



## **Minutes of Regular Meeting of the Ventura Port District Board of Port Commissioners Held July 27, 2016**

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The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 7:00PM 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  
Gloria Adkins, Accounting Manager  
Robin Baer, Property Manager  
John Higgins, Harbormaster  
Joe Gonzalez, Facilities Manager  
Frank Locklear, Marina Manager  
Richard Parsons, Consultant  
Jessica Rauch, Clerk of the Board

### **Legal Counsel:**

Dominic Nunneri  
Tom Bunn

## **AGENDA**

**CALL TO ORDER:** By Chairman Jim Friedman at 7:00PM.

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

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

### **ADOPTION OF AGENDA**

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

### **APPROVAL OF MINUTES**

The Minutes of June 22, 2016 regular meeting and June 29, 2016 and July 6, 2016 Special Closed Session meetings were considered as follows:

**ACTION:** Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to approve the minutes of the June 22, 2016 regular meeting and June 29, 2016 and July 6, 2016 Special Closed Session meetings.

**PUBLIC COMMUNICATIONS:** Sam Sadove mentioned that the boating community is very happy with the new flagpole. Councilmember Cheryl Heitmann asked if the Board would be ok with having a presentation on the sales tax measure being put on the November ballot and apologized for a new Commissioner not being appointed yet.

**CLOSED SESSION REPORT:** Mr. Bunn 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:** Commissioner Ashworth announced a trip the City is organizing to visit Ventura's sister City, Loreto, Mexico. He also updated the Commission on the Ventura Shellfish Enterprise. Commissioner Smith reported on the JPIA Board of Directors meeting he attended.

**DEPARTMENTAL STAFF REPORTS:** Mr. Parsons updated the Commission on the Federal Dredging Appropriations for 2017. Mr. Locklear updated the Commission on the increase in squid offloading.

**GENERAL MANAGER REPORT:** Mr. Peña reported that Ventura Harbor Village is having a good season with restaurant and retail sales being up.

**LEGAL COUNSEL REPORT:** None.

**STANDARD AGENDA:**

**1) Approval of Financial Statements and Checks for May 2016**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3308 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in May 2016.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to adopt Resolution No. 3308 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in May 2016.

**2) Adopt Two Resolutions Formalizing Employer Paid Member Contributions to PERS for Full-time Harbor Patrol Officers**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Adopt Resolution No.3309, establishing the Employer Paid Member Contributions to PERS at 1% for Full-time Harbor Patrol Officers effective July 1, 2007; and
- b) Adopt Resolution No.3310, establishing the Employer Paid Member Contributions to PERS at 3% for Full-time Harbor Patrol Officers effective July 1, 2008.

**ACTION:** Commissioner Ashworth moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt Resolution No.3309, establishing the Employer Paid Member Contributions to PERS at 1% for Full-time Harbor Patrol Officers effective July 1, 2007; and adopt Resolution No.3310, establishing the Employer Paid Member Contributions to PERS at 3% for Full-time Harbor Patrol Officers effective July 1, 2008.

### **3) Approval of FY2016 – 2017 Final Budget and Five Year Capital Improvement Plan**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3311, approving the 2016–2017 Ventura Port District Budget and Five Year Capital Improvement Plan (CIP);
- b) Adopt Resolution No. 3312, to establish the Employer Paid Member Contributions to CalPERS for the Non-represented Classic Miscellaneous Members; and
- c) Adopt Resolution No. 3313, establishing the Salary Schedule for Non-represented Employees for the Fiscal Year 2016-2017.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 3-2 (Commissioners Valance and Smith no) to adopt Resolution No. 3311, approving the 2016–2017 Ventura Port District Budget and Five Year Capital Improvement Plan (CIP); adopt Resolution No. 3312, to establish the Employer Paid Member Contributions to CalPERS for the Non-represented Classic Miscellaneous Members; and adopt Resolution No. 3313, establishing the Salary Schedule for Non-represented Employees for the Fiscal Year 2016-2017.

**NOTE:** Commissioner Valance voted no because he believes employees are not getting a real raise. He recommended that employee contributions be brought to the full contribution of 7%, so future pay raises can go in employee pockets. Commissioner Smith voted no because he is concerned about PEPRAs employees getting the 4% as a raise, since their retirement contribution has been met. He also agrees with Commissioner Valance's recommendation to bring employees to their full 7% contribution so future pay raises can go in employee pockets.

### **4) Approval of New Records Retention Policy**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3314, approving the new Records Retention Policy for the Ventura Port District and rescinding Resolution No. 2708.

**ACTION:** Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt Resolution No. 3314, approving the new Records Retention Policy for the Ventura Port District and rescinding Resolution No. 2708.

### **5) Approval of Revised Board of Port Commissioners Protocols and Policies Manual**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3315, approving the updates to the Board of Port Commissioners Protocols and Policies Manual and rescinding Resolution No. 3271.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to adopt Resolution No. 3315, approving the updates to the Board of Port Commissioners Protocols and Policies Manual and rescinding Resolution No. 3271 with the addition of the following:  
"Legal Counsel Report – Legal Counsel will report on the progress of District assignments and any legislative or judicial matters."

**6) Approval of Professional Services Agreement with White Nelson Diehl Evans**

Recommended Action: Voice Vote.


That the Board of Port Commissioners:

- a) Approve the Professional Services Agreement with White Nelson Diehl Evans LLP to perform the District's financial audit of the fiscal year ending June 30, 2016; and
- b) Appoint an Audit Liaison to work with staff and White Nelson Diehl Evans LLP throughout the audit process.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 5-0 to approve the Professional Services Agreement with White Nelson Diehl Evans LLP to perform the District's financial audit of the fiscal year ending June 30, 2016; and appoint Vice Chairman Ashworth as the Audit Liaison to work with staff and White Nelson Diehl Evans LLP throughout the audit process.

**REQUEST FOR FUTURE AGENDA ITEMS:** Commissioner Valance requested a discussion during the mid-year budget about another 3% salary increase that would go towards employees PERS contributions, totaling the full 7%. Commissioner Friedman announced that there will be a Special Meeting on Tuesday, August 2, 2016.

**ADJOURNMENT:** The meeting was adjourned at 8:35PM.



Secretary