

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF JANUARY 5, 2022



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chairman Chris Stephens at 6:32PM 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 via teleconference
Todd Mitchell, Business Operations Manager
Jessica Rauch, Clerk of the Board

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via teleconference
Collin Spillman, Lagerlof Lawyers LLP via teleconference

City of Ventura Liaisons

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

Number of interested persons: 0

PUBLIC COMMUNICATIONS: None. Closed at 6:33PM.

CONVENED TO CLOSED SESSION AT 6:35PM.

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 7:02PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom Meeting.

PLEDGE OF ALLEGIANCE: By Todd Mitchell, Business Operations Manager.

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
Dave Werneburg, Marina Manager via teleconference
Joe Gonzalez, Capital Projects Manager via teleconference

Legal Counsel:

Andy Turner via teleconference

City of Ventura Liaisons

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

Number of interested persons: 10

ADOPTION OF AGENDA

ACTION: Commissioner Brennan moved to adopt the January 5, 2022 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 December 15, 2021 Regular Meeting were considered as follows:

ACTION: Commissioner Ashworth moved to approve the minutes of the December 15, 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: None. Closed at 7:04PM.

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 Gardina reported that she took a tour of Parcel 20 with owners Tom Derecktor and Leonora Valvo and project manager Dwyn Wyn.

STAFF AND GENERAL MANAGER REPORTS: None.

The Port Commission adjourned and convened as the Board of Directors of the Ventura Port District Public Facilities Corporation at 7:06PM.

The Board of Directors of the Ventura Port District Public Facilities Corporation adjourned and reconvened the Regular Meeting of the Ventura Port District Board of Port Commissioners at 7:16PM.

CONSENT AGENDA:

A) Approval of Out-of-Town Travel Requests

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the out-of-town travel requests for:

- a) Todd Mitchell, Business Operations Manager, to attend the CMANC Winter Meeting in San Pedro, CA.
- b) Mike Blumenberg, Vice-Chairman and Dredging Liaison, to attend the CMANC Winter Meeting in San Pedro, CA.

Public Comment: None. Closed at 7:17PM.

ACTION: Commissioner Brennan moved to approve the out-of-town travel requests for:

- a) Todd Mitchell, Business Operations Manager, to attend the CMANC Winter Meeting in San Pedro, CA.

- b) Mike Blumenberg, Vice-Chairman and Dredging Liaison, to attend the CMANC Winter Meeting in San Pedro, CA.**

Commissioner Ashworth seconded. The vote was as follows:

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

Motion carried 5-0.

B) Approval of New Office Lease Agreement for International Engine Parts, Inc. at 1567 Spinnaker Drive #203

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and International Engine Parts, Inc. for space located at 1567 Spinnaker Drive #203 consisting of approximately 370 square feet for a three (3) year term with two (2) three (3) year options.

Public Comment: None. Closed at 7:17PM.

ACTION: Commissioner Brennan moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and International Engine Parts, Inc. for space located at 1567 Spinnaker Drive #203 consisting of approximately 370 square feet for a three (3) year term with two (2) three (3) year options.

Commissioner Ashworth seconded. The vote was as follows:

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

Motion carried 5-0.

C) Adoption of Resolution No. 3438 Permitting the Board of Port Commissioners to Continue to Conduct Remote Teleconference Meetings Pursuant to AB 361

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3438:

- a) Proclaiming a local emergency persists;
- b) Re-ratifying the proclamation of a state of emergency by Governor Gavin Newsom; and
- c) Re-authorizing remote teleconference meetings of the Legislative Bodies of the Ventura Port District for the period of January 6, 2022 through February 5, 2022 pursuant to Brown Act provisions.

Public Comment: None. Closed at 7:17PM.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3438:
a) Proclaiming a local emergency persists;
b) Re-ratifying the proclamation of a state of emergency by Governor Gavin Newsom; and

- c) **Re-authorizing remote teleconference meetings of the Legislative Bodies of the Ventura Port District for the period of January 6, 2022 through February 5, 2022 pursuant to Brown Act provisions.**

Commissioner Ashworth seconded. The vote was as follows:

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

Motion carried 5-0.

STANDARD AGENDA:

1) Acceptance of the Special District Leadership Foundation's Transparency Certificate of Excellence

Recommended Action: Informational.

That the Board of Port Commissioners accept the Transparency Certificate of Excellence on behalf of the Ventura Port District.

Presented by Charlotte Holifield, CSDA Coastal Network Public Affairs Field Coordinator.

Public Comment: None.

ACTION: The Board of Port Commissioners accepted the Transparency Certificate of Excellence on behalf of the Ventura Port District.

2) Parcels 20 and 14 Development Planning Status Report

Recommended Action: Informational.

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

Report by Brian D. Pendleton, General Manager.

Ex Parte Communications: All Commissioners visited the site with owners Tom Derecktor and Leonora Valvo and project manager Dwyn Wyn.

Public Comment: Karen Gold, Attorney representing the Water's Edge Restaurant on Parcel 20 expressed her clients concerns about the project. Closed at 7:38PM. Reopened at 7:59PM. Tom Derecktor and Leonora Valvo thanked the Commissioners for their visits and feedback, appreciates staff's guidance through this process and thanked Karen Gold for her comments. Closed at 8:01PM.

ACTION: The Board of Port Commissioners provided further comments on the proposed development plan for Parcels 20 and 14.

3) Adoption of Resolution No. 3439 Authorizing Publication of a Notice of Proposed Ordinance for a New Entertainment and Restaurant Lease Agreement with Options for Aarmark Beer Gardens, Inc. for 1567 Spinnaker Drive #100

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3439 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a new six (6) year Entertainment and Restaurant Lease Agreement with three (3) five (5) year options between the Ventura Port District dba Ventura Harbor Village and Aarmark Beer Gardens, Inc. in a newspaper of general circulation.

Report by Brian D. Pendleton, General Manager.

Public Comment: Aaron Running, Aarmark Beer Gardens, Inc. explained the purpose of his family entertainment center concept and is excited to be a part of the Ventura Harbor family. Sam Sadove suggested verifying with the City and ABC the requirements for the total square footage of alcoholic consumption beverage facilities within the Harbor. He also suggested verifying with the California Coastal Commission the max allowed parking for restaurants. Closed at 8:09PM.

ACTION: Commissioner Brennan moved to adopt Resolution No. 3439 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for a new six (6) year Entertainment and Restaurant Lease Agreement with three (3) five (5) year options between the Ventura Port District dba Ventura Harbor Village and Aarmark Beer Gardens, Inc. in a newspaper of general circulation.

Commissioner Ashworth seconded. The vote was as follows:

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

NOES: None

ABSENT: None.

Motion carried 5-0.

4) Adoption of Resolution No. 3440 Extending the Repayment Schedule for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3440 extending the repayment schedule for the Covid-19 Ventura Harbor Rental Abatement and Deferment Program.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:16PM.

ACTION: Commissioner Ashworth moved to adopt Resolution No. 3440 extending the repayment schedule for the Covid-19 Ventura Harbor Rental Abatement and Deferment Program.

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 Future Board Meeting Participation

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners direct the General Manager to implement continued virtual participation in Board meetings.

Report by Jessica Rauch, Clerk of the Board.

Public Comment: None. Closed at 8:26PM.

ACTION: Vice-Chairman Blumenberg moved to continue virtual participation in the current format.

Commissioner Gardina seconded. The vote was as follows:

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

NOES: None

ABSENT: None.

Motion carried 5-0.

ACTION: Chairman Stephens moved to direct staff to prepare for in person meetings with viewing only virtual participation.

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

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

NOES: None

ABSENT: None.

Motion carried 5-0.

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

Recommended Action: Informational. (Verbal Report)

That the Board of Port Commissioners receive an update on the status of COVID-19 in Ventura County.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:45PM.

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

ADJOURNMENT: The meeting was adjourned in honor of Mr. Vuong Tran, owner and captain of the vessels "Seapak" and "John Start" at 8:48PM.

The next regular meeting is Wednesday, January 19, 2022.



Brian Brennan, Secretary