



VENTURA PORT DISTRICT BOARD OF PORT COMMISSIONERS

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

Oscar Peña, General Manager
Timothy Gosney, Legal Counsel
Jessica Rauch, Clerk of the Board

PORT COMMISSION AGENDA REGULAR MEETING NOVEMBER 15, 2017 AT 7:00PM VENTURA PORT DISTRICT OFFICE 1603 ANCHORS WAY DRIVE VENTURA, CA 93001

A **Closed Session** of the Board will be held at **5:00PM** at the Port District Office located at 1603 Anchors Way Drive, Ventura, CA, to discuss the items on the Attachment to Agenda- Closed Session Conference with Legal Counsel.

The Board will convene in **Open Session** at the Port District Office located at 1603 Anchors Way Drive for its Regular Meeting at **7:00PM**.

ADMINISTRATIVE AGENDA:

CALL TO ORDER: *By Chair Everard Ashworth.*

PLEDGE OF ALLEGIANCE: *By Chair Everard Ashworth.*

ROLL CALL: *By the Clerk of the Board.*

ADOPTION OF AGENDA (3 minutes)

Consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item added to, or removed/continued from the Port Commission's agenda. 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 (Port District Business-Port Commission & Meeting Schedule). Each item on the agenda shall be deemed to include action by an appropriate motion, resolution or ordinance to take action on any item.

APPROVAL OF MINUTES (3 minutes)

The Minutes of the October 25, 2017 Regular Meeting will be considered for approval.

PUBLIC COMMUNICATIONS (3 minutes)

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 (3 minutes)

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 (5 minutes)

Port Commissioner's may present brief reports on port issues, seminars, meetings and literature that would be of interest to the public and/or Commission, as a whole. In addition, Port Commissioners should provide a brief summary and disclose any discussions he or she may have had with any Port District Tenants related to Port District business.

DEPARTMENTAL AND GENERAL MANAGERS REPORTS (5 minutes)

Ventura Port District Staff and General Manager will give the Commission reports on their Department and items of general interest to the Port Commission and members of the public.

LEGAL COUNSEL REPORT (5 minutes)

CONSENT AGENDA: (3 minutes)

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 request for Marketing Manager, Jennifer Talt-Lundin and Maintenance Supervisor, Sergio Gonzalez.

B) Approval of Office Lease Renewal for Del Mar Seafoods, Inc.

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 Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B/#206, consisting of a total of 1,015 square feet for a two year term.

C) Approval of New Office Lease Agreement for Seth N. Gewirtz, Ted Mechtenberg dba DA Vega/Fisher/Mechtenberg LLP

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 Seth N. Gewirtz, Ted Mechtenberg dba DA Vega/Fisher/Mechtenberg LLP 1567 Spinnaker Drive #201, consisting of a total of 927 square feet for a three year term with a two year option.

D) Approval of New Office Lease Agreement for Raine Industries Inc.

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 Gordon Huckestein, Raine Industries consisting of a total of 660 square feet for a four year term.

E) Approval of New Office Lease Agreement for Jennifer Shook and Laura Kinney

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 Jennifer Shook and Laura Kinney consisting of a total of 455 square feet for a two year term.

F) Appointment of New Dredging Liaison

Recommended Action: Voice Vote.

That the Board of Port Commissioners appoint Vice-Chairman Brennan as the new dredging liaison.

G) Approval of 2018 Port Commission Meeting Schedule

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the 2018 Port Commission meeting schedule.

STANDARD AGENDA:

1) Proposed Assignment of Lease for Coffee Dock & Post

Recommended Action: Voice Vote.

That the Board of Port Commissioners consider the proposed Assignment and Assumption of Lease between Sandra Aiken, Ashley Hwang, Janice Hwang, and Priscilla Levy dba Coffee Dock & Post and Josefina Aguilar for the premises located at 1575 Spinnaker Drive #105 A&B, Ventura, California 93001.

2) Approval of Financial Statements and Checks

Recommended Action: Roll Call.

That the Board of Port Commissioners adopts Resolution No. 3341 to:

- a) Accept the following financial statements for the Quarter ended September 30, 2017; and
- b) Review the payroll and regular checks for July through September 2017.

3) Approval of Change Order No. 4 and Notice of Completion for the Ventura Harbor Village Accessibility Improvement Project – Phase III

Recommended Action: Roll Call.

That the Board of Port Commissioners take the following action:

- a) Approve contract change order no. 4 in the amount of \$12,587.50 to the Agreement dated, November 21, 2016 between the Port District and Viola, Inc.;
- b) Adopt Resolution No. 3342, accepting the work of Viola, Inc. on the Ventura Harbor Village Phase 3 Improvements; and
- c) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

4) Ventura Shellfish Enterprise Site Selection Alternatives

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to:

- 1) Prepare and submit permit applications to the U.S Army Corps of Engineers (USACE) for use of 2,000 acres of sea water bottom in federal waters near Ventura Harbor in Block 665, the area generally depicted and described as Alternative #8 for the Ventura Shellfish Enterprise (VSE) project; and,
- 2) Prepare and submit all other applications to local, state and federal agencies as required for the VSE project; and,
- 3) Prepare all necessary surveys, studies, reports and federal environmental review documents as directed by local, state and federal agencies as required for the VSE project; and,
- 4) Return to the Board if there are any material changes to the proposed locations for federal permits for the VSE project resulting from the permitting and/or environmental review processes.

5) Conceptual Approval of a Succession Plan

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the concept of a succession plan, providing additional input or direction to staff for development of a “final” succession plan.

AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS

ADJOURNMENT

*This agenda was posted on Thursday, November 10, 2017 by 5:00 p.m.
at the Port District Office and on the Internet –
www.venturaharbor.com (Port District Business-Port Commission & Meeting Schedule).*



*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. Notification 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)*

**ATTACHMENT TO PORT COMMISSION AGENDA
CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL**

WEDNESDAY, NOVEMBER 15, 2017

1. Conference with Real Property Negotiators - Per Government Code Section 54956.8:

- a) Property: **1583 Spinnaker Drive, #203B/#206**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **Office Lease Renewal for Del Mar Seafoods, Inc.**
- b) Property: **1567 Spinnaker Drive, #203/#205**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **New Office Lease for Gordon Huckestein dba Raine Industries Inc.**
- c) Property: **1567 Spinnaker Drive, #201**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **New Office Lease for Seth N. Gewirtz and Ted Mechtenberg dba Da Vega, Fisher, Mechtenberg, LLP**
- d) Property: **1559 Spinnaker Drive #207**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **New Office Lease for Jennifer Shook and Laura Kinney**
- e) Property: **1575 Spinnaker Drive #105 A/B**
Negotiating Parties: Oscar Peña, Brian Pendleton, Roland Trinh
Under Negotiation: **Assignment and Assumption of Lease for Coffee Dock & Post**
- f) Property: **State or Federal Authorized Sea Bottom**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **Leasing or Permits for VSE Aquaculture Purposes**
- g) Property: **Parcel 5 and Parcel 8**
Negotiating Parties: Oscar Peña, Brian Pendleton, Timothy Gosney
Under Negotiation: **Lease Negotiations with H. Parker Hospitality**

2. Conference with Legal Counsel – Per Government Code Section 54957(b)(1): To consider the continued employment of the Business Operations Manager, and the terms thereof [excluding compensation].

3. Conference with Legal Counsel – Per Government Code Section 54957(b)(1): To consider the continued employment of the Independent Contractor/Dredging and Project Manager, and the terms thereof [excluding compensation].

4. Conference with Labor Negotiators – Per Government Code 54957.6: Discussion with the District's designated representatives regarding salary, salary schedule, and/or compensation of an unrepresented employee of the District.

Agency Designated Representatives: Oscar Pena and Brian Pendleton
Unrepresented Employee: Independent Contractor/Project Manager