

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF FEBRUARY 15, 2023

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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 Blumenberg at 6:30PM 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  
Anthony Rainey, Secretary  
Brian Brennan  
Chris Stephens

##### **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  
Reid Miller, Lagerlof Lawyers LLP

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

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:30PM.

**CONVENED TO CLOSED SESSION AT 6:31PM.**

**ADJOURNMENT:** Closed Session was adjourned at 7:05PM.

## **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 7:08PM 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:**

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

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

None.

##### **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  
Sergio Gonzalez, Facilities Manager  
Jessica Snipas, Business Operations Analyst via Zoom  
Jennifer Talt-Lundin, Marketing Manager  
Wayne Hatch, Maintenance Supervisor via Zoom  
Dave Werneburg, Marina Supervisor via Zoom  
Pat Hummer, Senior Harbor Patrol Officer, via Zoom  
Joe Gonzalez, Capital Projects Manager

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

Andy Turner, Lagerlof Lawyers LLP  
Reid Miller, Lagerlof Lawyers LLP

##### **City of Ventura Liaisons**

Councilmember McReynolds, City Council Liaison – Present

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

0 via zoom; 3 in person

## **ADOPTION OF AGENDA**

**ACTION:** Commissioner Brennan moved to adopt the February 15, 2023 agenda, moving Consent Agenda Item B to the Standard Agenda.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

Motion carried 5-0.

## **APPROVAL OF MINUTES**

The Minutes of the February 1, 2023 Regular Meeting were considered as follows:

**ACTION:** Commissioner Rainey moved to approve of the February 1, 2023 regular meeting minutes.

Commissioner Brennan seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

Motion carried 5-0.

**PUBLIC COMMUNICATIONS:** Councilmember McReynolds, District Liaison, introduced himself to the Commission. Closed at 7:12PM.

**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 mentioned the storm activities from January and thanked Harbor Patrol staff for their quick response during this time.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton congratulated Councilmember McReynolds on his election. He also reported that he attended the annual VCSDA meeting and reminded all about the Ocean Friendly Restaurant Presentation occurring on Thursday at 9:30AM.

## **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) Facilities Manager, Sergio Gonzalez to attend JPIA Leadership Academy from March 28-30, 2023 in Indian Wells, CA.



- b) Harbormaster, John Higgins to attend JPIA Leadership Academy from March 28-30, 2023 in Indian Wells, CA.
- c) Harbor Patrol Officer I, Brendan Donohue to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 20-24 in Marina Del Rey, CA.
- d) Harbor Patrol Officer I, Taylor Plasch to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 20-24 in Marina Del Rey, CA.
- e) Harbor Patrol Officer I, Garret Winter to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 27-31, 2023 in Marina Del Rey, CA.

Public Comment: None.

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

- a) Facilities Manager, Sergio Gonzalez to attend JPIA Leadership Academy from March 28-30, 2023 in Indian Wells, CA.
- b) Harbormaster, John Higgins to attend JPIA Leadership Academy from March 28-30, 2023 in Indian Wells, CA.
- c) Harbor Patrol Officer I, Brendan Donohue to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 20-24 in Marina Del Rey, CA.
- d) Harbor Patrol Officer I, Taylor Plasch to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 20-24 in Marina Del Rey, CA.
- e) Harbor Patrol Officer I, Garret Winter to attend the Division of Boating & Waterways Rescue Boat Operations Training from March 27-31, 2023 in Marina Del Rey, CA.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

**B) Adoption of Resolution No. 3468 Updating the Policy and Procedures for the California Public Records Act and Rescinding Resolution No. 3274**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3468 Updating the Policy and Procedures for the California Public Records Act and rescinding Resolution No. 3274.

This item was pulled from the Consent Agenda.

Public Comment: None.

**ACTION:** Commissioner Stephens moved to adopt Resolution No. 3468 Updating the Policy and Procedures for the California Public Records Act and rescinding Resolution No. 3274 with the following modifications:

- **Section III(B)(4) – Modified** - The District ~~may never~~ shall make records available ~~only~~ in electronic form or in hard copy upon request....
- **Section IV(C) – Added to end of Section** - The District will not charge where the total costs are less than \$10.00.
- **Public Records Request Form – Added to Section 3** - \_\_\_\_\_Requests that copies be emailed to the email address specified above or put on a USB drive provided by the requestor.

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

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

**NOES: None**

**ABSTAINED: None**

**ABSENT: None**

**Motion carried 5-0.**

**STANDARD AGENDA:**

**1) Brown Act Presentation**

Recommended Action: Informational.

That the Board of Port Commissioners receive a presentation from Lagerlof, LLP on the Ralph M. Brown Act.

Report by Andy Turner and Reid Miller, Lagerlof Lawyers LLP.

Public Comment: None.

**ACTION: The Board of Port Commissioners received a presentation from Lagerlof, LLP on the Ralph M. Brown Act.**

**2) 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.

Report by Brian D. Pendleton, General Manager.

Public Comment: Tom Derecktor, owner of Derecktor Ventura, advised that the submerged area around their boat yard's travel lift is shoaling due to the January storm event and asked about collaboration on dredging the area. Councilmember McReynolds mentioned that City Council will be reviewing their CIP budget next meeting and if there is anything he needs to advocate for on behalf of the harbor, to let him know. Leonora Valvo, owner of Derecktor Ventura, reported that an electric boat company out of Europe has appointed Derecktor Ventura as their service center and they currently have a sample boat at their yard.

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

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

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

**NOES: None**

**ABSTAINED: None**

**ABSENT: None**

**Motion carried 5-0.**

**3) Update on State of Emergency due to the Atmospheric River Rain Events in January 2023 and Emergency Measures to Respond to Impacts to the District**

Recommended Action: Roll Call Vote – 4/5ths Vote.

That the Board of Port Commissioners determine by a four-fifths vote that there is a need to continue the emergency action adopted by the Board on January 18, 2023, set forth in Resolution No. 3462.

Report by Brian D. Pendleton, General Manager.

Public Comment: None.

**ACTION:** It was determined that there is a need to continue the emergency action adopted by the Board on January 18, 2023, set forth in Resolution No. 3462.

**Commissioner Stephens moved and Commissioner Rainey seconded. The vote was as follows:**

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

**NOES: None**

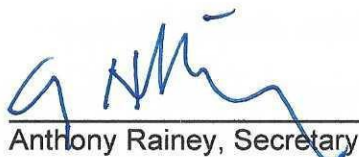
**ABSTAINED: None**

**ABSENT: None**

**Motion carried 5-0.**

**ADJOURNMENT:** The meeting was adjourned at 9:10PM.

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

  
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Anthony Rainey, Secretary