

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MAY 24, 2017



VENTURA
PORT DISTRICT
Established 1952

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Everard Ashworth at 6:39PM at the Four Points Sheraton Ballroom, 1050 Schooner Drive, Ventura, CA 93001.

Commissioners Present:

Everard Ashworth, Chairman
Brian Brennan, Vice Chairman
Jim Friedman, Secretary
Bruce E. Smith
Nikos Valance

Commissioners Absent:

None

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Business Operations Manager
John Higgins, Harbormaster
Gloria Adkins, Accounting Manager
Joe Gonzalez, Facilities Manager
Richard Parsons, Consultant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney
Dominic Nunneri

AGENDA

CALL TO ORDER: By Chairman Everard Ashworth at 6:39PM.

PLEDGE OF ALLEGIANCE: By Commissioner Smith.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTON: Commissioner Brennan moved, seconded by Commissioner Smith and carried by a vote of 5-0 to adopt the May 24, 2017 agenda.

APPROVAL OF MINUTES

The Minutes of May 10, 2017 Regular meeting were considered as follows:

ACTION: Commissioner Friedman moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to approve the minutes of the May 10, 2017 regular meeting.

PUBLIC COMMUNICATIONS: None.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. Staff was given instructions on how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Smith reported that he met with the Pacific Heritage team with Oscar. Commissioner Ashworth reported that he was in Washington D.C. and was able to meet with the Deputy Director of NOAA Aquaculture David O'Brien. Commissioner Brennan complimented Harbormaster Higgins and Ms. Talt-Lundin on the efforts that took place the weekend before concerning a whale in the Harbor. He also thanked boaters for being understanding of the situation.

STAFF COMMUNICATIONS: Mr. Parsons updated the Commission on the Federal appropriations process and that we are proposed to receive \$800,000 more than previous years.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

A) Approval of New Office Lease Agreement for Kyle & Associates

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Harold Kyle dba Kyle & Associates for the premises located at 1583 Spinnaker Drive #209 consisting of a total of 535 square feet for a two year term.

ACTION: Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Harold Kyle dba Kyle & Associates for the premises located at 1583 Spinnaker Drive #209 consisting of a total of 535 square feet for a two year term.

B) Approval of Out of Town Travel Requests

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the out of town travel request for Marketing Manager, Jennifer Talt-Lundin.

ACTION: Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to approve the out of town travel request for Marketing Manager, Jennifer Talt-Lundin.

STANDARD AGENDA:

1) Approval of Financial Statements and Checks

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3332 to:

- a) Accept the following financial statements for the Quarter ended March 31, 2017; and
- b) Review the payroll and regular checks for January through March 2017

ACTION: Commissioner Friedman moved, seconded by Commissioner Smith and carried by a vote of 5-0 to adopt Resolution No. 3332, accepting the

financial statements for the Quarter ended March 31, 2017; and to review the payroll and regular checks for January through March 2017.

2) Approval of Notice of Completion for the ADA Parking Access Improvements

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3333,

- a) Accepting the work of J&H Engineering General Contractors, Inc.; and
- b) Authorizing staff to prepare and record a Notice of Completion with the Ventura County Recorder.

ACTION: Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to adopt Resolution No. 3333, accepting the work of J&H Engineering General Contractors, Inc.; and authorizing staff to prepare and record a Notice of Completion with the Ventura County Recorder.

TIME CERTAIN AT 7:00PM

3) Request for Proposals to Lease Ventura Port District Property Parcel 5 and 8 for Development of Visitor Serving Uses

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- 1) Receive staff presentation, public comments and Development Team presentations from Pacific Heritage Communities and H. Parker Hospitality regarding their proposals for Parcel 5 and Parcel 8 for development of visitor serving uses at Ventura Harbor pursuant to the Request for Proposals (RFP) issued on May 2, 2016; and,
- 2) Select a Development Team for negotiations of ground lease options and ground lease agreements for future Board consideration.

ACTION: Commissioner Valance moved, seconded by Commissioner Smith and carried by a vote of 5-0 to select H. Parker Hospitality for negotiations of ground lease options and ground lease agreements for Parcel 5 and 8 for development of visitor serving uses.

Public Comment:

- Linda Ash Vogel – Either developer for Parcel 8; Pacific Heritage for Parcel 5.
- Orestis Simos, Rhumb Line – H. Parker Hospitality for both sites.
- Lynn Mikelatos, The Greek and Margarita Villa – H. Parker Hospitality for both sites.
- Kim Prillhart, County Planning Director - Either developer for Parcel 8; Pacific Heritage for Parcel 5.
- Brayton Pointner, Theory Marine Services LLC – No preference. This is a working harbor and he is concerned about too much development.
- Michael Wagner, Andria's – H. Parker Hospitality for both sites.
- Andria Bargiel, Andria's – H. Parker Hospitality for both sites.
- Douglas Wood, Crowne Plaza Hotel – H. Parker Hospitality for both sites.
- Kate Pearson, Ventura Isle Marina – H. Parker Hospitality for both sites.
- Alex Brodie, Island Packers – H. Parker Hospitality for both sites.
- Victor Dollar, Four Points Sheraton and Holiday Inn Express – H. Parker Hospitality for both sites.
- Sam Sadove, Ventura Harbor Marine and Yacht Yard – H. Parker Hospitality for both sites.

- Andres Fernandez, The 805 and Copa Cubano – H. Parker Hospitality for both sites.
- Jean Getchell – No preference. Do not lose site that this is a working harbor. Do a light and wind study for Parcel 8.
- David Harris, Ventura Keys Homeowners Association – No preference. Concerned about traffic in the Keys.
- Chris Chrysiliou, Rhumb Line - H. Parker Hospitality for both sites.

Eight comments were handed in and are attached to these minutes.

AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 9:00PM.



Secretary

EMAILED ON FRIDAY, MAY 19, 2017

From John Bennett, Owner of *Brophy Bros*:

With all respect intended...

The restaurant industry is in the challenging place it has seen in 30 years.

Just because you build it doesn't mean they will come. The minimum wage issue facing this industry will force inflation and reduce guest counts.

It will not necessarily increase revenue to the district.

This trend is State wide and further research should be done by your department regarding the contraction of this industry and its profit margins.

John

EMAILED ON TUESDAY, MAY 23, 2017

From Sandra Aiken, *Coffee Dock and Post*:

Fess Parker has a much better presentation. It fits our Ventura style.

They provide more parking which we desperately need. Parker would develop and operate this project vs. developing and then hiring outside...A huge plus! They will support existing restaurants. Close ties with Island Packers and National Park Service. Local, family owned company with a long term ownership perspective. Fess Parker has our vote!

COMMENT CARD TURNED IN AT WEDNESDAY, MAY 24, 2017 MTG

From Martin McLaughlin, *Southwest Regional Council of Carpenters*:

It is the opinion of the SWRCC that either project will benefit the Harbor and the City immensely and we would like to be involved with either developer.

COMMENT CARD TURNED IN AT WEDNESDAY, MAY 24, 2017 MTG

From Chuck Cohen, *Pacific Heritage*:

In favor Pacific Heritage proposal to bring attracting commerce from the City of Ventura and the region.

COMMENT CARD TURNED IN AT WEDNESDAY, MAY 24, 2017 MTG

From Alex Hong, owner of *Coastal Cone and the Parlor*:

I am writing to you to express my thoughts on the H. Parker RFP. I believe in the smart growth approach with so many businesses competing for limited spaces. It would be chaotic and the sustainability of new and existing businesses will be at state. The H. Parker proposal targets a unique demographic that the Harbor needs. It accommodates the existing village tenants with the opportunity to form strategic alliances. Lastly, H. Parker would be the owner and operator, which is a key benefit for the Ventura Port District. Thank you for your time and consideration.

COMMENT CARDS TURNED IN AT WEDNESDAY, MAY 24, 2017 MTG

From Lynn and Makis Mikelatos, owners of *The Greek and Margarita Villa*:

Prefer Parker! Yes on Parker!!

May 19, 2017

To: Respected Port Commissioners of Ventura Harbor

From: Ventura Sport Fishing

Dear Commissioners of the Port,

We would like to applaud and congratulate you on your continuous efforts in trying to better our Harbor and our community.

As you know, we believe in hard work ethic, accountability and staying true to ones beliefs and purpose. For the past few months we have witnessed the ongoing process for which your board is called upon to choose as to who best would fulfill a successful realization of the RFP development for Parcels 5 & 8 in the Harbor.

Throughout the various proposals we have had a chance to look at and reviewed, we as a collective wish to express our strong support in the proposal made by the H. Parker group. We have found that the Parker group proposal has truly touched on what the Ventura Harbor is about and what it really is missing. They have shown respect for the existing various tenants and variety of businesses and their proposal as an entirety shows their insight of what they need to do in order to try and add to the Harbor rather than take away. They have designed and built their proposal with careful thought, experience, responsibility, accountability, consideration and real understanding of their surroundings and what they should do in order to have things be operational and with functionality and not just build and sell.

On the other hand the Askar group proposal has points which do not make a whole lot of sense. For instance they wish to build an additional Fish-Market in the Harbor which to us is not practical the way they have thought of it nor the location of it. They want to add multiple restaurants and cafes to an already problematic area for parking. Imagine people coming from the beaches, the Village, the Fish-Market and the restaurants and cafes on a Sunday day; where would they all park, the docks? Another question we have is in their last proposal they suggested on having tables and chairs on each side of the public walkway in front of their restaurants and cafes exactly on the water to be exact, should we take our boats elsewhere in order to accommodate their table service needs? Lastly and most importantly, we never saw or heard any notion from Askar group in regards to them working with the existing tenants of the Harbor as to how to join our community and see where they can contribute to having a more productive Harbor for all, instead we only witnessed them presenting the development of their project as if the rest of the Harbor is nonexistent.

We appreciate and thank you for entertaining our thoughts, and hope that you as our Port Commissioners will decide as to what is best for us all and our future in this beautiful little heaven of ours which we all live and work in and try to prosper together.

Island Spirit SportFishing

A handwritten signature in blue ink, appearing to be the initials 'IS' or similar, written in a cursive style.