



COUNTY of VENTURA

MICHAEL TRIPP
Director

HARBOR DEPARTMENT
3900 Pelican Way
Oxnard, CA 93035
(805) 973-5950

October 29, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Adoption of a Resolution Accepting the Surrendered and Abandoned Vessel Exchange Grant in the Amount of \$50,000 from the California Department of Parks and Recreation, Division of Boating and Waterways; Approval of, and Authorization for the Harbor Director to Execute, the Grant Agreement and Grant-Related Documents; Waiver of the Board's Policy Prohibiting Inclusion of Indemnification and Attorney's Fees Provisions in the Grant Agreement.

Recommendations:

1. Adopt the attached Resolution accepting \$50,000 in grant funds from the California Department of Parks and Recreation, Division of Boating and Waterways for the disposal of abandoned vessels in the Channel Islands Harbor.
2. Approve and authorize the Harbor Director to execute the attached Grant Agreement and Grant-related documents.
3. Waive the Board's policy prohibiting inclusion of indemnification and attorney's fees provisions in the Grant Agreement.

Fiscal/Mandates Impact:

Mandatory:	No
Source of Funding:	State of California, Department of Parks and Recreation, Division of Boating and Waterways
Funding Match Required:	Yes, 10% in-kind services
Impact on Other Departments:	None

Summary of Revenue and Costs:	<u>FY 2024-25</u>	<u>FY2025-26</u>
Revenue	\$50,000	0
Direct Costs	\$50,000	0
Indirect Costs	minimal	0
Net Cost	\$ 0	\$ 0

The Grant requires a 10% match, which will be met through in-kind services within current enterprise operations. There is no additional cost associated with grant acceptance, as the grant revenue will reimburse currently anticipated expenses that have already been included in the FY 2024-25 Adopted Budget.

FY 2024-25 Budget Projection for Harbor Administration - Division 5100				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 12,590,830	\$ 12,590,830	\$ 12,590,830	\$ 0
Revenue	\$ 11,456,575	\$ 11,456,575	\$ 11,456,575	\$ 0
Gain/(Loss)	\$ (1,134,255)	\$ (1,134,255)	\$ (1,134,255)	\$ 0

*The table above excludes other financing sources.

Discussion:

The Harbor Department currently has six abandoned vessels that were impounded due to being hazards to navigation and potential pollution sources.

On April 30, 2024, the Harbor Director (Director) submitted a grant application to the California Department of Parks and Recreation, Division of Boating and Waterways (Grantor Agency) for grant funds for the disposal of abandoned vessels. The Director had delegated authority to sign this grant application pursuant to the 2018 Administrative Policy Manual, Chapter II-5, because the grant funding was included and approved as part of the Harbor's Adopted Budget and formal action for the grant application was not required by the Grantor Agency. Following this submission, the Grantor Agency approved the grant application for funding in the amount of \$50,000. Upon your adoption of the attached Resolution, these grant funds will be available during the term of the attached Grant Agreement to reimburse the Harbor Department for the cost to dispose of three existing abandoned vessels and additional vessels in the future.

The Harbor Department has disposed of more than 90 abandoned vessels under this program through past grants approved by your Board. The Grantor Agency requires your Board to adopt the attached resolution accepting the grant funds and approving, and authorizing the Director to execute, the Grant Agreement and Grant-related documents.

The Grant Agreement contains two provisions that conflict with the County's Administrative Policy Manual, Chapter VI-1 for County contracts. The two provisions in the Grant Agreement prohibited by Board policy are (1) payment of attorney's fees by one party to the other party, and (2) indemnification that is not limited to third-party claims. However, since a waiver of the Board's policy prohibiting these provisions would result in minimal risk to the County, your Board is asked to waive its policy and approve the Grant Agreement.

Integration of Strategic Plan Priorities:

This grant funding supports the County of Ventura's Strategic Priorities to provide reliable infrastructure and land-use policies to enable a vibrant and sustainable community with the goals to 1) maintain high-performing public safety services; 2) maintain and improve dependable public resources to serve the needs of our diverse communities; and 3) preserve our natural environment.

This item has been reviewed by County Counsel, the Auditor-Controller's Office and County Executive Office.

If you have any questions, please contact Andy Werner at (805) 973-5961.



MICHAEL TRIPP
Director

Resolution
Exhibit 1 – Grant Agreement