

# VENTURA PORT DISTRICT

---

**BOARD OF PORT COMMISSIONERS  
MINUTES OF MARCH 4, 2020**

---



## **CLOSED SESSION**

### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 5:32PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

### **ROLL CALL:**

#### **Commissioners Present:**

Chris Stephens, Chairman  
Jackie Gardina, Secretary  
Everard Ashworth via telephone  
Michael Blumenberg

#### **Commissioners Absent:**

Brian Brennan, Vice Chairman

#### **Port District Staff:**

Brian Pendleton, General Manager  
Jessica Rauch, Clerk of the Board

#### **Legal Counsel:**

Andy Turner  
Elsa Sham

**PUBLIC COMMUNICATIONS:** None.

**CONVENED TO CLOSED SESSION AT 5:33PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:58PM.

---

## **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 7:03PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

**PLEDGE OF ALLEGIANCE:** By Harbormaster, John Higgins.

**ROLL CALL:**

**Commissioners Present:**

Chris Stephens, Chairman  
Jackie Gardina, Secretary  
Everard Ashworth (arrived at 7:29pm)  
Michael Blumenberg

**Commissioners Absent:**

Brian Brennan, Vice Chairman

**Port District Staff:**

Brian Pendleton, General Manager  
John Higgins, Harbormaster  
Robin Baer, Property Manager  
Jessica Rauch, Clerk of the Board

**Legal Counsel:**

Andy Turner  
Elsa Sham

**ADOPTION OF AGENDA**

**ACTON:** Commissioner Blumenberg moved, seconded by Commissioner Gardina and carried by a vote of 3-0 (Brennan/Ashworth absent) to adopt the March 4, 2020 agenda.

**APPROVAL OF MINUTES**

The Minutes of the February 18, 2019 Regular Meeting were considered as follows:

**ACTION:** Commissioner Gardina moved, seconded by Commissioner Blumenberg and carried by a vote of 3-0 (Brennan/Ashworth absent) to approve the February 18, 2019 Regular Meeting Minutes.

**PUBLIC COMMUNICATIONS:** Sam Sadove, owner of Ventura Harbor Marina and Yacht Yard spoke on behalf of Lynn Mikelatos, owner of Margarita Villa and The Greek asking if she could know how many proposals were submitted for the 1567 Spinnaker Drive #100 Request for Proposals.

**CLOSED SESSION REPORT:** Mr. Turner stated that the Board met in closed session; discussed and reviewed all items under No. 1 and two items under No. 2 on the closed session agenda. Staff was given instructions on how to proceed as appropriate on these matters and there was no action taken that is reportable under The Brown Act. The Board will reconvene after open session to finish the last item under No. 2.

**BOARD COMMUNICATIONS:** Commissioner Blumenberg and Stephens both reported that they had a nice tour of the barge. Commissioner Gardina attended the first tenant appreciation event. She was pleased to see how many women owned businesses there are in the Village and family legacy businesses as well.

**STAFF COMMUNICATIONS:** Mr. Pendleton reported that Vice Chairman Brennan, Mr. Mitchell and Mr. Parsons are currently at CMANC in Washington DC. He also followed up on Commissioner Gardina's Board Communication by commenting that the District does recommend the Women's Economic Venture and other organizations to new businesses interested in the Harbor. Mr. Pendleton announced that it is the Channel Islands National Park 40<sup>th</sup> Anniversary. He also reported that staff met with Mr. Sadove on his rate increases, which will be published on March 8<sup>th</sup> and be presented to the Board on April 15<sup>th</sup>.

**LEGAL COUNSEL REPORT:** None.

**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 requests for:

- A) General Manager, Brian Pendleton to travel to Vancouver, WA to attend the Pacific Fishery Management Council's Habitat Committee meeting and regular Council meeting on two separate dates;
- B) Business Operations Manager, Todd Mitchell to travel to San Diego, CA to attend the American Society of Civil Engineers: Coasts Oceans Ports Rivers Institute (COPRI) Ports and Harbors Committee meetings;
- C) General Manager, Brian Pendleton to travel to Sacramento, CA to attend legislative hearings on AB 2370; and
- D) One Commissioner to travel to Sacramento, CA to attend legislative hearings on AB 2370.

**ACTION:** Commissioner Gardina moved, seconded by Commissioner Blumenberg and carried by a vote of 3-0 (Brennan/Ashworth absent) to approve the out of town travel requests for General Manager, Brian Pendleton to travel to Vancouver, WA to attend the Pacific Fishery Management Council's Habitat Committee meeting and regular Council meeting on two separate dates; Business Operations Manager, Todd Mitchell to travel to San Diego, CA to attend the American Society of Civil Engineers: Coasts Oceans Ports Rivers Institute (COPRI) Ports and Harbors Committee meetings; General Manager, Brian Pendleton to travel to Sacramento, CA to attend legislative hearings on AB 2370; and one Commissioner to travel to Sacramento, CA to attend legislative hearings on AB 2370.

**B) Approval of a Professional Services Agreement with Carpi & Clay Inc.**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$30,000 to provide the District with Federal Advocacy Services from January 1, 2020 to June 30, 2020.

**ACTION:** Commissioner Gardina moved, seconded by Commissioner Blumenberg and carried by a vote of 3-0 (Brennan/Ashworth absent) to approve a Professional Services Agreement with Carpi & Clay, Inc. in the amount of \$30,000 to provide the District with Federal Advocacy Services from January 1, 2020 to June 30, 2020.

**C) Approval of a New Restaurant Lease Agreement for Kelly Shirk dba Sugar Lab Bake Shop, LLC**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Kelly Shirk dba Sugar Lab Bake Shop, LLC for the premises located at 1575 Spinnaker Drive #105 A/B consisting of a total of 1,330 square feet for a three (3) year term with two separate three (3) year options.

**ACTION:** Commissioner Gardina moved, seconded by Commissioner Blumenberg and carried by a vote of 3-0 (Brennan/Ashworth absent) to approve a new Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Kelly Shirk dba Sugar Lab Bake Shop, LLC for the premises located at 1575 Spinnaker Drive #105 A/B consisting of a total of 1,330 square feet for a three (3) year term with two separate three (3) year options.

**STANDARD AGENDA:**

**1) Approval of a New Professional Services Agreement with COWI for an Aquaculture Navigation Risk Assessment for the Ventura Shellfish Enterprise Project**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a Professional Services Agreement with COWI in an amount of \$64,040 to provide the District with an Aquaculture Navigation Risk Assessment for the Ventura Shellfish Enterprise Project.

Report by General Manager, Brian D. Pendleton.

Public Comment: Sam Sadove, owner of Ventura Harbor Marina and Yacht Yard asked if this assessment includes marine mammal navigation as well or if that is a separate study.

**ACTION:** Commissioner Blumenberg moved, seconded by Commissioner Gardina and carried by a vote of 4-0 (Brennan absent) to approve a Professional Services Agreement with COWI in an amount of \$64,040 to provide the District with an Aquaculture Navigation Risk Assessment for the Ventura Shellfish Enterprise Project.

**RECONVENED TO CLOSED SESSION AT 7:37PM.**

**RECONVENED TO OPEN SESSION AT 8:31PM**

**CLOSED SESSION REPORT:** Mr. Turner stated that the Board met in closed session and was briefed by counsel on the last remaining litigation matter under item 2 on the closed session agenda. As to this matter, staff and counsel were given instructions on how to proceed as appropriate and there was no reportable action taken under the Brown Act.

**ADJOURNMENT:** The meeting was adjourned at 8:32PM.

The next meeting is Wednesday, March 18, 2020.

  
\_\_\_\_\_  
Jackie Gardina, Secretary