

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF JULY 7, 2021



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 6:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

ROLL CALL:

Commissioners Present:

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

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 via teleconference

PUBLIC COMMUNICATIONS: None. Closed at 6:01PM.

CONVENED TO CLOSED SESSION AT 6:02PM.

ADJOURNMENT: Closed Session was adjourned at 7:00PM.

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 7:05PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Todd Mitchell, Business Operations Manager.

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
John Higgins, Harbormaster via teleconference
Gloria Adkins, Accounting Manager via teleconference
Dave Werneburg, Marina Manager via teleconference
Jennifer Talt-Lundin, Marketing Manager via teleconference
Sergio Gonzalez, Maintenance Supervisor via teleconference
Joe Gonzalez, Facilities Manager via teleconference
Ruby Emery, Marketing Coordinator via teleconference

Legal Counsel:

Andy Turner via teleconference

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the July 7, 2021 agenda.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the June 16, 2021 Regular Meeting were considered as follows:

ACTION: Commissioner Ashworth moved to approve the minutes of the June 16, 2021 Regular Meeting.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Ashworth

NOES: None

ABSENT: None

ABSTAINED: Commissioner Brennan

Motion carried 4-0-1.

PUBLIC COMMUNICATIONS: None. Closed at 7:08PM.

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed one item on the closed session agenda. The Board gave direction to staff as to how to proceed. No action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Ashworth has been working with Derek Turner on solutions for the Harbor's debris issues. They are looking to engage the Ventura Yacht Club who will start beach clean ups.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported that Maintenance Supervisor Sergio Gonzalez has been working with maintenance staff to solve the debris issue. Mr. Pendleton also spoke with the surrounding Master Tenants for contribution and feedback on the debris issue. Mr. Pendleton thanked Harbor Patrol and Maintenance for their hard work over the holiday weekend.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

A) Approval of a Professional Services Agreement with Swift Chip, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Swift Chip, Inc. not to exceed \$100,000 to provide Information Technology services from July 1, 2021 to June 30, 2022.

Public Comment: None.

ACTION: Commissioner Brennan moved to approve a Professional Services Agreement with Swift Chip, Inc. not to exceed \$100,000 to provide Information Technology services from July 1, 2021 to June 30, 2022.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

B) Approval of a Professional Services Agreement with Carpi & Clay, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with Federal Advocacy Services from July 1, 2021 to June 30, 2022.

Public Comment: None.

ACTION: Commissioner Brennan moved to approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with Federal Advocacy Services from July 1, 2021 to June 30, 2022.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

C) Approval of a Professional Services Agreement with K&L Gates

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with K&L Gates in the amount of \$60,000 to provide legislative, regulatory and policy advocacy for Commercial Fisheries and Aquaculture from July 1, 2021 to June 30, 2022.

Commissioner Brennan asked this item be pulled from the Consent Agenda. It was acted upon after and separately from the other Consent items.

Report by Brian D. Pendleton, General Manager.

Public Comment: Sam Sadove hopes that the advocacy will focus on the existing fisheries operating at the harbor and the shellfisheries are put on the back burner until there is more clarity on what the State is going to do. Closed at 7:18PM.

ACTION: Commissioner Brennan moved to approve a Professional Services Agreement with K&L Gates in the amount of \$60,000 to provide legislative, regulatory and policy advocacy for Commercial Fisheries and Aquaculture from July 1, 2021 to June 30, 2022.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

D) Approval of a Professional Services Agreement with Liebert Cassidy Whitmore

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Liebert Cassidy Whitmore in the amount of \$50,000 to provide Human Resources legal services from July 1, 2021 to June 30, 2022.

Public Comment: None.

ACTION: Commissioner Brennan moved to approve a Professional Services Agreement with Liebert Cassidy Whitmore in the amount of \$50,000 to provide Human Resources legal services from July 1, 2021 to June 30, 2022.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

E) Adoption of Resolution No. 3419 Updating the Ventura Port District Human Resources Manual

Recommended Action: Roll Call vote.

That the Board of Port Commissioners adopt Resolution No. 3419 updating the Ventura Port District Human Resources Manual and rescinding Resolution No. 3381.

Public Comment: Sam Sadove somewhat agrees with Vice-Chairman Blumenberg's comment on Section XIII-A. Conduct and stated the Board should consider rewording it.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3419 updating the Ventura Port District Human Resources Manual and rescinding Resolution No. 3381.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

F) Receive and File the Ventura Shellfish Enterprise Annual Report

Recommended Action: Roll Call vote.

That the Board of Port Commissioners receive and file the annual report for the Ventura Shellfish Enterprise (VSE).

Public Comment: None.

ACTION: Commissioner Brennan moved to receive and file the annual report for the Ventura Shellfish Enterprise.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

G) Adoption of Resolution No. 3420 Approving the MOU/CBA with Teamsters 186 Representing the Courtesy Dockmaster Unit

Recommended Action: Roll Call vote.

That the Board of Port Commissioners adopt Resolution No. 3420, approving the Memorandum of Understanding Collective Bargaining Agreement between the Ventura Port District and the International Brotherhood of Teamsters Local Union No. 186, representing all regular full-time employees classified as the Port District Courtesy Dockmaster.

Public Comment: None.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3420, approving the Memorandum of Understanding Collective Bargaining Agreement between the Ventura Port District and the International Brotherhood of Teamsters Local Union No. 186, representing all regular full-time employees classified as the Port District Courtesy Dockmaster.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

STANDARD AGENDA:

1) Adoption of Resolution No. 3421 Approving the FY2021 – 2022 Final Budget and Five-Year Capital Improvement Plan

Recommended Action: Roll Call vote.

That the Board of Port Commissioners adopt Resolution No. 3421 approving the FY2021–2022 Ventura Port District Final Budget and Five-Year Capital Improvement Plan.

Report by: Gloria Adkins, Accounting Manager.

Public Comment: None. Closed at 7:32PM.

ACTION: Commissioner Ashworth moved to adopt Resolution No. 3421 approving the FY2021–2022 Ventura Port District Final Budget and Five-Year Capital Improvement Plan.

Commissioner Brennan seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

2) Finding for Contract for EV Charging Station Grant Application

Recommended Action: Roll Call vote.

That the Board of Port Commissioners find, based upon the evidence presented below, that sole-source partnership and procurement with “PlemCo Response to Volkswagen Environmental Mitigation Trust Fund Light-Duty Electric Vehicle Infrastructure Program Call for Projects” via AssetWorks to pursue one or more grant opportunities for procurement and installation of electric vehicle charging stations in Ventura Harbor Village meets the Sole Source Procurement exception to competitive bidding under the District’s Procurement and Purchasing Policy.

Report by Todd Mitchell, Business Operations Manager.

Public Comment: None. Closed at 7:44PM.

ACTION: Commissioner Brennan moved to find, based upon the evidence presented below, that sole-source partnership and procurement with “PlemCo Response to Volkswagen Environmental Mitigation Trust Fund Light-Duty Electric Vehicle Infrastructure Program Call for Projects” via AssetWorks to pursue one or more grant opportunities for procurement and installation of electric vehicle charging stations in Ventura Harbor Village meets the Sole Source Procurement exception to competitive bidding under the District’s Procurement and Purchasing Policy.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Brennan, Gardina, Ashworth

NOES: Commissioner Blumenberg

ABSENT: None

Motion carried 4-1.

3) Approval of the Ventura Port District Public and Civic Engagement Plan

Recommended Action: Roll Call vote.

That the Board of Port Commissioners review, discuss and approve the Ventura Port District Public and Civic Engagement Plan as part of the Ventura Port District’s 5-Year Objectives.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:01PM.

ACTION: Commissioner Brennan moved to approve the Ventura Port District Public and Civic Engagement Plan as part of the Ventura Port District’s 5-Year Objectives.

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

4) Approval of a Professional Services Agreement with Associated Transportation Engineers

Recommended Action: Roll Call vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Associated Transportation Engineers not to exceed \$35,000 to provide traffic counts, parking surveys and parking plan implementation from July 1, 2021 to June 30, 2022.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:11PM.

ACTION: Commissioner Gardina moved to approve a Professional Services Agreement with Associated Transportation Engineers not to exceed \$35,000 to provide traffic counts, parking surveys and parking plan implementation from July 1, 2021 to June 30, 2022.

Commissioner Brennan seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

5) Adoption of Resolution No. 3422 Approving the Updates to the Board of Port Commissioners Protocols and Policies Manual

Recommended Action: Roll Call vote.

That the Board of Port Commissioners adopt Resolution No. 3422 approving the updates to the Board of Port Commissioners Protocols and Policies Manual and rescind Resolution No. 3315.

Report by Jessica Rauch, Clerk of the Board.

Public Comment: None. Closed at 8:24PM.

ACTION: Commissioner Brennan moved to continue this item to the July 21, 2021 meeting to include the recommended changes from staff and the Board.

Commissioner Blumenberg seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None

Motion carried 5-0.

6) Ventura Port District Operations Update as it Relates to COVID-19

Recommended Action: Informational. (Verbal Report)

That the Board of Port Commissioners receive an update on:

- a) The COVID-19 Ventura Harbor Rental Abatement and Deferment Program; and,
- b) Status of Ventura Port District operations.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: None. Closed at 8:29PM.

ACTION: **The Board of Port Commissioners received an update on COVID-19 related items.**

ADJOURNMENT: The meeting was adjourned at 8:30PM.

The next meeting is Wednesday, July 21, 2021.



Brian Brennan, Secretary