

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 7, 2022

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### CLOSED SESSION

#### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Stephens at 6:03PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

#### **ROLL CALL:**

##### **Commissioners Present:**

Chris Stephens, Chair  
Michael Blumenberg, Vice-Chair  
Brian Brennan, Secretary  
Jackie Gardina  
Anthony Rainey

##### **Commissioners Absent:**

None.

##### **Port District Staff:**

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

##### **Legal Counsel:**

Andy Turner, Lagerlof Lawyers LLP

##### **Number of interested persons:**

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:04PM

**CONVENED TO CLOSED SESSION AT 6:05PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:36PM.

### OPEN SESSION

#### **ADMINISTRATIVE AGENDA:**

##### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair Stephens at 7:01PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

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

**ROLL CALL:**

**Commissioners Present:**

Chris Stephens, Chair  
Michael Blumenberg, Vice-Chair  
Brian Brennan, Secretary  
Jackie Gardina  
Anthony Rainey

**Commissioners Absent:**

None.

**Port District Staff:**

Brian Pendleton, General Manager  
Todd Mitchell, Sr. Business Operations Manager  
Jessica Rauch, Clerk of the Board  
John Higgins, Harbormaster  
Gloria Adkins, Accounting Manager  
Wayne Hatch, Maintenance Supervisor  
Sergio Gonzalez, Facilities Manager via zoom  
Dave Werneburg, Marina Manager via zoom  
Joe Gonzalez, Capital Projects Manager  
Jessica Snipas, Business Operations Analyst

**Legal Counsel:**

Andy Turner, Lagerlof Lawyers LLP

**City of Ventura Liaisons**

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

**Number of interested persons:**

2 via zoom; 2 in person

**ADOPTION OF AGENDA**

**ACTION:** Commissioner Gardina moved to adopt the September 7, 2022 agenda.

Commissioner Brennan seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey

**NOES:** None

**ABSTAINED:** None.

**Motion carried 5-0.**

**APPROVAL OF MINUTES**

The Minutes of the June 29, 2022 and July 20, 2022 Regular Meeting were considered as follows:

**ACTION:** Commissioner Gardina moved to approve of the June 29, 2022 regular meeting minutes.

**Commissioner Brennan seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**  
**NOES: None**

**Motion carried 5-0.**

**ACTION:** Commissioner Brennan moved to approve of the July 20, 2022 regular meeting minutes.

**Commissioner Gardina seconded. The vote was as follows:**

**AYES: Commissioners Brennan, Gardina, Rainey**  
**NOES: None**  
**ABSTAINED: Commissioners Stephens, Blumenberg**

**Motion carried 3-0-2.**

**PUBLIC COMMUNICATIONS:** Steve O'Reilly, a Ventura Marina Mobile Home Park HOA Board of Directors member, asked what the position of the Port District is on the use of Schooner and Anchors Way Drive for the WaterPure plan and would like a breakout of the general 50-year lease revenues to show what the revenue to the Port is.

**CLOSED SESSION REPORT:** Mr. Turner stated that the Board met in closed session; discussed and reviewed all items 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 Brennan noted that we lost coastal warrior, Sara Wan this week and asked if the Commission can adjourn in her honor at the September 21<sup>st</sup> meeting.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton gave an update on VenturaWaterPure. The City is also working on their new 5-year Economic Development Strategy and has asked Mr. Pendleton to be a member of the evaluation committee. Thirdly, the State Lands Commission awarded the District Round 3 funding. Commissioner Gardina asked about City CIP for harbor streets. Mr. Pendleton responded that we have received a letter and have spoken with the Public Works Director. Commissioner Rainey asked if they are using a pavement management system. Mr. Pendleton answered yes.

#### **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) Sr. Business Operations Manager, Todd Mitchell to attend the Pacific Chapter of the Western Dredging Association (WEDA) Fall 2022 Conference in San Francisco, October 26 to 28, 2022.
- b) Harbormaster, John Higgins to attend the Department of Boating and Waterways (DBW) working group in Morro Bay, September 18 to 20, 2022.

Public Comment: None.



**ACTION:** Commissioner Brennan moved to approve the out-of-town travel requests for:

- a) Sr. Business Operations Manager, Todd Mitchell to attend the Pacific Chapter of the Western Dredging Association (WEDA) Fall 2022 Conference in San Francisco, October 26 to 28, 2022.
- b) Harbormaster, John Higgins to attend the Department of Boating and Waterways (DBW) working group in Morro Bay, September 18 to 20, 2022.

Commissioner Rainey seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey

**NOES:** None

**Motion carried 5-0.**

**B) Approval of Updated Conflict of Interest and Disclosure Code**

Recommended Action: Voice Vote.

That the Board of Port Commissioners adopt Resolution No. 3457 to approve the updated Conflict of Interest Code Policy and rescind Resolution No. 3424.

Public Comment: None.

**ACTION:** Commissioner Brennan moved to adopt Resolution No. 3457 to approve the updated Conflict of Interest Code Policy and rescind Resolution No. 3424.

Commissioner Rainey seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey

**NOES:** None

**Motion carried 5-0.**

**C) Consideration of Two Claims Filed on July 20, 2022**

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Reject that portion of the claim filed against the Ventura Port District on July 20, 2022 by Andria's Seafood Specialties, Inc. that accrued within the applicable claims filing period; and,
- b) Reject that portion of the claim filed against the Ventura Port District on July 20, 2022 by Ventura Harbor Restaurant Associates, Inc. that accrued within the applicable claims filing period.

Public Comment: None.

**ACTION:** Commissioner Brennan moved to:

- a) Reject that portion of the claim filed against the Ventura Port District on July 20, 2022 by Andria's Seafood Specialties, Inc. that accrued within the applicable claims filing period; and,
- b) Reject that portion of the claim filed against the Ventura Port District on July 20, 2022 by Ventura Harbor Restaurant Associates, Inc. that accrued within the applicable claims filing period.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**  
**NOES: None**

**Motion carried 5-0.**

**D) Authorization of a Grant of Easement to Southern California Edison Company**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to sign the Grant of Easement to Southern California Edison Company (SCE) and its successors an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time an underground electrical supply systems and communications system (utilities) through two strips of land lying within Parcel 1 between Anchors Way Drive and the Ventura Marina Community mobile home park.

Public Comment: None.

**ACTION:** Commissioner Brennan moved to authorize the General Manager to sign the Grant of Easement to Southern California Edison Company (SCE) and its successors an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time an underground electrical supply systems and communications system (utilities) through two strips of land lying within Parcel 1 between Anchors Way Drive and the Ventura Marina Community mobile home park.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**  
**NOES: None**

**Motion carried 5-0.**

**E) Rejection of Bids for the FY2022-2023 Janitorial Services for Ventura Harbor Village Restrooms and District Administration Office**

Recommended Action: Voice Vote.

That the Board of Port Commissioners reject all bids received for the FY2022-2023 Janitorial Services for Ventura Harbor Village restrooms and District Administration Office.

Public Comment: None.

**ACTION:** Commissioner Brennan moved to reject all bids received for the FY2022-2023 Janitorial Services for Ventura Harbor Village restrooms and District Administration Office.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**  
**NOES: None**

**Motion carried 5-0.**

**F) Quarterly Update on the Ventura Port District 5-Year Objectives**

Recommended Action: Voice Vote.



That the Board of Port Commissioners receive and file the quarterly update on the Ventura Port District 5-Year Objectives.  
Public Comment: None.

**ACTION:** Commissioner Brennan moved to receive and file the quarterly update on the Ventura Port District 5-Year Objectives.

Commissioner Rainey seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**STANDARD AGENDA:**

**1) Presentation Outlining the Property Improvements to Safe Harbor Ventura Isle**

Recommended Action: Informational.

That the Board of Port Commissioners receive a presentation outlining the property improvements to Safe Harbor Ventura Isle.

Report by Garrett McKinney, General Manager, Safe Harbor Ventura Isle.

Public Comment: None.

**ACTION:** The Board of Port Commissioners received a presentation from Garrett McKinney, Safe Harbor Ventura Isle outlining the property improvements...

**2) Rejection of Bids for the Ventura Harbor Village 1567 Spinnaker Drive Facade Renovation Project**

Recommended Action: Voice Vote.

That the Board of Port Commissioners reject all bids received for the Ventura Harbor Village building 1567 Façade Renovation Project.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None. Closed at 7:50PM.

**ACTION:** Commissioner Rainey moved to reject all bids received for the Ventura Harbor Village building 1567 Façade Renovation Project.

Commissioner Brennan seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**3) Consideration of Proposed Strategies to the Ventura Port District 5-Year Objectives**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the proposed strategies in support of the 5-Year Objectives.

Report by Brian D. Pendleton, General Manager.

Public Comment: Michael Sondermann, owner of Portside Ventura would like to see a pilot program for a water taxi implemented next summer. Closed at 8:23PM.

**ACTION:** Vice-Chair Blumenberg moved to continue the proposed strategies to the September 21, 2022 meeting.

Commissioner Brennan seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**4) Authorize Execution of a Funding Agreement for a Grant from the National Fish and Wildlife Foundation for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to execute a Funding Agreement with the National Fish and Wildlife Foundation to receive \$93,301.02 for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None.

**ACTION:** Commissioner Rainey moved to authorize the General Manager to execute a Funding Agreement with the National Fish and Wildlife Foundation to receive \$93,301.02 for the Refugio Beach Oil Spill Settlement: South Coast Shoreline Parks and Outdoor Recreation Grants Program.

Commissioner Gardina seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**ADJOURNMENT:** The meeting was adjourned in honor of County Supervisor Carmen Ramirez and Bob Bartosh at 8:59PM.

The next regular meeting is Wednesday, September 21, 2022.

  
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Brian Brennan, Secretary