

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MARCH 17, 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 6:45PM 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
Jackie Gardina via teleconference
Everard Ashworth 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

PUBLIC COMMUNICATIONS: None. Closed at 6:46PM.

CONVENED TO CLOSED SESSION AT 6:46PM.

ADJOURNMENT: Closed Session was adjourned at 6:50PM.

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 7:01PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By General Manager, Brian D. Pendleton.

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
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board
John Higgins, Harbormaster via teleconference
Joe Gonzalez, Capital Improvements Manager via teleconference
Jennifer Talt-Lundin, Marketing Manager via teleconference
Gloria Adkins, Accounting Manager via teleconference
Dave Werneburg, Marina Manager via teleconference

Legal Counsel:

Andy Turner via teleconference

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the March 17, 2021 agenda.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

APPROVAL OF MINUTES

The Minutes of the March 3, 2021 Regular Meeting were considered as follows:

ACTION: Commissioner Blumenberg moved to approve the minutes of the March 3, 2021 Regular Meeting.

Commissioner Gardina seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

PUBLIC COMMUNICATIONS: Tom Derektor announced that Wet Wednesdays will be returning in April and the Commission should change their meetings to a different day.

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 how to proceed. No action was taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Brennan appreciated Tom Derektor's comments and mentioned the County's second business grant opportunity.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton shared the 2020 milestones for the 2nd Annual Tenant Celebration that occurred on March 4th.

LEGAL COUNSEL REPORT: None.

CONSENT AGENDA:

A) Approval of Office Lease Agreement Amendments No. 7 and 8 for GSA National Park Service

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve Lease Amendments No. 7 and 8 to add an additional five (5) year option to the existing lease and to execute the option at Block A and Block D between the Ventura Port District dba Ventura Harbor Village and GSA / National Park Service for the premises located at 1431 Spinnaker Drive and 1691 Spinnaker Drive #204, 206, 208, 101B and 103.

PUBLIC COMMENT: None.

ACTION: Commissioner Brennan moved to approve Lease Amendments No. 7 and 8 to add an additional five (5) year option to the existing lease and to execute the option at Block A and Block D between the Ventura Port District dba Ventura Harbor Village and GSA / National Park Service for the premises located at 1431 Spinnaker Drive and 1691 Spinnaker Drive #204, 206, 208, 101B and 103.

Commissioner Ashworth seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Blumenberg

NOES: None.

Motion carried 5-0.

STANDARD AGENDA:

1) Adoption of Resolution No. 3410 Extending and Concurrently Ending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

1. Adopt Resolution No. 3410 further extending and concurrently ending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program (Covid-19 Program) effective June 30, 2021; and,

2. Approve the Deferred Rental Repayment Schedule for Harbor Tenants who have or will participate in the Covid-19 Program and/or City Ordinance 2020-024 (Temporary Eviction Moratorium) in the following manner:
 - a. A minimum of 40% of rent deferred due to the COVID-19 pandemic shall be repaid by December 31, 2021
 - b. The remaining (up to 60%) rent deferred shall be repaid by June 30, 2022 by making equal, monthly payments on the same day monthly rent is due beginning with the January 2022 rent payment.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Sam Sadove stated that tenants need more time and flexibility and the due date for the remaining 60% should be extended to December 31, 2022. Michael Wagner, owner of Andria's Seafood Restaurant agreed with Mr. Sadove's comments and the remaining 60% should be extended to December 2022. Closed at 7:24PM.

- ACTION:** **Commissioner Ashworth moved to:**
1. **Adopt Resolution No. 3410 further extending and concurrently ending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program (Covid-19 Program) effective June 30, 2021; and,**
 2. **Approve the Deferred Rental Repayment Schedule for Harbor Tenants who have or will participate in the Covid-19 Program and/or City Ordinance 2020-024 (Temporary Eviction Moratorium) in the following manner:**
 - a. **A minimum of 40% of rent deferred due to the COVID-19 pandemic shall be repaid by December 31, 2021**
 - b. **The remaining (up to 60%) rent deferred shall be repaid by June 30, 2022 by making equal, monthly payments on the same day monthly rent is due beginning with the January 2022 rent payment.**

Vice-Chairman Blumenberg seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

2) Emergency Declaration to Dredge the Inner Harbor and Stub Channel

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

- a) Review the conditions giving rise to the Declaration of Emergency set forth in Resolution No. 3409;
- b) Receive a report as to the actions taken in response to the emergency; and
- c) Find and determine that the emergency has been abated and the dredging is complete.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Sam Sadove gave kudos to staff for getting this done, however, he mentioned that its concerning that the District pays more for this task when it is the City barranca runoff that causes this. Closed at 7:37PM.

ACTION: Vice-Chairman Blumenberg moved to receive a report as to the actions taken in response to the emergency and found and determined that the emergency has been abated and the dredging is complete.

Commissioner Brennan seconded. The vote was as follows:

AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: None.

Motion carried 5-0.

3) Ventura Shellfish Enterprise Next Steps

Recommended Action: Roll Call Vote.

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

- a) Provide support for the establishment of a Southern California Aquaculture Opportunity Area proximate to Ventura Harbor by NOAA;
 - a. Provide all studies, reports, data gathered as part of the VSE project to NOAA;
 - b. Complete all tasks required for completion of the Ventura Port District's Sea Grant as may be amended in concurrence with California Sea Grant by August 31st, 2021
- b) Formally withdraw Ventura Port District applications for the VSE project from the U.S. Army Corps of Engineers and California Coastal Commission;
 - a. Seek opportunities to collaborate with the aquaculture industry to establish sustainable aquaculture farms that can land product in Ventura Harbor;
 - b. Authorize continued advocacy efforts at federal, state and local levels for the establishment of sustainable aquaculture farms in the Santa Barbara Channel proximate to Ventura Harbor.

Report by Brian D. Pendleton, General Manager.

PUBLIC COMMENT: Linda Krop, Chief Counsel for the Environmental Defense Center stated that she is in support of 1) the staff recommendation to withdraw applications for the VSE project; 2) the continued stakeholder outreach and meetings; and 3) continued conversations with state agencies. agrees with staff's recommendations. Sam Sadove stated that he has supported the concept of the shellfish project and also supports staff recommendations. However, there continues to a number of issues that include 1) NOAA not having jurisdiction over aquaculture, 2) the LAFCo issue and 3) recouping of costs. Rae Fuhrman, CEO and Founder of Stingray Sensing is working to develop a low-cost monitoring system for bivalve and seaweed farms, which may help in aquaculture permitting. Closed at 7:57PM.

ACTION: Commissioner Ashworth moved to direct the General Manager to:

- 1) Provide support for the establishment of a Southern California Aquaculture Opportunity Area proximate to Ventura Harbor by NOAA;
 - a. Provide all studies, reports, data gathered as part of the VSE project to NOAA;
 - b. Complete all tasks required for completion of the Ventura Port District's Sea Grant as may be amended in concurrence with California Sea Grant by August 31st, 2021

- 2) **Formally withdraw Ventura Port District applications for the VSE project from the U.S. Army Corps of Engineers and California Coastal Commission on August 31st, 2021;**
 - a. **Seek opportunities to collaborate with the aquaculture industry to establish sustainable aquaculture farms that can land product in Ventura Harbor;**
 - b. **Authorize continued vigorous advocacy efforts at federal, state and local levels for the establishment of sustainable aquaculture farms in the Santa Barbara Channel proximate to Ventura Harbor.**

Commissioner Brennan seconded. The vote was as follows:

**AYES: Commissioner Stephens, Brennan, Gardina, Ashworth, Blumenberg
NOES: 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 8:40PM.

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

ADJOURNMENT: The meeting was adjourned in honor of Harbor Patrolman Paul Korber at 8:27PM.

The next meeting is Wednesday, April 7, 2021.

Brian Brennan, Secretary