	07/01/26	Facebook	Paid Social media ads	290.27
Jennifer Talt-Lundin	07/22/26	Mailchimp	Email Enewsletter subscription	334.00
Jennifer Talt-Lundin	07/16/26	Openai Chatgpt	Monthly Chatgpt upgrade subscription	20.00
Jennifer Talt-Lundin	07/23/26	Vistaprint	Printing event promo cards	161.50
Jennifer Talt-Lundin	07/15/26	Vistaprint	Printing event promo cards	246.72
Jennifer Talt-Lundin	07/03/26	California Travel Association	California Travel Association annual summit conference	1,799.00
Jennifer Talt-Lundin	07/24/26	Smart and Final	Visitor booth giveaway candy	42.07
Jennifer Talt-Lundin	07/17/26	Target	Bubble juice for bubble machines	45.26
Jennifer Talt-Lundin	07/20/26	County of Ventura	Movie night county health permit	570.00
Jennifer Talt-Lundin	07/20/26	County of Ventura	Movie night county health permit processing fee	15.68
				4,414.04
Dave Werneburg	07/24/26	Merrell.Com	2 pairs of work shoes for DM Samberg	355.58
Dave Werneburg	07/30/26	Udemy: Online Courses	Online Excel training for Dockmasters	22.99
Dave Werneburg	07/22/26	Ventura County Taxpayers Association	Breakfast meeting at Port of Hueneme for 3 Dockmasters	64.05
Dave Werneburg	07/24/26	West Marine	Replacement dock lines for John Start	146.76
Dave Werneburg	07/14/26	Fastsigns of Ventura	Poster board signage for fishermen's laundry and showers	486.04
Dave Werneburg	07/13/26	Askgpt.App G2al1xfe	ChatGPT extension for Marina computers	19.99
Dave Werneburg	07/13/26	Currency Conversion Fee	Test of new credit card reader for Marina and Dry Storage	0.20
				1,095.61
				27,266.75

ATTACHMENT 3

Ventura Port District
Wells Fargo Business Credit Card Charges
August 2026

Credit Card holders
Brian Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Jessica Rauch, Executive Assistant/Senior Clerk
Sarah Clancy, Administrative Services Manager
Sergio Gonzalez, Facilities Manager
Justing Fleming, Capital Projects Manager
Jennifer Talt-Lundin, Marketing Manager
Dave Werneburg, Marina Manager
John Higgins, Harbormaster

Staff Member	Trans Date	Vendor	Detailed Descriptions	Amount
Sarah Clancy	08/24/26	Portillios Hot Dogs	S. Clancy JPIA HR Academy - meal	25.94
Sarah Clancy	08/21/26	Gaylord Pacific Resort	S. Clancy JPIA HR Academy - meal	52.79
Sarah Clancy	08/20/26	Gaylord Pacific Resort	S. Clancy JPIA HR Academy - meal	54.68
Sarah Clancy	08/19/26	Carsons Ribs	S. Clancy JPIA HR Academy - meal	44.52
Sarah Clancy	08/25/26	Claude Ai	Claude AI Subscription	20.00
				197.93
Jessica Snipas	08/10/26	Certified Employment Screening	VHV tenant prospect credit pulls	70.00
				70.00
Sergio Gonzalez	08/28/26	Maaco Collision Repair	M-58 vehicle body shop damage repair	4,932.75
Sergio Gonzalez	08/06/26	Maaco Collision Repair	M-62 vehicle body shop damage repair	1,233.18
Sergio Gonzalez	08/13/26	Tractor Supply Co	VHV 1567 wall partitions	470.20
Sergio Gonzalez	08/06/26	Apple.Com/Bill	Monthly work cell back up service	2.99
Sergio Gonzalez	08/12/26	California Building Officials	Calbo electric vehicle charging training session	115.00
				6,754.12
John Higgins	08/21/26	Re-Invent Telecom Inc	Radio cables for lifeguard truck	32.04
John Higgins	08/25/26	BoatUS	Registered AIS on boat-5	25.00
				57.04
Todd Mitchell	08/14/26	Arlington Theatre Property	Parking for California restaurant association meeting (1 of 2)	9.00
Todd Mitchell	08/14/26	Arlington Theatre Property	Parking for California restaurant association meeting (2 of 2)	9.00
Todd Mitchell	08/13/26	Luke Self Pay	Parking for business meeting regarding leasing opportunities w/Santa Barbara harbor	7.00
Todd Mitchell	08/27/26	Ventura Chamber of Commerce	Chamber State of the City event	75.00
Todd Mitchell	08/21/26	Gaylord Pacific Resort	JPIA HR Academy - meal - overage ($28.39) reimbursed	73.39
Todd Mitchell	08/21/26	Malibu Seafood	JPIA HR Academy - meal	19.17
Todd Mitchell	08/20/26	Gaylord Pacific Resort	JPIA HR Academy - meal	36.00
Todd Mitchell	08/19/26	Gaylord Pacific Resort	JPIA HR Academy - meal	29.61
Todd Mitchell	08/10/26	California Special Districts Association	CSDA leadership academy registration	825.00
Todd Mitchell	08/06/26	Lax Smartparking	CMANC pre-paid parking	106.99
				1,190.16

Brian Pendleton	08/24/26	Boatyard Pub	CSDA GM Summit dinner	110.44
Brian Pendleton	08/06/26	USA Today Co Digital	Ventura County Star subscription	19.99
				130.43
Jessica Rauch	08/28/26	Zoom.Com 888-799-9666	Virtual Communications	121.18
Jessica Rauch	08/28/26	Ventura Chamber of Commerce	Chamber State of the City for Pendleton, Blumenberg and Howell	225.00
Jessica Rauch	08/27/26	California Special Districts Association	Registration and pre-workshop class for CSDA clerks conference	1,150.00
Jessica Rauch	08/20/26	Juicer.Io / Saas.Group	Software that links twitter to VH.com	19.00
Jessica Rauch	08/06/26	SRFax 866-554-0263	E-fax line	128.40
Jessica Rauch	08/12/26	Digital Check Corp	Digital check reader ink	67.37
Jessica Rauch	08/07/26	All That's Fit to Print	C. Garcia business cards	111.26
				1,822.21
Jennifer Talt-Lundin	08/31/26	Facebook	Paid social media ads	549.00
Jennifer Talt-Lundin	08/31/26	Facebook	Paid social media ads	83.71
Jennifer Talt-Lundin	08/27/26	Barefoot Boutique	Hat to use in photos to promote Sunday breakfast at VHV	25.43
Jennifer Talt-Lundin	08/21/26	Facebook	Paid social media ads	549.00
Jennifer Talt-Lundin	08/21/26	Brophy Bros.	Gift card for happy hour hangout prize	30.00
Jennifer Talt-Lundin	08/20/26	Just 4 Dreamers, Inc	Host of journalist from Pasadena Now Magazine-article on VHV	95.00
Jennifer Talt-Lundin	08/17/26	Holiday Inn Express & Suites	Public Relations visit for journalist for Pasadena Now Magazine - article on VHV	453.46
Jennifer Talt-Lundin	08/10/26	Facebook	Paid social media ads	549.00
Jennifer Talt-Lundin	08/07/26	Thimble Insurance	Insurance -hosting foodie influencer to promote happy hour	22.56
Jennifer Talt-Lundin	08/07/26	Thimble Insurance	Insurance -hosting foodie influencer to promote happy hour	17.99
Jennifer Talt-Lundin	08/06/26	Margarita Villa	Gift card for happy hour hangout prize	30.00
Jennifer Talt-Lundin	08/05/26	Rowan Boutique	Gift card for happy hour hangout prize	30.00
Jennifer Talt-Lundin	08/03/26	Facebook	Paid social media ads	295.52
Jennifer Talt-Lundin	08/24/26	Mailchimp	Monthly E-newsletter subscription	334.00
Jennifer Talt-Lundin	08/17/26	Openai Chatgpt	ChatGPT enhanced monthly subscription	20.00
Jennifer Talt-Lundin	08/04/26	Monday.Com	Annual work managing platform subscription	1,140.00
Jennifer Talt-Lundin	08/27/26	Vistaprint	Printing for Yacht Rock promotional postcards	318.91
Jennifer Talt-Lundin	08/07/26	Vistaprint	Printing for happy hour hangout and movie night promotional postcards	197.16
Jennifer Talt-Lundin	08/06/26	Sticker Mule	VHV stickers for visitor booth	335.10
Jennifer Talt-Lundin	08/31/26	Target	Bubble juice for events	53.88
Jennifer Talt-Lundin	08/28/26	Hats Unlimited	Captain hats for Visit Ventura influencer visit and Yacht Rock concert giveaways	129.21
Jennifer Talt-Lundin	08/03/26	Sticker Mule	Movie night themed button for giveaways	65.19
Jennifer Talt-Lundin	08/20/26	Sticker Mule	Movie night Seaside Shipping for giveaways	19.00
Jennifer Talt-Lundin	08/20/26	Fedex Office 0083	Movie night Save Ferris poster print	33.88
Jennifer Talt-Lundin	08/19/26	Sticker Mule	Movie night themed buttons for giveaways	52.80
Jennifer Talt-Lundin	08/07/26	Lost In Socks	Movie night Ferris Buehler Day Off socks for movie package giveaway	29.34
				5,459.14

Dave Werneburg	08/10/26	Hats Unlimited	Replacement weatherproof wide-brim hat	96.96
Dave Werneburg	08/27/26	University of Alaska Ketchikan	University of Alaska course fee for Dockmaster Weinerth	195.00
Dave Werneburg	08/27/26	University of Alaska Ketchikan	University of Alaska service fee Dockmaster Weinerth	5.85
Dave Werneburg	08/31/26	Rubber Stamp Warehouse	Date stamp replacement for Marina	61.17
Dave Werneburg	08/26/26	Office Depot #931	Date stamp for dry storage processing	25.85
Dave Werneburg	08/03/26	Office Depot #931	Computer laser cartridges	465.21
Dave Werneburg	08/03/26	Office Depot #931	Returned 4 print cartridges (incorrect size) credit	(389.80)
Dave Werneburg	08/03/26	Office Depot #931	Replace incorrect size print cartridges	317.82
				778.06
				16,459.09

ATTACHMENT 3

Ventura Port District
Wells Fargo Business Credit Card Charges
September 2026

Credit Card holders
Brian Pendleton, General Manager
Todd Mitchell, Deputy General Manager
Jessica Rauch, Executive Assistant/Senior Clerk
Sarah Clancy, Administrative Services Manager
Sergio Gonzalez, Facilities Manager
Justing Fleming, Capital Projects Manager
Jennifer Talt-Lundin, Marketing Manager
Dave Werneburg, Marina Manager
John Higgins, Harbormaster

Staff Member	Trans Date	Vendor	Detailed Descriptions	Amount
Sarah Clancy	09/23/26	Agile Occupational Medicine	Employment background checks	485.00
				485.00
Justin Fleming	09/02/26	City of San Buenaventura	Parcel 5 park plan check fee	664.44
Justin Fleming	09/02/26	City of San Buenaventura	Plan check online payment fee	19.27
Justin Fleming	09/29/26	Theater Products	Wireless speaker for 1603 Anchors Way front window lobby area	1,296.11
				2,949.82
Jessica Snipas	09/18/26	Grand Hyatt San Diego	Hotel accommodations for BOM ICSC Conference	646.96
Jessica Snipas	09/18/26	Puesto at The Headquarters	ICSC Conference BOM lunch	29.05
Jessica Snipas	09/18/26	Grand Hyatt San Diego	ICSC Conference BOM breakfast	24.87
Jessica Snipas	09/17/26	Bosa Island	ISCS Conference BOM paid 24-hr parking	20.00
Jessica Snipas	09/17/26	Progas Inc	ICSC Conference BOM gas receipt	12.16
Jessica Snipas	09/16/26	Bosa Island	ISCS Conference BOM paid 24-hr parking	20.00
Jessica Snipas	09/16/26	Barleymash	ISCS Conference BOM dinner	36.00
Jessica Snipas	09/15/26	Progas Inc	ISCS Conference BOM gas receipt	57.74
Jessica Snipas	09/11/26	PayPal	BOA attended Ventura County Civic Alliance conference	45.00
				891.78
Sergio Gonzalez	09/07/26	Apple.Com/Bill	Work cell phone back up plan	2.99
Sergio Gonzalez	09/01/26	Apple.Com/Bill	Matt Tevere work cell back up plan	2.99
Sergio Gonzalez	09/22/26	The Outdoor Plus	VHV fire pit repair - controller unit	1,625.56
				1,631.54
John Higgins	09/25/26	Uniform Warehouse	Uniform name tags	49.09
John Higgins	09/15/26	Ww.Mauirippers.Com	Lifeguard uniform short	200.00
John Higgins	09/14/26	Badgeandwallet.Com	Uniform hat medals	307.57
John Higgins	09/14/26	Uniform Warehouse	Uniform name tags staff	270.21
John Higgins	09/14/26	Redback, Usa	Uniform boots	630.03
John Higgins	09/29/26	H & H Marine Service	Boat parts HW-5	325.36
John Higgins	09/24/26	Shaft & Marine Co.	Boat-19 shaft replacement	2,374.53
John Higgins	09/22/26	Re-Invent Telecom Inc	Boat parts	17.45
John Higgins	09/18/26	Defenderind	Boat parts	76.55
John Higgins	09/09/26	Currency Conversion Fee	Fireboat-1 parts	11.78
John Higgins	09/09/26	Big Blue Ocean Marine	Fireboat 1 -replacement engine coolers	1,178.44
John Higgins	09/30/26	Lehr	Replacement radio microphone for trucks	281.61
John Higgins	09/09/26	Santa Cruz Surf Life's	CSLSA Meeting Registration	195.00
John Higgins	09/09/26	Hotelcom73540173074475	CSLSA AWARDS Hotel - Bennett, Givens, Winter	1,001.45

ATTACHMENT 3

Ventura Port District
Wells Fargo Business Credit Card Charges
September 2026

John Higgins	09/28/26	Office Depot	Laminator sheets for workshop visual aid	25.92
John Higgins	09/15/26	Med Tech Resource	Medical Gloves	819.29
				7,764.28
Todd Mitchell	09/21/26	Santa Barbara Valet	Parking at Santa Barbara City Hall for presentation to SB Waterfront Harbor Commission No receipt	8.15
Todd Mitchell	09/18/26	Embassy Suites San Luis	CSDA leadership academy - hotel	610.56
Todd Mitchell	09/15/26	Lax Smartparking	CMANC pre-paid parking - parking cancelled.	(106.99)
Todd Mitchell	09/14/26	Hyatt Regency Sacramento	CMANC conference hotel	427.86
Todd Mitchell	09/11/26	Lyft	CMANC conference - Lyft from airport to hotel	31.44
Todd Mitchell	09/02/26	CMANC Fall Meeting	CMANC conference registration	700.00
				1,671.02
Brian Pendleton	09/28/26	Brophy Bros.	Ocean Rainforest interview	17.50
Brian Pendleton	09/21/26	La Paloma Cafe	Pendleton & Mitchell dinner before Santa Barbara harbor commission meeting	78.18
Brian Pendleton	09/07/26	USA Today Co Digital	Ventura County Star subscription	19.99
				115.67
Jessica Rauch	09/02/26	Neogov	Advertising for painter position	199.00
Jessica Rauch	09/28/26	Zoom.Com 888-799-9666	Virtual communications	121.18
Jessica Rauch	09/29/26	Coffee Bean & Tea Leaf	Public workshop	65.85
Jessica Rauch	09/28/26	Brophy Bros.	Public workshop	364.59
Jessica Rauch	09/28/26	Costco	Public workshop	62.60
Jessica Rauch	09/18/26	Vons	Supplies for commissioner	14.64
Jessica Rauch	09/18/26	Embassy Suites San Luis Obispo	Commissioner Anderson hotel for CSDA leadership academy	916.13
Jessica Rauch	09/17/26	Margarita Villa	9.16.26 Commission dinner	173.47
Jessica Rauch	09/04/26	Brophy Bros.	9.2.26 Commission dinner	181.87
Jessica Rauch	09/21/26	Juicer.Io / Saas.Group	Links twitter to VH.com	19.00
Jessica Rauch	09/29/26	All That's Fit to Print	Abel Gamino business cards reorder	56.26
Jessica Rauch	09/14/26	Custom Awards And Engraving	Christian Garcia name tag	19.40
Jessica Rauch	09/04/26	Dell Small Business	New computers	1,245.25
Jessica Rauch	09/03/26	Dell Small Business	New computers	1,860.71
				5,299.95
Jennifer Talt-Lundin	09/30/26	Office Depot	Glue sticks, mouse pad, wall clock, sympathy cards for tenants, adhesive spray, office supplies	87.21
Jennifer Talt-Lundin	09/14/26	Office Depot	Marketing office supplies - hole punch, note cards for village tenants	30.55
Jennifer Talt-Lundin	09/30/26	Facebook	Paid social media ad	333.77
Jennifer Talt-Lundin	09/23/26	Facebook	Paid social media ad	600.47
Jennifer Talt-Lundin	09/21/26	Boatyard Pub	Yacht Rock giveaway gift card	50.00
Jennifer Talt-Lundin	09/18/26	Margarita Villa	Yacht Rock giveaway gift card	50.00
Jennifer Talt-Lundin	09/14/26	Brophy Bros.	Yacht Rock giveaway gift card	25.00
Jennifer Talt-Lundin	09/14/26	Brophy Bros.	Yacht Rock giveaway gift card	25.00
Jennifer Talt-Lundin	09/14/26	Facebook	Paid social media ad	868.00
Jennifer Talt-Lundin	09/28/26	Hats Unlimited	Nautical hat giveaways Yacht Rock concerts and visitor booth	77.54
Jennifer Talt-Lundin	09/22/26	Mailchimp	Monthly E-newsletter subscription	334.00
Jennifer Talt-Lundin	09/18/26	Vimeo.com	Annual subscription for video editing	300.00
Jennifer Talt-Lundin	09/16/26	Openai Chatgpt	Monthly subscription for enhanced Chatgpt	20.00
Jennifer Talt-Lundin	09/18/26	Visit California	Visit CA Outlook forum 2027 early bird registration 2 marketing staff	2,398.00
Jennifer Talt-Lundin	09/17/26	Erewhon - Los Angeles County Museum of Art	LA Outlook forum day meeting - lunch for 3 marketing staff	44.28
Jennifer Talt-Lundin	09/17/26	Petersen Automotive Museum	LA Outlook forum event parking	40.00
Jennifer Talt-Lundin	09/14/26	Eractoll 4tr6dc	Toll road charges driving to Cal Travel Summit in No California	26.90
Jennifer Talt-Lundin	09/07/26	Enterprise Rent-A-Car	Cal Travel Summit conference rental car	487.20

ATTACHMENT 3

Ventura Port District
Wells Fargo Business Credit Card Charges
September 2026

Jennifer Talt-Lundin	09/07/26	6111 Conserve Fuel	Cal Travel Summit conference gas	30.23
Jennifer Talt-Lundin	09/04/26	The Meritage Resort	Cal Travel Summit conference hotel conference rate	1,259.10
Jennifer Talt-Lundin	09/04/26	76 gas station	Cal Travel Summit conference gas	58.92
Jennifer Talt-Lundin	09/03/26	Blend Cafe	Cal Travel Summit conference lunch	10.27
Jennifer Talt-Lundin	09/01/26	Arco gas station	Cal Travel Summit gas for rental vehicle	36.91
Jennifer Talt-Lundin	09/21/26	Target.Com	Bubble juice for bubble machines for village events	53.88
Jennifer Talt-Lundin	09/21/26	Lakeshore Learning	Bubble juice for bubble machines for village events	90.45
Jennifer Talt-Lundin	09/30/26	Office Depot	Clipboards - parade judges	25.93
Jennifer Talt-Lundin	09/28/26	Vons	Golden boat crew gold balloons	21.54
Jennifer Talt-Lundin	09/28/26	Hobby Lobby	Tacky gum for Dai De Los Muertos display for Trick or Treat	16.33
Jennifer Talt-Lundin	09/28/26	Hobby Lobby	Decorations for 50th parade of lights	62.10
Jennifer Talt-Lundin	09/28/26	Hats Unlimited	Parade of lights golden boat crew hats	244.47
Jennifer Talt-Lundin	09/25/26	The Greek Mediterranean	Hosted kick off meeting golden boat crew committee for 50th parade of lights	214.64
Jennifer Talt-Lundin	09/24/26	Target	Decor for village event	6.40
Jennifer Talt-Lundin	09/14/26	Petco	HOLW - O-Ween prize for awards	68.52
				7,997.61

Dave Werneburg	09/24/26	Mile 26	Work shoes for Dockmaster Weinerth	237.00
Dave Werneburg	09/18/26	Marine Recreation Association	Marine Recreation Association - One-day conference for Dockmasters Weinerth and Samberg	300.00
Dave Werneburg	09/02/26	University of Alaska Ketchikan	University of Alaska course fee Dockmaster Samberg course - harbor administration	195.00
Dave Werneburg	09/02/26	University of Alaska Ketchikan	University of Alaska service fee Dockmaster Samberg course	5.85
Dave Werneburg	09/18/26	Office Depot	Office Depot - replace failed UPS's (power supply units)	176.69
Dave Werneburg	09/14/26	America Tow & Auto	American Tow - relocate vehicle illegally parked in art walk zone.	207.00
				1,121.54
				29,928.21

VENTURA PORT DISTRICT
DEPARTMENTAL STAFF REPORT Meeting Date: November 18, 2026

TO:	Board of Port Commissioners
CC:	Brian D. Pendleton, General Manager
FROM:	Sarah Clancy, Administrative Services Manager
SUBJECT:	Quarterly Treasurers Report – September 30, 2026

As of September 30, 2026, the District held cash and investments with a market value of $21,828,504. Funds held in investments represent those not needed for general operating activities.

Local Agency Investment Fund (LAIF) holds 41% of the September 30, 2026 total fund balance:

Enterprise Fund	3,314,148
Dredging Reserve Fund	3,134,234
Operation Reserve Fund	2,552,932
Capital Improvement – Fisheries Fund	0
Total Funds	$9,001,314

California Cooperative Liquid Assets Securities System (CA CLASS) holds 56% of the September 30, 2026 total fund balance:

Capital Improvement Fund	$12,184,053

The Investment Portfolio Report for September 30, 2026 attached herewith includes all of the District's Funds.

Submitted by: _____ Date: November 18, 2026
Sarah Clancy
Administrative Services Manager

ATTACHMENTS:
Attachment 1 – Investment Portfolio Report for September 30, 2026
Attachment 2 – LAIF Performance Report for September 30, 2026
Attachment 3 – CA CLASS Schedule of Investments September 30, 2026

ATTACHMENT 1

Ventura Port District
Investment Portfolio Report
Quarter Ending 09/30/2026

Security Type	Issuer	CUSIP Number	Maturity Date	Interest Rate	Par Value	Book Value	Percent of Portfolio	Market Value	Market Value Source
Cash Investments									
State Pool (LAIF)	LAIF-State Treasury	NA	On Demand	3.97%	9,051,237	9,051,237	41%	9,001,314	LAIF
Total Cash Investments LAIF						**$ 9,051,237**	**41%**	**$ 9,001,314**	
State Pool (CLASS)	Calfornia CLASS		On Demand	3.82%	12,251,628	12,251,628	56%	12,184,053	CLASS
Total Cash Investments CLASS						**$ 12,251,628**	**56%**	**$ 12,184,053**	
Cash Deposits									
Demand Deposits-									
Main checking	Wells Fargo		On Demand	N/A	N/A	613,139	3%	613,139	Wells Fargo
Merchant Services Account	Wells Fargo		On Demand	N/A	N/A	5,116	0.0%	5,116	Wells Fargo
Petty Cash	Ventura Port District		On Demand	N/A	N/A	1,475	0.01%	1,475	Ventura Port District
Total Cash Deposits						**$ 619,730**	**3%**	**$ 619,730**	
Cash in County Treasurer's Pooled Investment Program									
County Treasurer's Pool	Ventura County Treasury		On Demand	4.53%	23,407	23,407	0.1%	23,407	Ventura County Treasury
Total Cash in County Treasury						**$ 23,407**	**0.1%**	**$ 23,407**	
TOTAL ALL FUNDS						**$ 21,946,001**	**100%**	**$ 21,828,504**	

Notes:

I certify that this report accurately reflects all of the Districts investments, and is in conformance with the adopted District Investment Policy.
Furthermore, I certify to the best of my knowledge, sufficient investment liquidity and anticipated revenues are available to the meet the District's budgeted expenditure requirements for the next six months.

Submitted by:_____

PMIA/LAIF Performance Report as of 10/20/2026

Quarterly Performance Quarter Ended 09/30/2026

LAIF Apportionment Rate[2]:	3.97
LAIF Earnings Ratio[2]:	0.00010867429987458
LAIF Administrative Cost[1]*:	0.24
LAIF Fair Value Factor[1]:	0.99448441
PMIA Daily[1]:	3.94
PMIA Quarter to Date[1]:	3.87
PMIA Average Life[1]:	287

PMIA Average Monthly Effective Yields[1]

September	**3.908**
August	3.863
July	3.840
June	3.816
May	3.810
April	3.811

Pooled Money Investment Account Monthly Portfolio Composition [1] 09/30/2026 $171.5 billion

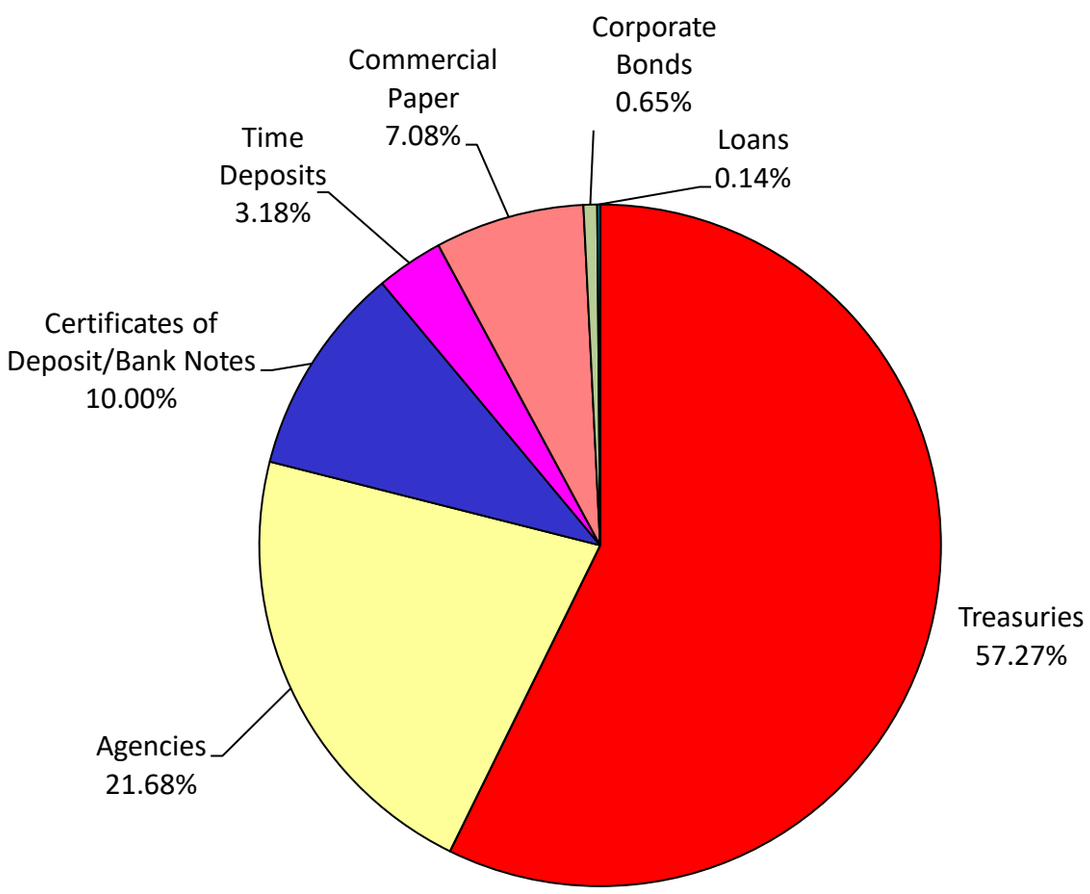


Chart does not include $622,000.00 in mortgages, which equates to 0.0004%. Percentages may not total 100% due to rounding.

Daily rates are now available here. **View PMIA Daily Rates**

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) .

**The percentage of administrative cost equals the total administrative cost divided by the quarterly interest earnings. The law provides that administrative costs are not to exceed 5% of quarterly EARNINGS of the fund. However, if the 13-week Daily Treasury Bill Rate on the last day of the fiscal year is below 1%, then administrative costs shall not exceed 8% of quarterly EARNINGS of the fund for the subsequent fiscal year.*

Source:
[1] State of California, Office of the Treasurer
[2] State of California, Office of the Controller



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

STANDARD AGENDA ITEM 3
2026-2027 EL NINO STORM PREPARATIONS

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 3**

BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
John Higgins, Harbor Patrol Chief
SUBJECT: 2026-2027 El Niño Storm Preparations

RECOMMENDATION:
That the Board of Port Commissioners receive a presentation on the District's preparations for El Niño.

SUMMARY:
The forecasted strong El Niño event is expected to develop during the late fall and early winter months, with impacts potentially beginning as ocean and atmospheric conditions strengthen and continuing through the winter and into the spring season. Historically, strong El Niño events have been associated with increased storm activity across Southern California, including periods of heavy rainfall, large surf, coastal erosion, strong winds, flooding, and increased marine debris. While these impacts are common indicators of El Niño conditions, the timing, frequency, and locations most affected remain difficult to predict.

GUIDING PRINCIPLE:
1) Maintain a safe, navigable, and resilient harbor.
6) Provide exceptional public service and organizational transparency.
7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

5-YEAR OBJECTIVE:
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.
V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:
Historically, El Niño events have had various levels of impacts to Ventura Harbor. These have ranged from direct weather-induced damage to indirect impacts such as reductions of California Market Squid landings.

The National Oceanic and Atmospheric Administration (NOAA) Climate Prediction Center first formally issued advisories warning that a rapidly strengthening, potentially historic "super" or very strong El Niño could develop and impact California as early as June, 2026. On October 8, NOAA officially issued a strong El Niño Advisory, projecting a greater than 83% chance of a strong-to-very strong event persisting through the winter (drawing significant early comparisons to historic benchmarks like 1997–98).

The National Weather Service and NOAA have been proactive in providing educational outreach, weather briefings, and El Niño outlooks, allowing local agencies additional time to prepare for potential impacts. Moving toward the anticipated peak of the event, the Ventura Port District's overall objective is to remain informed, prepared, and responsive without creating unnecessary public concern or alarm.

DISTRICT PREPARATIONS:
Recognizing the potential consequences to Ventura Harbor and the Ventura Port District, the Harbor Patrol Chief initiated advanced preparedness planning in early June after NOAA's initial advisory. As a coastal community, the Ventura Port District is particularly vulnerable to the impacts of severe winter weather, including harbor shoaling, coastal flooding, infrastructure damage, navigation hazards, and operational disruptions.

Emergency planning efforts have focused on the hazards most likely to affect Ventura Harbor during a strong El Niño event, including:

- High surf and coastal erosion
- Harbor shoaling and navigation impacts
- Flooding and stormwater runoff
- Strong winds and severe weather
- Marine and watershed debris accumulation

Preparation efforts include regular participation in weekly weather briefings and El Niño coordination meetings with regional first responder and emergency management partners. These ongoing discussions help ensure situational awareness, interagency coordination, and readiness for potential storm-related incidents.

AGENCY COORDINATION:
District staff have been coordinating efforts with other government agencies in terms of preparations and response to risk exposure.

Staff have worked with the US Army Corps of Engineers (Corps) to have a channel condition hydrographic survey completed in October. The survey notes the presence of the shoal at the south entrance to the harbor but that most of the channel remains navigable and that the sand trap remain relatively free of sediment. Staff will continue to communicate with the Corps as conditions change.

The General Manager worked with the City Manager's Office and Public Works for Ventura to address the fact that the Santa Clara River mouth was closed and water was backing up. This created a dangerous condition at Surfers Knoll Beach. After expressing concerns of potential impacts as the river continued to back up and redirect water, the City took measures to mechanically breach the river mouth. This should reduce the risk of flooding from the river into the adjacent areas where the Ventura Water treatment plant is located and ultimately protect Ventura Harbor.

Another area of concern remains flooding risk at the intersection of Harbor Blvd., Olivas Park, and Spinnaker Drive – and affecting Navigator Dr. In past years, the inability of the water that amasses from the properties east of Harbor Blvd. to drain quickly enough into the ocean via a culvert that passes under the Holiday Inn Express property has resulted in flooding and property damage. Last year, this was worsened by clogging of the culvert at the northeast corner of Harbor Blvd. and Olivas Park, a slope failure along Navigator, and ultimately water amassing and flooding into the Venture Isle Marina parking lot. Debris clogged the parking lot drains and caused a failure of the slope beside and under Ventura Isle Marina's N dock and closing access to the dock (which remains closed today).

On September 26, a new sinkhole formed at the northwest corner of the Harbor Blvd. intersection which has now been determined to be caused by further failure of the drainage system. The City has been unable to effect repairs and thus this remains a high flood risk.

EMERGENCY MANAGEMENT PREPAREDNESS:
Internally, the Ventura Port District has begun enhancing its emergency management capabilities by training administrative staff in the Incident Command System (ICS) and expanding emergency preparedness planning across multiple departments. The District's conference room is being designated as a formal Emergency Operations Center (EOC), supported by emergency supplies including tablets, radios, safety vests, communication equipment, and planning resources.

To improve operational effectiveness during significant weather events, the Harbor Patrol Chief and Port District team are developing hazard-specific quick response guides and planning documents. These tools are intended to support rapid decision-making, improve interdepartmental coordination, and enhance the District's ability to respond to emerging conditions while maintaining public safety and continuity of operations.

Through early planning, staff training, equipment preparation, and regional coordination, the Ventura Port District is actively positioning itself to effectively manage the challenges that may accompany a strong El Niño season while continuing to provide services and protect harbor users, visitors, infrastructure, and natural resources.

CONTRACTING:
In order to support the execution of emergency work, District staff are entering into on-call service contracts that will allow various departments to call out for emergency work in the event that circumstances require quick reaction to developing events. For example, the Facilities Department has contracted with an earthwork company for on-call services should sand management work be required in response to wind events.

FISCAL IMPACT:
The preparations for potential El Niño impacts have been primarily in the use of staff time – including consultation and coordination with other agencies, internal meetings and briefings, staff training, and entering into agreements with vendors. There have been no direct expenses incurred to date. In the event that there are El Niño impacts that require expenditures, costs that are within each department’s budgets can be allocated to direct resources. Where the department budgets do not have adequate resources, Staff can return to the Board for a budget adjustment and/or to request the Board declare an Emergency, which has provisions for procurements and expenditures for such events (described in the Procurement and Purchasing Policy, Section IV. C.).

ATTACHMENTS:
None.



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

STANDARD AGENDA ITEM 4
RECEIVE AND FILE THE 2026 VENTURA HARBOR TENANT SURVEY RESULTS

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 4**
BOARD COMMUNICATION Meeting Date: November 18, 2026

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Receive and File the 2026 Ventura Harbor Tenant Survey Results

RECOMMENDATION:
That the Board of Port Commissioners receive and file the results from the 2026 Ventura Harbor Survey.

SUMMARY:
The General Manager initiated a Ventura Harbor Survey for tenants of the Ventura Port District beginning in 2023 with the intent to make it an annual activity. The 2026 Ventura Harbor Survey was conducted between October 6th through 23rd. Staff provided ongoing reminders during the survey period, which proved helpful in receiving a total of 33 responses (a decrease of 12 responses over 2025) from approximately 74 tenants.

GUIDING PRINCIPLES:
6) Provide exceptional public service and organizational transparency.

FIVE-YEAR OBJECTIVES:
E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.

1) Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

3) Public and Civic Engagement Planning

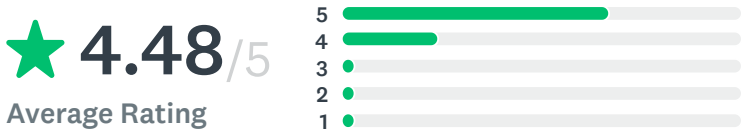
BACKGROUND:
The District's 2026 Ventura Harbor Survey was conducted through Survey Monkey and included 11 questions with the opportunity to rate the District between 1-5 stars, with 1 star the lowest and 5 stars the highest. The survey also provided the opportunity to provide written comments. The survey included a range of topics such as events, communication, harbor improvements, future projects, public safety, property management, administrative functions, leasing, and continued desire to conduct business at Ventura Harbor. Most questions were the same or similar to that of previous years, although a new question was introduced regarding the parking program.

FISCAL IMPACT:
None.

ATTACHMENTS:
Attachment 1 – 2026 Ventura Harbor Survey

Q1 33 responses

Ventura Port District continues to add resources for marketing, advertising, entertainment and both District and third-party events. Do you support these investments?

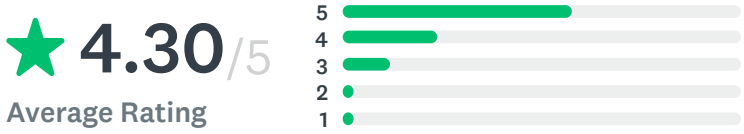


Rating	Percentage	Selections
Lowest	3.03%	1
2 / 5	3.03%	1
3 / 5	3.03%	1
4 / 5	24.24%	8
Highest	66.67%	22
Average 4.48		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	i would like to see more support/Promotion for the Saturday Fishermen's market	10/21/2026 4:40 PM
2	I do not know exactly what the port does but there appears to be a number of events that seam to attract a number of visitors.	10/21/2026 7:06 AM
3	We support them and they have improved over time	10/19/2026 11:59 AM
4	Continue the good work	10/13/2026 4:30 PM
5	social media promotions yes, and events away from lot 4!	10/13/2026 3:45 PM
6	Events always seem to benefit the same areas, as mentioned several times before. The events usually don't really benefit me, with the exception being parade of lights, mermaid day/month.	9/29/2026 7:57 PM

Q2 33 responses

Do you feel the District provides timely information about improvement projects, programs, events, and activities at Ventura Harbor?

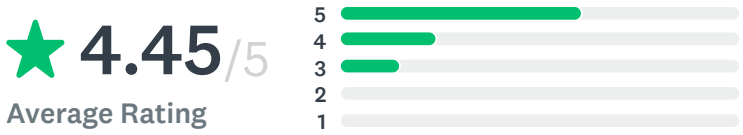


Rating	Percentage	Selections
Lowest	3.03%	1
2 / 5	3.03%	1
3 / 5	12.12%	4
4 / 5	24.24%	8
Highest	57.58%	19
Average 4.30		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	I feel ther ehave been some struggles regarding the fuel tank project however i think that lies more in the hands of the contractor not communicating with the port dist	10/21/2026 4:40 PM
2	Construction costs should not come out of our pockets, not one penny.	10/21/2026 8:52 AM
3	I receive fast responses to my questions.	10/21/2026 7:06 AM
4	Yes, timely information is provided most of the time.	10/19/2026 11:59 AM
5	Keep up the good work	10/13/2026 4:30 PM
6	I should be notified however have to look online for events to know what is happening to effect parking for customers going to the islands	10/13/2026 3:45 PM
7	Excellent communication across all the departments. Consistent status updates on construction. Marketing department is always on top of communication regarding events and marketing efforts. Maintenance always answers calls around the clock and responds on site very quickly.	10/6/2026 12:40 AM
8	I feel that I have no idea what is going on sometimes. I was especially surprised when the electric charging station was put in, there was no notice or anything that I was aware of and that really really affected my business.	9/29/2026 7:57 PM

Q3 33 responses

In the past few years, the District has completed or is working on a number of improvement projects in the Harbor (such as building/restroom remodeling at the Village, Harbor Cove and Surfers Knoll Beaches, and Launch Ramp). How do you rate the quality of these improvements?

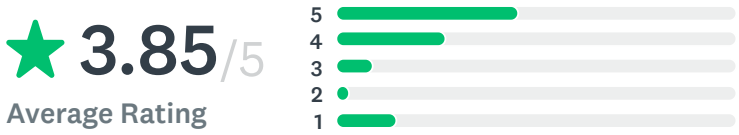


Rating	Percentage	Selections
Lowest	0%	0
2 / 5	0%	0
3 / 5	15.15%	5
4 / 5	24.24%	8
Highest	60.61%	20
Average 4.45		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	I have not seen these improvements but I am guessing they are very nice.	10/21/2026 7:06 AM
2	Very good	10/19/2026 11:59 AM
3	Thoughtful and well executed	10/13/2026 4:30 PM
4	Harbor Cove is very nice!	10/13/2026 3:45 PM
5	The projects right now seem to make the harbor feel like there isn't much there at the moment. People have mentioned this a few times. The quality seems good and the updates are needed, but the logistics and timing have felt a little messy to me. Should be more project/work done in the off season and reduced as much as possible during summer.	9/29/2026 7:57 PM

Q4 33 responses

The Port District implemented parking management policies and programs including paid parking at the Village, beaches, and launch ramp, restrictions on long-term parking, and oversized vehicles. How would you rate the District's efforts, communication and coordination following the first year's operations?



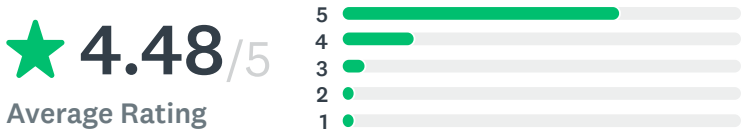
Rating	Percentage	Selections
Lowest	15.15%	5
2 / 5	3.03%	1
3 / 5	9.09%	3
4 / 5	27.27%	9
Highest	45.45%	15
Average 3.85		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	Hate, hate, hate. Sales down for ALL VILLAGE TENANTS!!!!	10/21/2026 8:52 AM
2	I fully understand the need to restrict long-term parking and oversized vehicles. However, it would have been very nice if VHBY could of received some additional grace from the port for five to ten vehicles without needing to pay.	10/21/2026 7:06 AM
3	Still no info on oversized vehicles available on the sign or we. No 24hr support by laz as promised.	10/20/2026 8:09 PM
4	Poor. The tenants weren't advised on how exactly the program would be implemented until it was done.	10/19/2026 11:59 AM
5	We still people complain but when I explain why they understand	10/14/2026 8:24 AM
6	We support the paid parking to offset the increasing maintenence costs	10/13/2026 4:30 PM
7	Should have parking tenants to assist customers to pay for parking. Not a easy process especially for seniors. Should not charge for parking when there are big events in the village area. not fair to the customer	10/13/2026 3:45 PM
8	Appreciate the District listening to our parking concerns to design the program such as offering an hour free parking for quick pick up customers. We don't want to lose these key local / loyal customers to our competitors. Hope we can entertain free parking during the off peak season.	10/6/2026 12:40 AM
9	Horrible, We have lost so many customers due to the parking. They all say the same thing, it is not expensive but it is just annoying. No one wants to get their plate number and walk to a	9/29/2026 7:57 PM

	kiosk, wait in line to use a card to pay $1/hr for parking. Our customers tell us this all the time and they are also never aware that they don't need to pay during the week. The chose to park in free parking which leads to the free parking filling up and less people walking by my store. I hate it and I will take this into consideration when it is time to negotiate the lease or extend next time.	
10	I’ve heard a lot of complaints from customers about paid parking. They say they go some where else. I think it affects sales.	9/29/2026 4:53 PM

Q5 33 responses

The Port District has increased financial resources for Harbor Patrol and private security operations at the Village. How do you rate the Ventura Port District's overall public safety operations?

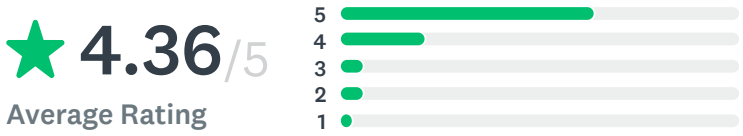


Rating	Percentage	Selections
Lowest	3.03%	1
2 / 5	3.03%	1
3 / 5	6.06%	2
4 / 5	18.18%	6
Highest	69.70%	23
Average 4.48		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	Not as good as they were 10 years ago. The current security and Dockmasters don't check door locks overnight like they used to.	10/19/2026 11:59 AM
2	The homeless situation is SO much better! Thank you for the security services. The officers are great and respond quickly	10/14/2026 8:24 AM
3	The coordination with VPD is a nice integration. Safety for all.	10/13/2026 4:30 PM
4	From what I understand security was a much bigger issue. So far, it's been a pleasant surprise it hasn't been more of an issue. So critical to encourage people to visit.	9/30/2026 2:57 PM
5	Still have homeless and sketchy people around but it has been better in the last year	9/29/2026 7:57 PM
6	The new group came into the store and introduced themselves initially. Haven't seen them since.	9/29/2026 5:37 PM
7	Very happy with additional security.	9/29/2026 4:53 PM

Q6 33 responses

How do you rate the Port District's overall property management services, including day-to-day maintenance, upkeep, landscaping, and repairs?

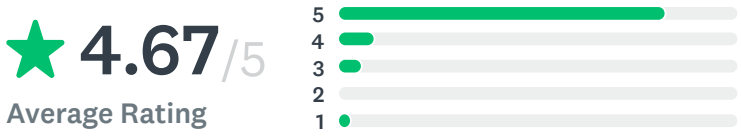


Rating	Percentage	Selections
Lowest	3.03%	1
2 / 5	6.06%	2
3 / 5	6.06%	2
4 / 5	21.21%	7
Highest	63.64%	21
Average 4.36		**33**

#	COMMENTS OR SUGGESTIONS:	DATE
1	Pretty decent	10/19/2026 11:59 AM
2	Unfortunately the restrooms need more attention.	10/13/2026 9:11 AM
3	We have been waiting quite a long time for the repair of termite damage. We understand that there are many higher priorities, but a little communication about when this might be scheduled would be greatly appreciated.	10/8/2026 12:31 PM
4	Best in the industry. Team actually cares and always happy to help.	10/6/2026 12:40 AM
5	The women's bathroom next to the pottery store has had a broken hand dryer for weeks.	9/29/2026 5:37 PM

Q7 33 responses

How would you rate the District staff's responsiveness, courtesy, and professionalism, regarding your lease, (e.g. lease obligations, renewal, etc.), billing, portal technical support, and other administrative tasks?

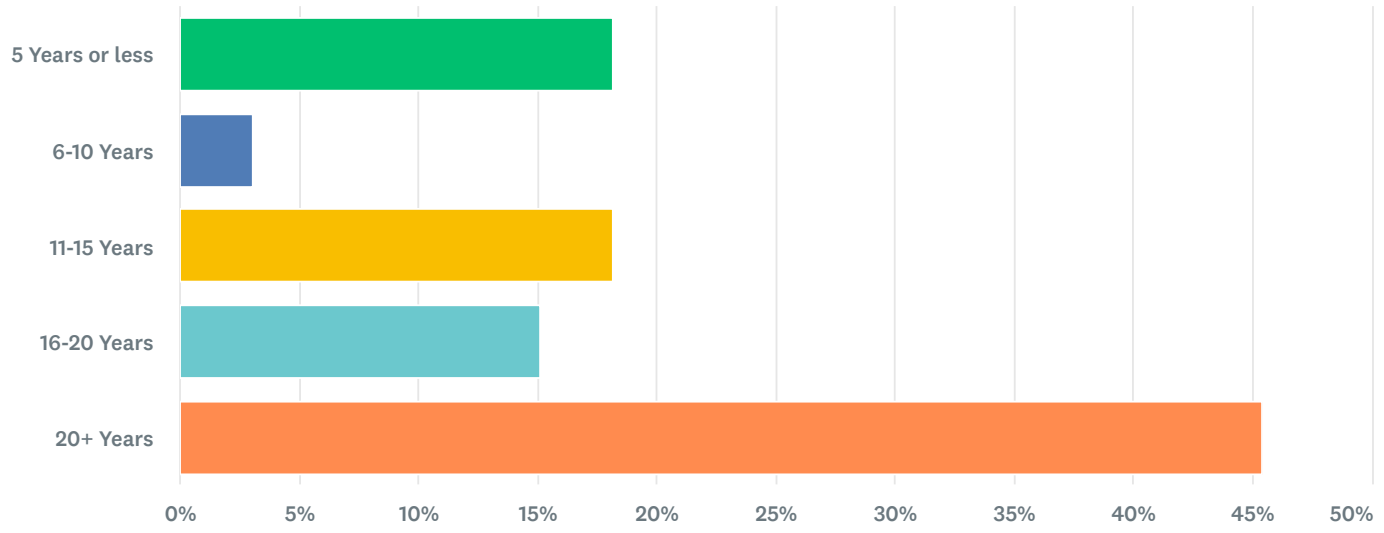


Rating	Percentage	Selections
Lowest	3.03%	1
2 / 5	0%	0
3 / 5	6.06%	2
4 / 5	9.09%	3
Highest	81.82%	27
Average 4.67		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	Good	10/19/2026 11:59 AM
2	We are looking forward to our next 50+ years in the marina!	10/13/2026 4:30 PM

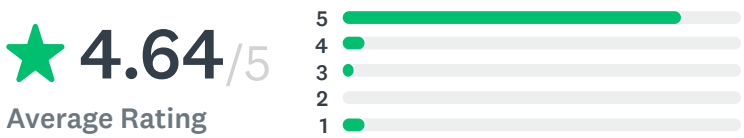
Q8 33 responses

How long have you been a tenant of the Ventura Port District?



Q9 33 responses

Do you plan to call Ventura Harbor "home" for the foreseeable future?



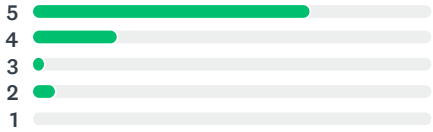
Rating	Percentage	Selections
Lowest	6.06%	2
2 / 5	0%	0
3 / 5	3.03%	1
4 / 5	6.06%	2
Highest	84.85%	28
Average 4.64		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	VHBY has been a long term tenant of the port and we feel that we are a good asset to the port and the boats both commercial and pleasure.	10/21/2026 7:06 AM
2	We certainly hope so	10/19/2026 11:59 AM
3	ABSOLUTELY!!	10/13/2026 4:30 PM
4	It is definitely home.	10/8/2026 12:31 PM
5	depends on the parking situation	9/29/2026 7:57 PM

Q10 33 responses

What is your overall opinion of the Ventura Port District's management of Ventura Harbor?

★ 4.55/5
Average Rating



Rating	Percentage	Selections
Lowest	0%	0
2 / 5	6.06%	2
3 / 5	3.03%	1
4 / 5	21.21%	7
Highest	69.70%	23
Average 4.55		33

#	COMMENTS OR SUGGESTIONS:	DATE
1	Terrific. Professional, thoughtful and resourceful	10/13/2026 4:30 PM
2	Keeps transforming for the better. Great culture, everyone's on the same page, and super dedicated to making the harbor a better destination. We completed multiple different projects this year (maintenance, marketing, and capital projects). Staff went above and beyond every time. Can not forget the time the maintenance supervisor and his team showing up on site for an overnight plumbing project just because he didn't want anything to happen to our space. This is just one of many examples.	10/6/2026 12:40 AM
3	Great people throughout. Easy to deal with and helpful.	9/30/2026 2:57 PM
4	Paid parking is really making things difficult during the off season and many LOCAL customers really hate it.	9/29/2026 7:57 PM

Q11 What type of business would you suggest the District recruit to join Ventura Harbor?

Answered: 18 Skipped: 15

#	RESPONSES	DATE
1	more family friendly and affordable entertainment plus a nice play area for kids maybe a monthly food truck event and live entertainment in the grassy area	10/21/2026 4:40 PM
2	Marine oriented unlike anything available locally. So sorry you did not allow Top This Chocolate to stay at least a year longer. They were the unique tenant you need.	10/21/2026 8:52 AM
3	Merry go round - everyone misses	10/20/2026 4:16 PM
4	A fine dining Italian restaurant. Ventura doesn't have a good one anymore. I have also surveyed friends and they agree.	10/19/2026 11:59 AM
5	Italian restaurant. We miss Milanos	10/14/2026 8:24 AM
6	Family friendly. Sustainable Aquaculture. Professional Yacht Services. Hotel with marina access/dock space.	10/13/2026 4:30 PM
7	Italian Resturant / Asian Food Fresh Bake Bakery/ Coffee n Tea Selection	10/9/2026 8:18 AM
8	A fitness center would be awesome!	10/8/2026 12:31 PM
9	Entertainment based businesses. Music/Comedy Venue, Experience driven businesses	10/7/2026 3:20 PM
10	Water Taxi	10/7/2026 9:00 AM
11	Even more art, fitness/wellness, sushi restaurant	10/6/2026 3:28 PM
12	Bakery / coffee shop Steakhouse Upscale sushi restaurant Cigar , whiskey speakeasy bar	10/4/2026 7:37 AM
13	Low cost food or fast take away food services that caters to families, especially children.	10/1/2026 9:15 AM
14	Artisans. Encourage marine artisans in particular, but generally artisans are good additions to fill in. They don't draw too many people in but they add to the flavor in a nice way.	9/30/2026 2:57 PM
15	Any to attract more tourism	9/30/2026 7:29 AM
16	The old 805 grilled cheese area needs to be something really fun like Teppanyaki or Korean BBQ. Please not another Mexican restaurant we need something unique.	9/29/2026 7:57 PM
17	dessert shop or bakery; coffee shop; sandwich/deli shop; Italian restaurant with good pizza and pasta; tapas	9/29/2026 5:37 PM
18	Toy store, Dance club instruction place , dance hall. Eat afterwards. Swing dance club!	9/29/2026 4:53 PM



BOARD OF PORT COMMISSIONERS
NOVEMBER 18, 2026

STANDARD AGENDA ITEM 5
APPROVAL OF THE 2027 PORT COMMISSION MEETING SCHEDULE

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 5**
BOARD COMMUNICATION Meeting Date: November 18, 2026

TO:	Board of Port Commissioners
FROM:	Brian D. Pendleton, General Manager
	Jessica Rauch, Senior Clerk of the Board
SUBJECT:	Approval of the 2027 Port Commission Meeting Schedule

RECOMMENDATION:
That the Board of Port Commissioners approve the 2027 Port Commission meeting schedule.

SUMMARY:
The Board of Port Commissioners continues to meet on the first and third Wednesday of every month, excluding August (no regular meetings). Staff is recommending scheduling one meeting in January, November and December due to District holidays – cancelling the first meeting in January (which would have been January 6) and scheduling meetings the second Wednesday of the month in November and December 2027.

All meetings are in person and have virtual participation via Zoom.

GUIDING PRINCIPLES:
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.

FIVE-YEAR OBJECTIVES:
E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies; procedures and programs.
    1) Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:
Regular Meetings are held the first and third Wednesday of every month (excluding August) at 6:00PM, with Closed Session before in the Ventura Port District Office located at 1603 Anchors Way Drive, Ventura, California and via Zoom. The Board may, at times, elect to meet at other times and locations within the City and upon such election shall give public notice of the change of location.

Regular Meetings are for approval of Consent and Standard Agenda Items. Special and Emergency meetings of the Board may be called and held from time to time pursuant to the procedures set forth in the Ralph M. Brown Act.

From time to time, there may also be a need for the General Manager, in consultation with the Chair and Vice-Chair, to cancel a meeting due to lack of agenda items or unplanned Commissioner absences.

When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall be deemed cancelled unless otherwise directed by the Board. Any meeting of the Board may be cancelled in advance by a majority vote of the Board. In the case of the first meeting in January, as it falls directly after the District's recognized holidays for Christmas and New Year's, staff is recommending cancelling this meeting also.

FISCAL IMPACT:
The approved FY26-27 Commission budget totals $19,200 for meals, supplies, Commissioner training, events and travel. The District will also continue to incur Zoom charges of approximately $126 per month, which has been approved in the FY26-27 budget.

ATTACHMENTS:
Attachment 1 – 2027 Port Commission Schedule

ATTACHMENT 1

2027 Ventura Port District Board of Port Commissioners Meetings

Dates, times and locations of all meetings may vary. Please check the agenda packet for exact information

Wednesday	Closed Session *Time Varies*	Open Session
January 20	5:30PM	6:00PM
February 3	5:30PM	6:00PM
February 17	5:30PM	6:00PM
March 3	5:30PM	6:00PM
March 17	5:30PM	6:00PM
April 7	5:30PM	6:00PM
April 21	5:30PM	6:00PM
May 5	5:30PM	6:00PM
May 19	5:30PM	6:00PM
June 2	5:30PM	6:00PM
June 16	5:30PM	6:00PM
July 7	5:30PM	6:00PM
July 21	5:30PM	6:00PM
AUGUST DARK		
September 1	5:30PM	6:00PM
September 15	5:30PM	6:00PM
October 6	5:30PM	6:00PM
October 20	5:30PM	6:00PM
November 10 ***2nd Wednesday**	5:30PM	6:00PM
December 8 ***2nd Wednesday**	5:30PM	6:00PM