

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF DECEMBER 15, 2021



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 5:30PM 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
Michael Blumenberg, Vice Chairman
Brian Brennan, Secretary via teleconference – arrived at 6:44PM
Jackie Gardina via teleconference
Everard Ashworth via teleconference

Commissioners Absent:

None.

Port District Staff:

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

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via teleconference
Oliver Yee, Liebert Cassidy Whitmore via teleconference

City of Ventura Liaisons

Deputy Mayor Joe Schroeder, City Council Liaison – Absent
Michael Coon, Administrative Liaison – Absent

Number of interested persons: 1

PUBLIC COMMUNICATIONS: Aaron Running spoke about his concept for 1567 #100. Closed at 5:33PM.

CONVENED TO CLOSED SESSION AT 5:34 PM.

ADJOURNMENT: Closed Session was adjourned at 6:49PM.

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 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Vice-Chairman Blumenberg

ROLL CALL:

Commissioners Present:

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

Commissioners Absent:

None.

Port District Staff:

Brian Pendleton, General Manager via teleconference
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
Jessica Snipas, Business Operations Analyst via teleconference
Jessica Perkins, Accountant via teleconference
Dave Werneburg, Marina Manager via teleconference
Joe Gonzalez, Capital Projects Manager via teleconference
Gloria Adkins, Accounting Manager
Sergio Gonzalez, Facilities Manager via teleconference
Jennifer Talt-Lundin, Marketing Manager via teleconference

Legal Counsel:

Andy Turner via teleconference

City of Ventura Liaisons

Deputy Mayor Joe Schroeder, City Council Liaison – Present
Michael Coon, Administrative Liaison – Absent

Number of interested persons: 6

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the December 15, 2021 agenda.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None
ABSENT: None

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the November 17, 2021 Regular Meeting were considered as follows:

ACTION: Commissioner Brennan moved to approve the minutes of the November 17, 2021 Regular Meeting.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth
NOES: None
ABSENT: None.

Motion carried 5-0.

PUBLIC COMMUNICATIONS: Derek Turner provided written comment which was distributed to the Commission and posted on the website.

CLOSED SESSION REPORT: Mr. Turner stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. The Board gave direction to staff as to how to proceed. No action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Ashworth highlighted K&L Gates Report and reported on new Assembly Bill 303. Commissioner Gardina thanked the members of the public who attended the public workshop on December 4th and to continue to stay involved in the process. She also reminded the Commission that a comment was raised about not seeing participants in our zoom meetings and if that has been resolved. Chairman Stephens also thanked the members of the public who attend the public workshop and asked if we can partner with the City on a trash rack when storms hit for the barranca.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton reported on the December 5th workshop and NOAA Atlas. Ms. Talt-Lundin gave a Village events update. Mr. Turner reported that the Chrysiliou Living Trust v. Ventura Port District lawsuit has been dismissed with prejudice.

CONSENT AGENDA:

A) Annual Reserve Policy Review

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners accept the current Ventura Port District Reserve Policy, Resolution No. 3225, dated August 28, 2013.

Public Comment: None. Closed at 7:19PM.

ACTION: Commissioner Ashworth moved to accept the current Ventura Port District Reserve Policy, Resolution No. 3225, dated August 28, 2013.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth
NOES: None
ABSENT: None.

Motion carried 5-0.

B) Annual Investment Policy Review

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners accept the current Ventura Port District Investment Policy, Resolution No. 3404, dated December 16, 2020.

Public Comment: None. Closed at 7:19PM.

ACTION: Commissioner Ashworth moved to accept the current Ventura Port District Investment Policy, Resolution No. 3404, dated December 16, 2020.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth
NOES: None
ABSENT: None.

Motion carried 5-0.

C) Consideration of Claim by Malihe Kharasani Noury

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Reject a claim filed against the Ventura Port District on August 31, 2021 by Malihe Kharasani Noury; and
- b) Authorize the General Manager to execute and mail a Notice of Rejection.

Public Comment: None. Closed at 7:19PM.

ACTION: Commissioner Ashworth moved to:

- a) **Reject a claim filed against the Ventura Port District on August 31, 2021 by Malihe Kharasani Noury; and**
- b) **Authorize the General Manager to execute and mail a Notice of Rejection.**

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth
NOES: None
ABSENT: None.

Motion carried 5-0.

STANDARD AGENDA:

1) Presentation on the Completion of the Ventura Marina Mobile Home Park Modernization Plan

Recommended Action: Informational.

The Board of Port Commissioners receive a presentation on the completion of the Ventura Marina Mobile Home Park Modernization Plan.

Report by Eric Peterson, Owner, First Cloud LLC.

Public Comment: None. Closed at 7:32PM.

ACTION: The Board of Port Commissioners received a presentation on the completion of the Ventura Marina Mobile Home Park Modernization Plan.

2) Parcels 14 and 20 Development Planning Status Report

Recommended Action: Informational.

That the Board of Port Commissioners provide preliminary review and comment of the proposed development plan for Parcels 20 and 14 located at 1404 through 1644 Anchors Way Drive.

Report by Tom Derecktor, Owner, Derecktor Marine Holdings, LLC.

Public Comment: None. Closed at 7:49PM.

ACTION: The Board of Port Commissioners reviewed the proposed development plan for Parcels 20 and 14 and provided comment.

3) Adoption of Resolution No. 3437 Approving the Financial Statements and Checks for July through September 2021

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3437 to:

- a) Accept the following draft financial statements for the Quarter ending September 30, 2021; and,
- b) Review the payroll and regular checks for July through September 2021.

Report by Gloria Adkins, Accounting Manager.

Public Comment: None. Closed at 7:57PM.

ACTION: Vice-Chairman Blumenberg moved to adopt Resolution No. 3437 to:
a) Accept the following draft financial statements for the Quarter ending September 30, 2021; and,
b) Review the payroll and regular checks for July through September 2021.

Commissioner Brennan seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None.

Motion carried 5-0.

4) Authorize the General Manager to Execute a Funding Agreement with the State of California, acting through the State Lands Commission to receive \$1,060,484 allocated from the Coronavirus State Fiscal Recovery Fund

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners authorize the General Manager to execute a Funding Agreement with the State of California, acting through the State Lands Commission ("SLC") to receive \$1,060,484 as part of the State Fiscal Recovery Funds allocated from the Coronavirus State Fiscal Recovery Fund as authorized by the federal American Rescue Plan Act of 2021.

Report by Brian D. Pendleton, General Manager

Public Comment: None. Closed at 8:02PM.

ACTION: Commissioner Brennan moved to authorize the General Manager to execute a Funding Agreement with the State of California, acting through the State Lands Commission ("SLC") to receive \$1,060,484 as part of the State Fiscal Recovery Funds allocated from the Coronavirus State Fiscal Recovery Fund as authorized by the federal American Rescue Plan Act of 2021.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None.

Motion carried 5-0.

5) Approval of Slip Fee Increases for Ventura Harbor Village Marina

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve new slip fees for the Ventura Harbor Village Marina.

Report by Todd Mitchell, Business Operations Manager.

Public Comment: None. Closed at 8:10PM.

ACTION: Commissioner Brennan moved to approve new slip fees for the Ventura Harbor Village Marina.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None.

Motion carried 5-0.

6) Approval of 2022 Port Commission Meeting Schedule

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the 2022 Port Commission meeting schedule.

Report by Jessica Rauch, Clerk of the Board.

Public Comment: None. Closed at 8:20PM.

ACTION: Commissioner Gardina moved to approve the 2022 Port Commission meeting schedule.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Ashworth

NOES: None

ABSENT: None.

Motion carried 5-0.

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.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:25PM.

ACTION: The Board of Port Commissioners received an update on COVID-19 related items.

ADJOURNMENT: The meeting was adjourned at 8:30PM.

The next regular meeting is Wednesday, January 5, 2022.



Brian Brennan, Secretary