



BOARD OF PORT COMMISSIONERS

OCTOBER 6, 2021

SUPPLEMENTAL PACKET

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 15, 2021 **REVISED**



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
Brian Brennan, Secretary via teleconference
Jackie Gardina via teleconference
Everard Ashworth via teleconference

Commissioners Absent:

None

Port District Staff:

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

Legal Counsel:

Andy Turner via teleconference

City of Ventura Liaisons

Deputy Mayor Joe Schroeder, City Council Liaison – Absent
Michael Coon, Administrative Liaison – Absent

Number of interested persons: 1

PUBLIC COMMUNICATIONS: None. Closed at 6:03PM

CONVENED TO CLOSED SESSION AT 6:04PM.

ADJOURNMENT: Closed Session was adjourned at 7:02PM.

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 7:06PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

None.

Port District Staff:

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

Legal Counsel:

Andy Turner via teleconference

City of Ventura Liaisons

Deputy Mayor Joe Schroeder, City Council Liaison – Absent
Michael Coon, Administrative Liaison – Absent

Number of interested persons: 6

ADOPTION OF AGENDA

ACTION: Commissioner Gardina moved to adopt the September 15, 2021 agenda.

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

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth
NOES: None

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the September 1, 2021 Regular Meeting were considered as follows:

ACTION: Vice-Chairman Blumenberg moved to approve the minutes of the September 1, 2021 Regular Meeting.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Brennan

NOES: None

ABSTAINED: Commissioner Ashworth

Motion carried 4-0-1.

PUBLIC COMMUNICATIONS: Gary King submitted written comment thanking the Harbor Patrol for their continued support of his open water swim group. Closed at 7:09PM.

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 was appreciative of Gary King's written comment, mentioned the Yacht Club beach cleanup, and announced that its beach cleanup day throughout the state of California this Saturday. He also thanked Chair Stephens and Commissioner Gardina for standing for reappointment. Vice-Chairman Blumenberg announced the December 4th workshop and asked for feedback from the public on what they would like the Commission to discuss. Chairman Stephens mentioned the Village was well used over the Labor Day holiday and thanked staff for the responsive cleanup and would like to discuss extra services for holiday weekends.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on the Chalk Art Festival, the Yacht Club's first beach cleanup and on August 31st letters were sent withdrawing the Ventura Shellfish Enterprise Project Application. Mr. Pendleton also introduced new Business Operations Analyst Jessica Snipas. Mr. Turner reported on AB 361.

CONSENT AGENDA:

A) Approval of an Out-of-Town Travel Request

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve an out-of-town travel request for Jennifer Talt-Lundin, Marketing Manager, to attend the Central Coast Tourism Council Board Meeting and Workshop in Monterey, CA.

ACTION: Commissioner Brennan moved to approve an out-of-town travel request for Jennifer Talt-Lundin, Marketing Manager, to attend the Central Coast Tourism Council Board Meeting and Workshop in Monterey, CA.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Brennan, [Ashworth](#)
NOES: None

Motion carried 5-0.

B) Approval of a New Office Lease Agreement for John Howard DBA Power & Process Engineers at 1559 Spinnaker Drive #201

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John Howard DBA Power & Process Engineers for space located at 1559 Spinnaker Drive #201 consisting of approximately 350 square feet for a two (2) year term.

ACTION: Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John Howard DBA Power & Process Engineers for space located at 1559 Spinnaker Drive #201 consisting of approximately 350 square feet for a two (2) year term.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Brennan, [Ashworth](#)
NOES: None

Motion carried 5-0.

C) Approval of Lease Amendment No. 4 to the Ventura Isle Marina Ground Lease

Recommended Action: Roll Call vote.

That the Board of Port Commissioners approve Lease Amendment No. 4 to the Ground Lease for Ventura Isle Marina between the Ventura Port District dba Ventura Harbor Village and SHM Ventura Isle, LLC.

ACTION: Commissioner Brennan moved to approve Lease Amendment No. 4 to the Ground Lease for Ventura Isle Marina between the Ventura Port District dba Ventura Harbor Village and SHM Ventura Isle, LLC.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Brennan, [Ashworth](#)
NOES: None

Motion carried 5-0.

STANDARD AGENDA:

1) Adoption of Resolution No. 3428, Approving the Revisions to the Ventura Port District Procurement and Purchasing Policy

Recommended Action: Roll Call vote.

That the Board of Port Commissioners adopt Resolution No. 3428 approving the revisions to Ventura Port District's Procurement and Purchasing Policy and rescind Resolution No. 3330. Report by Jessica Rauch, Clerk of the Board.

Public Comment: None. Closed at 7:27PM.

ACTION: Chairman Stephens moved to adopt Resolution No. 3428 approving the revisions to Ventura Port District's Procurement and Purchasing Policy and rescind Resolution No. 3330 with an additional revision as follows:

IV. EXCEPTIONS TO COMPETITIVE BIDDING

The following exceptions shall apply to the competitive bidding procedures set forth in Section III(C) above:

A. Sole Source Procurement

There may be limited situations where the District requires particular contracts for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, for which there is no substantial equivalent and which are, in fact, available from only one vendor, supplier, service provider, or contractor, and therefore, in such situations, the use of competitive bidding may be impractical.

The Board has determined that it is in the District's best interests to authorize the General Manager to engage in sole source procurement under limited circumstances. The General Manager, on behalf of the District, may execute a contract for the purchasing of supplies used in connection with or consumed on any project or work not subject to the UPCCA, on a sole source basis, and without competitive bidding, on the following conditions:

- (1) The General Manager determines, after conducting a good faith review of available sources, that there is only one source for such supplies required by the District.
 - (a) Examples of sole source procurements include, but shall not be limited to, the following:
 - (i) ***Licensed or Patented Applications:*** The vendor, supplier, service provider, or contractor is the sole provider of a licensed, patented, or proprietary application, product, material, supplies, or item required by the District that has unique design or performance features providing superior utility not obtainable from similar vendors, suppliers, service providers, or contractors.
 - (ii) ***Authorized Service Provider, Repair and Warranty Services:*** The District requires service or repair support for such supplies and the vendor, supplier, service provider, or contractor is either a factory authorized warranty service provider or such vendor, supplier, service provider, or contractor is required for warranty services pursuant to the terms and conditions of an existing District contract.
 - (iii) ***Unique Design:*** The District has a specialized need and the vendor, supplier, service provider, or contractor is the sole provider of such supplies that can meet the District's specialized needs or

to perform the intended functions. This includes products with special features essential for the completion of a task or project, or with physical or artistic design characteristics that satisfy aesthetic requirements.

- (iv) ***Trial and Evaluation Projects:*** A limited duration, limited scope, pilot, trial or evaluation of a product, range of products or services. A trial or evaluation project would typically be part of establishing a standard for a District department, or to pilot a particular product or services for a District need.

- (2) Such sole-source contract has been included in the District's then-current fiscal budget.

- (3) The General Manager provides a written report to the Board containing the following information:
 - (a) A brief description of the circumstances surrounding the sole source procurement, and the need for immediate acquisition;

 - (b) A statement and/or justification of the General Manager's good faith determination that a sole source opportunity has been presented to the District; and

 - (c) A brief description of the supplies to be purchased or contracted for, the cost of such purchase or contract, and the name of the sole-source vendor, supplier, service provider, or contractor.

- (4) The Board ~~has approved~~ approves the sole-source contract at the next scheduled workshop or regular or special meeting of the Board.

If such sole source contract has not been previously included in the District's then-current fiscal budget or such contract exceeds the amount budgeted for that particular contract in the District's then-current fiscal budget, such contract shall require prior Board approval.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Brennan, Ashworth
NOES: None

Motion carried 5-0.

2) Parcels 14 and 20 Development Planning Status Report

Recommended Action: Informational.

That the Board of Port Commissioners receive an informational report to discuss potential future development of Parcels 14 and 20 located at 1404 through 1644 Anchors Way Drive.

Report by Tom Derecktor and Leonora Valvo, owners of Derecktor Marine Holdings.

Public Comment: Gary Magnone submitted written comment asking if the gate adjacent to Harbortown will be unlocked again sometime in the future to allow the public to walk through.

ACTION: The Board of Port Commissioners received an information report on potential future development of Parcels 14 and 20 located at 1404 through 1644 Anchors Way Drive.

3) 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 8:30PM.

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

ADJOURNMENT: The meeting was adjourned at 8:38PM.

The next meeting is Wednesday, October 6, 2021.

Brian Brennan, Secretary