



## **Minutes of Special Workshop Meeting of the Ventura Port District Board of Port Commissioners Held April 8, 2015**

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The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Vice-Chairman Ev Ashworth at 12:00PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

### **Commissioners Present:**

Everard G. Ashworth, Vice Chair  
Gregory L. Carson  
Bruce E. Smith, Secretary

### **Commissioners Absent:**

Jim Friedman, Chair

### **Port District Staff:**

Oscar Peña, General Manager  
Scott Miller, Harbor Master  
Gloria Adkins, Fiscal Manager  
Robin Baer, Property Manager  
Pat Hummer, Harbor Patrol  
Jessica Rauch, Clerk of the Board

### **Legal Counsel:**

Timothy Gosney

## **AGENDA**

**CALL TO ORDER:** By Vice-Chair, Ev Ashworth.

**PLEDGE OF ALLEGIANCE:** By General Manager, Oscar Peña.

**ROLL CALL:** Commissioner Friedman was absent. Also, as of April 7, 2015, Commissioner Bravo resigned from his position as a Port Commissioner.

## **ADOPTION OF AGENDA**

**ACTON:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to adopt the April 8, 2015 agenda, with the following revisions:

1. Approval of Milano's Italian Restaurant New Lease was pulled from the agenda; and
2. Standard Agenda Item 1 does only needs a voice vote, not a 4/5ths vote.

**APPROVAL OF MINUTES**

The Minutes of March 25, 2015 were considered as follows:

**ACTION: Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 3-0 to approve the minutes of March 25, 2015.**

**PUBLIC COMMUNICATIONS:** Sam Sadove reported to the Commission that he has been dealing with an individual who filed a lawsuit against him; he was a musician at the Rhumb Line Restaurant. Mr. Sadove won the lawsuit and reported that this individual is now being investigated by the District Attorney.

**CLOSED SESSION REPORT:** Mr. Gosney stated that the Board met in closed session; discussed and reviewed all of the items listed on the Attachment to Agenda, except Item 1b, Approval of Milano's Italian Restaurant New Lease, which was pulled from the agenda. Staff was given instructions as to how to proceed as appropriate and there was no action taken reportable under The Brown Act.

**BOARD COMMUNICATIONS:** None.

**STAFF COMMUNICATIONS:** None.

**CONSENT AGENDA:**

**1) Approval of Out of Town Travel Requests**

Recommended Action: Motion

That the Board of Port Commissioners approve by motion the Out of Town Travel Request for Marketing Manager, Jennifer Talt-Lundin.

**ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to approve the Out of Town Travel Request for Marketing Manager, Jennifer Talt-Lundin.**

**2) Approval of Barefoot Boutique New Lease**

Recommended Action: Motion

That the Board of Port Commissioners approve by motion a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and the Barefoot Boutique for the premises located at 1575 Spinnaker Drive #106B consisting of a total of 605 square feet for a two (2) year term.

**ACTION: Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to approve a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and the Barefoot Boutique for the premises located at 1575 Spinnaker Drive #106B consisting of a total of 605 square feet for a two (2) year term.**

### **3) Approval of Casa De Regales New Lease**

#### Recommended Action: Motion

That the Board of Port Commissioners approve by motion a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Casa de Regales for the premises located at 1583 Spinnaker Drive #104B & 105 consisting of a total of 1,856 square feet for a three (3) year term.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to approve a new Retail lease agreement between the Ventura Port District dba Ventura Harbor Village and Casa de Regales for the premises located at 1583 Spinnaker Drive #104B & 105 consisting of a total of 1,856 square feet for a three (3) year term.

### **4) Approval of Milano's Italian Restaurant New Lease**

#### Recommended Action: Motion

That the Board of Port Commissioners approve by motion a new Restaurant lease agreement between the Ventura Port District dba Ventura Harbor Village and Milano's Ventura, Inc. dba Milano's Italian Restaurant for the premises located at 1559 Spinnaker Drive #100 consisting of a total of 1,864 square feet for an eight (8) year term.

**ACTION:** This item was pulled from the agenda.

### **STANDARD AGENDA:**

#### **1) Approval of Donation of "Mermaid Playing Cello" Statue**

##### Recommended Action: Motion.

That the Board of Port Commissioners approve by motion to:

- a) Accept the donation of "Mermaid Playing Cello," to the Ventura Port District by Alex Benke;
- b) Authorize the General Manager, working with Legal Counsel, to enter into a donation agreement with Alex Benke; and
- c) Authorize Construction of a pedestal for the statue at a point adjacent to the Middle Jetty at Harbor Cove at no cost to the Ventura Port District.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to accept the donation of "Mermaid Playing Cello," to the Ventura Port District by Alex Benke; authorize the General Manager, working with Legal Counsel, to enter into a donation agreement with Alex Benke; and authorize the construction of a pedestal for the statue at a point adjacent to the Middle Jetty at Harbor Cove at no cost to the Ventura Port District.

#### **2) Approval of Per Diem Employment Contract with G. Scott Miller**

##### Recommended Action: Resolution No. 3272.

That the Board of Port Commissioners adopt Resolution No. 3272 authorizing the Ventura Port District to offer G. Scott Miller retirement employment prior to the California Public Employees' Retirement System's (CalPERS) required 180 day wait period.

**ACTION:** Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 3-0 to adopt Resolution No. 3272 authorizing the Ventura Port District to offer G. Scott Miller retirement employment prior to

the California Public Employees' Retirement System's (CalPERS) required 180 day wait period.

**3) Approval of Notice of Proposed Ordinance for the Ventura Harbor Marine Fuel Inc. New Lease**

Recommended Action: Resolution No. 3273.

That the Board of Port Commissioners adopt Resolution No. 3273 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for the Ventura Harbor Marine Fuel Inc. new Lease in a newspaper of general circulation.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to adopt Resolution No. 3273 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for the Ventura Harbor Marine Fuel Inc. new Lease in a newspaper of general circulation.

Public Comment: Bob Bartosh commented on the lease process and start of the fuel facility and thanked the Commission and staff for their time coming up with an approval process.

**4) Approval of Public Records Act Policy**

Recommended Action: Resolution No. 3274.

That the Board of Port Commissioners adopt Resolution No. 3274 approving the Policy and Procedures Implementing the Public Records Act Policy for the Ventura Port District.

**ACTION:** Commissioner Smith moved, seconded by Commissioner Carson and carried by a vote of 3-0 to adopt Resolution No. 3274 approving the Policy and Procedures Implementing the Public Records Act Policy for the Ventura Port District.

**5) Authorize submittal of a Grant Application to Sea Grant to Define a Permitting Strategy to Secure Entitlements for Commercial Shell Fish Operations**

Recommended Action: Motion.

That the Board of Port Commissioners approve the submittal of a grant to provide funding to secure expert consulting services to define a permit strategy for sustainable commercial shell fish operations.

**ACTION:** Commissioner Carson moved, seconded by Commissioner Smith and carried by a vote of 3-0 to approve the submittal of a grant to provide funding to secure expert consulting services to define a permit strategy for sustainable commercial shell fish operations.

**ADJOURNMENT:** The meeting was adjourned at 12:57PM.



Secretary