

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF JANUARY 18, 2023



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg 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:

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

Commissioners Absent:

Anthony Rainey, Secretary

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 via Zoom

Number of interested persons:

0 via zoom; 0 in-person

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

CONVENED TO CLOSED SESSION AT 6:02PM.

ADJOURNMENT: Closed Session was adjourned at 6:52PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair Blumenberg 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 Vice-Chair Gardina.

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

Anthony Rainey, Secretary

Port District Staff:

Brian Pendleton, General Manager
Jessica Rauch, Clerk of the Board
Todd Mitchell, Sr. Business Operations Manager
Gloria Adkins, Accounting Manager
John Higgins, Harbormaster
Joe Gonzalez, Capital Projects Manager
Sergio Gonzalez, Facilities Manager
Jessica Snipas, Business Operations Analyst via Zoom
Jennifer Talt-Lundin, Marketing Manager
Wayne Hatch, Maintenance Supervisor

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via Zoom

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent
Michael Coon, Administrative Liaison – Absent

Number of interested persons:

0 via zoom; 0 in person

ADOPTION OF AGENDA

ACTION: Commissioner Stephens moved to adopt the January 18, 2023 agenda.

Commissioner Brennan seconded. The vote was as follows:

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

Motion carried 4-0.

APPROVAL OF MINUTES

The Minutes of the January 4, 2023 Regular Meeting were considered as follows:

ACTION: Commissioner Brennan moved to approve of the January 4, 2023 regular meeting minutes.

Commissioner Stephens seconded. The vote was as follows:

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

Motion carried 3-0-1.

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: Vice-Chair Gardina is happy to see members of the public picking up trash at our beaches after the storms unloaded tons of debris on our shores. Chair Blumenberg reported he took a tour of the Harbor and Keys after the storms. Commissioner Brennan reported that CMANC Washington DC trip is coming up and commented on dredging funds.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on the current Capital Projects underway in the Village. Mr. Mitchell updated the Board on dredging. Ms. Talt-Lundin reported on the holiday season and events.

CONSENT AGENDA:

A) Approval of New Slip Charter Lease Agreement with Boatels on the Water, LLC dba Boatels on the Water

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Slip Charter Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Boatels on the Water, LLC dba Boatels on the Water for the premises located at D-16A and D-16B consisting of two slips having a total of 110 linear feet for an eighteen-month term with two one-year options.

Public Comment: None.

ACTION: Commissioner Stephens moved to approve a new Slip Charter Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Boatels on the Water, LLC dba Boatels on the Water for the premises located at D-16A and D-16B consisting of two slips having a total of 110 linear feet for an eighteen-month term with two one-year options.

Commissioner Brennan seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Brennan, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioner Rainey

Motion carried 4-0.

STANDARD AGENDA:

1) Adoption of Resolution No. 3462 Declaring a State of Emergency due to the Atmospheric River Rain Events in January 2023 and Authorizing the General Manager to Take Emergency Measures to Respond to Impacts to the District

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3462, making certain findings as set forth in said Resolution, including, without limitation, the following:

- A) Declare a State of Emergency due to the impacts suffered by the on-going atmospheric river storm systems creating a public safety concern;
- B) Find, based upon the evidence presented, the matter of the conditions of the Ventura Port District requires emergency actions; and
- C) The Board hereby delegates to the District's General Manager the authority to:
 - 1) take any action required to respond to the emergency;
 - 2) submit any and all emergency permit applications and documents required to support obtaining any necessary permits to perform work; and,
 - 3) to procure the necessary equipment, services, and supplies for the purpose of making the District's facilities, infrastructure, waterways and adjacent beach areas safe and usable, without giving notice for bids to let contracts; and,
- D) The General Manager shall report to the Board of Port Commissioners at its next regularly scheduled meeting the actions to respond to the emergency; and,
- E) The Board will review the emergency action at every regularly scheduled meeting hereafter until the emergency action is terminated, to determine that there is a need to continue the action by a four-fifths (4/5) vote.
 - 1) That, when the Board reviews the emergency action at subsequent meetings, if necessary, the Board will terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts, if necessary.

Report by Brian D. Pendleton, General Manager.

Public Comment: None.

- ACTION:** Commissioner Brennan moved to adopt Resolution No. 3462, making certain findings as set forth in said Resolution, including, without limitation, the following:
- A) Declare a State of Emergency due to the impacts suffered by the on-going atmospheric river storm systems creating a public safety concern;
 - B) Find, based upon the evidence presented, the matter of the conditions of the Ventura Port District requires emergency actions; and
 - C) The Board hereby delegates to the District's General Manager the authority to:
 - 1) take any action required to respond to the emergency;
 - 2) submit any and all emergency permit applications and documents required to support obtaining any necessary permits to perform work; and,
 - 3) to procure the necessary equipment, services, and supplies for the purpose of making the District's facilities, infrastructure, waterways and adjacent beach areas safe and usable, without giving notice for bids to let contracts; and,
 - D) The General Manager shall report to the Board of Port Commissioners at its next regularly scheduled meeting the actions to respond to the emergency; and,
 - E) The Board will review the emergency action at every regularly scheduled meeting hereafter until the emergency action is terminated, to determine that there is a need to continue the action by a four-fifths (4/5) vote.
 - 1) That, when the Board reviews the emergency action at subsequent meetings, if necessary, the Board will terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts, if necessary.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Brennan, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioner Rainey

Motion carried 4-0.

ADJOURNMENT: The meeting was adjourned at 7:41PM.

The next regular meeting is Wednesday, February 1, 2023.



Anthony Rainey, Secretary