



December 8, 2019

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Board of Supervisors, County of Ventura
800 South Victoria Avenue
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Subject: Denial of Channel Islands Harbor Properties LLC's (CIHP) Lease Option Agreement Amendment for Fisherman's Wharf and Termination of the Agreement for Failure to Meet Its Requirements

It has been difficult for the public to understand why the County has inexplicably deviated from the standard Request for Proposal (RFP) process and instead elected to expend a disproportionate amount of time, money and effort on behalf of a single developer's proposed project at Fisherman's Wharf. The Harbor Department has admittedly never issued an official Request for Proposal for this project. An RFP to a broad range of developers, not just apartment developers, would be the proper fiduciary process.

The County has given and extended exclusivity to CIHP since as early as the June 10, 2014 Board of Supervisors Meeting. The fact is CIHP, an experienced developer, has not secured the required entitlements for their project, especially an amendment to Oxnard's Local Coastal Plan even after the County gave them the "power of attorney" to negotiate on the County's behalf with Oxnard.

The Coastal Commission has notified the County and CIHP at least eight (8) different times in writing that a Local Coastal Plan Amendment (LCPA) is required for the proposed 400-apartment complex. It makes no sense at this time to continue to extend exclusivity for the Fisherman's Wharf parcels and disregard or reduce the required fees for CIHP. Oxnard has denied the request for an LCPA and there is a high probability that the Coastal Commission will also deny an Override request. CIHP has had almost six years to obtain entitlements. CIHP has had several opportunities to modify its proposal but has not done so. (*See attached Timeline of County Actions for Proposed Fisherman's Wharf Project*)

The Harbor Department continues to promote the apartments as the only way to revitalize Fisherman's Wharf. The Harbor Department continues to base this claim on old data going back to a June 10, 2014 Harbor Director's letter stating:

"In the past ten years, every project proposed by outside parties (approximately ten parties) on the Fisherman's Wharf property has included a combination of retail and rental housing units. No other proposal for use of the

parcel has been made by any party. It appears that the interpretation of the market indicates that this is the most likely “highest and best use” for this property.”

Not only is this claim based upon early 2000 data but the Harbor Department has been unable to support this claim and provide the names and proposals submitted by these “10 developers” after the issuance of multiple Public Information Requests under the Public Records Act.

Now there is an unsolicited development proposal for Fisherman’s Wharf from a reputable, experienced developer with a proven track record and the means to design, build and fund its project. This proposal disproves the County’s claim. The written proposal was submitted to Ventura County and the City of Oxnard before the October 22nd Board of Supervisors meeting and the November 7th Oxnard City Council Special Meeting regarding the County’s LCPA request.

This proposal does not include a residential component. The proposal is worth considering because it has the scale to attract people to the harbor and promote the County and City of Oxnard as the Strawberry Capital of the USA. Strawberry is a major crop for the County and City. *(See attached copies of the Karl Erlebnisdorf’s proposal for its “Strawberry Village” at Fisherman’s Wharf).* It is an excellent example of the fact that there are other developers who can and will be able to make alternative proposals that are not only worthy of consideration but can be consistent with existing LCP policies and are in keeping with the intent and purpose of a harbor.

This recent proposal, and the results at Ventura Harbor and the hotel proposals to Port Hueneme, are proof it is time to issue a Request for Proposal for Fisherman’s Wharf open to a wide range of developers. The Board of Supervisors has a fiduciary duty to manage not only public funds but also valuable public assets like Channel Islands Harbor. We ask that the Board deny any further extension to CIHP. They are not the only solution for Fisherman’s Wharf. They have failed to secure the required entitlements. They are unwilling to modify their project to meet the public’s needs. It is unlikely their project as proposed will be approved by the Coastal Commission. To allow a valuable asset to remain dormant, deteriorate, and result in no benefits to the public, hurts the County, the City and the public.

The issuance of an official Request for Proposal is the fair and transparent governance action and would provide even CIHP another opportunity to propose a project for Fisherman’s Wharf. In order for this to happen, CIHP’s Lease Option Agreement must be terminated.

Thank you.

Rene Aiu on behalf of the Harbor & Beach Community Alliance

Cc: Oxnard City Council, Alex Nguyen, Ashley Golden, Ken Rozell, Jeff Lambert, Isidro Figueroa
Jack Ainsworth, Steve Hudson, Wesley Horne
Clerk of the Board, Michael Powers, Mark Sandoval