

OCTOBER 14, 2015

BOARD OF PORT COMMISSIONERS

STANDARD AGENDA ITEM NO. 3

**APPROVAL OF PROFESSIONAL SERVICES AGREEMENT
WITH PLAUCHE & CARR, LLP**

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

STANDARD AGENDA ITEM 3
Meeting Date: October 14, 2015

TO: Board of Port Commissioners
FROM: Brian Pendleton, Business Operations Manager
SUBJECT: Approval of Professional Services Agreement with *Plauché & Carr, LLP*

RECOMMENDATION:

That the Board of Port Commissioners approve the Professional Services Agreement with *Plauché & Carr, LLP* in the amount of \$5,000 to provide legal services for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

SUMMARY:

The Ventura Port District has been awarded a two year, approximately \$265,000 Sea Grant fund to contract with qualified consultant(s) that will enable development of a permitting strategy and all necessary permitting components required for sustainably cultivated shellfish production to occur through Ventura Harbor.

Staff believes it is clearly in the District's best interest to ratify the agreement with *Plauché & Carr, LLP* to meet the objectives of the grant.

BACKGROUND:

Plauché & Carr, LLP is a Seattle-based law firm with a practice focused on environmental, land use, and natural resource-based issues. *Plauché & Carr, LLP* has represented a number of non-profit, private, and governmental entities regarding environmental and regulatory matters ranging from regulatory compliance/permitting, to administrative litigation, to litigation in state and federal courts, to conservation land acquisition.

If the District selects *Plauché & Carr, LLP* to assist with the project, Robert Smith will serve as lead counsel. Robert is an attorney with ten years' experience working in California on land use and environmental issues, on behalf of both private and public clients. During his previous employment at two Los Angeles-based firms, Robert advised and represented numerous clients regarding compliance with the California Environmental Quality Act ("CEQA") and National Environmental Policy Act ("NEPA") and represented several coastal cities and private clients before the California Coastal Commission ("CCC"), California Department of Fish and Wildlife ("CDFW"), Los Angeles County, and U.S. Army Corps of Engineers ("Corps").

FISCAL IMPACT:

The grant is for a two year period on a one-plus-one basis and is contingent upon funding availability. Year 1 funding in the amount not to exceed \$5,000 is for *Plauché & Carr, LLP* Task 1 as further detailed in the Professional Services Agreement.