

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MAY 20, 2020



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Vice Chairman Brian Brennan at 5:31PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman via Teleconference
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary via Teleconference
Everard Ashworth via Teleconference
Michael Blumenberg via Teleconference

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner via Teleconference
Elsa Sham via Teleconference

PUBLIC COMMUNICATIONS: None.

CONVENED TO CLOSED SESSION AT 5:32PM.

ADJOURNMENT: Closed Session was adjourned at 6:55PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Vice Chairman Brian Brennan at 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Vice Chairman Brennan.

ROLL CALL:

Commissioners Present:

Chris Stephens, Chairman via teleconference
Brian Brennan, Vice Chairman
Jackie Gardina, Secretary via teleconference
Everard Ashworth via teleconference
Michael Blumenberg via teleconference

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
Gloria Adkins, Accounting Manager
John Higgins, Harbormaster via teleconference
Joe Gonzalez, Facilities Manager via teleconference
Dave Werneburg, Marina Manager via teleconference
Robin Baer, Property Manager via teleconference
Richard Parsons, Project Manager via teleconference

Legal Counsel:

Andy Turner via teleconference
Elsa Sham via teleconference

ADOPTION OF AGENDA

ACTION: Commissioner Stephens moved, seconded by Commissioner Ashworth and carried by a vote of 5-0 to adopt the May 20, 2020 agenda.

APPROVAL OF MINUTES

The Minutes of the May 6, 2020 Regular Meeting were considered as follows:

ACTION: Commissioner Blumenberg moved, seconded by Commissioner Stephens and carried by a vote of 5-0 to approve the May 6, 2020 Regular Meeting Minutes, with the following revisions:

- **Standard Item 2 – Public Comment**
 - **Sam Sadove, owner of Ventura Harbor Marina and Yacht Yard stated that according to the County Health Order no food can be consumed within sight of the restaurant and doing so is a violation. He suggests getting a uniform in the Village for a more positive affect. He also asked Mr. Mitchell if the District anticipates losing \$100,000 loss after repayment of deferred and percentage rents.**

Public Comment: Sam Sadove, owner of Ventura Harbor Marine Associates, LLC. corrected his public comment statement for Standard Item 2 as shown above.

PUBLIC COMMUNICATIONS: Stephen Bigilen wrote about his concern with too many bicyclists using the Harbor Village pedestrian promenade. He asked that his written comments be attached to the minutes (see attachment 1). Rochelle Cooper, owner of Just 4 Dreamers Boat Rentals, thanked the Commission and staff for the fast response to solve her issue with members of the public coming down and eating on the docks. Lynn Mikelatos, owner of The Greek and Margarita Villa, expressed her concerns about the Shellfish Project continuing and about the street project being blocked. She also reported that the County of Ventura has been approved by the State to reopen.

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed items 1 and 2 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. The Commission completed Item 3 General Manager Annual Review and shared it with Mr. Pendleton.

BOARD COMMUNICATIONS: Commissioner Brennan thanked staff for the improved flow in the Village over the weekend and gave kudos to the tenants who are open and practicing social distancing. Commissioner Ashworth expressed how grateful he is for the Board and individual Commissioners participation, comments, and expertise. Commissioner Stephens is happy to see staff being able to continue working with the painting contractor to keep the project moving.

STAFF AND GENERAL MANAGER REPORTS: None.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

a) Approval of 2020 Lifeguard Services Contract

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners authorize the General Manager to enter into a contract with State Parks to provide Lifeguard Services from mid-May 2020 through Labor Day 2020 at Harbor Cove and Surfers Knoll beaches for \$92,330.33.

Public Comment: Sam Sadove, owner of the Ventura Harbor Marine Associates, LLC., asked if the contract will be amended or reduced due to the current COVID-19 restrictions.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to authorize the General Manager to enter into a contract with State Parks to provide Lifeguard Services from mid-May 2020 through Labor Day 2020 at Harbor Cove and Surfers Knoll beaches for \$92,330.33.

b) Consideration of Claim by Ventura Harbor Marine Associates, LLC. and Samuel Sadove

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners reject a claim filed against the Ventura Port District on July 24, 2019 by Ventura Harbor Marine Associates, LLC. and Samuel Sadove and authorize the General Manager to execute and mail a Notice of Rejection.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Gardina and carried by a vote of 5-0 to reject a claim filed against the Ventura Port District on July 24, 2019 by Ventura Harbor Marine Associates, LLC. and Samuel Sadove and authorize the General Manager to execute and mail a Notice of Rejection.

STANDARD AGENDA:

1) CalPERS Actuarial Report

Recommended Action: Informational.

That the Board of Port Commissioners receive an informational report regarding the District's annual forecasted retirement costs through the California Public Employee Retirement System (CalPERS) from Mary Elizabeth Redding, Vice President of Bartel Associates, LLC.

Presented by Mary Beth Redding, Vice President of Bartel Associates, LLC.

ACTION: The Board of Port Commissioners received an informational report regarding the District's annual forecasted retirement costs through the California Public Employee Retirement System (CalPERS) from Mary Elizabeth Redding, Vice President of Bartel Associates, LLC.

2) Approval of Financial Statements and Checks for January through March 2020

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3391 to:

- a) Accept the following financial statements for the Quarter ended March 31, 2020; and,
- b) Review the payroll and regular checks for January through March 2020.

Presented by Accounting Manager, Gloria Adkins.

Public Comment: Sam Sadove, owner of the Ventura Harbor Marine Associates, LLC. asked if the Fugro multi-beam item is related to dredging. He also noticed that credit cards stopped in January and asked if employees were purchasing items with their personal credit cards.

ACTION: Commissioner Stephens moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to adopt Resolution No. 3391 accepting the financial statements for the Quarter ended March 31, 2020; and review the payroll and regular checks for January through March 2020.

3) Adoption of Resolution No. 3392 Declaring a Local Emergency

Recommended Action: Roll Call 4/5ths Vote.

That the Board of Port Commissioners adopt Resolution No. 3392 declaring a Local Emergency due to the threat to public health and safety resulting from the COVID-19 virus for purposes of implementing the Port District's emergency procurement procedures and applying for federal and state assistance.

Presented by General Manager, Brian Pendleton.

ACTION: Commissioner Ashworth moved, seconded by Commissioner Brennan and carried by a vote of 5-0 to adopt Resolution No. 3392 declaring a Local Emergency due to the threat to public health and safety resulting from the COVID-19 virus for purposes of implementing the Port District's emergency procurement procedures and applying for federal and state assistance.

4) Ventura Port District Operations Update as it Relates to COVID-19

Recommended Action: Informational. (Verbal Report)

That the Board of Port Commissioners receive an update on:

- a) The COVID-19 Ventura Harbor Rental Abatement and Deferment Program; and
- b) Status of Ventura Port District operations.

Presented by General Manager, Brian Pendleton.

Public Comment:

Sam Sadove, owner of the Ventura Harbor Marine Associates, LLC., is allowing his tenants the use of his parking lot to do business. He believes what the City is proposing, putting seating in the street, is a good idea.

Lynn Mikelatos, owner of The Greek and Margarita Villa expressed her concerns about street parking being blocked, which will bring beach goers into the Village lots. She suggested following the City and allow seating in the parking lots, common areas and the lawn.

Mike Wagner, owner of Andria's Seafood, is concerned about having to decrease his indoor seating. He needs more outside seating for patrons to enjoy their meal. He also provided written comment to suggested using the lawn area to facilitate additional seating for all Harbor restaurants.

Gary King provided written comment which expressed his concerns about no parking on Spinnaker Drive for the upcoming holiday weekend.

Alex Hong, owner of Coastal Cone and The Parlor provided written comment which sent their appreciation for the resources and support the District has provided during this pandemic. He also mentioned the new 2020 Andria's Seafood and Coastal Cone Promotion Program.

ACTION: The Board of Port Commissioners received an update on the COVID-19 Ventura Harbor Rental Abatement and Deferment Program and status of Ventura Port District operations.

ADJOURNMENT: The meeting was adjourned at 9:10PM.

The next meeting is Wednesday, June 3, 2020.



Jackie Gardina, Secretary

ATTACHMENT 1

EMAIL FROM APRIL 21, 2020

Dear Commissioners and General Manager:

This letter is to inform you that there are too many bicyclists using the harbor's pedestrian sidewalks

in Ventura Harbor.

I am a long time boater and resident of the City of Ventura.

Over the years I have noticed that the lack of enforcement on the sidewalks has produced a very dangerous condition

to pedestrians using the harbor sidewalks. Our beautiful harbor attracts people of all ages, putting

seniors and children in a direct conflict on the sidewalks with speeding bikes and skateboards in the

Village and in the marina areas. People have been struck by bikes near the gates to my marina.

My boat is docked at Safe Harbor Ventura Isle Marina, where it is especially dangerous to come out of the restroom,

managers office, yacht club or dock gate with a close encounter of a speeding bike, or groups of many bikes.

In these times of social distancing, the cyclists are creating an even further congestion danger to the health

and safety of pedestrians using the sidewalk. There are many points on a walk from my slip to the village where

there simply is no room to distance from bikers and clusters of bikers, let alone room to avoid being struck down

by a bike.

Please address this issue of public safety and health before someone gets seriously injured.

I would like to hear back from you about what the Port District is doing to address this issue.

Stephen Bigilen

Stephen's Video & Photography

www.StephensVideo.com or www.PhotosByStephen.net

EMAIL FROM MAY 8, 2020

Dear Commissioners and General Manager

Hope this letter finds you all well.

As of today I have not heard back from the Port District management or staff on this matter, nor have I seen any additional signage reminding cyclist that sidewalks are for pedestrians. Attached is one of many photos that I have been taking of my encounters with bikes on the sidewalk affecting safety of people trying to simply walk.

A disturbing trend is no I am seeing more bikes with motors, especially electric motors.

This photo shows a group of 5 bike riders heading right at me, whereby I the pedestrian had to take evasive action behind the trash enclosures to avoid being struck. The 2nd photo shows a group of 3 bikers near the boat yard. The white bike has tires that are the size of a motorcycle and has an electric motor capable of speeds in excess of 30 MPH.

Also note that it is not compliant with social distancing in that the bikes leave do not leave six feet of breathable space for walking public. I have noted that most bikers are not wearing face coverings. Please improve signage or somehow inform the bikers that riding on the sidewalk is not allowed before someone gets seriously injured and leaves the port district with a major liability.

I request that this letter and my previous letter are read and entered into public record at the next port district meeting.

Sincerely,

Stephen Bigilen,

Boater (VIM) and Ventura resident.

