

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF JUNE 21, 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 6:15PM 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  
Chris Stephens

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

Brian Brennan

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

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

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

Tom Bunn, Lagerlof Lawyers LLP  
Jeremy Shulman, Lagerlof Lawyers LLP

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

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:16PM.

**CONVENED TO CLOSED SESSION AT 6:17PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:49PM.

## **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 Wayne Hatch.

#### **ROLL CALL:**

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

Michael Blumenberg, Chair  
Jackie Gardina, Vice-Chair  
Anthony Rainey, Secretary  
Brian Brennan via Zoom arrived @ 7:03PM  
Chris Stephens

##### **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  
Joe Gonzalez, Capital Projects Manager  
Jennifer Talt-Lundin, Marketing Manager  
Wayne Hatch, Maintenance Supervisor  
Jessica Snipas, Business Operations Analyst via Zoom  
Sergio Gonzalez, Facilities Manager via Zoom  
Dave Werneburg, Marina Supervisor via Zoom  
Jessica Perkins, Accountant via Zoom

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

Tom Bunn, Lagerlof Lawyers LLP

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

Councilmember McReynolds, City Council Liaison – Absent

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

3 via zoom; 5 in person

## **ADOPTION OF AGENDA**

**ACTION:** Commissioner Rainey moved to adopt the June 21, 2023 agenda.

Commissioner Gardina seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

## **APPROVAL OF MINUTES**

The Minutes of the June 7, 2023 Regular Port Commission Meeting were considered as follows:

**ACTION:** Commissioner Stephens moved to approve the Minutes of the June 7, 2023 Regular Port Commission meeting with revisions to Standard Item 2.

Commissioner Brennan seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

**PUBLIC COMMUNICATIONS:** Hall Stratton commented on the damage the pedal boats have done to his boat and asked if the issue could be addressed.

**CLOSED SESSION REPORT:** Mr. Bunn 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 mentioned the large amount of sea lions and dolphins washed up on the beach. Chair Blumenberg attended last week's City Council meeting where he was reappointed to the Commission.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton reported on the current, past and upcoming marketing promotions and events and tenant activities. He also announced that "The Log" featured Ventura Harbor in the May issue.

## **CONSENT AGENDA:**

**A) Award of Bid for the FY2023-2024 Janitorial Services for Ventura Harbor Village Restrooms and District Administration Office**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners award the FY2023-2024 Janitorial Services Contract to Jani-King International Inc. in the amount of \$85,000.

Public Comment: None. Closed at 7:18PM.

**ACTION:** Commissioner Stephens moved to award the FY2023-2024 Janitorial Services Contract to Jani-King International Inc. in the amount of \$85,000.

Vice-Chair Gardina seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

**B) Rejection of Low Bid and Award of Second Low Bid for the FY2023-2024 Security Services for Ventura Harbor Village and Marina**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Find that the low bidder, Dial Security, is not responsible, and reject its bid on that basis.
- b) Award second low bid from Medallion Protective Services for the FY2023-2024 Security Services Contract in the amount of \$2,800/month, \$33,600/year with a contract ceiling of \$50,000.

Public Comment: None. Closed at 7:18PM.

**ACTION:** Commissioner Stephens moved to find that the low bidder, Dial Security, is not responsible, and to reject the bid and award the second low bid from Medallion Protective Services for the FY2023-2024 Security Services Contract in the amount of \$2,800/month, \$33,600/year with a contract ceiling of \$50,000.

Vice-Chair Gardina seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

**C) Award of Bid for the 1559 Spinnaker Drive Office Tenant Improvement Project**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners award the low bid from FCT Construction LLC in the amount of \$755,000 for the 1559 Spinnaker Drive, Tenant Improvement Modernization Project of approximately 4,000 square feet of office space.

Public Comment: None. Closed at 7:18PM.

**ACTION:** Commissioner Stephens moved to award the low bid from FCT Construction LLC in the amount of \$755,000 for the 1559 Spinnaker Drive, Tenant Improvement Modernization Project of approximately 4,000 square feet of office space.

Vice-Chair Gardina seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

#### **STANDARD AGENDA:**

##### **1) Ventura West Marina Parcel 17 Preliminary Development Concept and Master Lease Negotiations**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Receive an informational report regarding a preliminary development concept for Ventura West Marina (Parcel 17) by Master Tenant TBBW Company, L.P., a California limited partnership, associated entity Beauchamp Realty, Inc. and Aldersgate Investment.
- b) Authorize the General Manager to initiate formal lease negotiations with TBBW pursuant to the Master Lease.

Report by Dick Beauchamp, General Partner, TBBW Company, LP; Matt Mansi, Chief Operating Officer, Aldersgate Home; Eric Leslie, Director of Marina Operations, Beauchamp Realty Inc.

Public Comment: None.

**ACTION:** Commissioner Stephens moved to authorize the General Manager to initiate formal lease negotiations with TBBW pursuant to the Master Lease.

Vice-Chair Gardina seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

##### **2) Adoption of Resolution No. 3478 Approving a Notice of Proposed Ordinance for a New 10-Year Lease between the Ventura Port District and The Boatyard, Inc. dba The Boatyard Pub**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3478 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a New Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. dba The

Boatyard Pub for the premises located at 1583 Spinnaker Drive #109 consisting of a total of 2,675 square feet of interior space, 1,681 square feet of patio, and 90 square feet of storage and mechanical equipment space for a five-year term with one five-year option.

Report by Todd Mitchell, Sr. Business Operations Manager.

Public Comment: None. Closed at 8:07PM.

**ACTION:** Commissioner Brennan moved to adopt Resolution No. 3478 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a New Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. dba The Boatyard Pub for the premises located at 1583 Spinnaker Drive #109 consisting of a total of 2,675 square feet of interior space, 1,681 square feet of patio, and 90 square feet of storage and mechanical equipment space for a five-year term with one five-year option.

Commissioner Stephens seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** None.

**ABSENT:** None

Motion carried 5-0.

**3) Adoption of Resolution No. 3479 Approving the FY2023-2024 Harbor Patrol Departmental Budget**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3479 approving the FY2023-2024 Harbor Patrol Departmental Budget.

Chair Blumenberg announced that his son was employed by Harbor Patrol, and because of that he would not participate in the discussion or the vote on this item. He passed the gavel to Vice Chair Gardina.

Report by Brian D. Pendleton, General Manager.

Public Comment: None.

**ACTION:** Commissioner Stephens moved to adopt Resolution No. 3479 approving the FY2023-2024 Harbor Patrol Departmental Budget.

Commissioner Brennan seconded. The roll call vote was as follows:

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

**NOES:** None

**ABSTAINED:** Chair Blumenberg

**ABSENT:** None

**Motion carried 4-0.**

**4) Adoption of Resolution No. 3480 and No. 3481 Approving the FY2023-2024 Final Budget, Five-Year Capital Improvement Plan and Salary Schedule for Non-Represented Employees**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt:

- a) Resolution No. 3480 approving the FY2023-2024 Ventura Port District Annual Budget and Five-Year Capital Improvement Plan.
- b) Resolution No. 3481 approving the FY2023-2024 Salary Schedule for Non-Represented Employees of the District.

Report by Brian D. Pendleton, General Manager, Gloria Adkins, Accounting Manager and Todd Mitchell Sr. Business Operations Manager.

Public Comment: None. Closed 8:29PM.

**ACTION:**      **Commissioner Stephens moved to adopt:**  
a) **Resolution No. 3480 approving the FY2023-2024 Ventura Port District Annual Budget and Five-Year Capital Improvement Plan.**  
b) **Resolution No. 3481 approving the FY2023-2024 Salary Schedule for Non-Represented Employees of the District.**

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

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

**Motion carried 5-0.**

**5) Approval of Annual Professional Services Agreements for Administrative, Advocacy, Technical, and Legal Support Services**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the Professional Services Agreements with:

- a) Swift Chip, Inc. in the amount of \$112,000 from July 1, 2023 to June 30, 2024, \$113,500 from July 1, 2024 to June 30, 2025 and \$116,500 from July 1, 2025 to June 30, 2026 to provide information technology services.
- b) Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with federal advocacy services from July 1, 2023 to June 30, 2024.
- c) K&L Gates in the amount of up to \$80,000 to provide advocacy for the establishment of aquaculture in proximity to Ventura Harbor and legal support for regulatory agency permitting particularly as it concerns inner harbor dredging and beach maintenance.
- d) Liebert Cassidy Whitmore in the amount of up to \$60,000 to provide human resources legal services from July 1, 2023 to June 30, 2024.
- e) Rincon Consultants, Inc. in the amount of up to \$165,000 to provide dredging support, inner harbor dredging technical support, and coastal development permitting support from July 1, 2023 to June 30, 2024.

- f) Dixon Consultants, Inc. in the amount of up to \$55,000 to provide managed parking consulting, permitting, stakeholder engagement, and procurement support from July 1, 2023 to June 30, 2024.
- g) RRM Design Group, Inc. in the amount of \$40,000 to provide architectural design services for the planning of developing the Parcel 5 grass lawn area from July 1, 2023 to June 30, 2024.

Report by Brian D. Pendleton, General Manager and Jessica Rauch, Clerk of the Board.

Public Comment: None. Closed at 8:34PM

**ACTION:**Vice-Chair Gardina moved to approve the Professional Services Agreements with:

- a) Swift Chip, Inc. in the amount of \$112,000 from July 1, 2023 to June 30, 2024, \$113,500 from July 1, 2024 to June 30, 2025 and \$116,500 from July 1, 2025 to June 30, 2026 to provide information technology services.
- b) Carpi & Clay, Inc. in the amount of \$60,000 to provide the District with federal advocacy services from July 1, 2023 to June 30, 2024.
- c) K&L Gates in the amount of up to \$80,000 to provide advocacy for the establishment of aquaculture in proximity to Ventura Harbor and legal support for regulatory agency permitting particularly as it concerns inner harbor dredging and beach maintenance.
- d) Liebert Cassidy Whitmore in the amount of up to \$60,000 to provide human resources legal services from July 1, 2023 to June 30, 2024.
- e) Rincon Consultants, Inc. in the amount of up to \$165,000 to provide dredging support, inner harbor dredging technical support, and coastal development permitting support from July 1, 2023 to June 30, 2024.
- f) Dixon Consultants, Inc. in the amount of up to \$55,000 to provide managed parking consulting, permitting, stakeholder engagement, and procurement support from July 1, 2023 to June 30, 2024.
- g) RRM Design Group, Inc. in the amount of \$40,000 to provide architectural design services for the planning of developing the Parcel 5 grass lawn area from July 1, 2023 to June 30, 2024.

Commissioner Rainey seconded. The roll call vote was as follows:

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

**NOES:** None

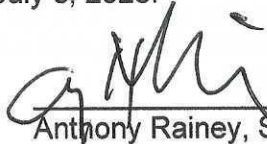
**ABSTAINED:** None.

**ABSENT:** None

**Motion carried 5-0.**

**ADJOURNMENT:** The meeting was adjourned at 8:35PM.

The next regular meeting is Wednesday, July 5, 2023.

  
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Anthony Rainey, Secretary