

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF DECEMBER 12, 2018



VENTURA
PORT DISTRICT
Established 1952

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Everard Ashworth at 7:11PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Everard Ashworth, Chairman
Chris Stephens
Jean Getchell

Commissioners Absent:

Brian Brennan, Vice Chairman

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Deputy General Manager
Jennifer Talt-Lundin, Marketing Manager
Joe Gonzalez, Facilities Manager
Gloria Adkins, Accounting Manager
Robin Baer, Property Manager
Dave Werneburg, Marina Manager
Richard Parsons, Consultant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chairman Ashworth at 7:11PM.

PLEDGE OF ALLEGIANCE: By Commissioner Getchell.

ROLL CALL: Commissioner Brennan was absent.

ELECTION OF SECRETARY:

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to elect General Manager, Oscar Peña as Interim Secretary.

ADOPTION OF AGENDA

ACTON: Commissioner Getchell moved, seconded by Commissioner Stephens and carried by a vote of 3-0 to adopt the December 12, 2018 agenda.

APPROVAL OF MINUTES

The Minutes of the November 14, 2018 Regular Meeting were considered as follows:

ACTION: Commissioner Getchell moved, seconded by Commissioner Stephens and carried by a vote of 3-0 to approve the November 14, 2018 Regular Meeting Minutes.

PUBLIC COMMUNICATIONS: Aatish Gehani, owner of Casa de Regalos is in the process of renewing their retail lease and is hoping for a fair and long lease. Rochelle Cooper asked the Board to take into consideration more funding for Holiday décor in the next budget.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items except item 5 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. The Board will reconvene after open session to review and discuss item 5.

BOARD COMMUNICATIONS: Commissioner Ashworth met with the Acting Assistant in Charge of the Naval Ocean Service. They are doing a tour of the various Harbors and the Port of San Diego invited Commissioner Ashworth to attend. We participated in a briefing to the Naval Ocean Service as to the role that their staff has had in the VSE project. Diane Windham, Regional Coordinator from NOAA has made it clear that she is anticipating additional funding for her colleagues to assist in the VSE project moving forward.

STAFF COMMUNICATIONS: Mr. Peña recognized Dave Werneburg for his promotion to Marina Manager. Richard Parsons updated the Board on Federal funding. Marketing Manager, Jennifer Talt-Lundin updated the Board on the Parade of Lights activities, the travel shows she will be attending in 2019 and the Holiday Inn Expansion project.

LEGAL COUNSEL REPORT: Mr. Gosney reported that there have been issues with the Fish Pier Resurfacing Project and has initiated contract termination.

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 requests for the following persons:

- a) Deputy General Manager, Brian Pendleton to travel to Newport Beach, California to participate in the CMANC Winter Meeting;
- b) Dredging Consultant, Richard Parsons to travel to Newport Beach, California to participate in the CMANC Winter Meeting;
- c) Commissioner, Brian Brennan to travel to Newport Beach, California to participate in the CMANC Winter Meeting;
- d) Marketing Manager, Jennifer Talt-Lundin to travel to San Diego, California to participate in the Adventure & Travel Consumer Show with Ventura County Coast; and,
- e) Marketing Manager, Jennifer Talt-Lundin to travel to Palos Verdes, California to participate in the Visit California Annual Outlook Forum.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve the out of town travel requests for Deputy General Manager, Brian Pendleton, Dredging Consultant, Richard Parsons and

Commissioner Brian Brennan to travel to Newport Beach, California to participate in the CMANC Winter Meeting; Marketing Manager, Jennifer Talt-Lundin to travel to San Diego, California to participate in the Adventure & Travel Consumer Show with Ventura County Coast; and, to travel to Palos Verdes, California to participate in the Visit California Annual Outlook Forum.

B) Approval of New Office Lease for Power & Process Engineers

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 Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201 consisting of a total of 350 square feet for a one (1) year term.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Power & Process Engineers for the premises located at 1559 Spinnaker Drive #201 consisting of a total of 350 square feet for a one (1) year term.

C) Approval of Revised Board of Port Commissioners Protocols and Policies Manual

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve updates to the Board of Port Commissioners Protocols and Policies Manual.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve updates to the Board of Port Commissioners Protocols and Policies Manual.

D) Annual Reserve Policy Review

Recommended Action: Voice Vote.

That the Board of Port Commissioners accept the current Ventura Port District Reserve Policy, Resolution No. 3225, dated August 28, 2013.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to accept the current Ventura Port District Reserve Policy, Resolution No. 3225, dated August 28, 2013.

E) Annual Investment Policy Review

Recommended Action: Voice Vote.

That the Board of Port Commissioners accept the current Ventura Port District Investment Policy, Resolution No. 3345, dated January 10, 2018.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to accept the current Ventura Port District Investment Policy, Resolution No. 3345, dated January 10, 2018.

F) Memorandum of Agreement with the City of Ventura for Ventura Harbor Keys Water Quality Monitoring

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to enter into a Memorandum of Agreement with the City of Ventura to provide equal cost sharing for the Ventura Harbor Keys Surface Water Quality Monitoring and Reporting Program in an amount not-to-exceed \$120,000 with the Port District's cost share in an amount not-to-exceed \$60,000 over a 30-month period.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to authorize the General Manager to enter into a Memorandum of Agreement with the City of Ventura to provide equal cost sharing for the Ventura Harbor Keys Surface Water Quality Monitoring and Reporting Program in an amount not-to-exceed \$120,000 with the Port District's cost share in an amount not-to-exceed \$60,000 over a 30-month period.

G) Consideration of Rejection of Claim by Chrysiliou Living Trust, Chrysiliou Chrysiliou and Belinda Chrysiliou Trustees, and RDPH Properties, Inc.

Recommended Action: Voice Vote.

That the Board of Port Commissioners take action to reject a claim filed against the Ventura Port District on November 5, 2018 by Chrysiliou Living Trust, Chrysiliou Chrysiliou and Belinda Chrysiliou Trustees, and RDPH Properties, Inc. and authorize the General Manager to execute and mail a Notice of Rejection.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to reject a claim filed against the Ventura Port District on November 5, 2018 by Chrysiliou Living Trust, Chrysiliou Chrysiliou and Belinda Chrysiliou Trustees, and RDPH Properties, Inc. and authorize the General Manager to execute and mail a Notice of Rejection.

H) Approval of Letter to the City Manager Concerning Road Conditions

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a letter to the City Manager concerning road conditions within the Ventura Port District.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve a letter to the City Manager concerning road conditions within the Ventura Port District.

STANDARD AGENDA:

1) Approval of Harbor Village Painting Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the Harbor Village paint; awning and patio covers; and signage designs and authorize submission of same to the City of Ventura for review and approval.

ACTION: Commissioner Stephens moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve the Harbor Village paint; awning and patio covers; and signage designs and authorize submission of same to the City of Ventura for review and approval.

2) Consideration of Legal Fees

Recommended Action: Voice Vote.

That the Board of Port Commissioners consider for approval the proposed hourly rates for the calendar year 2019, and the proposed range for hourly rates for the calendar year 2020.

ACTION: Commissioner Getchell moved, seconded by Commissioner Stephens and carried by a vote of 3-0 to direct staff to develop a Professional Services Agreement with Lagerlof, Senecal, Gosney & Kruse LLP, which covers 2019 and renegotiation for 2020 around the end of 2019 or by the FY2019-2020 Budget.

3) Parcels 5 and 8 Development

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Receive a report regarding the expiration of the Pre-Option Agreement between the Ventura Port District and H. Parker Hospitality for the development of Parcels 5 and 8; and,
- b) Authorize District Legal Counsel to initiate quiet title actions for Parcels 5 and 8.

ACTION: Commissioner Getchell moved, seconded by Commissioner Stephens and carried by a vote of 3-0 to receive a report regarding the expiration of the Pre-Option Agreement between the Ventura Port District and H. Parker Hospitality for the development of Parcels 5 and 8; and, authorize District Legal Counsel to initiate quiet title actions for Parcels 5 and 8.

AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNED TO CLOSED SESSION AT 8:32PM

RECONVENED PUBLIC SESSION AT 9:04PM

CLOSED SESSION REPORT: Chairman Ashworth stated that the Board met in closed session; discussed and reviewed Item 5 on the closed session agenda. Staff was given instructions as to how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

ADJOURNMENT: The meeting was adjourned at 9:06PM.



Secretary

