



Minutes of Regular Meeting of the Ventura Port District Board of Port Commissioners Held January 27, 2016

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 7:15PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Jim Friedman, Chair
Everard Ashworth, Vice Chair
Gregory L. Carson
Bruce E. Smith
Nikos Valance

Commissioners Absent:

None

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Business Operations Manager
Joe Gonzalez, Facilities Manager
Frank Locklear, Marina Manager
Jennifer Talt-Lundin, Marketing Manager
John Higgins, Harbormaster
Gloria Adkins, Accounting Manager
Richard Parsons, Consultant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chairman Jim Friedman at 7:15PM.

PLEDGE OF ALLEGIANCE: By Chairman Jim Friedman.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTON: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt the January 27, 2016 agenda.

APPROVAL OF MINUTES

The Minutes of January 13, 2016 workshop meeting were considered as follows:

ACTION: Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 5-0 to approve the minutes of the January 13, 2016 workshop meeting.

PUBLIC COMMUNICATIONS: Lynn Mikelatos, owner of The Greek Mediterranean Steak & Seafood, commented that the tenants received a survey on Pirate Days and that she feels that keeping it in July is best. A lot of time and effort has gone into marketing and branding this event

in July and changing it will impact it severely. Councilmember and new Port District liaison, Cheryl Heitmann reported that the City of Ventura's 150th Anniversary is coming up April 2nd and she has been working with Mr. Peña and Ms. Talt-Lundin on the committee. Also, she reported on the 'One Million Acts of Kindness' campaign and encouraged the public to post their or someone else's act of kindness by April 2nd.

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 as to how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Chairman Friedman thanked staff for their diligence and extra work on the harbor entrance issues. Vice Chairman Ashworth reported on the meeting with Army Corps Brigadier General Mark Toy that occurred on January 19th. He also reported that the Shellfish Initiative is having trouble getting data, but the team is working hard to get back on track. Commissioner Carson also reported on the meeting with Brigadier General Mark Toy, his trip to the CMANC Winter Meeting and also that we have a new lobbyist in Washington D.C.

DEPARTMENTAL STAFF REPORTS: Consultant, Richard Parsons reported that Manson Construction is working overtime to get the dredge here. It is currently docked in Long Beach and we are hoping it will get to the Harbor next Thursday.

UPDATE OF HARBOR CHANNEL: Harbormaster, John Higgins gave the Commission an overview of the situation with the Harbor Channel Entrance. Bob Bartosh, owner of the Ventura Boatyard said this is greatly impacting their commerce and to be careful with how much publicity we do because it could negatively affect the Harbor.

GENERAL MANAGER REPORT: Mr. Peña thanked staff for all they have been doing during this emergency situation with the Harbor Channel Entrance.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

A) Approval of Financial Statements and Checks for the month of November 2015

Recommended Action: Resolution No. 3292.

That the Board of Port Commissioners adopt Resolution No. 3292 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in November 2015.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt Resolution No. 3292 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in November 2015.

B) Approval of New Retail Lease Agreement for Beach Break Surf Shop

Recommended Action: Motion.

That the Board of Port Commissioners approve by motion a new retail lease agreement for the premises located at 1575 Spinnaker Drive #108 consisting of 990 square feet between the Ventura Port District dba Ventura Harbor Village and Beach Break Surf Shop for a two-year term.

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to a new retail lease agreement for the premises

located at 1575 Spinnaker Drive #108 consisting of 990 square feet between the Ventura Port District dba Ventura Harbor Village and Beach Break Surf Shop for a two-year term.

C) Approval of Three (3) Out of Town Travel Requests

Recommended Action: Motion.

That the Board of Port Commissioners approve by motion the Out of Town Travel Requests for Consultant, Richard Parsons, Commissioner Everard Ashworth, and Commissioner Greg Carson.

This item was pulled from the consent agenda for the discussion of the Commissioner appointment process.

ACTION: Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 4-1 (Valance no) to approve the Out of Town Travel Requests for Consultant, Richard Parsons, Commissioner Everard Ashworth, and Commissioner Greg Carson.

D) Notice of Completion for the Installation of a One Ton Derrick Crane

Recommended Action: Resolution No. 3293.

That the Board of Port Commissioners adopt Resolution No. 3293, accepting the work of Cushman Contracting Corporation for the installation of a one ton derrick crane and authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

ACTION: Commissioner Smith moved, seconded by Carson and carried by a vote of 5-0 to adopt Resolution No. 3293, accepting the work of Cushman Contracting Corporation for the installation of a one ton derrick crane and authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

STANDARD AGENDA:

1) Approval of Fiscal Year 2014-2015 Audit

Recommended Action: Motion.

That the Board of Port Commissioners approve the acceptance of the Basic Financial Statements and Supplementary Information with Independent Auditor's Report for the Year Ended June 30, 2015, prepared by White Nelson Diehl Evans, LLP.

ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to accept the Basic Financial Statements and Supplementary Information with Independent Auditor's Report for the Year Ended June 30, 2015, prepared by White Nelson Diehl Evans, LLP.

2) Approval of Resolution Authorizing First Amendments to the 2008 and 2009 Refunding Certificates of Participation

Recommended Action: Resolution No. 3294

That the Board of Port Commissioners adopt Resolution No. 3294, authorizing the execution and delivery of a First Amendment to the 2008 Installment Purchase Agreement, a First Amendment to the 2009 Installment Purchase Agreement and related matters in connection therewith.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 adopt Resolution No. 3294, authorizing the execution and delivery of a First Amendment to the 2008 Installment Purchase Agreement, a First Amendment to the 2009 Installment Purchase Agreement and related matters in connection therewith.

The Port Commission adjourned and convened as the Board of Directors of the Ventura Port District Public Facilities Corporation at 8:38PM.

AGENDA

I. Call to Order the Annual Meeting of the Ventura Port District Public Facilities Corporation

A. Election of Officers: President, Vice President, Secretary

B. Ratify the Minutes of the Meeting held January 22, 2014

C. Approval of Resolution Authorizing First Amendment to 2008 Installment Purchase Agreement

Recommended Action: Resolution No. 127.

That the Board of Directors of the Public Facilities Corporation adopt Resolution No. 127, authorizing the execution and delivery of a First Amendment to the 2008 Installment Purchase Agreement and related matters in connection therewith.

II. Adjourn the Annual Meeting of the Public Facilities Corporation

The Board of Directors of the Ventura Port District Public Facilities Corporation adjourned and reconvened the Regular Meeting of the Ventura Port District Board of Port Commissioners at 8:44PM.

3) Discussion Regarding Possible Refinancing of the District's Department of Boating and Waterways Loans

Recommended Action: Motion.

That the Board of Port Commissioners authorize the General Manager to begin discussions with Brandis Tallman LLC for the purpose of refinancing the District's two consolidated loans with the Department of Boating and Waterways.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to authorize the General Manager to enter into an agreement for Placement Agent Services with Brandis Tallman LLC (BTLLC) for the purpose of establishing BTLLC as Placement Agent for the refinancing of the District's two consolidated loans with the Department of Boating and Waterways and lock in the interest rate of 3.50%.

4) Approval of Mid-Year Budget Adjustments for Fiscal Year 2015 – 2016

Recommended Action: Resolution No. 3295.

That the Board of Port Commissioners adopt Resolution No. 3295 authorizing the Mid-Year Budget Adjustments for Fiscal Year 2015 - 2016.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt Resolution No. 3295 authorizing the Mid-Year Budget Adjustments for Fiscal Year 2015 – 2016.

5) Update on Emergency Conditions at 1691 Spinnaker Drive

Recommended Action: 4/5ths vote.

That the Board of Port Commissioners determine by a four-fifths vote that there is a need to continue the emergency action adopted by the Board on January 13, 2016 to award a contract to Letner Roofing Company to replace the tile roof system on 1691 Spinnaker Drive without giving notice for bids to let a contract.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 5-0 to determine that there is a need to continue the emergency action adopted by the Board on January 13, 2016 to award a contract to Letner Roofing Company to replace the tile roof system on 1691 Spinnaker Drive without giving notice for bids to let a contract.

REQUEST FOR FUTURE AGENDA ITEMS: Commissioner Smith would like a discussion to make explicit what has been operating procedure by which appointments are made of Commissioners to represent the District. He would like two options discussed: 1) The Chair makes the appointment without conference with the Commission; or 2) The Chair makes a recommendation with the consent of the Commission.

ADJOURNMENT: The meeting was adjourned at 9:36PM.


Secretary

