

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF NOVEMBER 16, 2022



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Stephens at 5:30PM 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
Jackie Gardina
Anthony Rainey arrived at 5:37PM

Commissioners Absent:

Brian Brennan, Secretary

Port District Staff:

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

Legal Counsel:

Jennifer Palagi, Liebert Cassidy Whitmore via Zoom
Andy Turner, Lagerlof Lawyers LLP

Number of interested persons:

0 via zoom; 0 in-person

PUBLIC COMMUNICATIONS: None.

CONVENED TO CLOSED SESSION AT 5:33PM.

ADJOURNMENT: Closed Session was adjourned at 6:05PM.

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 6:07PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Brian D. Pendleton.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chair left at 6:48PM
Michael Blumenberg, Vice-Chair
Jackie Gardina
Anthony Rainey

Commissioners Absent:

Brian Brennan, Secretary

Port District Staff:

Brian Pendleton, General Manager
Jessica Rauch, Clerk of the Board
Todd Mitchell, Sr. Business Operations Manager
Gloria Adkins, Accounting Manager
Joe Gonzalez, Capital Projects Manager
Jennifer Talt-Lundin, Marketing Manager
Jessica Snipas, Business Operations Analyst
Dave Werneburg, Marina Manager via Zoom
Wayne Hatch, Maintenance Supervisor
Pat Hummer, Senior Harbor Patrol Officer
John Higgins, Harbormaster

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:

1 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Commissioner Gardina moved to adopt the November 16, 2022 agenda.

Commissioner Rainey seconded. The vote was as follows:

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

Motion carried 4-0.

APPROVAL OF MINUTES

The Minutes of the October 19, 2022 Regular Meeting were considered as follows:

ACTION: Commissioner Gardina moved to approve of the October 19, 2022 regular meeting minutes.

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

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

Motion carried 4-0.

PUBLIC COMMUNICATIONS: None.

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: Vice-Chair Blumenberg reported on his seiner tour.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton gave an update on the Holiday events occurring at the Village.

PROCLAMATION HONORING JOHN COLLINS FOR HIS 33 YEARS OF SERVICE TO THE VENTURA PORT DISTRICT

CONSENT AGENDA:

A) Approval of a Professional Services Agreement with Rasmussen & Associates for Architectural Services

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Rasmussen & Associates in the amount of \$50,000 for the design, permitting, bid support, and construction management of the interior remodel of 1559 Spinnaker Drive, Suites #205 a/b/c.

Public Comment: None.

ACTION: Commissioner Rainey moved to approve a Professional Services Agreement with Rasmussen & Associates in the amount of \$50,000 for the design,

permitting, bid support, and construction management of the interior remodel of 1559 Spinnaker Drive, Suites #205 a/b/c.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

B) Adoption of Resolution No. 3459 Accepting the Work of JTEC Corporation, Inc. for the Ventura Harbor Village Wayfinding Signage Project

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3459:

- a) Accepting the work of JTEC Corporation, Inc. for the Ventura Harbor Village Wayfinding Signage Project; and
- b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

Public Comment: None.

ACTION: Commissioner Rainey moved to adopt Resolution No. 3459:
a) Accepting the work of JTEC Corporation, Inc. for the Ventura Harbor Village Wayfinding Signage Project; and
b) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

C) Approval of Second Amendment to a Professional Services Agreement with Rincon Consultants, Inc. for Dredging Support Services

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the Second Amendment to a Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation to \$85,000 for maintenance dredging environmental consulting and monitoring services.

Public Comment: None.

ACTION: Commissioner Rainey moved to approve the Second Amendment to a Professional Services Agreement with Rincon Consultants, Inc. to increase

the compensation to \$85,000 for maintenance dredging environmental consulting and monitoring services.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

D) Quarterly Update on the Ventura Port District Five-Year Objectives

Recommended Action: Voice Vote.

That the Board of Port Commissioners receive and file the quarterly update on the Ventura Port District Five-Year Objectives.

Public Comment: None.

ACTION: Commissioner Rainey moved to receive and file the quarterly update on the Ventura Port District Five-Year Objectives.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

E) Approval of 2023 Port Commission Meeting Schedule

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the 2023 Port Commission meeting schedule.

Public Comment: None.

ACTION: Commissioner Rainey moved to approve the 2023 Port Commission meeting schedule.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

F) Acceptance of Bid for the Procurement of Electric Vehicle Charging Units

Recommended Action: Voice Vote.

That the Board of Port Commissioners accept the bid from EV Gateway in the amount of \$110,524.56 for the procurement of 25 Electric Vehicle Commercial Charging Stations.

Public Comment: None.

ACTION: Commissioner Rainey moved to accept the bid from EV Gateway in the amount of \$110,524.56 for the procurement of 25 Electric Vehicle Commercial Charging Stations.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

G) Approval of New Office Lease Agreement with American Pacific Mortgage for 1583 Spinnaker Drive #213

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and American Pacific Mortgage for the premises located at 1583 Spinnaker Drive #213, consisting of a total of 791 square feet for a two-year term with two three-year options.

Public Comment: None.

ACTION: Commissioner Rainey moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and American Pacific Mortgage for the premises located at 1583 Spinnaker Drive #213, consisting of a total of 791 square feet for a two-year term with two three-year options.

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

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

STANDARD AGENDA:

1) Consideration of Ventura Harbor Parking Management Plan

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) 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.
- b) 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.

Presentation by Scott Schell, ATE.

Public Comment: Received written comment from the California Coastal Commission, which was distributed to the Commission and posted on the website.

ACTION: Vice-Chair Blumenberg moved to:

- a) 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.
- b) 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.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None

ABSENT: Commissioner Brennan

Motion carried 4-0.

2) Nomination of a Ventura Local Agency Formation Commissioner and Alternate Representing Special Districts

Recommended Action: Voice Vote.

That the Board of Port Commissioners consider the nomination of one Special District Regular Member and one Special District Alternate Member for the Ventura LAFCo Commission.

Presentation by Brian D. Pendleton, General Manager.

Public Comment: None.

ACTION: Commissioner Gardina moved to take no action on this item.

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Gardina, Rainey

NOES: None

ABSTAINED: None
ABSENT: Commissioner Brennan

Motion carried 4-0.

3) Adoption of Resolution No. 3460 Approving the Financial Statements and Checks for July 2022 through September 2022

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3460 to:

- a) Accept the financial statements for the Quarter ending September 30, 2022; and
- b) Review the payroll and regular checks for July through September 2022.

Presentation by Gloria Adkins, Accounting Manager.

Public Comment: None.

ACTION: Commissioner Rainey moved to adopts Resolution No. 3460 to:
a) Accept the financial statements for the Quarter ending September 30, 2022; and
b) Review the payroll and regular checks for July through September 2022.

Commissioner Gardina seconded. The vote was as follows:

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

Motion carried 3-0.

4) Rejection of Low Bid and Acceptance of Second Low Bid for the Ventura Harbor Village ADA Restroom Remodel at 1567, 1575 and 1691 Spinnaker Drive

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Reject the low bid from Morton Construction in the amount of \$399,641; and
- b) Approve the second low bid from Tomar Construction, Inc. in the amount of \$727,000 for the Ventura Harbor Village ADA Restroom Remodel Project at 1567, 1575 and 1691 Spinnaker Drive.

Presentation by Joe Gonzalez, Capital Projects Manager.

Public Comment: None.

ACTION: Commissioner Gardina moved to:
a) Reject the low bid from Morton Construction in the amount of \$399,641; and
b) Approve the second low bid from Tomar Construction, Inc. in the amount of \$727,000 for the Ventura Harbor Village ADA Restroom Remodel Project at 1567, 1575 and 1691 Spinnaker Drive.

- c) **Approve a budget adjustment to account for the increased capital cost of the project.**

Commissioner Rainey seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Rainey

NOES: None

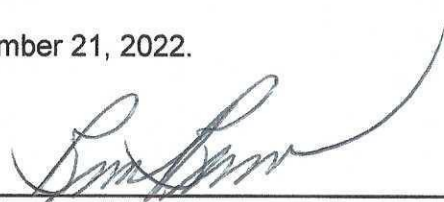
ABSTAINED: None

ABSENT: Commissioner Brennan, Stephens

Motion carried 3-0.

ADJOURNMENT: The meeting was adjourned at 7:04PM.

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

A handwritten signature in dark ink, appearing to read 'Brian Brennan', is written over a horizontal line.

Brian Brennan, Secretary