

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MAY 1, 2019



The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Chris Stephens at 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Chris Stephens, Chairman
Brian Brennan, Vice Chairman
Jean Getchell, Secretary
Everard Ashworth
Jackie Gardina

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, Deputy General Manager
Oscar Peña, Business Operations Manager
John Higgins, Harbormaster
Joe Gonzalez, Facilities Manager
Gloria Adkins, Accounting Manager
Richard Parsons, Consultant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney
Collin Spillman

AGENDA

CALL TO ORDER: By Chairman Stephens at 7:00PM.

PLEDGE OF ALLEGIANCE: By Commissioner Gardina.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTON: Commissioner Getchell moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to adopt the May 1, 2019 agenda.

APPROVAL OF MINUTES

The Minutes of the April 3, 2019 Regular Meeting and April 18, 2019 Special Meeting were considered as follows:

ACTION: Commissioner Brennan moved, seconded by Commissioner Getchell and carried by a vote of 5-0 to approve the April 3, 2019 Regular Meeting Minutes.

ACTION: The April 18, 2019 Special Meeting minutes were continued to the next meeting.

PUBLIC COMMUNICATIONS: Vikki Brock stated that after the April 18th meeting she thought about the discussion on trust and loyalty with staff, then asked what about the trust with tenants. She believes that trust has been broken and asked how it is going to be fixed. Sam Sadove thanked Mr. Peña for the usage of the District's electrical sign during the resurfacing of his parking lot. He also asked if signage can be placed before the road construction saying businesses and parking lot open. Mr. Sadove also commented that the location of the arrow sign needs to be adjusted so people do not hit it.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the 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 was invited to a daylong workshop at Bren School on how to encourage permitting of shellfish in federal waters. He also mentioned that the City Council is receiving correspondences regarding issues at the District and would like this agenda item to get the facts straight. Commissioner Brennan appreciated Mr. Sadove's comments on the road construction and asked what the timeline for completion is. Commissioner Stephens reported that staff is working on scheduling the goal setting meeting and a VSE project presentation.

STAFF COMMUNICATIONS: Ms. Rauch briefed the Board on the public record and the District's meeting minutes. Mr. Parsons updated the Board on the completion of dredging and on the Village Marina Dock Replacement Project. Mr. Werneburg also updated the Board on the Village Marina Dock Replacement Project. Mr. Higgins updated the Board on the 24/7 Harbor Patrol schedule.

LEGAL COUNSEL REPORT: Mr. Gosney reported that he is working with staff and the Ventura Harbor Boatyard on an Assignment of Lease.

CONSENT AGENDA:

A) Approval of New Office Lease for Harold Kyle dba Kyle & Associates

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 Harold Kyle dba Kyle & Associates for the premises located at 1583 Spinnaker Drive #209, consisting of a total of 535 square feet for a one year term.

ACTION: Commissioner Brennan moved, seconded by Commissioner Getchell 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 Harold Kyle dba Kyle & Associates for the premises located at 1583 Spinnaker Drive #209, consisting of a total of 535 square feet for a one year term.

STANDARD AGENDA:

1) Approval of Financial Statements and Checks for October through December 2018

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3371 to:

- a) Accept the financial statements for the Quarter ended December 31, 2018; and
- b) Review the payroll and regular checks for October through December 2018.

ACTION: Commissioner Brennan moved, seconded by Commissioner Getchell and carried by a vote of 5-0 to adopt Resolution No. 3371 to accept the financial statements for the Quarter ended December 31, 2018; and review the payroll and regular checks for October through December 2018.

2) Approval of Notice of Completion for the Ventura Harbor Pavement Repair and Slurry Seal Project

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3372:

- a) Accepting the work of Toro Enterprises, Inc. for the Ventura Harbor Pavement Repair and Slurry Seal Project; and
- b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

ACTION: Commissioner Brennan moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to adopt Resolution No. 3372 accepting the work of Toro Enterprises, Inc. for the Ventura Harbor Pavement Repair and Slurry Seal Project; and authorizing staff to prepare and record a Notice of Completion with the Ventura County Recorder.

3) Approval of Ordinance No. 52 Amending Ordinance No. 48

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

1. Conduct a public hearing for the purpose of receiving input on proposed Ordinance 52;
2. Read proposed Ordinance No. 52 for the record; and
3. Adopt Ordinance No. 52, amending Ordinance No. 48, adopted on March 27, 2013, and titled "An Ordinance of the Board of Port Commissioners of Ventura Port District to Provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act."

ACTION: Chairman Stephens opened the public hearing at 7:48PM for the purpose of receiving input on proposed Ordinance No. 52. The reading of the proposed Ordinance No. 52 was waived. There was one public comment. The public hearing was closed by Chairman Stephens at 7:49PM.

Public Comment: Sam Sadove asked if this is something that is being mandated by the State and the District is complying with these changes.

ACTION: Commissioner Getchell moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to Adopt Ordinance No. 52, amending Ordinance No. 48, adopted on March 27, 2013, and titled "An Ordinance of the Board of Port Commissioners of Ventura Port District to Provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act."

4) Approval of Revisions to the Ventura Port District Procurement and Purchasing Policy and Exhibits

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the revisions to Ventura Port District's Procurement and Purchasing Policy and Exhibits A, C and E.

ACTION: Commissioner Getchell moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to approve the revisions to Ventura Port District's Procurement and Purchasing Policy and Exhibits A, C and E.

5) New Lease with Ventura Harbor Storage Enterprises, LLC for the Fisherman's Storage Yard

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the business terms for a new Lease between Ventura Harbor Storage Enterprises, LLC and the Ventura Port District for the Fisherman's Storage Yard and authorize the General Manager to sign the ground lease, based on those terms, subject to final review and approval of the final lease by Legal Counsel.

ACTION: Commissioner Brennan moved, seconded by Commissioner Getchell and carried by a vote of 5-0 to approve the business terms for a new Lease between Ventura Harbor Storage Enterprises, LLC and the Ventura Port District for the Fisherman's Storage Yard and authorize the General Manager to sign the ground lease, based on those terms, subject to final review and approval of the final lease by Legal Counsel.

6) Authorize the General Manager to Submit a Grant to the California Coastal Conservancy

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to submit a grant in the amount of \$200,000 to the California Coastal Conservancy to make improvements at the Fisherman's Storage Yard.

ACTION: Commissioner Brennan moved, seconded by Commissioner Getchell and carried by a vote of 5-0 to authorize the General Manager to submit a grant in the amount of \$200,000 to the California Coastal Conservancy to make improvements at the Fisherman's Storage Yard.

REQUEST FOR FUTURE AGENDA ITEMS: Commissioner Ashworth reiterated his request regarding correspondences detailing issues at the District. Commissioner Getchell mentioned the Public Information Policy.

ADJOURNMENT: The meeting was adjourned at 8:02PM.


Secretary