



VENTURA PORT DISTRICT BOARD OF PORT COMMISSIONERS

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

Brian D. Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Andy Turner, Legal Counsel
Jessica Rauch, Clerk of the Board

REGULAR MEETING WEDNESDAY, OCTOBER 5, 2022

VENTURA PORT DISTRICT OFFICE
1603 ANCHORS WAY DRIVE
VENTURA, CA 93001

OPEN SESSION – 7:00PM

PUBLIC PARTICIPATION OPTIONS VIRTUAL VIEWERSHIP ONLY

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<https://us02web.zoom.us/j/83276329300>

Webinar ID: 832 7632 9300

1-669-900-6833

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SUBMIT PUBLIC COMMENT VIA EMAIL

If you will not be participating in person but would like to submit a written comment on a specific agenda item, please do so via email by 4:00PM on the day of the meeting. Please submit your comment to the Clerk of the Board at jrauch@venturaharbor.com.

When sending an email, please indicate in the subject line, the agenda item number (i.e. General Public Comment or Consent Item A). Written comments should be no more than 1000 characters in length. Written comments will be distributed to the Commissioners and will be posted as a supplemental packet on the District's website at <https://venturaharbor.com/board-meetings-minutes/>.

OPEN SESSION 7:00PM

CALL TO ORDER: *By Vice-Chair Michael Blumenberg.*

PLEDGE OF ALLEGIANCE: *By Vice-Chair Michael Blumenberg.*

ROLL CALL: *By the Clerk of the Board.*

ADOPTION OF AGENDA (3 minutes)

Consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item added to or removed/continued from the Port Commission’s agenda. Administrative Reports relating to this agenda and materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the Port District’s office located at 1603 Anchors Way Drive, Ventura, CA during business hours as well as on the District’s website - www.venturaharbor.com.

APPROVAL OF MINUTES (3 minutes)

The Minutes of the September 21, 2022 Regular Meetings will be considered for approval.

PUBLIC COMMUNICATIONS (3 minutes)

The Public Communications period is set aside to allow public testimony on items not on today’s agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair.

CLOSED SESSION REPORT (3 minutes)

Closed Sessions are not open to the public pursuant to the Brown Act. Any reportable actions taken by the Commission during Closed Session will be announced at this time.

BOARD COMMUNICATIONS (5 minutes)

Port Commissioner’s may present brief reports on port issues, such as seminars, meetings and literature that would be of interest to the public and/or Commission, as a whole. Port Commissioner’s must provide a brief summary and disclose any discussions he or she may have had with any Port District Tenants related to Port District business.

STAFF AND GENERAL MANAGER REPORTS (5 minutes)

Ventura Port District Staff, Legal Counsel and General Manager will give the Commission updates on important topics or items of general interest if needed.

CONSENT AGENDA: (5 minutes)

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by the Board at one time, without discussion, unless a member of the Board or the public requests an opportunity to address any given item. Approval by the Board of Consent Items means that the recommendation is approved along with the terms set forth in the applicable staff reports.

A) Approval of Out-of-Town Travel Request

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the out-of-town travel request for Jessica Rauch, Clerk of the Board to attend the CSDA 2022 Board Secretary/Clerk Conference in Monterey, CA.

B) Award of Bid 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 award the FY2022-2023 Janitorial Services Contract to Jani-King International Inc. in the amount of \$56,500.

C) Award of Bid for the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting

Recommended Action: Voice Vote.

That the Board of Port Commissioners award the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting Contract to Holly Workshop in the amount not to exceed \$71,500.

STANDARD AGENDA:

1) Rejection of Low Bid and Acceptance of Second Low Bid for the Ventura Harbor Village 1567 Facade Renovation Project

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Reject the low bid from Peter Holguin Construction due to omissions; and
- b) Award the bid Contract to F.C.T Construction for the Ventura Harbor Village 1567 Spinnaker Drive Facade Renovation Project in the amount of \$698,000.00.

ADJOURNMENT

This agenda was posted on Friday, September 30, 2022 by 5:30 p.m. at the Port District Office and online at <https://venturaharbor.com/board-meeting-documents/>

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Ventura Port District at (805) 642-8538 or the California Relay Service at 711 or (800) 855-7100. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)



VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS

OCTOBER 5, 2022

APPROVAL OF MINUTES

SEPTEMBER 21, 2022 REGULAR MEETING

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 21, 2022



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Stephens at 6:46PM 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
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via Zoom

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None. Closed at 6:47PM

CONVENED TO CLOSED SESSION AT 6:48PM.

ADJOURNMENT: Closed Session was adjourned at 6:56PM.

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 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Mr. Pendleton.

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
Jessica Rauch, Clerk of the Board
John Higgins, Harbormaster
Gloria Adkins, Accounting Manager
Wayne Hatch, Maintenance Supervisor
Dave Werneburg, Marina Manager
Joe Gonzalez, Capital Projects Manager
Jessica Snipas, Business Operations Analyst
Jessica Perkins, Accountant via Zoom

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via Zoom

City of Ventura Liaisons

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

Number of interested persons:

4 via zoom; 2 in person

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the September 21, 2022 agenda.

Commissioner Gardina 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 September 7, 2022 Regular Meeting were considered as follows:

ACTION: Commissioner Brennan moved to approve of the September 7, 2022 regular meeting minutes.

Commissioner Gardina seconded. The vote was as follows:

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

NOES: None

Motion carried 5-0.

PUBLIC COMMUNICATIONS: None. Closed at 7:02PM.

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 asked if there is a policy for RVs and certain times they are allowed to park on certain streets. Vice-Chair Blumenberg attended the Channel Islands Harbor presentation on Monday.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton recognized upcoming events occurring in the Village.

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) General Manager, Brian D. Pendleton to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- b) Sr. Business Operations Manager, Todd Mitchell to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- c) Vice-Chair, Michael Blumenberg to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.

Public Comment: None.

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

- a) General Manager, Brian D. Pendleton to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- b) Sr. Business Operations Manager, Todd Mitchell to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- c) Vice-Chair, Michael Blumenberg to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey
NOES: None
Motion carried 5-0.

B) Approval of Amendment No. 2 to the Retail Lease Agreement with Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for 1559 Spinnaker Drive #104

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 2 to the Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet.

Public Comment: None.

ACTION: Commissioner Gardina moved to approve Amendment No. 2 to the Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 5-0.

C) Approval of Amendment No. 1 to the Restaurant Lease Agreement with Baja Bay Surf Taco for 1567 Spinnaker Drive #104

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ricardo Magana dba Baja Bay Surf Taco for the premises located at 1567 Spinnaker Drive #104, consisting of 773 square feet.

Public Comment: None.

ACTION: Commissioner Gardina moved to approve Amendment No. 1 to the Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ricardo Magana dba Baja Bay Surf Taco for the premises located at 1567 Spinnaker Drive #104, consisting of 773 square feet.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 5-0.

D) Termination of Current Office Lease Agreement with Del Mar Seafoods, Inc. and Approval of a New Office Lease Agreement with Seaside Law for 1583 Spinnaker Drive #203B and #206
Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Approve the termination of an Office Lease Agreement dated December 1, 2019, between the Ventura Port District dba Ventura Harbor Village and Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B and #206; and
- b) Approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Seaside Law for the premises located at 1583 Spinnaker Drive #203B and #206, consisting of a total of 774 square feet for a five-year term with one four-year option.

Public Comment: None.

ACTION: Commissioner Gardina moved to:

- a) Approve the termination of an Office Lease Agreement dated December 1, 2019, between the Ventura Port District dba Ventura Harbor Village and Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B and #206; and
- b) Approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Seaside Law for the premises located at 1583 Spinnaker Drive #203B and #206, consisting of a total of 774 square feet for a five-year term with one four-year option.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 5-0.

E) Approval of Amendment of Lease and Assignment and Assumption of Lease and Consent of Landlord with Hilda Wann dba Treasure Cove to Ashley and Alan Cook

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve an:

- a) Amendment of Lease for Hilda Wann DBA Treasure Cove; and
- b) Assignment and assumption of Lease and Consent of Landlord between Hilda Wann dba Treasure Cove and Ashley and Alan Cook for the premises located at 1567 Spinnaker Drive #103, consisting of 342 square feet.

Public Comment: Ashley Cook, buyer of Treasure Cove introduced herself and is excited to be a part of the Harbor family.

ACTION: Commissioner Gardina moved to approve:

- a) Amendment of Lease for Hilda Wann DBA Treasure Cove; and
- b) Assignment and assumption of Lease and Consent of Landlord between Hilda Wann dba Treasure Cove and Ashley and Alan Cook for the premises located at 1567 Spinnaker Drive #103, consisting of 342 square feet.

**Commissioner Rainey seconded. The vote was as follows:
AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey
NOES: None**

Motion carried 5-0.

F) Authorization of a License Agreement for a Biosecurity Station for the National Parks Service at 1691 Spinnaker Drive

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to sign a License Agreement between the Ventura Port District and the National Parks Service for the installation and operation of a biosecurity station adjacent to 1691 Spinnaker Drive.

Public Comment: None.

ACTION: Commissioner Gardina moved to authorize the General Manager to sign a License Agreement between the Ventura Port District and the National Parks Service for the installation and operation of a biosecurity station adjacent to 1691 Spinnaker Drive.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 5-0.

G) Adoption of Resolution No. 3458 Approving the Financial Statements and Checks for April through June 2022

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3458 to:

- a) Accept the draft financial statements for the Quarter ending June 30, 2022, pending final year-end reconciliations and audit adjustments; and,
- b) Review the payroll and regular checks for April through June 2022.

Public Comment: None.

**ACTION: Commissioner Gardina moved to adopt Resolution No. 3458 to:
a) Accept the draft financial statements for the Quarter ending June 30, 2022, pending final year-end reconciliations and audit adjustments; and,
b) Review the payroll and regular checks for April through June 2022.**

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 5-0.

STANDARD AGENDA:

1) Consideration of Ventura Harbor Parking Management Plan

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Receive for comment and provide direction to the General Manager regarding the September 13, 2022 Associated Transportation Engineers Report for the Ventura Harbor Parking Management Plan.
- b) Authorize the General Manager to prepare in cooperation with the City of Ventura, a Ventura Harbor Parking Management Plan Agreement between the two parties for Spinnaker Drive.
- c) Authorize the General Manager to prepare all necessary applications for the Ventura Harbor Parking Management Plan including a Coastal Development Permit (CDP) to be submitted upon approval of the Ventura Harbor Parking Management Plan Agreement by both parties.
- d) Provide preliminary direction regarding parking enforcement alternatives.

Report by Brian D. Pendleton, General Manager and Scott Schell, Principal, Associated Transportation Engineers.

Public Comment: Seven written comments were received, distributed to the Commission and posted on the District's website. Closed at 8:25PM.

ACTION: Vice-Chair Blumenberg moved to authorize staff to incorporate Board comments when preparing a draft Harbor Parking Management Plan and bring back at a future meeting. Once draft plan is agreed upon, the Board will give guidance in the development of an agreement with the City.

Commissioner Brennan seconded. The vote was as follows:

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

Motion carried 5-0.

2) Approval of Fee Increases for Harbor Village Common Area Maintenance, Harbor Village Commercial Marina Slips and Ventura Harbor Boat Dry Storage

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve fee increases effective January 1, 2023 for:

- a) Harbor Village Common Area Maintenance;
- b) Harbor Village Commercial Marina Slips; and
- c) Ventura Harbor Boat Dry Storage.

Report by Gloria Adkins, Accounting Manager and Dave Werneburg, Marina Manager.

Public Comment: Two written comments were received, distributed to the Commission and posted on the District's website. Closed at 9:45PM.

ACTION: Commissioner Brennan moved to approve fee increases effective January 1, 2023 for Harbor Village Common Area Maintenance, Harbor Village Commercial Marina Slips and Ventura Harbor Boat Dry Storage with the following revision to Dry Storage fees:

Length	Proposed Rate
17' to 18'	\$76.00/month
Up 21' to 23'	\$95.00/month
24' to 32'	\$135.00/month
33' to 40'	\$185.00/month
41' and greater	\$225.00/month
Kayaks/Paddle Boards	\$15.00/month

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

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

NOES: None

Motion carried 5-0.

3) Declaration of District Personal Property as Surplus and Disposal of Same

Recommended Action: Voice Vote.

That the Board of Port Commissioners declare the Harbor Patrol Rescue Boat 17 as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

Report by John Higgins, Harbormaster.

Public Comment: None.

ACTION: Commissioner Rainey moved to declare the Harbor Patrol Rescue Boat 17 as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

Commissioner Gardina seconded. The vote was as follows:

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

NOES: None

Motion carried 5-0.

4) 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: None. Closed at 9:59PM.

ACTION: Vice-Chair Blumenberg moved to approve the proposed strategies in support of the 5-Year Objectives with two actions added to Objective E.

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 Sara Wan at 10:00PM.

The next regular meeting is Wednesday, October 5, 2022.

Brian Brennan, Secretary



VENTURA
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BOARD OF PORT COMMISSIONERS

OCTOBER 5, 2022

CONSENT AGENDA ITEM A

**APPROVAL OF OUT-OF-TOWN
TRAVEL REQUEST**

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM A
Meeting Date: October 5, 2022

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Approval of Out-of-Town Travel Request

RECOMMENDATION:

That the Board of Port Commissioners approve the out-of-town travel request for Jessica Rauch, Clerk of the Board to attend the CSDA 2022 Board Secretary/Clerk Conference in Monterey, CA.

SUMMARY:

Employees and Commissioners are encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District and their position. The General Manager is recommending staff participate in the events listed herein.

GUIDING PRINCIPLES:

- 6) Provide exceptional public service and organizational transparency.

5-YEAR OBJECTIVE:

- E) Encourage public and civic engagement; maintain high levels of organizational transparency; and promote Harbor-wide diversity, equity and inclusion through District policies, procedures and programs.

BACKGROUND:

CSDA 2022 Board Secretary/Clerk Conference, November 7-9, 2022

Continuing education is essential to keeping current on the many aspects of a Clerk's job. In an effort to expand educational opportunities for this important position in special districts and to provide an opportunity to recognize individuals who invest the time in becoming trained in the various components of the job, CSDA created this certificate program. The Board Secretary/Clerk Certificate has become the gold standard for special district board secretaries and clerks throughout California. Ms. Rauch earned her first-time attendee certificate in 2020 and will be a returning attendee able to participate in more advance skills workshops.

FISCAL IMPACTS:

Travel costs related to these activities are included in the FY22-23 budget.

	CSDA
Registration	\$600.00
Lodging	\$450.00
Meals	\$235.00
Mileage	\$307.71
Miscellaneous	\$100.00
TOTAL	\$1,692.71

ATTACHMENTS:

None.



VENTURA
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BOARD OF PORT COMMISSIONERS

OCTOBER 5, 2022

CONSENT AGENDA ITEM B

**AWARD OF BID FOR THE FY2022-2023
JANITORIAL SERVICES FOR VENTURA HARBOR
VILLAGE RESTROOMS AND DISTRICT
ADMINISTRATION OFFICE**

VENTURA PORT DISTRICT
BOARD COMMUNICATION

CONSENT AGENDA ITEM B
Meeting Date: October 5, 2022

TO: Board of Port Commissioners
FROM: Todd Mitchell, Sr. Business Operations Manager
Sergio Gonzalez, Facilities Manager
SUBJECT: Award of Bid for the FY2022-2023 Janitorial Services for Ventura Harbor Village Restrooms and District Administration Office

RECOMMENDATION:

That the Board of Port Commissioners award the FY2022-2023 Janitorial Services Contract to Jani-King International Inc. in the amount of \$56,500.

SUMMARY:

The District published a second request for bids for the Ventura Harbor Village and District Administration Office janitorial services on September 11, 2022. A public bid opening was held on September 27, 2022, per District policy.

The District received and reviewed two bids for the services requested with the lowest responsive bid from Jani-King International Inc. The Service Contract will be for eight months ending June 30, 2023.

GUIDING PRINCIPLE:

- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

5-YEAR OBJECTIVE:

- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

We currently contract with an outside service that provides twice a day, 365 days a year, janitorial services to all Ventura Harbor Village restrooms and shower facilities. This service also provides once a week janitorial services to the District second floor hallway, kitchenet, offices, and restrooms.

The current contract expired on September 1, 2022, and we are currently obtaining these services per a month-to-month agreement.

The District previously published a request for bids for the Ventura Harbor Village and District Administration Office janitorial services on August 7, 2022. A public bid opening was held on August 23, 2022, per District policy. The District received and reviewed two bids. One bid was deemed incomplete with omissions. The second bid received was substantially over the amount approved in the FY2022-2023 budget. On September 7, the Board took action to reject the received bids.

Staff re-advertised the project on September 11, 2022, with bids due September 27, 2022. Two bids were received, and staff is recommending the lowest responsive bid, which was received from Jani-King International Inc.

FISCAL IMPACT:

This expense was approved in the FY2022-2023 budget. Awarding the bid to Jani-King will cost the District \$6,422.85 per month or \$51,382.80 for the remaining fiscal year. The contract ceiling of \$56,500 will allow for additional ad-hoc work to be awarded for special events or emergencies.

ATTACHMENTS:

None.



VENTURA
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BOARD OF PORT COMMISSIONERS

OCTOBER 5, 2022

CONSENT AGENDA ITEM C

**AWARD OF BID FOR THE VENTURA HARBOR
VILLAGE AND PORT DISTRICT OUTDOOR
HOLIDAY DECORATIONS AND LIGHTING**

VENTURA PORT DISTRICT
BOARD COMMUNICATION

CONSENT AGENDA ITEM C
Meeting Date: October 5, 2022

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Jennifer Talt Lundin, Marketing Manager
SUBJECT: Award of Bid for the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting

RECOMMENDATION:

That the Board of Port Commissioners award the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting Contract to Holly Workshop in the amount not to exceed \$71,500.

SUMMARY:

The activation of Harbor Village and Promenade through the installation of décor for the holidays benefit the Village tenants and enhance the visitor experience. The seasonal décor sets the tone for the Village as a destination and attraction-based marketing efforts that have been proven highly successful. This service agreement is inclusive of installation, labor, maintenance, restoration, and storage of the holiday décor and lights, as well as promenade activation of white lights on the bell poles and illuminated messaging on the marquee signage.

GUIDING PRINCIPLES:

- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

5-YEAR OBJECTIVES:

- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

Under the direction of the General Manager, the marketing team strategized, developed, and implemented a cohesive and unique seasonal holiday program three years ago to attract and entertain visitors, customers, and guests. With the introduction of “SEASON’S GREETINGS,” the colorful coastal theme has evolved to include a new marquee sign designed in conjunction with Holly Workshop on the Village Promenade directly across from the Village steps. This popular feature has expanded beyond the holiday season into a year-round placemaking component for the Harbor Village and the Ventura Harbor.

In 2021, the General Manager sought to further activate the evening ambiance with the introduction of the white lights on the Village Promenade during the pandemic. This both elevated the nighttime experience while promoting public safety on the main walking corridor. Examples of these have been provided in Board reports and shared with the Ventura Harbor Village tenants.

The District published a request for bids for the Ventura Harbor Village and Port District Outdoor Holiday Decorations and Lighting on September 11, 2022. A mandatory pre-job walk was conducted on site on September 14, 2022. A public bid opening was held on Thursday, September 22, 2022. One bid was received and was read aloud per the District’s Procurement policies. Per typical practice, the bid (from Holly Workshop) was reviewed for errors and omissions. The single bid was determined to be responsive, and staff is recommending acceptance of the bid.

District staff continually strives to provide a pleasant shopping, dining, and entertainment experience. Holly Workshop specializes in holiday, streetscape, and electrical installation and upkeep, sensitivity to the Village flora and fauna, and knowledge and adherence to center and

safety guidelines pertaining to the Village, promenade, and additional spaces. The marketing team presented the seasonal décor and activation spaces in the 2022-2023 Ventura Harbor Village Visitor Attraction Plan as approved by the Board.

FISCAL IMPACT:

The project bid amount was \$65,000 for the program and staff increased the project amount by 10% for any contingencies. This amount is included in the Annual Decorations/Promenade Lighting & Flags for seasonal décor and marketing activation expenses in the approved FY2022 – 2023 budget.

ATTACHMENTS:

None.



BOARD OF PORT COMMISSIONERS

OCTOBER 5, 2022

STANDARD AGENDA ITEM 1

**REJECTION OF LOW BID AND
ACCEPTANCE OF SECOND LOW BID FOR
THE VENTURA HARBOR VILLAGE 1567
FACADE RENOVATION PROJECT**

VENTURA PORT DISTRICT
BOARD COMMUNICATION

STANDARD AGENDA ITEM 1
Meeting Date: October 5, 2022

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Andy Turner, Legal Counsel, Lagerlof LLP
SUBJECT: Rejection of Low Bid and Acceptance of Second Low Bid for the Ventura Harbor Village 1567 Facade Renovation Project

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Reject the low bid from Peter Holguin Construction due to omissions; and
- b) Award the bid Contract to F.C.T Construction for the Ventura Harbor Village 1567 Spinnaker Drive Facade Renovation Project in the amount of \$698,000.00.

SUMMARY:

The District published a second-round request for bids for the Ventura Harbor Village 1567 Spinnaker Drive Facade Renovation Project on September 8, 2022. A mandatory pre-bid Job Walk was conducted on site September 13, 2022. A public bid opening was held on September 26, 2022. Eight bids were received on time and were read aloud per the District's Procurement policies.

The District had the consulting architects review bids for errors and omissions. The architects determined that the lowest bid was non-responsive because an important form was not provided. The three lowest bids were sent out to District's Legal Counsel for review. Legal Counsel confirmed the finding that the first bid was non-responsive and has recommended that the first low bid be rejected, and the second low bid be accepted.

GUIDING PRINCIPLE:

- 7) Provide high-quality Harbor and coastal visitor-serving amenities, services, facilities and infrastructure.

FIVE-YEAR OBJECTIVE:

- V) Maintain and improve Harbor Village facilities, infrastructure, and amenities.

BACKGROUND:

On January 19, 2022, the Board of Port Commissioners held a public hearing to adopt Ordinance No. 56 to authorize a new six-year Entertainment and Restaurant Lease Agreement with three five-year options between the District and Aarmark Beer Gardens, Inc. At this time, the leasee for the space is in the process of submitting their planning permits to the City of Ventura for approval of the interior tenant improvements.

The remodel of the 1567 Spinnaker Drive Facade Renovation Project and the replacement of the "mechanical roof" (also referred to as the parapet roof), where mechanical equipment such as HVAC and venting units are located are both to be completed before the end of FY22-23. The project is included in the Capital Improvement Plan budget approved by the Board on June 29, 2022.

With the assistance of the design architect, the District published the request for bids using the CyberCopy Public Plan Room Access website on July 15th. An on-site pre-construction meeting was held at 1567 Spinnaker Drive on July 20th. The District held a public bid opening on August

19, 2022, at the District office. Six bids were received and the price for each bid was read aloud per District policy. District staff commonly have bids reviewed by the consultants who have prepared the bid package to assist in the determination of responsiveness. For this bid, staff had consulting architects Jim Mckeown Inc. and Era Architects (who prepared the bid documents) to review all bids. The determination at that time was that none of the bids were responsive. At the September 7th Board meeting, at the recommendation of Staff and Legal Counsel, the Board rejected all of the bids to due to errors and omissions.

Therefore, the District published a second-round request for bids for the project on September 8, 2022. A mandatory pre-bid Job Walk was conducted on site September 13, 2022. A public bid opening was held on September 26, 2022. Eight bids were received on time and were read aloud per the District's Procurement policies. Two bids were received late and were rejected.

Again, the District had the consulting architects, Jim Mckeown Inc. and Era Architects, review bids for errors and omissions. The architects determined that the lowest bid was non-responsive due to the omission of page B-12. B-12 is a required bid item including confirmation of having performed the site inspection as well as providing information on six comparable projects. Form B-12 specifically includes language that states that "Failure to include at least six jobs similar in size and scope to that contemplated under the Contract Documents will render this Proposal informal or non-responsive and may result in its rejection." Legal Counsel confirmed the architects' finding and recommended that the first bid be rejected due to this omission. The Capital Projects Manager has reviewed the qualifications, licenses, and references of F.C.T Construction as the second lowest bidder and found everything to be in order.

Staff are therefore recommending rejection of the lowest bidder and accepting the second low bid from F.C.T Construction for the project.

FISCAL IMPACT:

The project was approved in the FY22-23 Capital Improvements Plan on June 29, 2022. Rebidding the project didn't result in additional time for the architect and publishing a second notice in the Ventura County Star cost \$1,316.93. There are additional capital improvements to the building required, including the replacement of the "mechanical roof", which will be bid at a later date.

ATTACHMENTS:

Attachment 1 – Location Map

Attachment 1 – Location Map

