

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF JUNE 16, 2021

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### CLOSED SESSION

#### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 5:31PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

#### **ROLL CALL:**

##### Commissioners Present:

Chris Stephens, Chairman  
Michael Blumenberg, Vice Chairman  
Jackie Gardina via teleconference  
Everard Ashworth via teleconference

##### Commissioners Absent:

Brian Brennan, Secretary

##### Port District Staff:

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

##### Legal Counsel:

Andy Turner via teleconference

### **ADOPTION OF AGENDA**

**ACTION:** Chairman Stephens moved to remove Closed Session Item 2b) Terms of New Retail Lease Agreement for Health Minded, Corp. DBA Frenchies Modern Nail Care and adopt the June 16, 2021 Closed Session agenda as revised.

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

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**PUBLIC COMMUNICATIONS:** None. Closed at 5:33PM.

**CONVENED TO CLOSED SESSION AT 5:34PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:58PM.

## **OPEN SESSION**

### **ADMINISTRATIVE AGENDA:**

#### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chairman Chris Stephens at 7:05PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

**PLEDGE OF ALLEGIANCE:** By General Manager, Brian D. Pendleton.

#### **ROLL CALL:**

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

Chris Stephens, Chairman  
Michael Blumenberg, Vice Chairman  
Jackie Gardina via teleconference  
Everard Ashworth via teleconference

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

Brian Brennan, Secretary

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

Brian Pendleton, General Manager  
Todd Mitchell, Business Operations Manager  
Jessica Rauch, Clerk of the Board  
Gloria Adkins, Accounting Manager  
John Higgins, Harbormaster via teleconference  
Dave Werneburg, Marina Manager via teleconference  
Jennifer Talt-Lundin, Marketing Manager via teleconference  
Sergio Gonzalez, Maintenance Supervisor via teleconference  
Joe Gonzalez, Facilities Manager via teleconference  
Ruby Emery, Marketing Coordinator via teleconference

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

Andy Turner via teleconference

### **ADOPTION OF AGENDA**

**ACTION:** Vice-Chairman Blumenberg moved to adopt the June 16, 2021 agenda.

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

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**



## **APPROVAL OF MINUTES**

The Minutes of the May 19, 2021 Regular Meeting were considered as follows:

**ACTION:** Vice-Chairman Blumenberg moved to approve the minutes of the May 19, 2021 Regular Meeting with the following revision:

- Under Adoption of Agenda, change Vice-Chairman Gardina to Commissioner Gardina.

Commissioner Ashworth seconded. The vote was as follows:

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**PUBLIC COMMUNICATIONS:** Sam Sadove suggested that the Commissioners look at the public documents related to District litigation that are posted on the Court's website.

**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 Ashworth received comments from liveboards that they are concerned about the conditions of the firehoses at their marinas. He also stated that he has been accepted to Aquaculture of America, where he will be speaking on the tools that have been developed as part of the VSE Project. Chairman Stephens would like an item brought back to the Commission regarding the future of public meetings.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton highlighted many of the ongoing activities described in the Harbor Patrol and Dredging reports.

**LEGAL COUNSEL REPORT:** Mr. Turner reported that \$250M is earmarked for Ports and Harbors in the State's budget and the Governor's Executive Orders regarding the Brown Act are extended till September 30<sup>th</sup>.

## **CONSENT AGENDA:**

**A) Approval of New Retail Lease Agreement with Gaye Clanton & Tracy Lanquist DBA Ventura Swimwear**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Gaye Clanton & Tracy Lanquist DBA Ventura Swimwear for the premises located at 1559 Spinnaker Drive #102, consisting of 894 square feet.

**PUBLIC COMMENT:** None.

**ACTION:** Commissioner Ashworth moved to approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Gaye

**Clanton & Tracy Lanquist DBA Ventura Swimwear for the premises located at 1559 Spinnaker Drive #102, consisting of 894 square feet.**

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

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

**B) Approval of New Retail Lease Agreement with Ventura County Potter's Guild DBA Ventura Pottery Gallery**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and the Ventura County Potters' Guild DBA Ventura Pottery Gallery for the premises located at 1567 Spinnaker Drive #105, consisting of 692 square feet.

**PUBLIC COMMENT: None.**

**ACTION:** Commissioner Ashworth moved to approve a new retail lease agreement between the Ventura Port District dba Ventura Harbor Village and the Ventura County Potters' Guild DBA Ventura Pottery Gallery for the premises located at 1567 Spinnaker Drive #105, consisting of 692 square feet.

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

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

**C) Approval of New Sublease with Katherine Sparks-Jones DBA Ventura Harbor Fisherman's Storage**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the new Sublease between Katherine Sparks-Jones DBA Ventura Harbor Fisherman's Storage, as Sublessee of that certain property located at 1410 Angler Ct. and the Ventura Port District, as Sublessor.

**PUBLIC COMMENT: None.**

**ACTION:** Commissioner Ashworth moved to approve the new Sublease between Katherine Sparks-Jones DBA Ventura Harbor Fisherman's Storage, as Sublessee of that certain property located at 1410 Angler Ct. and the Ventura Port District, as Sublessor.

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

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



**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

**D) Approval of New Restaurant Lease Agreement with John, Gillian, and Tom Conway DBA Deep Sea by Conway Family Wines**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a New Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John, Gillian, and Tom Conway DBA Deep Sea by Conway Family Wines for the premises located at 1591 Spinnaker Drive #114 and #115, consisting of 1,537 square feet plus 684 square feet of covered patio and 193 square feet of uncovered patio for five (5) years with a single four (4) year option.

**PUBLIC COMMENT:** Sam Sadove is glad to see this property moving forward, however, the District needs to be mindful that the State does not allow % rent to be charged on alcohol unless the business has an actual liquor license. The Conway's provided written comment, which is posted on the District's website.

**ACTION:** Commissioner Ashworth moved to approve a New Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and John, Gillian, and Tom Conway DBA Deep Sea by Conway Family Wines for the premises located at 1591 Spinnaker Drive #114 and #115, consisting of 1,537 square feet plus 684 square feet of covered patio and 193 square feet of uncovered patio for five (5) years with a single four (4) year option.

Commissioner Gardina seconded. The vote was as follows:

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

**E) Award of Bid to JTEC Corporation, Inc. for the 1575 Spinnaker Drive Trash Enclosure Project**

Recommended Action: Roll Call vote.

That the Board of Port Commissioners award the 1575 Spinnaker Drive Trash Enclosure Project to JTEC Corporation, Inc. in the amount of \$75,500.

**PUBLIC COMMENT: None.**

**ACTION:** Commissioner Ashworth moved to award the 1575 Spinnaker Drive Trash Enclosure Project to JTEC Corporation, Inc. in the amount of \$75,500.

Commissioner Gardina seconded. The vote was as follows:

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

**F) Award of Bid to JTEC Corporation, Inc. for the ADA Access Improvements Project with Six Additive Alternates**

Recommended Action: Roll Call vote.

That the Board of Port Commissioners award the ADA Access Improvements Project with six additive alternates to JTEC Corporation, Inc., in the amount of \$46,800.

PUBLIC COMMENT: None.

**ACTION:** Commissioner Ashworth moved to award the ADA Access Improvements Project with six additive alternates to JTEC Corporation, Inc., in the amount of \$46,800.

Commissioner Gardina seconded. The vote was as follows:

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**G) Approval of Portside Partners Loan Extension**

Recommended Action: Roll Call vote.

That the Board of Port Commissioners:

- a) Approve a loan extension for the Portside Partners project; and
- b) Authorize the General Manager to execute the Ground Lease Estoppel Certificate.

PUBLIC COMMENT: None.

**ACTION:** Commissioner Ashworth moved to approve a loan extension for the Portside Partners project and authorize the General Manager to execute the Ground Lease Estoppel Certificate.

Commissioner Gardina seconded. The vote was as follows:

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**



**STANDARD AGENDA:**

**1) Consideration of Adoption of Ordinance No. 55, Authorizing Execution of a New Office Lease Agreement with Options for Andria's Seafood Specialties DBA Andria's Seafood Restaurant**

**Recommended Action: Roll Call Vote.**

- a) Conduct a public hearing for the purpose of receiving input on proposed Ordinance No. 55;
- b) Waive reading and direct Clerk to place Ordinance No. 55 in the record of this meeting; and
- c) Adopt Ordinance No. 55, which authorizes execution of a new five (5) year Office Lease Agreement with three (3) five (5) year options (for a total of 20-years) between the Ventura Port District DBA Ventura Harbor Village and Andria's Seafood Specialties dba Andria's Seafood Restaurant.

Report by General Manager, Brian D. Pendleton.

**ACTION:** Chairman Stephens opened the public hearing at 7:31PM for the purpose of receiving input on proposed Ordinance No. 55. The reading of proposed Ordinance No. 55 was waived. There was no public comment. The public hearing was closed by Chairman Stephens at 7:32PM.

**ACTION:** Vice-Chairman Blumenberg moved to adopt Ordinance No. 55 as follows:

**ORDINANCE NO. 55**

**AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS  
OF VENTURA PORT DISTRICT APPROVING A NEW  
OFFICE LEASE AGREEMENT WITH OPTIONS BETWEEN THE VENTURA PORT DISTRICT  
AND ANDRIA'S SEAFOOD SPECIALTIES DBA ANDRIA'S SEAFOOD RESTAURANT  
(California Harbors and Navigation Code section 6270)**

The Board of Port Commissioners of the Ventura Port District hereby ordains as follows:

The General Manager of the Ventura Port District is authorized and directed to execute the New Office Lease between Ventura Port District dba Ventura Harbor Village and Andria's Seafood Specialties dba Andria's Seafood Restaurant with a commencement date of July 1, 2021.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of the Ventura Port District held on June 16, 2021.

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

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

## **2) Approval of FY2021 – 2022 Harbor Village Leasing Strategy and Action Plan**

Recommended Action: Roll Call vote.

That the Board of Port Commissioners approve the FY2021-2022 Harbor Village Leasing Strategy and Action Plan.

Report by Business Operations Manager, Todd Mitchell.

PUBLIC COMMENT: None. Closed at 7:49PM.

**ACTION: Commissioner Ashworth moved to approve the FY2021-2022 Harbor Village Leasing Strategy and Action Plan.**

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

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

## **3) Approval of FY2021 – 2022 Ventura Harbor Village Recovery and Visitation Plan**

Recommended Action: Roll Call vote.

That the Board of Port Commissioners approve the FY2021 – 2022 Ventura Harbor Village Recovery and Visitation Plan.

Report by Marketing Manager, Jennifer Talt-Lundin and Marketing Coordinator, Ruby Emery.

PUBLIC COMMENT: None. Closed at 8:32PM.

**ACTION: Vice-Chairman Blumenberg moved to approve the FY2021 – 2022 Ventura Harbor Village Recovery and Visitation Plan.**

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

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

**NOES: None**

**ABSENT: Commissioner Brennan**

**Motion carried 4-0.**

## **4) Adoption of Resolution No. 3417 and No. 3418, Approving the FY2021 – 2022 Preliminary 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. 3417, approving the FY2021–2022 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan; and,
- b) Resolution No. 3418, approving the FY2021-2022 Salary Schedule for Non-Represented Employees of the District.



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

PUBLIC COMMENT: Mike Lebecki provided written comment, which is posted on the District's website. Closed at 9:30PM.

**ACTION:** Commissioner Gardina moved to adopt:

- a) Resolution No. 3417, approving the FY2021–2022 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan; and,
- b) Resolution No. 3418, approving the FY2021-2022 Salary Schedule for Non-Represented Employees of the District.

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

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

**NOES:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**5) Ventura Port District Operations Update as it Relates to COVID-19**

Recommended Action: Informational. (Verbal Report)

That the Board of Port Commissioners receive an update on:

- a) The COVID-19 Ventura Harbor Rental Abatement and Deferment Program; and,
- b) Status of Ventura Port District operations.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: None. Closed at 9:44PM

**ACTION:** The Board of Port Commissioners received an update on COVID-19 related items.

**ADJOURNMENT:** The meeting was adjourned in honor of Fisherman Butch Sanders at 9:44PM.

The next meeting is Wednesday, July 7, 2021.

  
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Brian Brennan, Secretary