



**Minutes of Regular Meeting of the Ventura Port District
Board of Port Commissioners Held November 18, 2015**

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Jim Friedman at 7:15PM at the Ventura Port District Office located 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Jim Friedman, Chair
Everard Ashworth, Vice Chair
Gregory L. Carson
Bruce E. Smith
Nikos Valance

Commissioners Absent:

None

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Business Operations Manager
John Higgins, Harbormaster
Joe Gonzalez, Facilities Manager
Jennifer Talt-Lundin, Marketing Manager
Frank Locklear, Marina Manager
Gloria Adkins, Accounting Manager
Robin Baer, Property Manager
Richard Parsons, Consultant
Jennifer Talt-Lundin, Marketing Manager
Susan Bogue, Marketing Assistant
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney

AGENDA

CALL TO ORDER: By Chairman Jim Friedman

PLEDGE OF ALLEGIANCE: By Vice Chair Ashworth.

ROLL CALL: All Commissioners were present.

ADOPTION OF AGENDA

ACTON: Commissioner Valance moved, seconded by Commissioner Carson and carried by a vote of 5-0 to adopt the November 18, 2015 agenda.

APPROVAL OF MINUTES

The Minutes of October 28, 2015 regular meeting were considered as follows:

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 4-0-1 (Friedman abstained) to approve the minutes of the October 28, 2015 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 as to how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: None.

DEPARTMENTAL STAFF REPORTS: Mr. Parsons reported that the new crane has been OSHA certified and is working well.

GENERAL MANAGER REPORT: Mr. Peña formally announced Frank Locklear's promotion to Marina Manager.

LEGAL COUNSEL REPORT: Mr. Gosney updated the Commission on the Verizon Cell Tower, which should be coming forward in December, the Sondermann Ring Project and the Del Mar Lease.

CONSENT AGENDA:

A) Approval of Financial Statements and Checks for the month of September 2015

Recommended Action: Resolution No. 3288.

That the Board of Port Commissioners adopt Resolution No. 3288 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in September 2015.

ACTION: Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to adopt Resolution No. 3288 accepting and approving the Financial Statements, Payroll and Regular Checks for expenses in September 2015.

B) Termination of Lease Agreement and Approval of New Retail Lease Agreement for Elizabeth Marino dba Barefoot Boutique

Recommended Action: Motion.

That the Board of Port Commissioners:

- a) Approve by motion the termination of a lease agreement, dated April 1, 2015, for the premises located at 1575 Spinnaker Drive #106B, consisting of 609 square feet; and
- b) Approve by motion a new retail lease agreement for the premises located at 1575 Spinnaker Drive #106A&B, consisting of 1545 square feet between the Ventura Port District dba Ventura Harbor Village and Elizabeth Marino dba Barefoot Boutique for a two-year term with a two-year option.

ACTION: Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to approve the termination of a lease agreement, dated April 1, 2015, for the premises located at 1575 Spinnaker Drive #106B, consisting of 609 square feet; and approve a new retail lease agreement for the premises located at 1575 Spinnaker Drive #106A&B, consisting of 1545 square feet between the Ventura Port District dba Ventura Harbor Village and Elizabeth Marino dba Barefoot Boutique for a two-year term with a two-year option.

C) Termination of Lease Agreement with Harbor Wind & Kite Co.

Recommended Action: Motion.

That the Board of Port Commissioners approve by motion the termination of a lease between Ventura Port District dba Ventura Harbor Village and Sally E. Stride dba Harbor Wind & Kite Co. for the premises located at 1575 Spinnaker Drive #107.

ACTION: Commissioner Carson moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to approve the termination of a lease between Ventura Port District dba Ventura Harbor Village and Sally E. Stride dba Harbor Wind & Kite Co. for the premises located at 1575 Spinnaker Drive #107.

STANDARD AGENDA:

**1) Approval of Agreement with Brandis Tallman LLC for Placement Agent Services
(10 minutes)**

Recommended Action: Motion.

That the Board of Port Commissioners authorize the General Manager to enter into an agreement for Placement Agent Services with Brandis Tallman LLC (BTLLC) for the purpose of establishing BTLLC as Placement Agent for the 2016 Rate Reset for the 2008 and 2009 Refunding Certificates of Participation (COPs).

ACTION: Commissioner Ashworth moved, seconded by Commissioner Smith and carried by a vote of 5-0 to authorize the General Manager to enter into an agreement for Placement Agent Services with Brandis Tallman LLC (BTLLC) for the purpose of establishing BTLLC as Placement Agent for the 2016 Rate Reset for the 2008 and 2009 Refunding Certificates of Participation (COPs).

2) Coastal Marine Biolabs Quarterly Report (15 minutes)

Recommended Action: Informational.

That the Board of Port Commissioners receive a report from Coastal Marine Biolabs on their organization and supplemental lease requirements.

ACTION: Linda Santschi, Ph.D. and Co-Director of Coastal Marine Biolabs gave a presentation to the Commission on the organization and supplement lease requirements.

3) Proposed Ventura Harbor Marina and Yacht Yard Expansion (15 minutes)

Recommended Action: Resolution No. 3289.

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3289 certifying the Mitigated Negative Declaration and Mitigation Monitoring Program for the Ventura Harbor Marina and Yacht Yard Expansion project;
- b) Approve the Project by Resolution No. 3289 with conditions as depicted in the FINAL IS-MND and contained in Attachments 2 and 3; and
- c) Authorize the General Manager to File the Notice of Determination (NOD) with the State Office of Planning and Research and the Ventura County Clerk.

ACTION: Commissioner Valance moved, seconded by Commissioner Carson and carried by a vote of 4-1 (Ashworth no) to adopt Resolution No. 3289 certifying the Mitigated Negative Declaration and Mitigation Monitoring Program for the Ventura Harbor Marina and Yacht Yard

Expansion project; approve the Project by Resolution No. 3289 with conditions as depicted in the FINAL IS-MND and contained in Attachments 2 and 3; and authorize the General Manager to File the Notice of Determination (NOD) with the State Office of Planning and Research and the Ventura County Clerk.

Following the vote, Commissioner Ashworth explained that while he was very much in favor of the project and saw the real need to upgrade the fuel dock, the Applicant currently was not in compliance with his contractual obligations under the lease with the Port District. Therefore, under the District's policies, Commissioner Ashworth did not see how he could vote for approval. Commissioner Ashworth also shared his view that compliance with contractual obligations must be the basis for any productive business relationship. Commissioner Ashworth believes that all corrective actions were within the power of the Applicant and that the corrective actions could be addressed easily and in short order.

Public Comment: E. Masea Jr. from Clean Seas commented that the facility is in need of improvements and supports the project.

4) Approval of 2016 Port Commission Meeting Schedule (10 minutes)

Recommended Action: Motion.

That the Board of Port Commissioners discuss and take appropriate action on the 2016 Port Commission meeting schedule.

ACTION: Commissioner Carson moved, seconded by Commissioner Valance and carried by a vote of 5-0 to approve the 2016 Port Commission meeting schedule with the following revisions:

- Changing am to pm or pm to am
- Changing April 10 to April 13.

The Commissioners had the following comments:

- Commissioner Carson believes it is not up to the Commission, but up to staff to look at how the AM meetings can be used as an opportunity to vet topics or issues in a more casual setting before it goes on the agenda.
- Commissioner Smith had the following workshop topic ideas:
 - Goals and Objectives be brought back with the Budget in April
 - Marketing Workshop taken separately from the Budget
 - Master Plan Review
 - Village Leasing Marketing Strategy – How the vision is working? Does anything need to be changed?

Commissioner Smith also believes that staff need not dig around just to have a public forum. Sometimes there are too many items on the closed session agenda and perhaps, from time to time, we should allocate more time to the closed session matters.

- Commissioner Ashworth would like to see a water safety workshop or update and also would like to see closed session kept to a minimum.
- Commissioner Friedman believes more and more time is being spent in closed session. Should use second meeting of the month to take pressure off the evening meetings.

- **Commissioner Valance wanted to draw attention to the fact that the discussion of the calendar is the most substantive discussion the Board has had in public session tonight and thinks that speaks to the issue of closed session versus public session, where the truly substantive issues were raised in closed session and the biggest discussion the Board has had in public session is how to organize the calendar. He wanted to make this statement as a way to reflect on the division of topics between closed session and public session.**

5) Harbor Village Events Review (20 minutes)

Recommended Action: Informational.

That the Board of Port Commissioners review Harbor and Harbor Village events to determine benefits and opportunities to the community and the District.

ACTION: The Commission received a presentation on Harbor events from Marketing Manager Jennifer Talt-Lundin.

The Commissioners had the following comments:

1. Commissioner Carson:

- **Would like to see a revenue projection for the Blackbeard's space if it was kept as a party rental venue.**
- **Need to hear back on what our stakeholders are thinking. Are stakeholders being surveyed after each of these events on how business was affected by the event? If not, he would like that to start after each major event.**

2. Commissioner Friedman:

- **Is interested in seeing Pirate Days moved to a time when the Village is less busy so all of our tenants can benefit because it is not benefitting them on a nice sunny weekend in July when everyone is in the harbor anyway. His opinion is to have it when school is not out.**
- **A concern about having Pirate Days in June is the weather; June Gloom.**

3. Commissioner Valance:

- **The problem with Pirate Days is that it brings too many people into the Harbor when it is already busy in the summer. There are long weekends in October, which could mitigate after school activities. If moved to June or even May, there is already beach weather and it would be competing with parking for the beaches.**

4. Commissioner Ashworth:

- **Real time feedback is really helpful and how it is benefitting our tenants and the harbor.**
- **Know we are doing many events on the weekends, but we need to expand it during the week.**
- **Would like all events to tie into the harbor, for example, Pirate Days "at the Harbor."**
- **Should consider an Opening Day or Blessing of the Fleet event.**

5. Commissioner Smith:

- **There are complaints that our events are competing with signature and City events. Should consider a 3 year calendar of events.**
- **Calendar of Events on the website should be updated weekly and lessees should be aware of what will directly affect the harbor.**
- **Feedback – Through social media, good comments are good and make us feel good, however one of the gifts we get is criticism, which is an extreme gift. When someone takes the time to let you know something may not be right, what is really important is that we thoughtfully consider those comments in the context of**

everything, to see if there is validity to them; then respond. It would be something we can learn from.

- **For major events, may need to consider a smaller trolley or smaller shuttle service. We have sufficient space, but the problem is getting the people to where the event is.**

Public Comment: Kitty McGinnis, Gallery Manager for Harbor Village Gallery, invited everyone to an Appreciation party on December 13th. She also appreciates working with marketing and the tenant meetings that occur. She appreciates what marketing does to invest in them and they try to give back to the Harbor. Ms. McGinnis has spoken with her artists about more weekly events and thanked the District for allowing them to be at the Harbor. Monica Murrietta, from the American Cancer Society, reported that 2015 was their 6th year holding their event at the Harbor and wanted to thank the Port District for allowing them to be here and look forward to more years to come. 10% of their attendees come from outside of the County, with a 10% growth every year. She appreciates being here. Bruce Silvey, owner of Milano's, has been in the Harbor for 24 years. Pirate Days is by far the busiest Saturday of the summer. He believes that moving that event to a different day will not necessarily be a failure, but it just won't have the attendance to give it the energy it deserves. Concerning Parade of Lights, he personally would prefer the event to be on the last weekend in December before Christmas because no parties are booked that weekend. Also, he does not think we should focus on competing with other events, but should own it as a harbor and focus on things that tie into being a harbor.

REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 9:46PM.


Secretary