

# VENTURA PORT DISTRICT

---

## BOARD OF PORT COMMISSIONERS MINUTES OF NOVEMBER 15, 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 7:10PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

### **Commissioners Present:**

Everard Ashworth, Chairman  
Brian Brennan, Vice Chairman  
Jim Friedman, Secretary  
Nikos Valance  
Chris Stephens

### **Commissioners Absent:**

None

### **Port District Staff:**

Oscar Peña, General Manager  
Brian Pendleton, Business Operations Manager  
Joe Gonzalez, Facilities Manager  
Robin Baer, Property Manager  
Frank Locklear, Marina Manager  
Jennifer Talt-Lundin, Marketing Manager  
Jessica Rauch, Clerk of the Board  
Richard Parsons, Consultant

### **Legal Counsel:**

Timothy Gosney  
Roland Trinh

## **AGENDA**

**CALL TO ORDER:** By Chairman Everard Ashworth at 7:10PM.

**PLEDGE OF ALLEGIANCE:** By Commissioner Stephens.

**ROLL CALL:** All Commissioners were present. Commissioner Brennan left at 8:54PM.

### **ADOPTION OF AGENDA**

**ACTON:** Commissioner Brennan moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to adopt the November 15, 2017 agenda.

## **APPROVAL OF MINUTES**

The Minutes of October 25, 2017 Regular meeting were considered as follows:

**ACTION:** Commissioner Stephens moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to approve the minutes of the October 25, 2017 regular meeting.

**PUBLIC COMMUNICATIONS:** None.

**CLOSED SESSION REPORT:** Mr. Gosney stated that the Board met in closed session; discussed and reviewed 1a – 1g, 3 and 4 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. Closed Session Item 2 was not discussed.

**BOARD COMMUNICATIONS:** None.

**STAFF COMMUNICATIONS:** None.

**LEGAL COUNSEL REPORT:** Staff is working on updating Option and Master Lease for Parker Group and working on updating the village lease templates for retail, office and restaurants.

## **CONSENT AGENDA:**

### **A) 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 and Maintenance Supervisor, Sergio Gonzalez.

**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 and Maintenance Supervisor, Sergio Gonzalez.

### **B) Approval of Office Lease Renewal for Del Mar Seafoods, Inc.**

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 Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B/#206, consisting of a total of 1,015 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 Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B/#206, consisting of a total of 1,015 square feet for a two year term.

**C) Approval of New Office Lease Agreement for Seth N. Gewirtz, Ted Mechtenberg dba DA Vega/Fisher/Mechtenberg LLP**

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 Seth N. Gewirtz, Ted Mechtenberg dba DA Vega/Fisher/Mechtenberg LLP 1567 Spinnaker Drive #201, consisting of a total of 927 square feet for a three year term with a two year option.

**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 Seth N. Gewirtz, Ted Mechtenberg dba DA Vega/Fisher/Mechtenberg LLP 1567 Spinnaker Drive #201, consisting of a total of 927 square feet for a three year term with a two year option.

**D) Approval of New Office Lease Agreement for Raine Industries Inc.**

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 Gordon Huckestein, Raine Industries consisting of a total of 660 square feet for a four 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 Gordon Huckestein, Raine Industries consisting of a total of 660 square feet for a four year term.

**E) Approval of New Office Lease Agreement for Jennifer Shook and Laura Kinney**

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 Jennifer Shook and Laura Kinney consisting of a total of 455 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 Jennifer Shook and Laura Kinney consisting of a total of 455 square feet for a two year term.

**F) Appointment of New Dredging Liaison**

Recommended Action: Voice Vote.

That the Board of Port Commissioners appoint Vice-Chairman Brennan as the new dredging liaison.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to appoint Vice-Chairman Brennan as the new dredging liaison.

**G) Approval of 2018 Port Commission Meeting Schedule**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the 2018 Port Commission meeting schedule.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to approve the 2018 Port Commission meeting schedule.

**STANDARD AGENDA:**

**1) Proposed Assignment of Lease for Coffee Dock & Post**

Recommended Action: Voice Vote.

That the Board of Port Commissioners consider the proposed Assignment and Assumption of Lease between Sandra Aiken, Ashley Hwang, Janice Hwang, and Priscilla Levy dba Coffee Dock & Post and Josefina Aguilar for the premises located at 1575 Spinnaker Drive #105 A&B, Ventura, California 93001.

**ACTION:** Commissioner Ashworth moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to not approve the proposed Assignment and Assumption of Lease between Sandra Aiken, Ashley Hwang, Janice Hwang, and Priscilla Levy dba Coffee Dock & Post and Josefina Aguilar for the premises located at 1575 Spinnaker Drive #105 A&B, Ventura, California 93001.

**2) Approval of Financial Statements and Checks**

Recommended Action: Roll Call.

That the Board of Port Commissioners adopts Resolution No. 3341 to:

- a) Accept the following financial statements for the Quarter ended September 30, 2017; and
- b) Review the payroll and regular checks for July through September 2017.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Friedman and carried by a vote of 5-0 to adopt Resolution No. 3341 to accept the financial statements for the Quarter ended September 30, 2017; and review the payroll and regular checks for July through September 2017.

**3) Approval of Change Order No. 4 and Notice of Completion for the Ventura Harbor Village Accessibility Improvement Project – Phase III**

Recommended Action: Roll Call.

That the Board of Port Commissioners take the following action:

- a) Approve contract change order no. 4 in the amount of \$12,587.50 to the Agreement dated, November 21, 2016 between the Port District and Viola, Inc.;
- b) Adopt Resolution No. 3342, accepting the work of Viola, Inc. on the Ventura Harbor Village Phase 3 Improvements; and
- c) Authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.

**ACTION:** Commissioner Brennan moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve contract change order no. 4 in the amount of \$12,587.50 to the Agreement dated, November 21, 2016 between

**the Port District and Viola, Inc.; adopt Resolution No. 3342, accepting the work of Viola, Inc. on the Ventura Harbor Village Phase 3 Improvements; and authorize staff to prepare and record a Notice of Completion with the Ventura County Recorder.**

#### **4) Ventura Shellfish Enterprise Site Selection Alternatives**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to:

- 1) Prepare and submit permit applications to the U.S Army Corps of Engineers (USACE) for use of 2,000 acres of sea water bottom in federal waters near Ventura Harbor in Block 665, the area generally depicted and described as Alternative #8 for the Ventura Shellfish Enterprise (VSE) project; and,
- 2) Prepare and submit all other applications to local, state and federal agencies as required for the VSE project; and,
- 3) Prepare all necessary surveys, studies, reports and federal environmental review documents as directed by local, state and federal agencies as required for the VSE project; and,
- 4) Return to the Board if there are any material changes to the proposed locations for federal permits for the VSE project resulting from the permitting and/or environmental review processes.

**ACTION:** Commissioner Friedman moved, seconded by Commissioner Valance and carried by a 4-0 (Brennan absent) to prepare and submit permit applications to the U.S Army Corps of Engineers (USACE) for use of 2,000 acres of sea water bottom in federal waters near Ventura Harbor in Block 665, the area generally depicted and described as Alternative #8 for the Ventura Shellfish Enterprise (VSE) project; and, prepare and submit all other applications to local, state and federal agencies as required for the VSE project; and, prepare all necessary surveys, studies, reports and federal environmental review documents as directed by local, state and federal agencies as required for the VSE project; and, return to the Board if there are any material changes to the proposed locations for federal permits for the VSE project resulting from the permitting and/or environmental review processes.

Public Comment: Stephanie Caldwell, President of the Ventura Chamber of Commerce said the Chamber and its Board are in favor of this project. John Gingrich, commercial bait fisherman said the federal area is detrimental to bait fishing. Jamie Diamond is torn because the federal area effects sportfishing the least, but negatively effects bait fishing. Andrew Rasmussen, commercial fisherman, does not oppose the project, but opposes the location. Steve Greyshock, fisherman, is in favor of the project and has seen how it works in Portugal. Bernard Friedman, offshore mussel farmer, is wholeheartedly in support of this project. Terry Wilmarth, fisherman, is concerned about the marine life getting tangled in the gear and the gear coming loose during bad weather.

#### **5) Conceptual Approval of a Succession Plan**

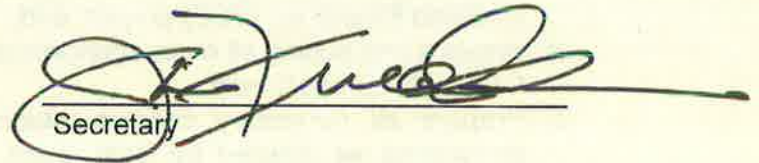
Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the concept of a succession plan, providing additional input or direction to staff for development of a "final" succession plan.

**ACTION:** Commissioner Friedman moved seconded by Commissioner Valance and carried by a vote of 4-0 (Brennan absent) to approve the concept of a succession plan, providing additional input or direction to staff for development of a "final" succession plan.

**AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS:** Commissioner Brennan asked for a report on marketing travel shows.

**ADJOURNMENT:** The meeting was adjourned at 9:30PM.

  
Secretary