

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MARCH 3, 2021



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 6:01PM 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
Brian Brennan, Secretary via teleconference
Jackie Gardina via teleconference
Everard Ashworth via teleconference

Commissioners Absent:

None.

Port District Staff:

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

Legal Counsel:

Andy Turner via teleconference

PUBLIC COMMUNICATIONS: None. Closed at 6:02PM.

CONVENED TO CLOSED SESSION AT 6:05PM.

ADJOURNMENT: Closed Session was adjourned at 6:56PM.

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 7:02PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Vice-Chairman Blumenberg.

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
John Higgins, Harbormaster via teleconference
Joe Gonzalez, Capital Improvements Manager via teleconference
Jennifer Talt-Lundin, Marketing Manager via teleconference
Dave Werneburg, Marina Manager via teleconference

Legal Counsel:

Andy Turner via teleconference

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to add Special Standard Agenda Item 1 - Declaration of Emergency Pursuant to Keys Stub Channel Dredging Needs and Adoption of Resolution No. 3409 to the agenda.

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

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

ACTION: Commissioner Brennan moved to adopt the March 3, 2021 agenda.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the February 17, 2021 Regular Meeting were considered as follows:

ACTION: Commissioner Blumenberg moved to approve the minutes of the February 17, 2021 Regular Meeting.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

PUBLIC COMMUNICATIONS: Jonra Cross, owner of Frenchies spoke about her hardships during COVID.

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 how to proceed. No action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Vice-Chairman Blumenberg looks forward to the day where canned mussels are not imported but from Ventura Harbor. Commissioner Brennan asked how staff manages the old RVs parked on the street and in the Village parking lots. Commissioner Ashworth commented on Sugar Lab.

STAFF AND GENERAL MANAGER REPORTS: None.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

A) Approval of New Office Lease Agreement for Ted Mechtenberg dba DA Vega | Fisher | Mechtenberg LLP and Brian Cook

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ted Mechtenberg dba DA Vega | Fisher | Mechtenberg LLP and Brian Cook for space located at 1567 Spinnaker Drive #201 & #202 consisting of approximately 1,500 square feet for a two (2) year term with a one (1) year option.

ACTION: Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ted Mechtenberg dba DA Vega | Fisher | Mechtenberg LLP and Brian Cook for space located at 1567 Spinnaker Drive #201 & #202 consisting of approximately 1,500 square feet for a two (2) year term with a one (1) year option.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg

NOES: None.

Motion carried 5-0.

B) Approval of New Office Lease Agreement for Jeff M. Moorhouse dba Moorhouse Financial Services, Inc.

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Jeff M. Moorhouse dba Moorhouse Financial Services, Inc. for space located at 1575 Spinnaker Drive #201 consisting of approximately 439 square feet for a three (3) year term with a three (3) year option.

ACTION: Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Jeff M. Moorhouse dba Moorhouse Financial Services, Inc. for space located at 1575 Spinnaker Drive #201 consisting of approximately 439 square feet for a three (3) year term with a three (3) year option.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Blumenberg

NOES: None.

ABSTAINED: Commissioner Ashworth

Motion carried 4-0-1.

SPECIAL STANDARD AGENDA ITEM 1:

Declaration of Emergency Pursuant to Keys Stub Channel Dredging Needs and Adoption of Resolution No. 3409

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners take the following actions:

A) Pursuant to the Government Code, add consideration of Resolution 3409 to the agenda:

- a. §54954.2 (b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.
- b. §54954.2 (b)(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

B) Find, based upon the evidence presented below, the matter of the conditions of the Ventura Inner Harbor Stub Channel require emergency dredging and adopt Resolution No. 3409.

C) The Board hereby delegates to the District's General Manager the authority to:

- a. take any action required to respond to the emergency;
- b. submit any/all emergency permit applications and documents required to support this action's completion;

- c. to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and,
- d. Request that the City of San Buenaventura Council to adopt a similar Declaration of Emergency.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Sam Sadove commented that this was critical last year and asked why this is happening now.

ACTION: Commissioner Brennan moved to find, based upon the evidence presented, the matter of the conditions of the Ventura Inner Harbor Stub Channel require emergency dredging and adopt Resolution No. 3409 and authorize the General Manager to:

- a) take any action required to respond to the emergency;
- b) submit any/all emergency permit applications and documents required to support this action's completion;
- c) to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and,
- d) request that the City of San Buenaventura Council adopt a similar Declaration of Emergency.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

STANDARD AGENDA:

1) Approval of Financial Statements and Checks for October through December 2020

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3407 to:

- a) Accept the financial statements for the Quarter ending December 31, 2020; and,
- b) Review the payroll and regular checks for October through December 2020.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: None. Closed at 7:57PM.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3407 to:

- a) Accept the financial statements for the Quarter ending December 31, 2020; and,
- b) Review the payroll and regular checks for October through December 2020.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

2) Consideration of Adoption of Ordinance No. 54, Authorizing Execution of a New Restaurant Lease Agreement with Options for Andria's Seafood Specialties dba Andria's Seafood Restaurant

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Conduct a public hearing for the purpose of receiving input on proposed Ordinance No. 54;
- b) Waive reading and direct Clerk to place Ordinance No. 54 in the record of this meeting; and
- c) Adopt Ordinance No. 54, which authorizes execution of a new five (5) year Restaurant 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 Brian D. Pendleton, General Manager.

ACTION: Chairman Stephens opened the public hearing at 7:59PM for the purpose of receiving input on proposed Ordinance No. 54. The reading of proposed Ordinance No. 54 was waived. There was no public comment. The public hearing was closed by Chairman Stephens at 8:00PM.

PUBLIC COMMENT: None.

ACTION: Commissioner Brennan moved to adopt Ordinance No. 54 as follows:

ORDINANCE NO. 54

**AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING A NEW
RESTAURANT 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 Restaurant Lease between Ventura Port District dba Ventura Harbor Village and Andria's Seafood Specialties dba Andria's Seafood Restaurant with a commencement date of June 1, 2021.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held on March 3, 2021.

Commissioner Blumenberg seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

**3) Authorization to Submit an Application for the Department of Boating and Waterways
2021 Launch Ramp Repair Grant**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3408, authorizing the General Manager to submit an application for the Department of Boating and Waterways 2021 Launch Ramp Repair Grant in the amount of \$78,000.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Sam Sadove recommended specific equipment to use for the repairs.
Closed at 8:07PM

ACTION: Commissioner Brennan moved to adopt Resolution No. 3408, authorizing the General Manager to submit an application for the Department of Boating and Waterways 2021 Launch Ramp Repair Grant in the amount of \$78,000. Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

4) 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.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Michael Sondermann, owner of Portside Partners spoke about the project.
Closed at 8:14PM.

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: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

5) Ventura Port District Goals and 5-Year Objectives: Public and Civic Engagement Plan
Recommended Action: Informational.

That the Board of Port Commissioners receive an informational report on the development of a Public and Civic Engagement Plan as part of the Ventura Port District's 5-Year Objectives.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: None. Closed at 8:33PM

ACTION: The Board of Port Commissioners received an informational report on the development of a Public and Civic Engagement Plan as part of the Ventura Port District's 5-Year Objectives.

6) 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 8:40PM.

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

7) City of Ventura 2021 Water and Wastewater Rate Study

Recommended Action: Informational.

That the Board of Port Commissioners receive an informational report from the City of Ventura regarding the 2021 Water and Wastewater Rate Study.

Report by Akbar Alikhan, Assistant City Manager and Susan Rungren, Ventura Water General Manager.

PUBLIC COMMENT: None.

ACTION: The Board of Port Commissioners received an informational report from the City of Ventura regarding the 2021 Water and Wastewater Rate Study.

ADJOURNMENT: The meeting was adjourned at 9:08PM.

The next meeting is Wednesday, March 17, 2021.



Brian Brennan, Secretary