

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 13, 2017

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The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Everard Ashworth at 7:10PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

### **Commissioners Present:**

Everard Ashworth, Chairman  
Brian Brennan, Vice Chairman  
Jim Friedman, Secretary  
Nikos Valance  
Chris Stephens

### **Commissioners Absent:**

None.

### **Port District Staff:**

Oscar Pena, General Manager  
Brian Pendleton, Business Operations Manager  
John Higgins, Harbormaster  
Gloria Adkins, Accounting Manager  
Robin Baer, Property Manager  
Jessica Rauch, Clerk of the Board

### **Legal Counsel:**

Timothy Gosney  
Roland Trinh

## **AGENDA**

**CALL TO ORDER:** By Chairman Everard Ashworth at 7:10PM.

**PLEDGE OF ALLEGIANCE:** By Commissioner Friedman.

**ROLL CALL:** All Commissioners were present.

### **ADOPTION OF AGENDA**

**ACTON:** Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to adopt the September 13, 2017 agenda, pulling Items A and E from the Consent Agenda.

### **APPROVAL OF MINUTES**

The Minutes of July 26, 2017 Regular meeting were considered as follows:

**ACTION:** Commissioner Stephens moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to approve the minutes of the July 26, 2017 regular meeting.

**PUBLIC COMMUNICATIONS:** Josefina Aguilar spoke to the Commission about her interest in purchasing Coffee Dock & Post.

**CLOSED SESSION REPORT:** Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. Staff was given instructions on how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

**BOARD COMMUNICATIONS:** Commissioner Ashworth reported that he and staff met with Colonel Gibbs from the Army Corps last week. He also announced that the VSE did not qualify for the sea grant extension. Commissioner Brennan commented on how busy the Beaches have been and also how well done all the events have been. He also commended Robin and staff for holding the homeless meeting.

**STAFF COMMUNICATIONS:** Mr. Peña thanked Commissioner Brennan for mentioning the events. It takes a lot of effort from staff to put them together. Mr. Peña also agreed with Commissioner Valance on the monitoring of the Village's homeless problem.

**LEGAL COUNSEL REPORT:** Mr. Gosney reported that the Monthly Report was sent out today and that his office has finished the initial draft of the Master Lease documents for Parcels 5 and 8 and delivered them to staff.

**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 request for Business Operations Manager, Brian Pendleton, Property Manager, Robin Baer, and Clerk, Jessica Rauch.

**This item got pulled from the Consent Agenda.**

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to approve the out of town travel request for Business Operations Manager, Brian Pendleton, Property Manager, Robin Baer, and Clerk, Jessica Rauch, as revised. (See attached)

**B) Approval of Pre-Option Agreement for Parcel 5 and 8 Development**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the pre-option agreement between the Ventura Port District and H. Parker Hospitality for the development of Parcels 5 and 8.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve the pre-option agreement between the Ventura Port District and H. Parker Hospitality for the development of Parcels 5 and 8.

**C) Approval of Third Amendment of Professional Services Agreement with Dudek**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the Third Amendment to Professional Services Agreement with *Dudek* in the amount of \$2,505 for completion of the Task 1 Strategic Permitting Plan for the Ventura Shellfish Enterprise (VSE) project.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve the Third Amendment to Professional Services Agreement with *Dudek* in the amount of \$2,505 for completion of the Task 1 Strategic Permitting Plan for the Ventura Shellfish Enterprise (VSE) project.

**D) Consideration of Rejection of Claim by Rosemary Lazard**

Recommended Action: Vote Voice.

That the Board of Port Commissioners approve the rejection of a claim filed against the Ventura Port District on March 3, 2017 by Rosemary Lazard and authorize the General Manager to execute and mail a Notice of Rejection.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve the rejection of a claim filed against the Ventura Port District on March 3, 2017 by Rosemary Lazard and authorize the General Manager to execute and mail a Notice of Rejection.

**E) Pavement Repairs and Slurry Seal Project Bid Award**

Recommended Action: Voice Vote.

That the Board of Port Commissioners award the 2017 Ventura Port District Pavement Repair and Slurry Seal Project to Toro Enterprises, Inc., in the amount of \$344,444.00.

This item was pulled from the Consent Agenda.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Valance and carried by a unanimous vote of 5-0 to reject NPG Corporation's bid protest letter, dated September 12, 2017.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to award the 2017 Ventura Port District Pavement Repair and Slurry Seal Project to Toro Enterprises, Inc., in the amount of \$344,444.00.

**F) Approval of New Office Lease Agreement for Center for Contract Compliance**

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 Center for Contract Compliance for the premises located at 1559 Spinnaker Drive #202A consisting of a total of 437 interior square feet for a two-year term.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Center for Contract Compliance for the premises located at 1559 Spinnaker Drive #202A consisting of a total of 437 interior square feet for a two-year term.

**G) Approval of New Office Lease Agreement for Ahmad Vahedian, Ph.D.**

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 Ahmad Vahedian, Ph.D for the premises located at 1575 Spinnaker Drive #204C, consisting of a total of 275 square feet for a two year term.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ahmad Vahedian, Ph.D for the premises located at 1575 Spinnaker Drive #204C, consisting of a total of 275 square feet for a two year term.

**H) Acceptance of 10-Month No-Cost Extension to 2015 Shellfish Grant**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to execute a 10-month extension to the *Cost Reimbursement Research Subaward Agreement* for the Ventura Shellfish Enterprise (VSE) project.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to authorize the General Manager to execute a 10-month extension to the *Cost Reimbursement Research Subaward Agreement* for the Ventura Shellfish Enterprise (VSE) project.

**STANDARD AGENDA:**

**1) Approval of Financial Statements and Checks**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3339 to:

- a) Accept the following DRAFT financial statements for the Quarter ending June 30, 2017, pending year-end accruals, reconciliations and audit adjustments; and
- b) Review the payroll and regular checks for April through June 2017.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Valance and carried by a vote of 5-0 to adopt Resolution No. 3339 to accept the following DRAFT financial statements for the Quarter ending June 30, 2017, pending year-end accruals, reconciliations and audit adjustments; and review the payroll and regular checks for April through June 2017.

**2) Ventura Shellfish Enterprise Site Selection Workshops**

Recommended Action: Informational.

That the Board of Port Commissioners receive a report on the Ventura Shellfish Enterprise Site Selection Workshops.

**ACTION:** The Board of Port Commissioners received a report on the Ventura Shellfish Enterprise Site Selection Workshops.

**AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS:**

1) Homelessness; 2) Painting/Signage; 3) Traffic; 4) Project Schedules (key dates).

**ADJOURNMENT:** The meeting was adjourned at 8:58PM.

  
Secretary



ATTACHMENT

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**CONSENT AGENDA ITEM A**  
Meeting Date: September 13, 2017

TO: Board of Port Commissioners  
FROM: Oscar F. Peña, General Manager  
SUBJECT: Out of Town Travel Requests

**RECOMMENDATION:**

That the Board of Port Commissioners approve by motion the following out of town travel requests for:

- A) Business Operations Manager, Brian Pendleton to travel to Los Angeles, California to participate in the International Council of Shopping Centers 2017 Western Conference & Deal Making on October 2 – 4, 2017. Attending this conference will allow our Business Operations Manager to market our vacant spaces, meet new contacts and vendors and keep up-to-date on new and ongoing trends. The \$675.00 is for the deal making booth. Estimated cost for the travel is as follows:

Registration	<del>\$350.00</del> 95.00
Lodging	\$645.56
Meals	\$220.00
Mileage	\$81.43
Miscellaneous	\$675.00
<b>TOTAL</b>	<del>\$1,971.99</del> <u>1,716.99</u>

- B) Property Manager, Robin Baer to travel to Los Angeles, California to participate in the International Council of Shopping Centers 2017 Western Conference & Deal Making on October 2 – 4, 2017. Attending this conference will allow our Property Manager to market our vacant spaces, meet new contacts and vendors and keep up-to-date on new and ongoing trends. Estimated cost for the travel is as follows:

Registration	<del>\$350.00</del> 95.00
Lodging	\$645.56
Meals	\$220.00
Mileage	\$81.43
Miscellaneous	\$100.00
<b>TOTAL</b>	<del>\$1,396.99</del> <u>1,141.99</u>

- C) Board Clerk, Jessica Rauch to travel to Los Angeles, California to participate in the International Council of Shopping Centers 2017 Western Conference & Deal Making on October 2 – 4, 2017. Attending this conference will allow Ms. Rauch to help market our vacant spaces at the deal making booth, while Ms. Baer is meetings with brokers and Mr. Pendleton is attending workshops. Estimated cost for the travel is as follows:

Registration	<del>\$5750.00</del> (Free for first time)
Lodging	N/A
Meals	\$220.00
Mileage	N/A
Miscellaneous	<del>\$100.00</del> 150.00 (\$50 affiliate membership)
<b>TOTAL</b>	<del>\$896.00</del> <u>370.00</u>

