

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF FEBRUARY 19, 2020



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 5:30PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman
Brian Brennan, Vice Chairman (arrived at 5:35PM)
Jackie Gardina, Secretary
Everard Ashworth
Michael Blumenberg

Commissioners Absent:

None

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner
Elsa Sham

PUBLIC COMMUNICATIONS: (5:33PM) Andres Fernandez, owner of the Ventura Harbor Comedy Club, 805 Grilled Cheese and Copa Cubana reported on what he is working on to produce more revenue for the Ventura Harbor Comedy Club.

CONVENED TO CLOSED SESSION AT 5:31PM.

ADJOURNMENT: Closed Session was adjourned at 6:58PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chairman Chris Stephens at 7:04PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

PLEDGE OF ALLEGIANCE: By Accounting Manager, Gloria Adkins.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary
Everard Ashworth
Michael Blumenberg

Commissioners Absent:

None

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Gloria Adkins, Accounting Manager
Dave Werneburg, Marina Manager
John Higgins, Harbormaster
Robin Baer, Property Manager
Jennifer Talt-Lundin, Marketing Manager
Richard Parsons, Project Manager
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner
Elsa Sham

ADOPTION OF AGENDA

ACTION: Commissioner Ashworth moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to adopt the February 19, 2020 agenda, pulling Consent Items C, D, and E to the Standard Agenda.

APPROVAL OF MINUTES

The Minutes of the February 5, 2019 Regular Meeting were considered as follows:

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

PUBLIC COMMUNICATIONS: Sam Sadove, owner of Ventura Harbor Marina and Yacht Yard, commented that the District has not responded to his letter regarding increasing fees for the boatyard and as of May 2020 he will be increasing his rates regardless. Lorrie Brown, City Council Liaison apologized for not being consistently present at the meetings and will make a commitment to be present over the next six months. She is also encouraged by all the new faces and glad to see the District moving forward internally and externally.

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. Staff was given instructions on how to proceed as appropriate on these matters and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Ashworth reported that he attended the World Aquaculture Society Conference last week. He also reported that the Port of Los Angeles will be hosting a Rising Tide Summit on March 27th and he would be happy to represent the Port District at this event. He also announced that there is a new Sea Grant for economic advances for aquaculture that the District should look into. Commissioner Gardina spoke to a liveaboard who was attacked by a homeless person in the Village parking lot at night. She asked what the Harbor Patrol's role is in monitoring the parking lots and could there be more lighting. Commissioner Brennan thanked Harbormaster Higgins for the oversized vehicle information and asked he keep the Commission updated in his departmental reports.

DEPARTMENTAL AND GENERAL MANAGERS REPORTS: Mr. Pendleton reported that the California Coastal Conservancy awarded the Ventura Port District \$318,000 of grant money for the Fisherman's Storage facility and new derrick crane. Mr. Pendleton also reported that Harbor Patrol helped in removing the shopping carts from the stub channel and thanked Mr. Sadove for his offer. He also reported that the District's City staff liaison, who was present at the last meeting, reported that the proposed City Capital Improvement Plan includes the Spinnaker Drive resurfacing for FY23-24. Mr. Parsons gave an update on federal funding and dredging. Harbormaster Higgins reported on the safety of the Village and oversized vehicles.

LEGAL COUNSEL REPORT: Mr. Turner followed up on Mr. Sadove's public comment of February 5th regarding the City's new reporting of Closed Session items. He spoke to Greg Diaz, City Attorney, and it was a specialized case and not applicable to all Brown Act items.

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:

- a) Harbor Patrolmen, Tucker Zimmerman and Mark Kidman to travel to Marina Del Rey to participate in a rescue boat operator class; and
- b) Harbor Patrolmen, Tucker Zimmerman and Brian Hewitt to travel to Marina Del Ray to participate in a marine firefighting class.

ACTION: Commissioner Brennan moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve the out of town travel requests for Harbor Patrolmen, Tucker Zimmerman and Mark Kidman to travel to Marina Del Rey to participate in a rescue boat operator class; and Harbor Patrolmen, Tucker Zimmerman and Brian Hewitt to travel to Marina Del Ray to participate in a marine firefighting class.

B) Approval of Amendment No. 3 to the Professional Services Agreement with Liebert Cassidy Whitmore for the Review and Revision of the District's Human Resources Manual

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 3 to the Professional Services Agreement with Liebert Cassidy Whitmore, in the amount of \$4,100, to complete the review and revision of the District's Human Resources Manual approved by the Board on December 18, 2019.

ACTION: Commissioner Brennan moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve Amendment No. 3 to the Professional Services Agreement with Liebert Cassidy Whitmore, in the amount of \$4,100, to complete the review and revision of the District's Human Resources Manual approved by the Board on December 18, 2019.

C) Approval of Amendment No. 1 to the Professional Services Agreement with Dudek for the 2018 NOAA Sea Grant Tasks – Year 2

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Professional Services Agreement with Dudek for Year 2 Grant funding, in the amount of \$10,800, for the Ventura Shellfish Enterprise Project 2018 Sea Grant tasks.

This item was pulled from the Consent Agenda.

ACTION: Commissioner Brennan moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to approve Amendment No. 1 to the Professional Services Agreement with Dudek for Year 2 Grant funding, in the amount of \$10,800, for the Ventura Shellfish Enterprise Project 2018 Sea Grant tasks.

D) Approval of Amendment No. 1 for two Professional Services Agreements with Plauché & Carr, LLP for Support of the 2018 NOAA Sea Grant Tasks

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Approve Amendment No. 1 to the Professional Services Agreement with Plauché & Carr, LLP, dated January 17, 2019, for Year 2 Grant funding, in the amount of \$20,000, for the Ventura Shellfish Enterprise Project 2018 Sea Grant; and
- b) Approve Amendment No. 1 to the Professional Services Agreement with Plauché & Carr, LLP, dated July 1, 2019, for District funding, in the amount of \$2,300, for support of the Ventura Shellfish Enterprise Project 2018 Sea Grant tasks.

This item was pulled from the Consent Agenda.

ACTION: Commissioner Brennan moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to:

- a) Approve Amendment No. 1 to the Professional Services Agreement with Plauché & Carr, LLP, dated January 17, 2019, for Year 2 Grant funding, in the amount of \$20,000, for the Ventura Shellfish Enterprise Project 2018 Sea Grant; and
- b) Approve Amendment No. 1 to the Professional Services Agreement with Plauché & Carr, LLP, dated July 1, 2019, for District funding, in the amount of \$2,300, for support of the Ventura Shellfish Enterprise Project 2018 Sea Grant tasks.

E) Approval of New Professional Services Agreement with K&L Gates for Continued Legal Services for the Ventura Shellfish Enterprise Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Professional Services Agreement with K&L Gates, in the amount of \$35,000, for continued legal services for the Ventura Shellfish Enterprise Project.

This item was pulled from the Consent Agenda.

ACTION: Commissioner Brennan moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve a new Professional Services Agreement with K&L Gates, in the amount of \$35,000, for continued legal services for the Ventura Shellfish Enterprise Project.

F) Approval of Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates for the Trash Enclosures Improvement Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates, in the amount of \$35,650, to provide architectural services to upgrade and/or relocate four trash enclosures in Ventura Harbor Village.

ACTION: Commissioner Brennan moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates, in the amount of \$35,650, to provide architectural services to upgrade and/or relocate four trash enclosures in Ventura Harbor Village.

G) Approval of Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates for the ADA Compliant Restroom Remodels Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates, in the amount of \$29,885, to provide architectural services for the remodel or reconstruction of restrooms in various buildings in Ventura Harbor Village.

ACTION: Commissioner Brennan moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to approve Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates, in the amount of \$29,885, to provide architectural services for the remodel or reconstruction of restrooms in various buildings in Ventura Harbor Village.

STANDARD AGENDA:

1) Approval of Financial Statements and Checks for October through December 2019

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3385 to:

- a) Accept the following financial statements for the Quarter ended December 31, 2019; and,
- b) Review the payroll and regular checks for October through December 2019.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to adopt Resolution No. 3385 to:
a) Accept the following financial statements for the Quarter ended December 31, 2019; and,
b) Review the payroll and regular checks for October through December 2019.

2) Approval of Fiscal Year 2019 – 2020 Mid-Year Budget Adjustments and Capital Improvement Plan

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3386, approving the Mid-Year Budget Adjustments for Fiscal Year 2019 – 2020 effective January 1, 2020.

ACTION: Commissioner Brennan moved, seconded by Commissioner Blumenberg and carried by a vote of 5-0 to adopt Resolution No. 3386, approving the Mid-Year Budget Adjustments for Fiscal Year 2019 – 2020 effective January 1, 2020.

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

The next meeting is Wednesday, March 4, 2020.



Jackie Gardina, Secretary