PORT COMMISSION AGENDA

REGULAR MEETING
WEDNESDAY, JANUARY 5, 2022

TELECONFERENCE
5 TELECONFERENCE LOCATIONS

VENTURA PORT DISTRICT OFFICE
1603 ANCHORS WAY DRIVE
VENTURA, CA 93001

CLOSED SESSION – 6:30PM

REGULAR MEETING – 7:00PM

IN ACCORDANCE WITH AB 361, THIS MEETING WILL BE HELD BY
TELECONFERENCE, AND THERE WILL NOT BE A PHYSICAL LOCATION FROM
WHICH THE PUBLIC MAY ATTEND. THE PUBLIC MAY ONLY ELECTRONICALLY
ATTEND THE BOARD OF PORT COMMISSIONERS MEETING AND MAY PROVIDE
PUBLIC COMMENT THROUGH THE VIRTUAL MEETING. THE PUBLIC WILL HAVE
ACCESS TO REMOTELY OBSERVE THE MEETING AND ADDRESS THE
COMMISSION AS OUTLINED BELOW.
PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING LIVE

Join a Zoom meeting LIVE:
https://us02web.zoom.us/j/81279427547
Webinar ID: 812 7942 7547
1-669-900-6833
1-253-215-8782

SUBMIT PUBLIC COMMENT VIA EMAIL

If you do not wish to speak live but would like to submit a written comment on a specific agenda item, please do so via email by 4:00PM on the day of the meeting. Please submit your comment to the Clerk of the Board at jrauch@venturaharbor.com.

When sending an email, please indicate in the subject line, the agenda item number (i.e. General Public Comment or Consent Item A). Written comments should be no more than 1000 characters in length. Written comments will be distributed to the Commissioners and will be posted as a supplemental packet on the District’s website at https://venturaharbor.com/board-meetings-minutes/.

PROVIDE PUBLIC COMMENT LIVE AT THE MEETING USING ZOOM

To speak on a specific agenda item during the live Zoom meeting, it is encouraged to notify the Clerk of the Board at jrauch@venturaharbor.com by 4:00PM on the day of the meeting so you can participate appropriately.

If you decide to speak during the meeting without notifying the Clerk, attendees can dial *9 if on the phone or use the ‘raise hand’ function in Zoom.

CLOSED SESSION – 6:30PM

CALL TO ORDER: By Chairman Chris Stephens.

ROLL CALL: By the Clerk of the Board.

PUBLIC COMMUNICATIONS (3 minutes)
The Public Communications period is set aside to allow public testimony on items only on the Closed Session Agenda. Each person may address the Commission for up to three minutes or at the discretion of the Chair. Attendees can dial *9 or use the ‘raise hand’ function in Zoom if they would like to speak during public comment periods.

CONVENE IN CLOSED SESSION – 6:35PM
CLOSED SESSION AGENDA

1. Conference with Real Property Negotiators - Per Government Code Section 54956.8:

   a) Property: 1559 Spinnaker Drive #207
      Negotiating Parties: Brian D. Pendleton, Todd Mitchell, Andy Turner
      Anacapa Consulting
      Under Negotiation: Terms of New Office Lease Agreement (RENEWAL)

   b) Property: 1567 Spinnaker Drive #100
      Negotiating Parties: Brian D. Pendleton, Todd Mitchell, Andy Turner
      Aarmark Beer Gardens Inc.
      Under Negotiation: Terms of New Entertainment and Restaurant Lease Agreement (NEW)

ADJOURNMENT

OPEN SESSION – 7:00PM

CALL TO ORDER: By Chairman Chris Stephens.

PLEDGE OF ALLEGIANCE: By Chairman Chris Stephens.

ROLL CALL: By the Clerk of the Board.

ADOPTION OF AGENDA (3 minutes)
Consider and approve, by majority vote, minor revisions to agenda items and/or attachments and any item
added to or removed/continued from the Port Commission’s agenda. Administrative Reports relating to this
agenda and materials related to an item on this agenda submitted after distribution of the agenda packet
are available for public review at the Port District’s office located at 1603 Anchors Way Drive, Ventura, CA
during business hours as well as on the District’s website - www.venturaharbor.com.

APPROVAL OF MINUTES (3 minutes)
The Minutes of the December 15, 2021 Regular Meeting will be considered for approval.

PUBLIC COMMUNICATIONS (3 minutes)
The Public Communications period is set aside to allow public testimony on items not on today’s agenda.
Each person may address the Commission for up to three minutes or at the discretion of the Chair.
Attendees can dial *9 or use the ‘raise hand’ function in Zoom if they would like to speak during public
comment periods.

CLOSED SESSION REPORT (3 minutes)
Closed Sessions are not open to the public pursuant to the Brown Act. Any reportable actions taken by the
Commission during Closed Session will be announced at this time.

BOARD COMMUNICATIONS (5 minutes)
Port Commissioner’s may present brief reports on port issues, such as seminars, meetings and literature
that would be of interest to the public and/or Commission, as a whole. Port Commissioner’s must provide
a brief summary and disclose any discussions he or she may have had with any Port District Tenants
related to Port District business.
STAFF AND GENERAL MANAGER REPORTS (5 minutes)
Ventura Port District Staff, Legal Counsel and General Manager will give the Commission updates on important topics or items of general interest if needed.

ADJOURN AND CONVENE AS BOARD OF DIRECTORS OF THE VENTURA PORT DISTRICT PUBLIC FACILITIES CORPORATION

BOARD OF DIRECTORS OF THE VENTURA PORT DISTRICT
PUBLIC FACILITIES CORPORATION
ANNUAL MEETING

AGENDA

I. Call to Order

II. Roll Call

III. Public Comment

IV. Consider the Dissolution of the Ventura Port District Public Facilities Corporation

V. Adjourn

RECONVENE THE REGULAR MEETING OF THE VENTURA PORT DISTRICT BOARD OF PORT COMMISSIONERS

CONSENT AGENDA: (5 minutes)
Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by the Board at one time, without discussion, unless a member of the Board or the public requests an opportunity to address any given item. Approval by the Board of Consent Items means that the recommendation is approved along with the terms set forth in the applicable staff reports.

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.

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.
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.

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.

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.

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.

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

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.

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.

ADJOURNMENT IN HONOR OF MR. VUONG TRAN, OWNER AND CAPTAIN OF THE VESSELS “SEAPAK” AND “JOHN START”
This agenda was posted on Thursday, December 30, 2021 by 5:00 p.m. at the Port District Office and online at www.venturaharbor.com - Port District Business - Meetings and Agendas.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Ventura Port District at (805) 642-8538 or the California Relay Service at 711 or (800) 855-7100. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

APPROVAL OF MINUTES

DECEMBER 15, 2021 REGULAR MEETING
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 October 20, 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 be 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
BOARD OF DIRECTORS
PUBLIC FACILITIES CORPORATION
JANUARY 5, 2022
TO: Board of Directors  
FROM: Brian D. Pendleton, General Manager  
Andy D. Turner, Lagerlof Lawyers, LLP  
SUBJECT: Consider the Dissolution of the Ventura Port District Public Facilities Corporation

RECOMMENDATION:  
That the Board of Directors consider the dissolution of the Ventura Port District Public Facilities Corporation.

SUMMARY:  
The Ventura Port District Public Facilities Corporation (“Corporation”) was created many years ago to facilitate a bond issuance that enabled the District to emerge from bankruptcy proceedings. After the bonds were retired, the Corporation was maintained in the event further financing became necessary. The District has been advised that newer options are now available such that there is no need to maintain the Corporation.

LONG-TERM GOALS:  
- Goal 6: Public Service  
  - Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

5-YEAR OBJECTIVES:  
- Objective E: Public and Civic Engagement Plan  
  - Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders.  
    - 1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:  
The District's Public Facilities Corporation (the "Corporation") received a letter dated January 5, 2021 from the California Department of Justice, Office of Charitable Trusts regarding delinquent registration and tax filings. That letter requires the Corporation to file the annual Registration Renewal Fee Reports (Form RRF-1) for the individual years ending June 30, 2015 through June 30, 2020 and pay the required fees (which would be zero if the Corporation had no gross revenues); and to provide copies of its federal Form 990 tax returns for those same fiscal years.

That correspondence begs the question regarding the future steps to be taken with respect to the Corporation, which has essentially been dormant for many prior years. Following are the options we have identified:

1. Leave the Corporation as an active entity and file the required RRF-1 forms and explain to the Attorney General that no tax returns have been filed because the Corporation had no income during the subject years. Note a related option would be to not file the RRF-1 forms, using the same explanation, but that is a relatively simple
form to prepare, and no filing fee is required, so it is not very burdensome to file those forms.

2. Leave the Corporation as an active entity and file the required RRF-1 forms and prepare the tax returns for the subject years.

3. Take steps to dissolve the Corporation. The initial step in the dissolution process would be to respond to the Attorney General’s letter with an explanation of the Corporation’s dormant status and request that authorization be provided to dissolve the Corporation. That authorization is required before the Secretary of State will proceed with dissolving a non-profit public benefit corporation such as the Corporation.

4. An alternative similar to Alternative 3 would be to seek the authorization to dissolve but include the completed RRF-1 forms with that letter.

As you can see, the next step in this process depends on whether the District desires to leave the Corporation in existence. Previously, that was thought to be prudent, but that was before staff knew of the annual filing requirements, which, although they are relatively minimal, still must be handled each year.

The finance team that handled the District’s recent refinancing of its debt have all indicated that there is no reason to maintain the Corporation’s existence, as there are alternative vehicles to accomplish a future debt issuance.

At this juncture, it may be prudent to consider dissolution.

FISCAL IMPACTS:
None.

ATTACHMENTS:
None.
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

CONSENT AGENDA ITEM A
APPROVAL OF OUT-OF-TOWN TRAVEL REQUESTS
TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
SUBJECT: Approval of Out-of-Town Travel Requests

RECOMMENDATION:
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.

SUMMARY:
Business Operations Manager, Todd Mitchell and Dredging Liaison, Vice-Chairman Blumenberg will travel to San Pedro, California to participate in the CMANC Winter Meeting from January 19, 2021 to January 21, 2021. The benefit to the District for this travel is to meet with representatives of other California Ports and Harbors and participate in discussions with the U.S. Army Corps of Engineers about the navigation goals for California and develop the implementation strategy for those goals.

LONG-TERM GOALS:
• Goal 6: Public Service
  o Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

5-YEAR OBJECTIVES:
• Objective E: Public and Civic Engagement Plan
  o Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders.
    ▪ 1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:
Employees and Commissioners are encouraged to attend conferences, meetings, seminars, and other activities that provide an opportunity to be informed concerning matters of interest to the District and their position.

FISCAL IMPACTS:
The travel and training costs are included in the FY21-22 budget.

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<th>Mitchell</th>
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ATTACHMENTS:
None.
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

CONSENT AGENDA ITEM B
APPROVAL OF NEW OFFICE LEASE AGREEMENT FOR INTERNATIONAL ENGINE PARTS, INC. AT 1567 SPINNAKER DRIVE #203
RECOMMENDATION:
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.

SUMMARY:
Staff has negotiated a new lease with Elmo Iadevaia for office space at 1567 Spinnaker Drive #203.

LONG-TERM GOALS:
- Goal 3: Economic Vitality
  - Increase economic development, vitality, and diversity of the District through effective leasing and marketing strategies.

5-YEAR OBJECTIVES:
- Objective V: Harbor Village
  - Maintain and improve Harbor Village infrastructure and enhance the overall visitor experience
    - 2: Leasing/Property Management Action Plan

BACKGROUND:
Elmo Iadevaia Jr. is the Chief Executive Officer of International Engine Parts Inc., a company that provides a broad range of gas turbine engine parts and services for aviation, marina, and industrial based engines, generators, gas compressors, marine propulsion, and offshore oil rigs. Their location in Ventura Harbor Village is their corporate headquarters with a shop and warehouse in Clear Field, Utah.

FISCAL IMPACT:
This lease renewal reflects current market rental rates for offices in the complex. There will be step increases annually in base rent. Minor tenant improvements are required for the space, including touch up painting, removal of a window to the adjacent suite and separating utilities from the adjacent suite. The tenant has contributed $1,200 to the tenant improvements.

ATTACHMENTS:
None.
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

CONSENT AGENDA ITEM C
ADOPTION OF RESOLUTION NO. 3438 PERMITTING THE BOARD OF PORT COMMISSIONERS TO CONTINUE TO CONDUCT REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361
TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Jessica Rauch, Clerk of the Board  
SUBJECT: Adoption of Resolution No. 3438 Permitting the Board of Port Commissioners to Continue to Conduct Remote Teleconference Meetings Pursuant to AB 361

RECOMMENDATION:
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.

SUMMARY:
On November 17, the Board adopted Resolution No. 3435 continuing to implement the AB 361 provision to allow remote teleconference meetings from December 6, 2021 through January 5, 2022.

With the increased number of cases in the County, the rapid spread and uncertainty associated with the new Omicron variant, and the extended indoor mask mandate not being lifted until three criteria are met, staff recommends continuation of remote meetings for another 30-days.

LONG-TERM GOALS:
• Goal 6: Public Service  
   o Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

5-YEAR OBJECTIVES:
• Objective E: Public and Civic Engagement Plan  
   o Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders.  
     ▪ 1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:
On March 4, 2020, Governor Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. On March 17, 2020, Executive Order No. N-29-20 was issued, which suspended portions of the Brown Act relating to in-person meetings and the use of teleconferencing for public meetings. On September 16, 2021, Governor Newsom signed AB 361, which took effect with the expiration of the Executive Order on September 30, 2021.

If the Port District seeks to continue conducting its meetings in “remote” teleconference manner after September 30th, the Board of Port Commissioners must adopt a resolution that permits the legislative body to conduct remote teleconference meetings in the manner specified by AB 361 for 30 days.
The Commission also adopted Resolution No. 3392 declaring a local emergency due to the COVID-19 virus for purposes of implementing emergency procurement procedures and applying for federal and state assistance, which is still in effect.

AB 361 allows the following:

- While maintaining transparency and public access, local agencies would be able to meet remotely during a declared state of emergency.
- While agencies would still be required to post agendas and meeting information, agencies would not be required to post meeting notices and/or agendas at all teleconference locations when remotely meeting during an emergency.
- While the public must continue to have access to the remote meeting and provided the ability to make public comment, agencies would not be required to make all remote meeting sites accessible to the public, nor include the remote location details in the meeting notice or agenda during a declared state of emergency.
- Additionally, agency board members would not be required to be at remote sites within the territorial bounds of the agency during a declared state of emergency.

This Resolution would permit meeting under the provisions of AB 361 for a maximum period of 30 days. Within those 30 days, the Board would need to renew its Resolution, consistent with the requirements of AB 361, if the state of emergency is still in effect and the Board desires to continue meeting under the modified Brown Act requirements.

AB 361 sunsets on January 1, 2024.

**FISCAL IMPACT:**
None.

**ATTACHMENTS:**
Attachment 1 – Resolution No. 3438
RESOLUTION NO. 3438


WHEREAS, the Ventura Port District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Port Commissioners (the “Board”); and

WHEREAS, all meetings of District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board previously adopted Resolution No. 3435 on November 17, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and
WHEREAS, the Board previously adopted Resolution No. 3429 on October 6, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, the Board previously adopted Resolution No. 3432 on October 20, 2021, finding that the requisite conditions continue to exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board must reconsider the circumstances of the state of emergency that exists in the District, and the Board has done so; and

WHEREAS, emergency conditions persist in the District, specifically, COVID-19, and its Delta and Omicron variants, which remain highly contagious, and, therefore, a threat to the health, safety and well-being of the District’s employees, Commissioners, vendors, contractors, customers and residents; and

WHEREAS, given the limited size of the District’s meeting space, having the public and Commissioners attend meetings in person would pose an imminent risk to the health and safety of attendees; and

WHEREAS, as of October 19, 2021, the County of Ventura extended its mask mandate for all indoor public settings and businesses until:

(1) Ventura County reaches the moderate (yellow) COVID-19 transmission tier, as defined by the Centers for Disease Control & Prevention (a daily case rate of 7 per 100,000), and remains there for at least three weeks; and
(2) COVID-19 hospitalizations in the County are low and stable, in the judgment of the Health Officer; and
(3) Eight weeks have passed since a COVID-19 vaccine has been authorized for emergency use by federal and state authorities for 5 to 11-year-olds or 80% of the County’s eligible population is fully vaccinated with two doses of Pfizer or Moderna or one dose of Johnson & Johnson (booster doses not considered); Or until the Order is extended, rescinded, superseded or amended in writing by the Health Officer; and

WHEREAS, the Board does hereby find that a state of emergency persists within the District’s service area as a result of the continuing presence of COVID-19 and has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board does hereby find that the legislative bodies of the District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and
WHEREAS, the District will continue to provide proper notice to the public regarding all District Board meetings in accordance with Government Code Section 54953(e)(2)(A) and shall provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, THE BOARD OF PORT COMMISSIONERS OF THE VENTURA PORT DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and that conducting District Board meetings virtually will minimize the possible spread of COVID-19 and any variant thereof.

Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and Board of Port Commissioners of the Ventura Port District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on January 6, 2022 and shall be effective until the earlier of (i) the expiration of thirty (30) days from January 6, 2022, or such time the Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board and standing committees of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED, APPROVED AND ADOPTED by the Board of Port Commissioners of the Ventura Port District, this 5th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________
Chris Stephens, Chairman

ATTEST:

____________________________
Brian Brennan, Secretary
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

STANDARD AGENDA ITEM 1
ACCEPTANCE OF THE SPECIAL DISTRICT LEADERSHIP FOUNDATION’S TRANSPARENCY CERTIFICATE OF EXCELLENCE
TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Jessica Rauch, Clerk of the Board  
SUBJECT: Acceptance of the Special District Leadership Foundation’s Transparency Certificate of Excellence

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

SUMMARY:  
More than ever, public agencies, including special districts, are expected to be open and accessible to the public. The Special District Leadership Foundation’s (SDLF) Transparency Challenge was a great way to showcase the many ways the District is available and transparent to its constituents and customers it serves.

LONG-TERM GOALS:  
• Goal 6: Public Service  
  o Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

5-YEAR OBJECTIVES:  
• Objective E: Public and Civic Engagement Plan  
  o Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders.  
    ▪ 1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:  
At the beginning of 2021, the SDLF sent out a Transparency Challenge for Special Districts to participate in. A checklist was provided which was broken into three parts: basic requirements, website requirements and outreach/best practices requirements. The challenge opened on December 1, 2020 and the deadline to submit was November 30, 2021. As the District has continued to work towards enhanced transparency in the performance of its activities, many of the required policies were already in place, including policies on Brown Act Compliance, Public Records Act requests, Reimbursement Policies, publicly held Budget meetings, Board Conduct, Conflict of Interest, and the recently completed Public and Civic Engagement Plan. Completion of the Challenge required demonstrating that the District’s policies are in compliance with the program requirements. To qualify for the Certificate of Excellence, the Ventura Port District was selected as one of a maximum of ten Special Districts that would receive the award.

The award is recognition that the District strives to provide transparent, ethical, engaged, accountable, and effective governance.

FISCAL IMPACTS:  
None.

ATTACHMENTS:  
None.
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

STANDARD AGENDA ITEM 2
PARCELS 20 AND 14 DEVELOPMENT PLANNING STATUS REPORT
TO: Board of Port Commissioners  
FROM: Brian D. Pendleton, General Manager  
Todd Mitchell, Business Operations Manager  
SUBJECT: Parcels 20 and 14 Development Planning Status Report  

RECOMMENDATION:
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.

SUMMARY:
On December 15, 2021, the Board reviewed and provided comments on the proposed development plan for Parcels 20 and 14. Four of the Commissioners have toured the site since the meeting. These tours were conducted with only two Commissioners at a time in compliance with the Brown Act. The Commissioners may wish to provide further comment to Derecktor Marine Holdings (DMH), direction to staff, and receive additional comment from the public regarding the proposed development plan.

LONG-TERM GOALS:
- Goal 3: Economic Vitality  
  o Increase economic development, vitality, and diversity of the District through effective leasing and marketing strategies.
- Goal 5: Relationships  
  o Build respectful, productive, and mutually beneficial relationships with our tenants, public agencies, elected officials and the community.

5-YEAR OBJECTIVES:
- Objective M: Master Tenants & Parcels 5+8  
  o Collaborate with existing and future Master Tenants to maintain, improve, and develop the Harbor.  
    ▪ 1: Engagement and support of Master Tenants for successful business operations at the Harbor.

BACKGROUND:
On October 18, 2021, DMH fulfilled a requirement of their Assignment and Option to Lease (Option to Lease) by submitting formal development plan for redevelopment of Parcels 20 and 14 to the District for review. On December 6, 2021, Ventura Port District (District) staff provided written response to DMH on the plan submission (Attachment 1), consisting of a comprehensive list of comments from staff and consulting architect Lizette Elenes of ERA Architects and consulting engineer Thomas Fischetti of Noble Consultants. As part of our on-going collaborative planning efforts, a follow-up meeting was held with staff and the DMH team on December 8 to review and discuss the comments. Further dialogue will connect architects and engineers from both parties to explore a few topics in greater detail.

Pursuant to the Option to Lease, the purpose of this follow-up discussion is to seek further comments from the Commissioners and the public. As the formal development plan includes a proposed expansion of the waterside of the leasehold to the east and south, the Board’s consideration of the proposed expansion will be necessary (as part of future project approval actions including City and Coastal Commission). As the formal development plan is refined, DMH should identify any parking requirements they believe cannot be met onsite.
On October 7, 2020, the Board of Port Commissioners (Commissioners) adopted Ordinance No. 53, which authorized execution of the Assignment of the Existing Parcel 20 Master Lease and Option Agreement (Option to Lease) between Ventura Port District and Derecktor Marine Holdings (DMH) for a new 50-Year Master Lease. Subsequently DMH acquired the marine fuel and bait business on Parcel 14 between the public launch ramp and Parcel 20.

Pursuant to the Option to Lease, DMH is required to obtain regulatory entitlements for redevelopment of the parcel before being eligible to exercise the Option for a new 50-year lease.

Leonora Valvo and Tom Derecktor, owners of DMH, have assembled a project team, which reviewed the prior development plan described as the Ventura Harbor Marina and Yacht Yard (VHMYY) Expansion project to determine what changes may be appropriate and mutually beneficial for DMH and the District.

On July 14, 2021, staff facilitated a meeting between DMH, the City and Coastal Commission staff, to receive early feedback regarding their draft development plan. Approvals from these regulatory bodies and others, known as “entitlements” are typically a multi-year process. This presentation was informational in nature and resulted in positive and constructive feedback from the agency participants.

On September 15, 2021 the Board of Port Commissioners received a presentation by DMH on their draft development plan for redevelopment of Parcels 20 and 14 in advance of their submission to the District prior to the October 19, 2021 deadline, as required by the Option to Lease.

DMH submitted a formal development plan to the Port District on October 19, 2021 for review by staff and subsequent consideration by the Board of Port Commissioners. Ms. Valvo, Mr. Derecktor, and their team prepared a presentation for discussion during the Board Meeting on December 15, 2021. After receiving written comments from District staff and consultants and verbal comments during the December 15 Board Meeting, DMH invited the Commissioners to attend a tour of the parcels, which was conducted with only two Commissioners at a time in accordance with the requirements of the Brown Act.

After having conducted the site visit, this item will allow the Commissioners to provide any further comments to the DMH team in a public setting.

NEXT STEPS:
In addition to the Port District, City, and Coastal Commission, the development plan will need project approvals from other regulatory bodies including, but not limited to: the U.S. Army Corps of Engineers and Los Angeles Regional Water Quality Control Board. The development plan is subject to the California Environmental Quality Act (CEQA). The Port District will act as lead agency and retain a qualified environmental planner to perform the CEQA review. To this end, a request for proposals was sent to three qualified firms and proposals have been received. Evaluation of those proposals will begin after December 15th and a firm retained through recommended action by the Board within two months. Concurrently, DMH will consider Port District and public comments, refine the project as necessary, and provide a final development plan to the Port District within two months.

The final development plan will then be submitted to the selected environmental planner to initiate the CEQA review. Upon completion, the results of that review and the final development plan will return to the Board for consideration of approval. This is anticipated to be in the 2nd half of 2022.
FISCAL IMPACTS:
The report is informational. The District have retained the services of ERA Architects and Noble Consultants through on-call contracts for various consulting services. The total anticipated cost of their services in support of the plan evaluations is between $3,000 and $5,000. Staff time involved in the processing of the development plan is significant, but consistent with Port District's Long-Term Goals and 5-Year Objectives. The environmental planning costs will be borne by the master tenant, DMH, pursuant to the Assignment and Option to Lease.

ATTACHMENTS:
Attachment 1 – Parcel 20 & 14 Proposed Development Plan Narrative
Attachment 2 – Parcel 20 & 14 Proposed Development Plan Architectural Submission
Attachment 3 – VPD Review of Parcel 20 & 14 Improvement Project
Attachment 4 – DMH December 15, 2021 Presentation to the Board of Commissioners
Parcel 20 Improvement Project

For

Ventura Port District

By

Derecktor Marine Holdings
Fisher Architects
Anchor QEA

October 19, 2021
1 Project Description

This project description summarizes the marina replacement, landside renovations and associated site improvements proposed by Derecktor Marine Holdings, for the Derecktor Ventura Boatyard and Marina. The project site is located at 1644 Anchors Way Drive, Ventura California 93001 within Ventura Harbor (Parcel 20). The goal of this project is to create an active and exciting open area where local residents and visitors alike can gather at community events such as a farmers’ market, art walk, and to listen to live music.

The City of San Buenaventura General Plan designation for the project site is Commerce and the site is zoned Harbor Commercial. The proposed improvements and uses of the site are consistent with the General Plan designation and zoning.

It is anticipated that permits and approvals for the project would be required by the U.S. Army Corps of Engineers, California Coastal Commission, Regional Water Quality Control Board, and City of Ventura.

1.1 Project Elements

The proposed project entails replacement of the existing marina, demolition of the existing boatyard office and store, modernization of the existing boatyard to provide more efficient and technologically advanced service, use of dry stack boat storage, construction of a two-story marina services, chandlery, and boatyard office building, improvements to visitor amenities, and associated site improvements. Existing site elements and features including a two-story restaurant, sportfishing office, small office, travel crane and pier, boat haul out, fuel pad and pump, convenience store and office, fuel office and pumps, and live bait receivers will be maintained and improved. Figure SP1 depicts the overall site plan including the major project elements.

1.1.1 Marina Replacement

The proposed replacement and reconfiguration of the marina would increase the number of slips from 32 to 64 while maintaining a mix of commercial and recreational vessels to meet the current and projected demands of the boating market in this area (Figure DL-2). The marina has been designed in compliance with California Department of Boating and Waterways guidelines. Approximately 13 slips are expected to serve commercial vessels such as commercial multi-party recreational fishing, marine safety tow vessels, and marina spill response vessels (Table 1). The remaining 51 slips would serve private, recreational vessels. Transient boater slips would be increased to meet the needs of visitors to the harbor and space for a water taxi to dock would be provided. An Americans with Disabilities Act accessible ramp and slips will be included in the proposed marina. Marina entryways would be replaced and would employ modern security and access systems. The docks would support a small office for Tow Boat US and for the fuel and bait dock.
The proposed project would increase the dock area from approximately 16,419 square feet to approximately 34,092 square feet and would increase the number of guide piles from 45 to approximately 77 (Figure DL-2). The existing timber piles would be removed and replaced with 16-inch and 18-inch prestressed concrete piles (Figure DL-2). New pile elevations would be consistent with Port District Resolution 3254 requiring a minimum top elevation of 15 feet mean lower low water for new guide piles, to accommodate potential sea level rise. Prestressed concrete guide piles have an expected lifespan of up to 80 years. The height of the piles could be extended in the future if necessary to accommodate additional sea level rise.

The fuel dock and live bait receivers would be reconfigured to improve access and the existing fuel pumps and associated equipment would be replaced with more modern equipment. A sewage pumpout station would be added to the marina for use by tenants and the public. A charging station for electric boats would be added to the marina for use by visiting boaters. Slips within the marina would be provided with metered electricity, potable water, and a fire suppression system using water would be installed to provide coverage of the entire marina. The electrical system will meet the latest National Electric Code requirements, including ground fault protection. An on-dock vessel charging station would be added to the marina for use by electric boats. The new marina would be configured so that the slips are oriented parallel to the prevailing wind and surge from the harbor entrance to facilitate safe docking. The proposed marina would extend further from the shoreline but would not encroach on the navigation channel boundaries provided by the Port District. The Parcel 20 boundary would need to be extended to encompass the proposed marina layout. The additional parcel area would measure approximately 97,912 square feet (2.25 acres). Figure SP1 depicts a hatched area representing the approximate boundary of the area that would be requested to be added to the lease area to accommodate the proposed marina.

Table 1. Proposed Marina Slip Mix

<table>
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<th>Length</th>
<th>Total Quantity</th>
<th>Commercial</th>
<th>Private</th>
</tr>
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<td>30</td>
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<td>2</td>
<td>4</td>
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<tr>
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<td>2</td>
<td>12</td>
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<td>21</td>
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<td>5</td>
<td>1</td>
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</tr>
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<td>75</td>
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<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>64</td>
<td>13</td>
<td>51</td>
</tr>
</tbody>
</table>
1.1.2 Landside Improvements
A new two-story building will include a chandlery at ground level along with new restrooms with
showers, a laundry facility and lounge with a view for the guests to enjoy. The office area will be
available at the second level of the building.

At the existing Water’s Edge Restaurant, a new entrance and elevator will be built to provide access to
the second floor which will be converted into a tap room.

The existing Water’s Edge Restaurant and Sports Fishing Buildings resemble the “California Arts and
Crafts” style: shingle roof, board and batten siding and neutral color scheme. The new building will
incorporate these elements to create a modern version of this architectural style. Native plants, drought
tolerant plants such as Dudleya succulents, California poppies, common yarrow and other species will
be used to enhance the landscape around the site.

The project will also expand the existing parking to meet the needs of the marina and replace the
current boat repair shop. The site currently provides a total of 106 spaces (102 standard and 4
accessible) and the proposed project would provide 143 spaces (137 standard and 6 accessible). Figure
SP-E provides an analysis of existing parking and Figure SP1 provides an analysis of proposed parking.
The parking analysis is based on the landside building area and uses at the site and the marina and
boating facilities.

Initial electrical load calculations were performed for the landside project elements including the
building, exterior lighting, and electric vehicle charging stations.

Site Enhancements

- Existing small and large boat storage to remain
- Replace old repair shop with new exterior boat repair area formed with reconfigurable ITEL
  storage containers that would increase efficiency, mobility, and maximize utilization of space
  - Create a reconfigurable, environmentally controlled workshop/spray booth to
    minimize air quality impacts and improve paint quality
  - Create reconfigurable mobile marine-related workshops for woodworking,
    metalworking, CNC machining, welding, and work with composite materials
- Promontories near Leo’s and the Water’s Edge Restaurant creating a visual connection
  between the two sides of the marina
- New hardscape and native landscape enhancements
- Expand existing parking to accommodate the marina expansion and tap room
Building Amenities

- Existing restaurant - new façade paint scheme and updated second floor entry with elevator and stairs.
  - Existing restaurant is approx. 5904 sf.
  - Existing 2nd floor (new tap room) area is approx. 1,778 sf.
- Existing Sports Fishing Building area is 1080sf: Exterior paint scheme updates only.
- New 2-story retail (chandlery), marina amenities and office building: Exterior building materials include board and batten with metal siding and glass railings.
- New building total area: 7,288 sf
  - Retail on first floor is approx. 1,440 sf
  - Misc. amenities on first floor are approx. 1,420 sf
  - Office on 2nd floor is approx. 2,500 sf
  - Lounge /amenities on 2nd floor are approx. 1,590 sf
  - Balcony for lounge is approx. 480 sf
- Leo’s Fuel & Bait: Construct an enclosed patio with glass railing to provide an unobstructed view of the harbor.

1.2 Project Construction and Phasing

The site is an active functional site with multiple business that will continue to operate during the construction of the project. For this reason, the project will be built in multiple phases with the intent of completing all the major components around the same time for one grand opening.

Construction of the new retail/office/marina amenities building is anticipated to take the most time. For this reason, work on this building will begin first (Phase 1a). As the new building progresses the new entrance and tenant improvements for the new tap room above the Water’s Edge Restaurant will commence (Phase 1b).

At the same time building work commences, site work will occur in multiple phases starting with the new parking lot (former day sail) and moving toward the water in approximately three phases to allow for adequate parking for the existing businesses. Installation of Landscape and hardscape will complete the site work.
Upon completion of the new retail/office/marina amenities building, demolition of the existing office/repair building will occur along with finalization of the storage site improvements.

Construction of the landside and waterside improvements would overlap, with landside construction beginning first. Landside construction is expected to take approximately 13 months and marina construction is expected to take approximately 6 months. The timeline for beginning construction will be dependent on completion of the environmental review and permitting process.

During construction of the marina, vessels would be relocated to available slips while individual docks are removed and replaced. During landside construction activities, dry storage vessels and vessels in the boatyard would be temporarily moved onsite as needed to accommodate construction activities.

Typical construction equipment would be used for both the landside and marina construction and work would be performed both on land and in the water. Water-based construction equipment would likely include a barge-based crane and small work boats. New docks and piles would be lifted from trucks on the land and placed directly into the water or onto floating barges.

### 1.3 Technical Studies

To support design and permitting of the proposed project, DMH will perform specific technical studies and evaluations, that may also be used for the CEQA analysis. DMH proposes to perform the following technical studies and evaluations:

- Geotechnical investigation to support landside and waterside design
- Bathymetric and topographic surveys to support landside and waterside design
- Graphic renderings of the proposed project elements to support evaluation of viewsheds and to support outreach to stakeholders and the community
- Parking assessment to support design refinement and City approvals
- Coastal hazards analysis to satisfy California Coastal Commission requirements
- Pre-construction eelgrass and Caulerpa survey to comply with anticipated permit requirements

Based on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared in 2015 for a larger project at the site, the Port District’s CEQA consultant may propose updates to the air quality and greenhouse gas analyses and traffic analysis to reflect changes in regional conditions and regulatory requirements since 2015. Based on the analyses in the IS/MND, it is anticipated that biological resources and archaeological and cultural resources surveys are not required for the proposed
project because of the lack of resources at the site. It is also anticipated that a noise study will not be required because changes in uses at the site are not proposed.

The project evaluated in the 2015 IS/MND is similar to the current proposed project, but the 2015 marina was larger. The 2015 project included parking improvements, a new building to house marina amenities, improving site accessibility, modernizing the fuel and bait facilities, expanding the vessel haul and launch facilities, improving the marina entryways, improving site utilities, and providing transient dock space.
LEO'S PUBLIC RESTROOM
EXISTING RESTAURANT
EXISTING MARINA
PUBLIC LAUNCH
PUBLIC PARKING
EXISTING MARINA
BUILDING AREA AND PARKING ANALYSIS:
PROJECT DATA

APN:080-024-032 - PARCEL 20
TOTAL SITE AREA (APPROX.):
±322,872 SF    7.4 Ac
CITY PARKING DATA:
GRAND TOTAL:
STANDARD        (9'X20')
ACCESSIBLE       (9'X20')
1/300 sf RESTAURANT < 2,500 sf
1/300 sf RETAIL
1/300 sf OFFICE
= 116 SPACES REQUIRED
=   5 SPACES REQUIRED
= 121 SPACES REQUIRED
FIRST FLOOR:
= 34 SPACES REQUIRED
= 50 SPACES REQUIRED
RESTAURANT:
= 8 SPACES REQUIRED
OUTDOOR SEATING:
= 1.5 per slip SPORT FISHING SLIPS
= 1.5 per slip U.S. TOW SLIPS
=.75 per slip MARINA SLIPS
= 828.2 SF / 300 = 2.8
= 715 SF / 100 = 7.1
= 3,314 SF / 100 = 33.1
NOT COUNTED B.O.H.
SECOND FLOOR:
= 6 SPACES REQUIRED
RESTAURANT:1,779 SF / 300 = 6
1/100 sf RESTAURANT > 2,500 sf
= 6 SPACES REQUIRED
= 6 SPACES REQUIRED
= 4 SPACES REQUIRED
= 6 SPACES REQUIRED BOAT SLIPS:4 * 1.50 = 6
SPORT FISHING SLIPS
1,086 SF / 300 = 4
= 6 SPACES REQUIRED
BOAT REPAIR FACILITIES
<20%244 SF / 500 = 1
= 4 SPACES REQUIRED
>20%976 SF / 300 = 4
BUILDING AND REPAIR2,136 SF / 500 = 5
= 28 SPACES REQUIRED
= 6,074 SF
BOATING AND HARBOR ACTIVITIES
BOAT REPAIR OFFICE <20%244 SF / 500 = 1
= 4 SPACES REQUIRED
>20%976 SF / 300 = 4
= 5 SPACES REQUIRED
= 23 SPACES REQUIRED
BOAT REPAIR OFFICE <20%244 SF / 500 = 1
= 4 SPACES REQUIRED
>20%976 SF / 300 = 4
= 5 SPACES REQUIRED
BUILDING AND REPAIR2,136 SF / 500 = 5
= 28 SPACES REQUIRED
EXTERIOR BOAT REPAIR14,000 SF / 500 = 28
= 23 SPACES REQUIRED
= 50,800 SF
EXTERIOR BOAT STORAGE78 STALLS
NOT COUNTED
NOT COUNTED
TOTAL:
6,074 SF
BOATING AND HARBOR ACTIVITIES
EXTERIOR BOAT STORAGE
50,800 SF
DAY SAIL78 STALLS
NOT COUNTED
NOT COUNTED

REQUIRED PARKING
GRAND TOTAL:
STANDARD        (9'X20')
ACCESSIBLE       (9'X20')
= 102 SPACES REQUIRED
=   4 SPACES REQUIRED
= 106 SPACES REQUIRED
PROVIDED PARKING
GRAND TOTAL:
STANDARD        (9'X20')
ACCESSIBLE       (9'X20')
= 102 SPACES REQUIRED
=   4 SPACES REQUIRED
= 106 SPACES REQUIRED

KEYNOTES:
D01.01
EXISTING RESTAURANT (FIRST FLOOR) TO REMAIN. UPGRADE EXTERIOR PAINT SCHEME - SEE PROPOSED EXTERIOR ELEVATIONS.
D01.05
EXISTING SECOND FLOOR (FORMER OFFICE) TO BE CONVERTED TO TAP ROOM - SEE PROPOSED FLOOR PLAN AND ELEVATIONS.
D01.10
EXISTING SPORT FISHING OFFICE TO REMAIN. UPGRADE EXTERIOR PAINT SCHEME - SEE PROPOSED FLOOR PLAN AND ELEVATIONS.
D01.15
EXISTING OFFICE / REPAIR BUILDING TO BE DEMOLISED
D01.20
EXISTING BOAT REPAIR TO BE RELOCATED / RECONFIGURED - SEE PROPOSED SITE PLAN
D01.25
EXISTING SERVICE STATION TO REMAIN. PROVIDE NEW PATIO - SEE PROPOSED SITE PLAN
D01.30
EXISTING PARKING LOT TO BE RECONFIGURED - SEE PROPOSED SITE PLAN
D01.35
DAY SAIL AREA TO BE REDUCED IN SIZE TO ACCOMMODATE LARGER PARKING LOT - SEE PROPOSED SITE PLAN
D01.40
EXISTING BOAT STORAGE LAYOUT TO BE RECONFIGURED - SEE PROPOSED SITE PLAN
D01.45
EXISTING MARINA TO BE RECONFIGURED / ENLARGED - SEE PROPOSED SITE PLAN

THIS PLAN WAS PREPARED FROM INFORMATION FURNISHED BY THE OWNER AND WILL BE SUBJECT TO MODIFICATIONS AS REQUIRED BY A FINAL SURVEY AND GOVERNING AGENCY APPROVALS.
VENTURA MARINA - PROPOSED PARCEL 20 AND MARINA UPDATES
ANCHORS WAY, VENTURA MARINA, VENTURA CA 93001
VENTURA MARINA - PROPOSED PARCEL 20 AND MARINA UPDATES
ANCHORS WAY, VENTURA MARINA, VENTURA CA 93001

Project:
Address:

Scale: 3/16" = 1'-0"
Date: 10/19/2021

METAL SIDING: PAINTED
SHERWIN WILLIAMS
MOSCOW BLUE

METAL COLUMNS, TRIMS, METAL DOORS AND SMOOTH PLASTER
PAINTED
SHERWIN WILLIAMS
ATTITUDE GRAY

BOARD AND BATON: PAINTED
SHERWIN WILLIAMS
USEFUL GRAY

METAL COLUMNS, TRIMS, METAL DOORS AND SMOOTH PLASTER
PAINTED
SHERWIN WILLIAMS
GREEK VILLA

BOARD AND BATON: PAINTED
SHERWIN WILLIAMS
GREEK VILLA

GLASS HANDRAIL: TEMPERED
ARCADIA ALUMINUM
STOREFRONT:
ANODIZED: DARK BRONZE

Derecktor
Marine
Holdings

Attatchment 2
December 6, 2021

Derecktor Marine Holdings
Attention: Tom Derecktor, Leonora Valvo, & Project Team

RE: Ventura Port District Review of Parcel 20/14 Improvement Project Submission

Dear Tom & Leonora,

On behalf of the Ventura Port District (VPD), I want to thank you and the Derecktor Marine Holdings (DMH) team for the timely submission of the “Parcel 20 Improvement Project” for Parcels 20 and 14 at Ventura Harbor. VPD staff and consultant team, consisting of architectural and engineering firms has performed a preliminary review pursuant to the Assignment and Option to Lease Parcel 20 Among Ventura Port District Derecktor Marine Holdings LLC and Ventura Harbor Marine Associates, LLC (Assignment and Option to Lease) dated October 19, 2020.

The VPD response is intended to identify where aspects of the proposed plan may require further refinement either at this time, in advance of the California Environmental Quality Act (CEQA) study or may be determined to be a condition of approval prior to the District’s final approval of the improvement project before submission to the City of Ventura and CA Coastal Commission. At this time, it is anticipated that DMH and it’s consulting team will consider these written comments; receive Commissioner and public feedback on December 15, 2021 as part of its presentation to the Board; seek clarification as necessary; and, submit an updated plan to the VPD within two months pursuant to the Assignment and Option to Lease. Concurrently, during the two-month period, VPD will select and retain a qualified environmental planner to perform the CEQA review.

1. **General Comments**
   a. **Submission Level of Detail**
      
      The contents of the plan submission to date lack sufficient detail on most design elements to properly assess constructability and/or evaluate Code compliance. It is understood that variability of construction materials and methods, as well as the CEQA process could result in modifications to the planning, which is a principal reason that the current version of the plan lacks specificity. Therefore, it should be understood that final approval from the District will be contingent upon review, and approval of final, detailed plans.
   
   b. **Figures Missing**
      
      The Narrative references figure DL-2 for dock area improvements, but this figure does not appear to have been provided. Please submit DL-2 and any other available figures for the District’s review.
c. Potential Additional Studies

The District’s architect has recommended consideration of a photometric study for new site lighting as well as a stormwater study for new graded areas. It may also be necessary to ensure compliance with the latest environmental standards regarding stormwater capture in relation to boatyard activities. Staff also believes that Derecktor and/or the CEQA consultant will need to evaluate if a noise study is required for the demolition, construction of the boatyard building and future boatyard operations, in addition to constructing the marina due to proximity to adjacent uses.

2. Marina Comments

a. Fairway Intersection

Per the evaluation by Noble Consultants: “The proposed docks and floating platform for the bait tanks located on the southern end of the marina, encroach the fairway leading to the public launch ramps. Boating traffic at launch facilities will get congested during peak demand levels. The proposed marina layout will only exacerbate boating traffic. Launch ramp boating traffic also may block or interfere with dock access for the largest vessels in the marina.”

It was the engineer’s observation that the eastern most portion of the marina extends further into the fairway than the design previously proposed by Ventura Marine Associates. In order to allow sailboats sufficient space to turn around when departing from the launch ramp, the engineer has recommended that the District increase the width of the 182-foot-wide “bottleneck” between the ramp and basin fronting the marina to at least 230 to 240 feet by reducing the number of slips in the southern most dock. The main fairway between the Yacht Club and Portside is approximately 200’ wide. District staff would be interested in the recommendations from your engineer regarding the proposed minimum width given these comments. Would it be possible to relocate some slips to the other two docks to accomplish this?
b. Water Taxi Landing

Will access to the proposed Water Taxi landing and transient boater area be open to public use (i.e. unlocked)? Will those locations be within a reasonable/allowable distance of the Promenade? It appears members of the public would need to go down the ramp (minimum 80’ per code), and double back to the north approximately 40’ before traveling approximately another 150’ to 200’ before reaching the Water Taxi. Will this be compliant with City of Ventura ADA codes and is this reasonable? Could a diagonal, unsecured ramp to the public access area improve the convenience of access?

District staff would like to inquire as to the necessity of the additional 32’ south-pointing stub for the water taxi landing. Staff are concerned that this would reduce the accessibility of the two 50’ slips immediately to the west. It seems it could also congest launching of vessels from the launch ramp. Removal from the design could also allow for temporary berthing of construction barges when needed.

c. Gangway Abutments

Please verify that both gangway approach abutments are new. Additional information should be provided to understand materials of construction, ADA accessibility, security fencing and gates, etc. (see above).
d. Gangway ADA Compliance

The gangways appear to be ADA compliant, however the 80’ minimum length is not specified. The northern access gangway is skewed overtop the basin side slope and as such is suspect of running aground during lower tides; a longer approach abutment may be needed, or an angled ramp (per above).

e. Retail Buildings on the Docks

Please provide additional information on the retail buildings on the docks, including intended use and elevation drawings.

f. Dock Construction

District staff are aware that the dock designs are not yet final. However, additional information will be required prior to approval describing details for the marina docks, including materials of construction, preliminary guide pile locations, amenities such as cleats, power pedestals, dock boxes, hose bibs, fire suppression systems, etc.

3. Land-side Comments

a. Promenade Improvements

The proposed promenade can add an attractive architectural feature to the marina. Additional information should be provided to understand amenities it will include, ADA accessibility, materials of construction, finish floor elevations, structural support and seismic design for the area cantilevered over the basin slope, security lighting, guardrail protection, etc.

b. New Mixed-Use Building

The proposed configuration of the New Mixed-Use Building seems to not take full advantage of the ocean views adjacent (south-west); perhaps consider placing the building more diagonally or offsetting the building to allow retail on the ground floor (assumed to be the chandlery business) and office on the second floor to have improved views of the water and marina. As presented, the restrooms located at the end of the building block the water views and the first floor fails to take any advantage of the water-front views.

Please advise as to the intent for having such large overhang in the front of the New Mixed-Use Building? Is this principally to minimize parking impacts?

The New Mixed-Use Building is expected to require accessible parking space(s) closer to the building entrance.

c. Promontory

Could you please provide more information on the Promontory? Will this be a cantilevered platform over the revetment for public access / use?

d. Pedestrian Amenities

Is there any street furniture and lighting amenities planned along the Promenade and Promontory for pedestrians?
e. **Restaurant Building**

Where are the restrooms that serve the TAP Room, will they be located on the 2nd Floor or will they use common restrooms on the first floor?

Has Ventura County Environmental Health been consulted with regard to the TAP Room development? Will the building of the new restaurant require electrical service upgrades or upgrades to the grease interceptor?

Will a demolition plan be provided to show the pre- and post-construction improvements for the building?

f. **Boat Repair Facility**

Where are the repair facilities/tools stored/operated – is this the Exterior Boat Repair area? Where are the modular repair facilities to be located (generally, these require being set upon a concrete slab) and how will those impact available parking? Where will electrical connections for modular repair facilities be located?

g. **Leo’s Fuel Building**

Please verify that no additional improvements are planned for the landside building for Leo’s fuel? There is mention of new glass railings, but no other improvements listed. Will any street furniture be added here?

h. **Parking**

It is unclear the extents of the parking spaces referenced on the Parking Analysis provided on sheets SP-E and SP1. Per the architect, the parking spaces should be numbered on the Site Plan so that a reviewer can follow the count of the parking spaces provided, typical for standard parking and boat parking – and would avoid any confusion regarding the parking spaces within the Boat Ramp Parking Lot.

i. **Trash Enclosure**

Location of proposed trash enclosure might be too far for the buildings that it is serving, especially when having restaurant uses. The size also might not be big enough to accommodate the latest requirements (including food waste disposal). Our architect recommends contacting: Brandon Kaysen: bkaysen@cityofventura.ca.gov

**In Closing**

I thank you in advance for consideration of VPD’s comments as part of the next steps in the review process. I am happy to make staff, our architect and/or engineer available for any questions regarding the information in this letter.

Sincerely,

**Brian D. Pendleton**
Brian D. Pendleton
General Manager
Ventura Port District
CC: Todd Mitchell, Business Operations Manager
    John Higgins, Harbormaster
DERECKTOR MARINE HOLDINGS
PARCEL 20 MASTER PLAN UPDATE

December 2021
DEVELOP PARCEL 20 INTO A VIBRANT GATHERING PLACE THROUGH IMPROVEMENTS, UPGRADES AND ADDITIONS WHICH HAVE BEEN DESIGNED AND APPROVED BY ALL STAKEHOLDERS.
THE BEGINNING
The communities Parcel 20 serves
Parcel 20 Main Property

Parcel 20 Fuel Facility
Landside: 12. Fuel Pad/Pump, 13. Store & Office
PROPOSED SITE IMPROVEMENTS, SUBJECT TO PORT, CEQA AND CALIFORNIA COASTAL COMMISSION APPROVAL
BOATYARD IMPROVEMENTS

Property of Derecktor Marine Holdings
Day Sail losses due to increased parking are offset by Stacked Boat Storage
Property of Derecktor Marine Holdings
SERVICES & AMENITIES
The Advanced Boatbuilding Center will build on Derecktor’s pedigree in renewable energy (hydrokinetic turbines etc.) and hybrid electric propulsion.
Working with a growing team of experts, Derecktor Marine Holdings has created an aggressive but achievable development plan.
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

STANDARD AGENDA ITEM 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
RECOMMENDATION:
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.

SUMMARY:
District staff have received a business concept proposal and business plan from Aarmark Beer Gardens Inc. at Ventura Harbor. The proposal is for the entire first-floor suite (approximately 5,736 square feet) currently occupied by the Ventura Village Carousel (a month-to-month tenant). The proposed use is a mix of entertainment (video arcade and virtual reality) and restaurant.

Earlier this summer, staff and three outside advisors, Stephanie Caldwell, Ventura Chamber of Commerce; Marlyss Auster, Visit Ventura; and Eric Zackrison, EDC Restaurant Consultant had previously interviewed Aaron Running, the CEO of Aarmark Beer Gardens, as one of the prospective businesses for 1591 Spinnaker Drive Suites #114/#115. All members of the interview panel were impressed with Mr. Running’s business proposal, experience, and concept; however, the panel reached the conclusion that Mr. Running’s business concept required more space than is available in that suite. During the debrief, Mr. Running expressed his interest in future leasing opportunities within the harbor.

Having received a new proposal and business plan from Mr. Running for the suite at 1567 Spinnaker Drive, Suite #100, staff and Mr. Running successfully negotiated terms of a new lease that reflects a mutually beneficial, public-private partnership that includes a 6-year lease (the first year for build out and five additional years in operation) with three (3) five (5) year options. The California Harbors and Navigation Code requires that leases of more than ten (10) years must be authorized by Ordinance and also requires publication of a Notice of Proposed Ordinance in a newspaper of general circulation before the Board can adopt the Ordinance for the new lease.

LONG-TERM GOALS:
• Goal 3: Economic Vitality
  • Increase economic development, vitality, and diversity of the District through effective leasing and marketing strategies.
5-YEAR OBJECTIVES:

- Objective V: Harbor Village
  - Maintain and improve Harbor Village infrastructure and enhance the overall visitor experience
    - 1: Complete Harbor Village refresh program
    - 2: Leasing/Property Management Action Plan

BACKGROUND:
The District has released two public requests for proposals for the suite, once in 2018 and once at the end of 2019. The current tenant, Ventura Village Carousel, Inc., provided the only proposal received in response to the 2018 RFP and presented that proposal to the Board of Commissioners on October 4, 2018. The proposal was rejected by the District.

On December 19, 2019, the District issued another RFP for the suite. Although there were several expressions of interest, the District received a single completed proposal for the suite on March 2, 2020. Unfortunately for all parties, this was only two weeks before the pandemic caused a lockdown across the state. Although discussion with the interested parties continued, negotiations could not be successfully completed and on July 26, 2021, the interested parties advised the General Manager in writing that they would not be pursuing their business at Harbor Village.

District staff are aware that the Thames family (CEO and CFO of Ventura Village Carousel, Inc.) are still pursuing the opportunity of operating an arcade and therefore met with them on September 2, 2021 to determine their interest in being considered for operating an arcade within a portion of the suite. During that meeting, they advised Staff of their intention to move their operations to another location and discontinue operating the business at Harbor Village.

As staff were aware of the interest of Aarmark Beer Gardens in opening an establishment at Ventura Harbor, the General Manager and Business Operations Manager scheduled a meeting with Mr. Running to discuss the 1567 Spinnaker Drive Suite #100 location. In response to that meeting, District staff were provided a business plan on October 28, 2021. After reviewing the business plan, staff successfully negotiated lease terms with the prospective tenant.

Aarmark Beer Gardens currently has four other restaurant locations:
- Copenhagen Sausage Garden (Solvang)
- SB Biergarten (Santa Barbara)
- Fire and Vice (Moorpark)
- Fire and Vice (Santa Maria)

BUSINESS CONCEPT
(As provided by Aarmark Beer Gardens, Inc.)
“Friends and family can leave their worries at the door in our state-of-the-art family entertainment center. We will offer a wide array of entertainment options for all ages featuring multi-sport simulators, Virtual Reality, retro arcade games, a stadium seating sports viewing and more. We will complement our entertainment with an artisan food menu that will please even the pickiest of palates. Our food offerings include wood-fired pizza, artisan sausage, grass-fed burgers, salads, giant pretzels, a full kid’s menu, plus some fun theme focused menu items. For our adult patrons, we proudly offer top rated beers from around the world and a legendary wine list. Come for the food, stay for the fun! An experience like no other.”
NEXT STEPS:
If approved by the Board of Commissioners, Resolution No. 3439 will authorize the publishing of a Notice of Proposed Ordinance for an Entertainment and Restaurant Lease Agreement with Aarmark Beer Gardens, Inc. At the January 19, 2021 Board Meeting, the District will conduct a public hearing for the purpose of receiving input on the proposed Ordinance and could take action to adopt the Ordinance.

In the event that the Ordinance is adopted, District staff will work with the existing tenant (Ventura Village Carousel, Inc.) to terminate the existing month-to-month lease with reasonable time to allow the tenant to halt operations and move out of the space. District staff have already met with the Thames family to advise them that a prospective lease could be moving forward. Concurrently, as the District’s improvements to the space are already permitted with the City (including approval by the Design Review Committee), the District would perform a public procurement under the California Uniform Construction Cost Accounting Commission code to conduct the façade renovations prior to turning over the suite to a new tenant.

FISCAL IMPACT:
This new lease reflects a significant increase over the rates from the previous lease in order to achieve consistency with rental rates for other restaurant and entertainment spaces in the complex. Due to the lengthy permitting and build out time required, no rent will be charged until September 1, 2023 or when the tenant receives a certificate of occupancy, whichever comes first. There will be some base rent reduction in the first 24 months of operation while the business establishes itself. There will be step increases annually during the base period and increases based on the Consumer Price Index for the option years.

The District has budgeted renovations of the building façade up to an amount of $725,000 in the current fiscal year as part of its Capital Improvement Project budget. The District will also contribute to Tenant Improvements associated with plumbing and hood rough-in work and some interior concrete work. Aarmark Beer Gardens is anticipating an investment cost of $651,500 in tenant improvements, furniture, fixtures, and equipment.

ATTACHMENTS:
Attachment 1 – Resolution No. 3439
RESOLUTION NO. 3439

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT TO APPROVE
A NEW ENTERTAINMENT AND RESTAURANT LEASE AGREEMENT WITH OPTIONS
BETWEEN THE VENTURA PORT DISTRICT AND AARMARK BEER GARDENS, INC.

WHEREAS, the Ventura Port District ("District") is considering entering into a new Lease with options with Aarmark Beer Gardens, Inc. (Aarmark), with a commencement date of September 1, 2022, which options will entitle Aarmark to a new twenty-one (21) year lease ("Lease") upon the meeting of certain conditions, as set forth in the Lease;

WHEREAS, the Lease is for a period of six (6) years with three (3) options each for five (5) years for a total of up to twenty-one (21) years;

WHEREAS, pursuant to the California Harbors and Navigation Code section 6270, a lease of District property for a period of more than ten (10) years must be authorized by ordinance and published in a newspaper of general circulation in Ventura County at least once before final passage (Exhibit A);

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the Ventura Port District hereby authorizes and directs District staff to publish a notice of its intent to adopt an ordinance authorizing execution of the Lease and Options as Exhibit B, which is available for inspection at the District Office, to comply with Harbors and Navigation Code section 6270.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Port Commissioners of Ventura Port District held this 5th day of January 2022, adopted by the following vote:

AYES:
NOES:
Absent:
Abstain:

______________________________
Chris Stephens, Chairman

ATTEST:

______________________________
Brian Brennan, Secretary
EXHIBIT A

NOTICE OF PROPOSED ORDINANCE
OF THE VENTURA PORT DISTRICT

(California Harbors and Navigation Code section 6270)

NOTICE IS HEREBY GIVEN that on January 19, 2022 at 7:00PM, a meeting of the Board of Port Commissions of the Ventura Port District will be held at the District office located at 1603 Anchors Way Drive, Ventura, California and virtually via Zoom meeting.

Said meeting of the Board of Port Commissions is, in part, for the purpose of considering the adoption and passage of the following ordinance:

"ORDINANCE NO. 56

AN ORDINANCE OF THE BOARD OF PORT COMMISSIONERS
OF VENTURA PORT DISTRICT APPROVING A NEW
ENTERTAINMENT LEASE AGREEMENT WITH OPTIONS
BETWEEN THE VENTURA PORT DISTRICT AND AARMARK BEER GARDENS, INC.
(California Harbors and Navigation Code section 6270)

The Board of Port Commissioners of the Ventura Port District hereby ordains as follows:

The General Manager of the Ventura Port District is authorized and directed to execute the New Entertainment and Restaurant Lease Agreement between Ventura Port District dba Ventura Harbor Village and Aarmark Beer Gardens, Inc. with a commencement date of September 1, 2022."

A copy of the proposed lease agreement is available for inspection during regular business hours at the District Office located at 1603 Anchors Way Drive, Ventura, California.

If the foregoing ordinance is adopted upon the majority vote of the Board of Port Commissioners of the Ventura Port District, said ordinance will become effective immediately after final passage.

This Notice is published at the direction of the Board of Port Commissioners pursuant to Resolution No. 3439 duly adopted at the regular meeting of the Board of Port Commissioners of the Ventura Port District held on January 5, 2022.

Brian D. Pendleton, General Manager
Ventura Port District
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

STANDARD AGENDA ITEM 4
ADOPTION OF RESOLUTION NO. 3440
EXTENDING THE REPAYMENT SCHEDULE FOR THE COVID-19 VENTURA HARBOR RENTAL ABATEMENT AND DEFERMENT PROGRAM
VENTURA PORT DISTRICT
BOARD COMMUNICATION
Meeting Date: January 5, 2022

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
       Todd Mitchell, Business Operations Manager
       Gloria Adkins, Accounting Manager
SUBJECT: Adoption of Resolution No. 3440 Extending the Repayment Schedule for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program

RECOMMENDATION:
The Board adopt Resolution No. 3440 extending the repayment schedule for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

SUMMARY
The repayment schedule was established by Board by Resolution No. 3410 on March 17, 2021. Most tenants have fully repaid deferred rents in advance of the schedule. Six tenants at Harbor Village have outstanding balances, several of which have communicated their inability to meet the repayment schedule. It is recommended the repayment schedule be extended for businesses with an outstanding balance continuing to business hardship.

The extended repayment provisions are recommended as follows:

   a. Businesses seeking to participate in the extended repayment will be required to provide a letter to the General Manager identifying the hardship and agreeing to the conditions of repayment.
   b. No additional repayment of deferred rent is due until March 2022.
   c. The remaining (100%) rent deferred shall be repaid by December 31, 2022 by making 10 equal, monthly payments on the same day monthly rent is due beginning with the March 1, 2022 rent payment.
   d. If the tenant is no longer in a lease with the District, the same repayment schedule will apply.
   e. Nothing in this repayment schedule prohibits early repayment.

LONG-TERM GOALS:
• Goal 3: Economic Vitality
  o Increase economic development, vitality, and diversity of the District through effective leasing and marketing strategies.
• Goal 5: Relationships
  o Build respectful, productive, and mutually beneficial business relationships with our tenants, public agencies, elected officials and the community.

5-YEAR OBJECTIVES:
• Objective M: Master Tenants
  o Collaborate with existing and future Master Tenants to maintain, improve, and develop the Harbor.
    ▪ 1: Engagement and support of Master Tenants for successful business operations at the Harbor.
• Objective V: Harbor Village
Maintain and improve Harbor Village infrastructure and enhance the overall visitor experience
- 2: Leasing/Property Management Action Plan

BACKGROUND
Ventura Harbor was significantly impacted by the COVID-19 Pandemic. Many Harbor businesses were closed or partially closed by Governmental Order or in response to lost business resulting from the COVID-19 Pandemic. Fortunately, this did not lead to widespread business closures, but did cause loss of employment and rental revenue to the District, which is its primary source of operating revenue. The Regional Stay at Home Order that became effective on Sunday, December 6th, 2020 caused further impacts.

COVID-19 Ventura Harbor Rental Abatement and Deferment Program
The Port District abated or deferred all rental payments for those Harbor Master Tenants and Harbor Village Tenants who were directly impacted by the COVID-19 Pandemic (on a monthly-basis) for the period of April 2020 through June 30, 2021. The Program concluded at that time.

The City of Ventura’s Ordinance 2020-024 (“Temporary Eviction Moratorium”) was amended by the City Council for commercial tenants (City-wide) on Monday, October 12, 2020 Ordinance 2020-024 (Section 6.1020.030) and requires commercial tenants to repay 40% of rent deferred due to the COVID-19 pandemic by July 31, 2021 and repay the remaining 60% by January 31, 2022 by making equal, monthly payments on the same day monthly rent is due beginning with the August 2021 rent payment. Under City Ordinance 2020-024, no further rent deferments are permissible, unless negotiated with the commercial property landlord.

Deferred Rental Repayment Schedule
All Harbor Tenants, who either participated in the COVID-19 Program or who participated under Ordinance 2020-024, were provided with a Board-approved schedule that provided more time for repayment of deferred rents. Harbor tenants are required to repay a minimum of 40% of rent deferred by December 31, 2021 and repay the remaining balance by June 30, 2022 by making equal, monthly payments on the same day monthly rent is due beginning with the January 2022 rent payment. Nothing prohibited a Harbor tenant from prepaying deferred rent in advance of the Deferred Rental Repayment Schedule, and over 90% have.

FISCAL IMPACT
The current repayment period ensured all remaining deferred rents would be recaptured by the end of FY21-22, June 30, 2022. The recommended extended repayment period would cause full repayment to occur 6 months later, by December 31, 2022. The total outstanding balance of deferred rent as of December 30, 2021 is $281,581.64.

ATTACHMENTS:
Attachment 1 – Resolution No. 3440
RESOLUTION NO. 3440

RESOLUTION OF THE BOARD OF PORT COMMISSIONERS
OF THE VENTURA PORT DISTRICT EXTENDING THE REPAYMENT SCHEDULE FOR THE
COVID-19 VENTURA HARBOR RENTAL ABATEMENT AND DEFERMENT PROGRAM

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19;

WHEREAS, on March 12, 2020, the County of Ventura declared a State of Emergency to exist in Ventura County as a result of the threat of COVID-19.

WHEREAS, on March 17, 2020, the County of Ventura Health Officer issued an Order for the control of COVID-19 directing vulnerable individuals to shelter at their place of residence and issued restrictions of certain businesses.

WHEREAS, on March 19, 2020, Governor Gavin Newsom issued Executive Order N-33-20 for the preservation of public health and safety throughout the entire State of California to head the State public health directives from the Department of Public Health that, in order to protect public health, all individuals living in California must stay in their home or place of residence unless needed to maintain continuity of operations of critical infrastructure sectors.

WHEREAS, Executive Order N-33-20 identified 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered to be essential. All other businesses were directed to close.

WHEREAS, on March 20, 2020, the County of Ventura Health Officer issued an Order directing persons living in Ventura County to stay in their place of residence and restricting non-essential activities in response to COVID-19. Essential activities include only activities and tasks essential to health and safety of themselves, family, or household members, to obtain services or supplies, outdoor activities, to perform work for an essential business, or to care for a family member or pet in another household.

WHEREAS, on April 7, 2020, the City of Ventura passed and adopted Ordinance No. 2020-014, an emergency ordinance amending Section 6.1020.020 “Temporary Eviction Moratorium” for the City of Ventura which provides city residents and businesses impacted by COVID-19 the ability to defer rent payment up to six months after the expiration of the City’s Declaration of Local Health Emergency.
WHEREAS, on April 28, 2020, Governor Gavin Newsom announced four “Resilience Roadmap Stages” that California would use to guide its gradual reopening process. The four stages are: Stage 1 - Safety and Preparedness; Stage 2 - Lower Risk Workplaces; Stage 3 - Higher Risk Workplaces; and Stage 4 - End of Stay-at-Home Order. California has been in Stage 1 since the statewide Stay at Home Order, which took effect on March 16, 2020. California is currently in early Stage 2, which began on May 8, 2020.

WHEREAS, on June 11, 2020, the County of Ventura Health Officer issued an Order for the control of COVID-19 directing businesses to establish, implement and enforce COVID-19 prevention plans and observe other capacity restrictions.

WHEREAS, the City of Ventura’s Ordinance 2020-024 (Section 6.1020.030) implemented October 12, 2020 requires commercial tenants to repay 40% of rent deferred due to the COVID-19 pandemic by July 31, 2021 and repay the remaining 60% by January 31, 2022 by making equal, monthly payments on the same day monthly rent is due beginning with the August 2021 rent payment. District Staff will implement the City’s ordinance as applicable and return to the Board, as necessary.

WHEREAS, on December 3, 2020, California Health Officials announced a Regional Stay Home Order triggered by Intensive Care Unit Capacity falling below 15%.

WHEREAS, on December 6, 2020, the Southern California Region became subject to the Regional Stay at Home Order for a minimum of three weeks triggered by Intensive Care Unit Capacity falling below 15%.

WHEREAS, on June 2, 2021, Ventura County entered the State of California’s least restrictive Yellow Tier for the State’s Blueprint for a Safer Economy after meeting the required metrics.

WHEREAS, on June 13, 2021, the statewide indoor mask mandate was lifted for people who are vaccinated.

WHEREAS, on August 20, 2021, the Ventura County Public Health issued a new Health Order requiring masking indoors in response to the delta variant and that mask order was extended on September 17, 2021 and remains in place.

WHEREAS, on December 10, 2021, the omicron variant was first reported in Ventura County.

WHEREAS, on December 15, 2021, the statewide indoor mask mandate was reinstated through January 15, 2022.

WHEREAS, on March 17, 2021, the Board of Port Commissioners adopted Resolution No. 3410 extending and concurrently ending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners, by adoption of this Resolution No. 3440 hereby authorizes the extension of the Repayment Schedule for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program, as follows:

ATTACHMENT 1
Starting July 1, 2021, 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) is as follows:

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.

Effective January 5, 2022, an extended repayment schedule (first extension) is available to businesses continuing to experience business hardship and that have an outstanding balance of rent previously deferred under the COVID-19 Rental Abatement and Deferment Program as of December 30, 2021. The extended repayment provisions are as follows:

a. Businesses seeking to participate in the extended repayment will be required to provide a letter to the General Manager identifying the hardship and agreeing to the conditions of repayment.
b. No additional repayment of deferred rent is due until March 2022.
c. The remaining (100%) rent deferred shall be repaid by December 31, 2022 by making 10 equal, monthly payments on the same day monthly rent is due beginning with the March 1, 2022 rent payment.
d. If the tenant is no longer in a lease with the District, the same repayment schedule will apply.
ed. Nothing in this repayment schedule prohibits early repayment.

The conditions of the COVID-19 Ventura Harbor Rental Deferment Program are:

1. All Tenants must abide by the orders of the City, County, and State business practices in response to the COVID-19 pandemic.
2. All Master, Village and Village Marina Charter Tenants must notify the Leasing Manager by the 10th of each month of their need to continue with the program.
   a. Master, Village and Village Marina Charter Tenants who report sales, will continue to report sales as currently required, to determine the total deferred rental amount, even if these sales are $0 due to closure.
   b. Tenants who are not required to provide sales reports to the District must provide demonstration of loss as part of their notification.
3. Master Tenants who qualify must provide the same monthly deferment to all sub-tenants.
4. Harbor Village and Village Marina Charter Tenants who qualify, and who also pay the District a promotional fee for marketing, shall have the promotional fee waived for each month rent is deferred.
5. Harbor Village and Village Marina Charter Tenants who qualify, and who also pay the District a common area maintenance (CAM) fee, shall have one-half the CAM fee waived for each month rent is deferred.
6. Master, Village and Village Marina Charter Tenants will seek COVID-19 federal or other governmental business assistance (if eligible) and pursue business interruption insurance (if eligible). Deferments for May 2020 through March 31, 2021 will require demonstration of pursuit of both or documentation of ineligibility.
7. Repayment of all deferred rent (base rents, one-half CAM fees, percentage rent, etc.) shall be consistent with Ventura’s Ordinance 2020-024 or as further amended.
8. No interest or late fees will apply to the deferred rent during this time-period but shall be applicable as per the lease terms if not paid in full by this date.
9. Any outstanding rent owed by Master Tenants and Village Tenants to the District, prior to April 2020, is not eligible for the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.
10. All other terms, obligations, and requirements in both Master Tenant, Village Tenant, and Village Marina Recreational Charter Business lease agreements remain in full force and effect.

BE IT FURTHER RESOLVED that the Board of Port Commissioners, by adoption of this Resolution No. 3440 hereby authorizes General Manager, Brian D. Pendleton, to have the authority to extend the repayment schedule after receiving a letter identifying the hardship and agreeing to the conditions of repayment.

PASSED, APPROVED AND ADOPTED by the Board of Port Commissioners, this 5th day of January 2022.

__________________________________________
Chris Stephens, Chairman

ATTEST:

__________________________________________
Brian Brennan, Secretary
I, Brian Brennan, Secretary of the Ventura Port District, a public corporation, do hereby certify that the above and foregoing Resolution No. 3440 was duly passed and adopted by the Board of Port Commissioners of said District at a regular meeting thereof held on the 5th day of January 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this 5th day of January 2022.

_________________________________
Brian Brennan, Secretary
BOARD OF PORT COMMISSIONERS

JANUARY 5, 2022

STANDARD AGENDA ITEM 5

APPROVAL OF FUTURE BOARD MEETING PARTICIPATION
VENTURA PORT DISTRICT
BOARD COMMUNICATION
Meeting Date: January 5, 2022

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
Jessica Rauch, Clerk of the Board
SUBJECT: Approval of Future Board Meeting Participation

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

SUMMARY:
Since March of 2020, the Board has been meeting virtually via Zoom Webinar. With the increased number of cases in the County, the new Omicron variant, and the extended indoor mask mandate not being lifted until three criteria are met, staff is uncertain of when in-person meetings will be held.

However, when in-person meetings return, it has been expressed that the Commission and public would like to continue with virtual participation.

LONG-TERM GOALS:
• Goal 6: Public Service
  o Provide exceptional public service and transparency at all levels within the organization through effective leadership, training, mentoring, and oversight. This promotes accountability, increased public trust, and a more efficient, effective and public focused organization.

5-YEAR OBJECTIVES:
• Objective E: Public and Civic Engagement Plan
  o Strengthen communication and further develop close working relationships with stakeholders, business partners, and civic leaders.
  1: Collaborate with business partners and stakeholders through increased engagement, communication, and participation.

BACKGROUND:
Executive Order No. N-29-20
On March 4, 2020, Governor Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. On March 17, 2020, Executive Order No. N-29-20 was issued, which suspended portions of the Brown Act relating to in-person meetings and the use of teleconferencing for public meetings.

AB 361
On September 16, 2021, Governor Newsom signed AB 361, which takes effect with the expiration of the Executive Order on September 30, 2021.

If a local agency seeks to continue conducting its meetings in “remote” teleconference manner after September 30th, the governing body must adopt a resolution that permits the legislative body to conduct remote teleconference meetings in the manner specified by AB 361 for 30 days.

AB 361 allows the following:
• While maintaining transparency and public access, local agencies would be able to meet remotely during a declared state of emergency.
• While agencies would still be required to post agendas and meeting information, agencies would not be required to post meeting notices and/or agendas at all teleconference locations when remotely meeting during an emergency.
• While the public must continue to have access to the remote meeting and provided the ability to make public comment, agencies would not be required to make all remote meeting sites accessible to the public, nor include the remote location details in the meeting notice or agenda during a declared state of emergency.
• Additionally, agency board members would not be required to be at remote sites within the territorial bounds of the agency during a declared state of emergency.

AB 361 sunsets on January 1, 2024.

**County of Ventura Health Order**
On October 18, 2021, the Ventura County Public Health Officer extended the indoor mask order, requiring all individuals, regardless of vaccination status, to wear face coverings when indoors in public settings.

The order will continue to be in effect until:
• Ventura County reaches the moderate (yellow) COVID-19 transmission tier, as defined by the Centers for Disease Control & Prevention (a daily case rate of 7 per 100,000), and remains there for at least three weeks; and
• COVID-19 hospitalizations in the County are low and stable, in the judgment of the Health Officer; and
• Eight weeks have passed since a COVID-19 vaccine has been authorized for emergency use by federal and state authorities for 5 to 11-year-olds or 80% of the County’s eligible population is fully vaccinated with two doses of Pfizer or Moderna or one dose of Johnson & Johnson (booster doses not considered); Or until the Order is extended, rescinded, superseded or amended in writing by the Health Officer.

**City of Ventura Council Meetings**
Currently, City Council meetings are live streamed through Granicus from the City’s website, YouTube Live, and CAPS Media Channel 15 and have virtual participation through WebEx. In speaking with the City Clerk’s office, they plan on continuing to run this hybrid setup until the County of Ventura lifts the in-door mask mandate. Before COVID, the City had in-person only participation with live streaming through Granicus and CAPS Media Channel 15. There has been mention that City Council would like to keep the “hybrid” meeting format, but a formal discussion has not been had.

**County of Ventura Board of Supervisors Meetings**
Currently, the Board of Supervisors meetings are live streamed through PrimeGov from the County’s website, YouTube Live and Facebook Live. They will discuss further extending their remote capabilities related to AB 361 at their January 11th meeting. They will continue to meet virtually until Dr. Levin lifts the in-door mask mandate.

The County has its own staff under the General Services Agency called Digital Systems Electronics Technicians who handle the audio and video set up of the Board room and broadcasting of meetings. In January, the Board of Supervisors will start looking at costs for more staffing and equipment for permanent hybrid meetings.
Virtual Webinar vs. Virtual Meeting Format

Questions have arisen regarding the absence of viewing other attendees in our District Zoom webinars. Consistent with the format being used by many other agencies in the state, the District changed to Zoom webinars in the interest of maintaining focus on the topics at hand and for better privacy for public participants. The format change has been successful in streamlining the meetings by keeping the focus on the topics and presentations of the speakers.

The City of Ventura uses WebEx Webinar to host their remote meetings. During their meetings, only the Council and presentation are shown on screen; attendees are not visible. Attendees are allowed to turn on their cameras when speaking during public comment periods.

The County of Ventura uses Zoom Webinar to host their remote meetings. During their meetings, only the Supervisors and presentation are shown on screen; attendees are not visible. Attendees are allowed to turn on their cameras when speaking during public comment periods.

State agencies including the State Lands Commission, the California Coastal Commission, and the California State Water Resources Control Board, use similar webinar formats.

Tenant Survey Results

On August 19, 2021, staff sent out an email for all Master and Village Tenants to participate in a Board Meeting Input survey, with a week to complete, and two reminders. See Attachment 1 for the results from 24 responses.

FISCAL IMPACT:

The District will continue to incur Zoom charges of approximately $178 per month (not including dial-in overage costs).

A conference camera and speaker ranges from $700 - $2,000, not including extra cabling. Currently there are funds available in the FY21-22 computer equipment budget. In house staff would be used to set up the cabling, if needed. Additional expenses may be incurred as needed.

ATTACHMENTS:

Attachment 1 – Master and Village Tenant Survey Results
ATTACHMENT 1

Master and Village Tenant Survey Results
Ventura Port District Meeting Format

Questions:

1. Have you attended in-person commission meetings before COVID?
   • 15 Yes, 9 No

2. Do you currently attend virtual zoom commission meetings?
   • 14 Yes, 10 No

3. Would you be satisfied if the District returned to in-person meetings only?
   • 11 Yes, 13 No

4. Would posting an audio or video recording on the District’s website be sufficient for your needs?
   • 15 Yes, 9 No

5. Do you believe that virtual participation should be interactive or would broadcast/webcast (with written comment submission) be sufficient?
   • 15 Virtual Participation should be interactive
   • 8 Broadcast/webcast (with written comment submission) is sufficient
   • 1 Skipped

6. Do you believe interactive hybrid meetings work well for both remote and in-person participants?
   • 20 Yes, 3 No, 1 Skipped

7. Would a lack of virtual participation prevent you from participating in board meetings?
   • 9 Yes, 14 No, 1 Skipped

8. How can we encourage or enhance your participation at commission meetings?
   • Move from Wednesdays (wet Wednesday racing conflict) and start at 6:30PM instead of 7:00PM.
   • The outline of topics could include pros and cons of item discussed.
   • Keep having them and I will participate.
   • Keep doing what you’re doing!
   • Have difficulty driving at night and out of the country some parts of the year.
   • Keep it virtual.
   • Zoom is convenient way to participate, especially when you are still open at your business during the meeting times.
   • You’ve done well, I just need to be available.
   • If you return to our regular meetings, I will attend.
   • I believe that Board meetings are currently well run. People will show up either in person or remotely if the items on the agenda are important to them. Remote access, however, is handy for those potential participants who live out of town, if that remains an option.
   • Just by letting me know when they occur as you have been.
   • Move the meeting to a different time during the day.
   • Keep it flexible, we all work full-time.