

VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF MARCH 15, 2023



CLOSED SESSION

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Closed Session Meeting was called to order by Chair Blumenberg at 6:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair
Jackie Gardina, Vice-Chair
Chris Stephens

Commissioners Absent:

Anthony Rainey, Secretary
Brian Brennan

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Sr. Business Operations 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 6:02PM.

CONVENED TO CLOSED SESSION AT 6:02PM.

ADJOURNMENT: Closed Session was adjourned at 7:02PM.

OPEN SESSION

ADMINISTRATIVE AGENDA:

CALL TO ORDER:

The Ventura Board of Port Commissioners Regular Open Session Meeting was called to order by Chair Blumenberg at 7:04PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

PLEDGE OF ALLEGIANCE: By Commissioner Rainey.

ROLL CALL:

Commissioners Present:

Michael Blumenberg, Chair via Zoom
Jackie Gardina, Vice-Chair
Chris Stephens

Commissioners Absent:

Anthony Rainey, Secretary
Brian Brennan

Port District Staff:

Brian Pendleton, General Manager
Todd Mitchell, Sr. Business Operations Manager
Jessica Rauch, Clerk of the Board
Joe Gonzalez, Capital Projects Manager
Sergio Gonzalez, Facilities Manager
Wayne Hatch, Maintenance Supervisor
Jennifer Talt-Lundin, Marketing Manager
Gloria Adkins, Accounting Manager
Jessica Snipas, Business Operations Analyst via Zoom
Dave Werneburg, Marina Supervisor via Zoom
Pat Hummer, Senior Harbor Patrol Officer via Zoom

Legal Counsel:

Andy Turner, Lagerlof Lawyers LLP via Zoom

City of Ventura Liaisons

Councilmember McReynolds, City Council Liaison – Absent

Number of interested persons:

2 via zoom; 10 in person

ADOPTION OF AGENDA

ACTION: Commissioner Stephens moved to adopt the March 15, 2023 agenda.

Vice-Chair Gardina seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens
NOES: None
ABSTAINED: None
ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

APPROVAL OF MINUTES

The Minutes of the March 1, 2023 Regular Meeting were considered as follows:

ACTION: Vice-Chair Gardina moved to approve of the March 1, 2023 regular meeting minutes.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg Gardina, Stephens
NOES: None
ABSTAINED: None
ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

PUBLIC COMMUNICATIONS: None. Closed at 7:06PM.

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 Stephens reported on the Tenant Celebration he attended. Chair Blumenberg reported on the CMANC Washington D.C. Conference.

STAFF AND GENERAL MANAGER REPORTS: Mr. Pendleton recognized International Women's Day and Women's History Month, reported on Mermaid Month, and recognized the Marketing team for securing a segment on KTLA's morning show. He also reported that the National Park Service announced today a 10-year concession contract award to Island Packers. Mr. Mitchell reported that Ventura Harbor is included in the President's FY24 Budget for \$8.47M.

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 Pendleton to attend the CSDA 2023 General Manager Leadership Summit from June 25-27, 2023 in Olympic Valley, CA.
- b) General Manager, Brian Pendleton to attend the LCW 2023 Public Sector Employment Law Annual Conference from March 16-17, 2023 in San Diego, CA.
- c) Marketing Manager, Jennifer Talt-Lundin to attend the Central Coast Tourism Council Board Retreat from April 16-18, 2023 in Santa Cruz, CA.
- d) Harbor Patrol Officer I, Mason Alford to attend the California Boating Accident Investigator Course from April 23-28, 2023 in San Pedro, CA.

- e) Harbor Patrol Officer II, Mark Kidman to attend the California Boating Accident Investigator Course from April 23-28, 2023 in San Pedro, CA.

Public Comment: None.

- ACTION:** Vice-Chair Gardina moved to approve the out-of-town travel requests for:
- a) General Manager, Brian Pendleton to attend the CSDA 2023 General Manager Leadership Summit from June 25-27, 2023 in Olympic Valley, CA.
 - b) General Manager, Brian Pendleton to attend the LCW 2023 Public Sector Employment Law Annual Conference from March 16-17, 2023 in San Diego, CA.
 - c) Marketing Manager, Jennifer Talt-Lundin to attend the Central Coast Tourism Council Board Retreat from April 16-18, 2023 in Santa Cruz, CA.
 - d) Harbor Patrol Officer I, Mason Alford to attend the California Boating Accident Investigator Course from April 23-28, 2023 in San Pedro, CA.
 - e) Harbor Patrol Officer II, Mark Kidman to attend the California Boating Accident Investigator Course from April 23-28, 2023 in San Pedro, CA.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

B) Approval of Assignment and Assumption of Lease and Consent of Landlord for Ahmad Vahedian, PH.D to Jeff M. Moorhouse dba Moorhouse Financial Services, Inc.

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve an assignment and assumption of Lease and Consent of Landlord between Ahmad Vahedian, PH.D and Jeff M. Moorhouse dba Moorhouse Financial Services, Inc. for the premises located at 1575 Spinnaker Drive #204C, consisting of 275 square feet.

Public Comment: None.

- ACTION:** Vice-Chair Gardina moved to approve an assignment and assumption of Lease and Consent of Landlord between Ahmad Vahedian, PH.D and Jeff M. Moorhouse dba Moorhouse Financial Services, Inc. for the premises located at 1575 Spinnaker Drive #204C, consisting of 275 square feet.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

C) Approval of New Office Lease Agreement with Terraform Productions, Inc. dba Harbour Village Insurance Agency

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Terraform Productions, Inc. dba Harbour Village Insurance Agency for the premises located at 1583 Spinnaker Drive #211 consisting of a total of 492 square feet for a three-year term with one two-year option.

Public Comment: None.

ACTION: Vice-Chair Gardina moved to approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Terraform Productions, Inc. dba Harbour Village Insurance Agency for the premises located at 1583 Spinnaker Drive #211 consisting of a total of 492 square feet for a three-year term with one two-year option.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

D) Approval of New Office Lease Agreement with Eagle Crest Enterprises, LLC.

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Eagle Crest Enterprises, LLC. for the premises located at 1575 Spinnaker Drive #206B consisting of a total of 247 square feet for a three-year term with one two-year option.

Public Comment: None.

ACTION: Vice-Chair Gardina moved to approve a New Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Eagle Crest Enterprises, LLC. for the premises located at 1575 Spinnaker Drive #206B consisting of a total of 247 square feet for a three-year term with one two-year option.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

E) Approval of New Retail Lease Agreement with Katherine Sparks-Jones dba Ventura Fresh Fish

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Katherine Sparks-Jones dba Ventura Fresh Fish for the premises located at 1449 Spinnaker Drive #F consisting of a total of 563 square feet for a two-year term with one one-year option.

Public Comment: None.

ACTION: Vice-Chair Gardina moved to approve a New Retail Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Katherine Sparks-Jones dba Ventura Fresh Fish for the premises located at 1449 Spinnaker Drive #F consisting of a total of 563 square feet for a two-year term with one one-year option.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

F) Approval of Amendment No. 1 to the Professional Services Agreement with Liebert Cassidy Whitmore

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 with Liebert Cassidy Whitmore in the amount of \$20,000 to provide continued human resources legal services and support.

Public Comment: None.

ACTION: Vice-Chair Gardina moved to approve Amendment No. 1 with Liebert Cassidy Whitmore in the amount of \$20,000 to provide continued human resources legal services and support.

Commissioner Stephens seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

STANDARD AGENDA:

1) Coastal Marine Biolabs Current Activities Update

Recommended Action: Informational.

That the Board of Port Commissioners receive an update from Coastal Marine Biolabs on current activities.

Presentation by Linda Santschi, Ph.D, Executive Co-Director, Coastal Marine Biolabs.

Public Comment: None.

ACTION: The Board of Port Commissioners received an update from Coastal Marine Biolabs on current activities.

2) Presentation on Parcel 5 between 1591 and 1691 Spinnaker Drive

Recommended Action: Informational.

That the Board of Port Commissioners receive a presentation on prior landscape design concepts prepared by RRM Design Group on behalf of the District for the grass lawn area of Parcel 5 and provide direction to the General Manager regarding future uses and design efforts.

Presentation by Nick Deitch and Lief McKay, RRM Design Group and Brian D. Pendleton, General Manager.

Public Comment: Jennifer Talt-Lundin, Marketing Manager is excited to see this come back and are on the right path to activate the space.

ACTION: The Board of Port Commissioners received a presentation on prior landscape design concepts by RRM Design Group for the grass lawn area of Parcel 5. The Commission had the following comments:

- Like the idea of this area becoming a hub of activity or destination
- Like having something available for larger events that can bring more visitors
- Complementary not competitive with other tenants
- Renderings look nice – right direction
- Wind protection
- Having a place to bring young children would be great
- Sustainability
- Formal connection to the Beach
- Get tenants and stakeholders involved

3) Presentation on the General Plan Advisory Committee Local Coastal Program Update

Recommended Action: Informational.

That the Board of Port Commissioners receive a presentation on the General Program Advisory Committee Local Coastal Plan Update.

Presentation by Brian D. Pendleton, General Manager; Neda Zayer, Interim Community Development Director, City of Ventura; and Matt Raimi, Principal, Raimi + Associates.

Public Comment:

- Matt Mansi voiced his support for a housing element in the LCP and Harbor, particularly with the requirement for new developments to include affordable housing.
- Nick Deitch commented that there is an opportunity for the City, District and Coastal Commission to come together and create a vision that everyone can buy into and also agrees a housing element is needed in the Harbor, again citing the benefit of an affordable housing component.
- Richard Beauchamp, owner of Ventura West and Oceans West Marinas, would like to have the opportunity to add the residential and mixed-use component to their proposed new development.
- Stephanie Caldwell, President/CEO of Chamber of Commerce and a member of the GPAC is excited to hear the District talking about this and putting some thought into it. Also, to be able to expand the amenities the Harbor offers is what we should be striving for. Housing is an important need in Ventura and bringing that to the Harbor that would create a built-in audience for Harbor tenants.
- David Boatner, Ventura Yacht Club, is currently in the process of permitting a dock replacement. He would like to get away from a failed process of thinking bigger boats are more expensive than smaller boats which is affecting slip sizes. He expressed he believes the LCP is the place to do that.
- Garrett McKinney, General Manager of Safe Harbor Ventura Isle Marina agrees with Mr. Boatner's comment and is supportive of the economic vitality of the Harbor as a whole. One of the required elements of the General Plan Update is safety and a concern is the homeless population and the effects it has had on the Marina and the Harbor as a whole. He also expressed his concern that the Spinnaker Drive road conditions also present a safety concern. He hopes both can be addressed.
- Chuck Ormson, manager of Ventura West and Oceans West Marinas, would like to see Parcel 17 (Ventura West Marina) in the "Harbor Mixed Use" category.
- Eric Leslie, Director of Marina Operations for Ventura West and Oceans West Marinas, provided written comment that was distributed to the Board and posted on the website.

ACTION: **The Board of Port Commissioners received a presentation on the General Program Advisory Committee Local Coastal Plan Update. The Commission had the following comments:**

- **Agreement with comments regarding regional need for more affordable housing**
- **Harbor Mixed Use category of land use seems appropriate for West Marina**
- **19A appears to be identified as being in the residential category – should be considered differently and corrected**
- **Impacts of climate change should be considered**
- **Transportation: make bike access easier and safer**
- **Road conditions on Spinnaker Drive are very poor**
- **Staff to continue to collaborate with the City, in particular with regards to review and possible changes to the land use designations**

4) Update on State of Emergency due to the Atmospheric River Rain Events in January 2023 and Emergency Measures to Respond to Impacts to the District

Recommended Action: Roll Call Vote – 4/5ths Vote.

That the Board of Port Commissioners determine by a four-fifths vote that there is a need to continue the emergency action adopted by the Board on January 18, 2023, set forth in Resolution No. 3462.

Report by Andy Turner, Lagerlof and Brian D. Pendleton, General Manager.

Public Comment: None.

ACTION: Commissioner Stephens made a motion that the Board determine that the emergency still exists and that staff continue to take all steps necessary to respond to storm impacts, including that if emergency action is required prior to April 5th, the General Manager shall work with the Chair and Vice-Chair to schedule an emergency meeting of the Board.

Vice-Chair Gardina seconded. The vote was as follows:

AYES: Commissioners Blumenberg, Gardina, Stephens

NOES: None

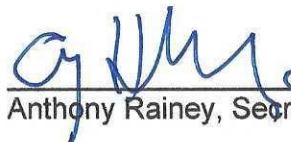
ABSTAINED: None

ABSENT: Commissioners Rainey and Brennan

Motion carried 3-0.

ADJOURNMENT: The meeting was adjourned in honor of Harbor Patrol Office Paul Korber at 9:05PM.

The next regular meeting is Wednesday, April 5, 2023.



Anthony Rainey, Secretary