

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS MINUTES OF JUNE 7, 2023

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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 Blumenberg at 6:01PM 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  
Anthony Rainey, Secretary at 6:08PM  
Brian Brennan via Zoom  
Chris Stephens

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

None.

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

Brian Pendleton, General Manager  
Todd Mitchell, Sr. Business Operations Manager  
Jessica Rauch, Clerk of the Board via Zoom

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

Tom Bunn, Lagerlof Lawyers LLP

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

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:02PM.

**CONVENED TO CLOSED SESSION AT 6:03PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:44PM.

## **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 7:00PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

**PLEDGE OF ALLEGIANCE:** By Commissioner Stephens.

#### **ROLL CALL:**

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

Michael Blumenberg, Chair  
Jackie Gardina, Vice-Chair  
Anthony Rainey, Secretary  
Brian Brennan via Zoom left at 8:35PM  
Chris Stephens

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

None.

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

Brian Pendleton, General Manager  
Todd Mitchell, Sr. Business Operations Manager via Zoom  
Jessica Rauch, Clerk of the Board  
John Higgins, Harbormaster  
Gloria Adkins, Accounting Manager  
Joe Gonzalez, Capital Projects Manager  
Jessica Snipas, Business Operations Analyst  
Jennifer Talt-Lundin, Marketing Manager  
Ruby Hedrick, Sr. Marketing & Events Coordinator  
Wayne Hatch, Maintenance Supervisor  
Dave Werneburg, Marina Supervisor via Zoom  
Jessica Perkins, Accountant via Zoom

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

Tom Bunn, Lagerlof Lawyers LLP

##### **City of Ventura Liaisons**

Councilmember McReynolds, City Council Liaison – Absent

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

6 via zoom; 4 in person

## **ADOPTION OF AGENDA**

**ACTION:** Commissioner Stephens moved to adopt the June 7, 2023 agenda.

Commissioner Brennan seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

## **APPROVAL OF MINUTES**

The Minutes of the May 17, 2023 Regular Port Commission Meeting were considered as follows:

**ACTION:** Vice-Chair Gardina moved to approve the Minutes of the May 17, 2023 Regular Port Commission meeting.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** Commissioners Brennan, Stephens

**ABSENT:** None

**Motion carried 3-0.**

**PUBLIC COMMUNICATIONS:** Sam Sadove referred to the legal proceeding's agenda item on closed session and hoped there would be a reportable action on the item. Closed at 7:05PM.

**CLOSED SESSION REPORT:** Mr. Bunn stated that the Board met in closed session; discussed and reviewed Item 1a and 3 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.

Item 2, the Board voted unanimously to approve a Settlement Agreement. Under the Settlement Agreement the District agreed not to violate the Brown Act, the District will be recording closed sessions that include items on aquaculture for a determined time period, and Lagerlof will pay on the settlement amount of \$80,000 on behalf of the District.

**BOARD COMMUNICATIONS:** Vice-Chair Gardina appreciated the Wellness Festival held at the Village over the weekend. Chair Blumenberg enjoyed visiting Deep Sea Winery and on Monday, June 12<sup>th</sup> the City Council appoints one of the Commissioners. Commissioner Brennan thanked Mr. Mitchell for his participation in the BEACON sand summit.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton reported on the current, past and upcoming marketing promotions and events. He also reported on the VCSDA meeting where he was guest speaker.



**CONSENT AGENDA:**

**A) Approval of a New Office Lease Agreement with Brian Spaak dba NFP and Lindsey Buechler dba Sun Coast Real Estate for 1567 Spinnaker Drive #205**

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 Brian Spaak dba NFP and Lindsey Buechler dba Sun Coast Real Estate for the premises located at 1567 Spinnaker Drive #205, consisting of approximately 290 square feet, for a two-year term with one three-year option.

Public Comment: None.

**ACTION:** Commissioner Stephens moved to approve a new Office Lease Agreement between the Ventura Port District dba Ventura Harbor Village and Brian Spaak dba NFP and Lindsey Buechler dba Sun Coast Real Estate for the premises located at 1567 Spinnaker Drive #205, consisting of approximately 290 square feet, for a two-year term with one three-year option.

Commissioner Brennan seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

**STANDARD AGENDA:**

**1) Adoption of Resolution No. 3475 Approving the Addendum to the Final IS-MND, Ventura Port District Project Approval Conditions and Parcels 20 and 14 Redevelopment Project**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3475:

- a) Approving the Addendum to the Final Initial Study-Mitigated Negative Declaration.
- b) Approving the Ventura Port District Project Approval Conditions.
- c) Approving the Parcels 20 and 14 Redevelopment Project.
- d) Authorize the General Manager to File the Notice of Determination with the State Office of Planning and Research and the Ventura County Clerk.

Report by Jennifer Haddow, Rincon Consultants.

Public Comment: Mike Leary shared concerns about the maneuverability of sail boats in the main turning basin near the new proposed marina and being able to raise sails. Graham Dawson shared handouts and asked for modification to the marina design to provide sufficient room to raise and lower sails and furling and flaking larger main sails on larger boats. Tom Derecktor responded to Mr. Dawson's comments and offered to meet to rectify the issue.  
Closed at 7:40PM.

- ACTION:** Commissioner Rainey moved adopt Resolution No. 3475:
- a) Approving the Addendum to the Final Initial Study-Mitigated Negative Declaration.
  - b) Approving the Ventura Port District Project Approval Conditions.
  - c) Approving the Parcels 20 and 14 Redevelopment Project.
  - d) Authorize the General Manager to File the Notice of Determination with the State Office of Planning and Research and the Ventura County Clerk.

Commissioner Brennan seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

## **2) Proposed Temporary Easement Over Parcel 19A**

Recommended Action: Informational.

That the Board of Port Commissioners:

- a) Receive an informational status report on an offer by the City of Ventura to purchase a temporary easement for creation of a temporary boat storage area over Parcel 19A, at the northwest corner of Schooner Drive and Harbor Boulevard.
- b) Provide direction to General Manager regarding request by City of Ventura to enter into a Right of Entry Agreement in a form approved by General Counsel for Parcel 19A, at the northwest corner of Schooner Drive and Harbor Boulevard.

Report by Brian D. Pendleton, General Manager and Tom Bunn, Legal Counsel.

Public Comment: None. Closed 7:56PM.

- ACTION:** Commissioner Stephens moved to authorize the General Manager to enter into a Right of Entry Agreement with the City of Ventura in a form approved by General Counsel including clarifying liability coverage for Parcel 19A.

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

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

## **3) Approval of the Fiscal Year 2023-2024 Harbor Village Leasing Strategy and Action Plan**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the FY2023-2024 Harbor Village Leasing Strategy and Action Plan.



Report by Todd Mitchell, Sr. Business Operations Manager and Jessica Snipas, Business Operations Analyst II.

Public Comment: None. Closed at 8:22PM.

**ACTION:** Vice-Chair Gardina moved to approve the FY2023-2024 Harbor Village Leasing Strategy and Action Plan.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**Motion carried 5-0.**

**4) Approval of the Fiscal Year 2023-2024 Ventura Harbor Village Visitor Attraction Plan**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners approve the FY2022-2023 Ventura Harbor Village Visitor Attraction Plan.

Report by Jennifer Talt-Lundin, Marketing Manager and Ruby Hedrick, Sr. Marketing & Events Coordinator.

Public Comment: None. Closed at 8:43PM.

**ACTION:** Commissioner Stephens moved to approve the FY2022-2023 Ventura Harbor Village Visitor Attraction Plan.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**5) Adoption of Resolution No. 3476 Approving the Financial Statements and Checks for January 2023 through March 2023**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopts Resolution No. 3476 to:

- a) Accept the financial statements for the Quarter ending March 31, 2023.
- b) Review the payroll and regular checks for January through March 2023.

Report by Gloria Adkins, Accounting Manager.

Public Comment: None. Closed at 8:53PM.

**ACTION:** Commissioner Stephens moved to adopt Resolution No. 3476 to:  
a) Accept the financial statements for the Quarter ending March 31, 2023.  
b) Review the payroll and regular checks for January through March 2023.

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

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

**NOES:** None

**ABSTAINED:** None

**ABSENT:** Commissioner Brennan

**Motion carried 4-0.**

**6) Adoption of Resolution No. 3477 Approving the Fiscal Year 2023-2024 Preliminary Budget and Five-Year Capital Improvement Plan**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3477 approving the FY2023–2024 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan.

Chair Blumenberg announced that his son was employed by the Harbor Patrol, and because of that he would not participate in the discussion or the vote on this item. He passed the gavel to Vice Chair Gardina.

Report by Brian D. Pendleton, General Manager, Gloria Adkins, Accounting Manager and Todd Mitchell, Sr. Business Operations Manager.

Public Comment: Jean Getchell asked six questions which are posted on the District website under supplemental packet. Closed at 9:13PM.

**ACTION:** Commissioner Stephens moved to adopt Resolution No. 3477 approving the FY2023–2024 Ventura Port District Preliminary Budget and Five-Year Capital Improvement Plan.

Commissioner Rainey seconded. The vote was as follows:

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

**NOES:** None

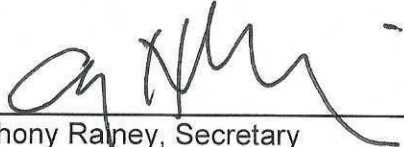
**ABSTAINED:** Chair Blumenberg

**ABSENT:** Commissioner Brennan

**Motion carried 3-0.**

**ADJOURNMENT:** The meeting was adjourned at 9:23PM.

The next regular meeting is Wednesday, June 21, 2023.

  
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Anthony Rainey, Secretary