

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF SEPTEMBER 21, 2022

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### CLOSED SESSION

#### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Stephens at 6:46PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

#### **ROLL CALL:**

##### **Commissioners Present:**

Chris Stephens, Chair  
Michael Blumenberg, Vice-Chair  
Brian Brennan, Secretary  
Jackie Gardina  
Anthony Rainey

##### **Commissioners Absent:**

None.

##### **Port District Staff:**

Brian Pendleton, General Manager  
Jessica Rauch, Clerk of the Board

##### **Legal Counsel:**

Andy Turner, Lagerlof Lawyers LLP via Zoom

##### **Number of interested persons:**

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:47PM

**CONVENED TO CLOSED SESSION AT 6:48PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:56PM.

### **OPEN SESSION**

#### **ADMINISTRATIVE AGENDA:**

##### **CALL TO ORDER:**

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair 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 Mr. Pendleton.

**ROLL CALL:**

**Commissioners Present:**

Chris Stephens, Chair  
Michael Blumenberg, Vice-Chair  
Brian Brennan, Secretary  
Jackie Gardina  
Anthony Rainey

**Commissioners Absent:**

None.

**Port District Staff:**

Brian Pendleton, General Manager  
Jessica Rauch, Clerk of the Board  
John Higgins, Harbormaster  
Gloria Adkins, Accounting Manager  
Wayne Hatch, Maintenance Supervisor  
Dave Werneburg, Marina Manager  
Joe Gonzalez, Capital Projects Manager  
Jessica Snipas, Business Operations Analyst  
Jessica Perkins, Accountant via Zoom

**Legal Counsel:**

Andy Turner, Lagerlof Lawyers LLP via Zoom

**City of Ventura Liaisons**

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

**Number of interested persons:**

4 via zoom; 2 in person

**ADOPTION OF AGENDA**

**ACTION:** Commissioner Brennan moved to adopt the September 21, 2022 agenda.

Commissioner Gardina seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey

**NOES:** None

**ABSTAINED:** None.

**Motion carried 5-0.**

## **APPROVAL OF MINUTES**

The Minutes of the September 7, 2022 Regular Meeting were considered as follows:

**ACTION:** Commissioner Brennan moved to approve of the September 7, 2022 regular meeting minutes.

Commissioner Gardina seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey

**NOES:** None

**Motion carried 5-0.**

**PUBLIC COMMUNICATIONS:** None. Closed at 7:02PM.

**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 Brennan asked if there is a policy for RVs and certain times they are allowed to park on certain streets. Vice-Chair Blumenberg attended the Channel Islands Harbor presentation on Monday.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton recognized upcoming events occurring in the Village.

## **CONSENT AGENDA:**

### **A) Approval of Out-of-Town Travel Requests**

Recommended Action: Voice Vote.

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

- a) General Manager, Brian D. Pendleton to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- b) Sr. Business Operations Manager, Todd Mitchell to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- c) Vice-Chair, Michael Blumenberg to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.

Public Comment: None.

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

- a) General Manager, Brian D. Pendleton to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- b) Sr. Business Operations Manager, Todd Mitchell to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.
- c) Vice-Chair, Michael Blumenberg to attend the CMANC Fall Meeting from October 12-14, 2022 in San Francisco, CA.

Commissioner Rainey seconded. The vote was as follows:



**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**B) Approval of Amendment No. 2 to the Retail Lease Agreement with Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for 1559 Spinnaker Drive #104**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 2 to the Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet.

Public Comment: None.

**ACTION:** Commissioner Gardina moved to approve Amendment No. 2 to the Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ghassan Trad and Wafaa Alwarda dba Harbor Market & Liquor for the premises located at 1559 Spinnaker Drive #104, consisting of 1,373 square feet.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**C) Approval of Amendment No. 1 to the Restaurant Lease Agreement with Baja Bay Surf Taco for 1567 Spinnaker Drive #104**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to the Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ricardo Magana dba Baja Bay Surf Taco for the premises located at 1567 Spinnaker Drive #104, consisting of 773 square feet.

Public Comment: None.

**ACTION:** Commissioner Gardina moved to approve Amendment No. 1 to the Restaurant Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Ricardo Magana dba Baja Bay Surf Taco for the premises located at 1567 Spinnaker Drive #104, consisting of 773 square feet.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**D) Termination of Current Office Lease Agreement with Del Mar Seafoods, Inc. and Approval of a New Office Lease Agreement with Seaside Law for 1583 Spinnaker Drive #203B and #206**

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Approve the termination of an Office Lease Agreement dated December 1, 2019, between the Ventura Port District dba Ventura Harbor Village and Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B and #206; and
- b) Approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Seaside Law for the premises located at 1583 Spinnaker Drive #203B and #206, consisting of a total of 774 square feet for a five-year term with one four-year option.

Public Comment: None.

**ACTION:** Commissioner Gardina moved to:

- a) Approve the termination of an Office Lease Agreement dated December 1, 2019, between the Ventura Port District dba Ventura Harbor Village and Del Mar Seafoods, Inc. for the premises located at 1583 Spinnaker Drive #203B and #206; and
- b) Approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Seaside Law for the premises located at 1583 Spinnaker Drive #203B and #206, consisting of a total of 774 square feet for a five-year term with one four-year option.

Commissioner Rainey seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**E) Approval of Amendment of Lease and Assignment and Assumption of Lease and Consent of Landlord with Hilda Wann dba Treasure Cove to Ashley and Alan Cook**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve an:

- a) Amendment of Lease for Hilda Wann DBA Treasure Cove; and
- b) Assignment and assumption of Lease and Consent of Landlord between Hilda Wann dba Treasure Cove and Ashley and Alan Cook for the premises located at 1567 Spinnaker Drive #103, consisting of 342 square feet.

Public Comment: Ashely Cook, buyer of Treasure Cove introduced herself and is excited to be a part of the Harbor family.

**ACTION:** Commissioner Gardina moved to approve:

- a) Amendment of Lease for Hilda Wann DBA Treasure Cove; and
- b) Assignment and assumption of Lease and Consent of Landlord between Hilda Wann dba Treasure Cove and Ashley and Alan Cook for the premises located at 1567 Spinnaker Drive #103, consisting of 342 square feet.



**Commissioner Rainey seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**F) Authorization of a License Agreement for a Biosecurity Station for the National Parks Service at 1691 Spinnaker Drive**

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to sign a License Agreement between the Ventura Port District and the National Parks Service for the installation and operation of a biosecurity station adjacent to 1691 Spinnaker Drive.

Public Comment: None.

**ACTION: Commissioner Gardina moved to authorize the General Manager to sign a License Agreement between the Ventura Port District and the National Parks Service for the installation and operation of a biosecurity station adjacent to 1691 Spinnaker Drive.**

**Commissioner Rainey seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**G) Adoption of Resolution No. 3458 Approving the Financial Statements and Checks for April through June 2022**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3458 to:

- a) Accept the draft financial statements for the Quarter ending June 30, 2022, pending final year-end reconciliations and audit adjustments; and,
- b) Review the payroll and regular checks for April through June 2022.

Public Comment: None.

**ACTION: Commissioner Gardina moved to adopt Resolution No. 3458 to:**  
**a) Accept the draft financial statements for the Quarter ending June 30, 2022, pending final year-end reconciliations and audit adjustments; and,**  
**b) Review the payroll and regular checks for April through June 2022.**

**Commissioner Rainey seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

**STANDARD AGENDA:**

**1) Consideration of Ventura Harbor Parking Management Plan**

Recommended Action: Voice Vote.

That the Board of Port Commissioners:

- a) Receive for comment and provide direction to the General Manager regarding the September 13, 2022 Associated Transportation Engineers Report for the Ventura Harbor Parking Management Plan.
- b) Authorize the General Manager to prepare in cooperation with the City of Ventura, a Ventura Harbor Parking Management Plan Agreement between the two parties for Spinnaker Drive.
- c) Authorize the General Manager to prepare all necessary applications for the Ventura Harbor Parking Management Plan including a Coastal Development Permit (CDP) to be submitted upon approval of the Ventura Harbor Parking Management Plan Agreement by both parties.
- d) Provide preliminary direction regarding parking enforcement alternatives.

Report by Brian D. Pendleton, General Manager and Scott Schell, Principal, Associated Transportation Engineers.

Public Comment: Seven written comments were received, distributed to the Commission and posted on the District's website. Closed at 8:25PM.

**ACTION:** Vice-Chair Blumenberg moved to authorize staff to incorporate Board comments when preparing a draft Harbor Parking Management Plan and bring back at a future meeting. Once draft plan is agreed upon, the Board will give guidance in the development of an agreement with the City.

Commissioner Brennan seconded. The vote was as follows:

**AYES:** Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey  
**NOES:** None

**Motion carried 5-0.**

**2) Approval of Fee Increases for Harbor Village Common Area Maintenance, Harbor Village Commercial Marina Slips and Ventura Harbor Boat Dry Storage**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve fee increases effective January 1, 2023 for:

- a) Harbor Village Common Area Maintenance;
- b) Harbor Village Commercial Marina Slips; and
- c) Ventura Harbor Boat Dry Storage.

Report by Gloria Adkins, Accounting Manager and Dave Werneburg, Marina Manager.

Public Comment: Two written comments were received, distributed to the Commission and posted on the District's website. Closed at 9:45PM.

**ACTION:** Commissioner Brennan moved to approve fee increases effective January 1, 2023 for Harbor Village Common Area Maintenance, Harbor Village Commercial Marina Slips and Ventura Harbor Boat Dry Storage with the following revision to Dry Storage fees:



Length	Proposed Rate
17' to 18'	\$76.00/month
Up21' to 23'	\$95.00/month
24' to 32'	\$135.00/month
33' to 40'	\$185.00/month
41' and greater	\$225.00/month
Kayaks/Paddle Boards	\$15.00/month

**Vice-Chair Blumenberg seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

### **3) Declaration of District Personal Property as Surplus and Disposal of Same**

Recommended Action: Voice Vote.

That the Board of Port Commissioners declare the Harbor Patrol Rescue Boat 17 as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

Report by John Higgins, Harbormaster.

Public Comment: None.

**ACTION:** Commissioner Rainey moved to declare the Harbor Patrol Rescue Boat 17 as surplus property and dispose of it in accordance with the Surplus Property Policy approved January 24, 2018.

**Commissioner Gardina seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**

**NOES: None**

**Motion carried 5-0.**

### **4) Consideration of Proposed Strategies to the Ventura Port District 5-Year Objectives**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the proposed strategies in support of the 5-Year Objectives.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 9:59PM.

**ACTION:** Vice-Chair Blumenberg moved to approve the proposed strategies in support of the 5-Year Objectives with two actions added to Objective E.



**Commissioner Gardina seconded. The vote was as follows:**

**AYES: Commissioners Stephens, Blumenberg, Brennan, Gardina, Rainey**  
**NOES: None**

**Motion carried 5-0.**

**ADJOURNMENT:** The meeting was adjourned in honor of Sara Wan at 10:00PM.

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

  
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Brian Brennan, Secretary