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
Sarah Clancy, Administrative Services Manager

EMERGENCY MEETING
REVISED
TUESDAY, NOVEMBER 24, 2026

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

OPEN SESSION – 12:00PM

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/89325114112?from=addon
Webinar ID: 893 2511 4112
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 Deputy General Manager (acting as the Clerk of the Board) at tmitchell@venturaharbor.com

OPEN SESSION
12:00PM

CALL TO ORDER: *By Chair Blumenberg.*

PLEDGE OF ALLEGIANCE: *By Chair Blumenberg.*

ROLL CALL: *By the Deputy General Manager (acting as Clerk of the Board).*

ADOPTION OF AGENDA
Consider and approve, by majority vote, that an emergency situation exists due to potential coastal flooding and high surf conditions due to the convergence of El Nino, King Tides and Kelvin Wave as required by Government Code section 54954.5. 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.

PUBLIC COMMUNICATIONS
The Public Communications period is set aside to allow public testimony on items only on today's agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair.

STANDARD AGENDA:

1) Adopt Resolution No. 3567 Declaring a State of Emergency to Address the Potential Coastal Flooding and High Surf Conditions.
Recommended Action: Roll Call Vote.
That the Board of Port Commissioners:

1. Adopt Resolution No. 3567, making certain findings as set forth in said Resolution, including, without limitation, the following:
   A) Declare a State of Emergency by a four-fifth vote due to the potential coastal flooding and high surf conditions currently affecting the District and anticipated to worsen over the coming days, creating hazardous conditions and threatening public safety, District property, facilities, infrastructure, and essential harbor operations.
   B) The Board hereby delegates to the District's General Manager under Public Contract Code Section 22050(b)(1) the authority to:
      1. take any action required to respond to the emergency and protect life, health, property, and essential public services;
      2. submit any and all emergency permit applications and documents required to support obtaining necessary permits or authorizations to perform emergency work; and
      3. procure the necessary equipment, services, materials, and supplies for the purpose of responding to the emergency and protecting the District's facilities, infrastructure, waterways, and adjacent areas, without giving notice for bids to let contracts, as permitted by applicable law.
   C) The General Manager shall report to the Board of Port Commissioners at its next regularly scheduled meeting the actions taken to respond to the emergency; and,
   D) The Board will review the emergency action at every regularly scheduled meeting hereafter until the emergency action is terminated, which will be triggered by the District entering into a contract to remedy the issue.

2. ADJOURNMENT

This agenda was posted on Monday, November 23, 2026 by 6:00 p.m. at the Port District Office and online at https://venturaharbor.com/board-meeting-documents/

◆

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Ventura Port District at (805) 642-8538 or the California Relay Service at 711 or (800) 855-7100. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

VENTURA PORT DISTRICT **STANDARD AGENDA ITEM 1**

BOARD COMMUNICATION Meeting Date: November 24, 2025

TO: Board of Port Commissioners

FROM: Brian D. Pendleton, General Manager
Todd Mitchell, Deputy General Manager
John Higgins, Harbormaster

SUBJECT: Adopt Resolution No. 3567 Declaring a State of Emergency Due to Potential Coastal Flooding and High Surf Conditions Affecting the Ventura Port District Facilities and Infrastructure

RECOMMENDATION:

That the Board of Port Commissioners:

1. Adopt Resolution No. 3567, making certain findings as set forth in said Resolution, including, without limitation, the following:
   A) Declare a State of Emergency due to potential coastal flooding and high surf conditions currently affecting and anticipated to impact the District over the coming days.
   B) The Board hereby delegates to the District's General Manager the authority to:
      1. take any action required to respond to the emergency and protect life, health, property, and essential public services;
      2. submit any and all emergency permit applications and documents required to support obtaining necessary permits or authorizations to perform emergency work; and
      3. procure the necessary equipment, services, materials, and supplies for the purpose of responding to the emergency and protecting the District's facilities, infrastructure, waterways, and adjacent areas, without giving notice for bids to let contracts, as permitted by applicable law.
   C) The General Manager shall report to the Board of Port Commissioners at its next regularly scheduled meeting the actions taken to respond to the emergency, including the nature and extent of the emergency, the measures implemented, and the associated cost; and,
   D) The Board will review the emergency action at every regularly scheduled meeting thereafter until the emergency action is terminated. The emergency declaration shall remain in effect for as long as the emergency conditions warrant and shall be terminated when the immediate threat has been addressed and the District determines that emergency action is no longer necessary, subject to applicable legal requirements.

SUMMARY:

Emergency declarations are contemplated in the District's Procurement and Purchasing Policy to enable the District to coordinate a timely and effective response to unforeseen conditions that threaten public safety, property, and essential services.

The District is currently experiencing high surf and related coastal conditions, with potential coastal flooding and additional impacts anticipated over the coming days. These conditions may create hazardous conditions and threaten District facilities, infrastructure, and surrounding areas.

If approved, the Board will consider the emergency at subsequent meeting(s) to either continue or terminate the State of Emergency, as circumstances dictate.

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 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 the 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.

GUIDING PRINCIPLES:

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

5-YEAR OBJECTIVES:

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

BACKGROUND:

The Ventura Port District is currently experiencing high surf and related coastal conditions. Potential coastal flooding and additional impacts are anticipated over the coming days.

The current and anticipated conditions present an immediate concern for public safety and the protection of District property, facilities, infrastructure, and essential harbor operations. Continued high surf and potential coastal flooding may create hazardous conditions, damage District assets, impact harbor operations, and affect access to and the safe use of District facilities and adjacent areas.

The District must be prepared to take immediate action to address existing hazards, mitigate anticipated impacts, and protect the public and District assets. Depending on the severity and progression of the conditions, emergency measures may include the deployment of equipment and personnel, protective or temporary repairs, removal of hazards or obstructions, and other work necessary to respond to the emergency.

The District will coordinate with applicable agencies and regulatory authorities, as necessary, to obtain any required emergency authorizations and implement appropriate response measures.

REASONING FOR AN EMERGENCY DECLARATION:

Emergency action is necessary to address the high surf and related coastal conditions currently affecting the District and the potential for coastal flooding and additional impacts over the coming days.

The current and anticipated conditions create an immediate need to protect public safety, District property, infrastructure, and essential harbor operations. Delaying protective or corrective action

to accommodate the District's normal procurement procedures and the timing of a regularly scheduled Board meeting could increase the potential for injury, property damage, or disruption of essential services.

The nature and progression of the coastal conditions may require the District to respond quickly as conditions develop, including the procurement of equipment, materials, supplies, and contractor services that may not be readily available through the District's normal procurement process.

The emergency declaration will provide the General Manager with the authority necessary to implement timely and appropriate response measures, including emergency procurement and contracting, as permitted by applicable law. The District will continue to monitor conditions, coordinate with applicable agencies, and report emergency actions and associated costs to the Board.

Staff is therefore requesting that the Board authorize the necessary emergency response measures in accordance with applicable provisions of the California Public Contract Code, including the Uniform Public Construction Cost Accounting Act, as applicable, and the District's contracting policies.

FISCAL IMPACT:
The total cost of the emergency response is currently undetermined. No funds were specifically budgeted for this unanticipated event. Costs will depend on the severity and duration of the tidal surge, the scope of emergency measures required, contractor availability, equipment and materials, and any applicable regulatory requirements.

Staff will track all costs associated with the emergency response and identify an appropriate funding source for Board consideration, as necessary.

ATTACHMENTS:
Attachment 1 – Resolution No. 3567

VENTURA
PORT DISTRICT
Established 1952

RESOLUTION NO. 3567

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT DECLARING A STATE OF EMERGENCY DUE TO POTENTIAL COASTAL FLOODING AND HIGH SURF CONDITIONS AFFECTING DISTRICT FACILITIES AND INFRASTRUCTURE

WHEREAS, the Ventura Port District (the "District") is currently experiencing high surf and related coastal conditions, with potential coastal flooding and additional impacts anticipated over the coming days; and

WHEREAS, the current and anticipated coastal conditions present an immediate concern for public safety and the protection of District property, facilities, infrastructure, and essential harbor operations; and

WHEREAS, the District has the authority under Public Contract Code section 20751.1 to declare an emergency condition where immediate action is necessary to protect life, health, or property, and to restore services subject to interruption in the event of another emergency; and

WHEREAS, the Public Contract Code and the District's Procurement and Purchasing Policy ("Policy") provide that, where an emergency condition exists, the District may take such action as may be necessary to prevent or mitigate the loss or impairment of life, health, or property, subject to applicable legal requirements; and

WHEREAS, under the Policy, in the case of an emergency involving a "public project" under the Uniform Public Construction Cost Accounting Act ("UPCCAA"), the terms and conditions of Public Contract Code section 22035 shall control; and

WHEREAS, under Public Contract Code section 22035, when an emergency arises that makes repair or replacement necessary, the Board may immediately proceed to replace or repair a public facility without first having to adopt plans or specifications or give notice for informal or competitive bidding, with the work being done by day labor under the Board's direction, by contract, or by a combination of both; and

WHEREAS, Public Contract Code section 22050 provides that, in emergency situations, a public agency may, pursuant to a four-fifths (4/5) vote of the Board, repair or replace a public

facility, take any directly related and immediate action required by the emergency, and procure the necessary equipment, services, and supplies without giving notice for bids to let contracts under the formal or informal bidding procedures adopted by the District under the UPCCAA; and

WHEREAS, before taking action under Public Contract Code section 22050, the Board must make a finding, based on substantial evidence set forth in the minutes of the meeting, that the emergency will not permit a delay resulting from the competitive bidding process and that the action is necessary to respond to the emergency; and

WHEREAS, the District is currently experiencing high surf and related coastal conditions, and potential coastal flooding and additional impacts are anticipated over the coming days. These conditions may create hazardous conditions and threaten public safety, District property, facilities, infrastructure, and essential harbor operations; and

WHEREAS, delaying emergency response measures to accommodate the District's normal procurement procedures could increase the potential for injury, property damage, or disruption of essential services; and

WHEREAS, the Board finds, based on substantial evidence presented at this meeting and set forth in the minutes thereof, that the emergency will not permit a delay resulting from the competitive bidding process and that the actions authorized herein are necessary to respond to the emergency; and

WHEREAS, pursuant to Public Contract Code section 22050, the Board must review the emergency action at every regularly scheduled meeting thereafter until the emergency action is terminated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby determines and orders as follows:

1. Declaration of Emergency.
The Board hereby declares a State of Emergency due to potential coastal flooding and high surf conditions currently affecting and anticipated to impact the District over the coming days.

The Board finds that these conditions create hazardous conditions and an immediate threat to public safety, District property, facilities, infrastructure, and essential harbor operations, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

2. Finding of Necessity.
The Board determines that the public interest and necessity demand the immediate expenditure of public money to address the emergency and protect life, health, property, and essential public services.

The Board further finds that the emergency will not permit a delay resulting from the competitive bidding process and that the emergency actions authorized by this Resolution are necessary to respond to the emergency.

3. Delegation of Authority.
The Board hereby delegates to Brian D. Pendleton, the District's General Manager, the authority to:

A) Take any action required to respond to the emergency and protect life, health, property, and essential public services;

B) Procure the necessary equipment, services, materials, and supplies, and enter into contracts for emergency work, without giving notice for competitive bids, to the extent permitted by applicable law;

C) Undertake or authorize emergency repairs, protective measures, temporary improvements, and other work necessary to address potential coastal flooding and high surf conditions and mitigate their impacts on District facilities, infrastructure, waterways, and adjacent areas;

D) Provide the necessary District staff resources and coordinate with applicable agencies and regulatory authorities to implement appropriate emergency response measures; and

E) Submit any emergency permit applications, documents, and other requests necessary to obtain applicable emergency permits or authorizations.

The authority delegated herein shall be exercised in accordance with applicable provisions of the California Public Contract Code, including sections 20751.1, 22035, and 22050, as applicable, and the District's Procurement and Purchasing Policy
.

The authority delegated herein shall be exercised in accordance with applicable provisions of the California Public Contract Code, including sections 20751.1, 22035, and 22050, as applicable, and the District's Procurement and Purchasing Policy.

4. Reporting Requirements.
The General Manager shall report to the Board of Port Commissioners at its next regularly scheduled meeting the actions taken to respond to the emergency, including the nature and extent of the emergency, the measures implemented, and the associated costs.

5. Continued Board Review.
The Board shall review the emergency action at every regularly scheduled meeting thereafter until the emergency action is terminated.

The Board shall determine at each review whether the emergency conditions continue to warrant emergency action and whether the State of Emergency should be continued or terminated.

6. Termination of Emergency.
The State of Emergency shall remain in effect for as long as the emergency conditions warrant and shall be terminated by the Board when the immediate threat has been addressed and the District determines that emergency action is no longer necessary, subject to applicable legal requirements.

7. Effective Date.
This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 24th day of November, 2026, by the following vote:

AYES:

NOES:
ABSENT:
ABSTAINED:

_____
Elizabeth Howell, Vice-Chair

Attest:

_____
Anthony Rainey, Secretary