



**BOARD OF PORT COMMISSIONERS
FEBRUARY 19, 2025**

Ventura Harbor
GATEWAY TO THE CHANNEL ISLANDS NATIONAL PARK

- Call to Order
- Pledge of Allegiance
- Roll Call

ADMIN AGENDA

ADMIN AGENDA

Adoption of the February 19, 2025 Agenda

**Approval of Minutes
February 5, 2025
Regular Meeting**

PUBLIC COMMUNICATION ADMIN AGENDA ITEMS NOT ON THE AGENDA

00 : 03 : 00

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Duration: 00 03 00

TimeUp Reminder (Optional): --

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Choose Sound Effect None

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- Board Communications
- Staff and General Manager Reports

ADMIN AGENDA

CONSENT AGENDA ITEMS

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) John Higgins, Harbormaster, to attend the JPIA Public Safety Academy from March 11 – 13, 2025 in Huntington Beach, CA.
- b) Brendan Donohue, Senior Harbor Patrol Officer to attend the JPIA Public Safety Academy from March 11 – 13, 2025 in Huntington Beach, CA.

B) Approval of a New Retail Lease Agreement with Ashley Cook and Alan Cook dba Treasure Cove

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 Ashley Cook and Alan Cook dba Treasure Cove, for the premises located at 1567 Spinnaker Drive, Suite #103, Ventura California 93001, consisting of approximately 342 square feet.

C) Approval of Amendment No. 1 to the Professional Services Agreement with Rasmussen & Associates for Engineering and Consulting Services

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve Amendment No. 1 to a Professional Services Agreement with Rasmussen & Associates, Inc., increasing the compensation from \$185,000 to \$270,000 and extending the term for the architectural design, permitting, bid support, and construction management for three District improvement projects.

PUBLIC COMMUNICATION CONSENT AGENDA

00 : 03 : 00

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Duration: 00 03 00

TimeUp Reminder (Optional): --

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**ADOPTION OF RESOLUTION NO. 3521 APPROVING THE
FINANCIAL STATEMENTS AND CHECKS FOR OCTOBER
THROUGH DECEMBER 2024**

RECOMMENDATION:

That the Board of Port Commissioners adopts Resolution No. 3521 to:

- a) Accept the financial statements for the Quarter ending December 31, 2024.
- b) Review the payroll and regular checks for October through December 2024.

**STANDARD
AGENDA
ITEM
1**

**Report by:
Gloria Adkins, Accounting Manager**

PUBLIC COMMUNICATION STANDARD ITEM 1

00 : 03 : 00

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Duration: 00 03 00

TimeUp Reminder (Optional): --

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**ADOPTION OF RESOLUTION NO. 3521 APPROVING THE
FINANCIAL STATEMENTS AND CHECKS FOR OCTOBER
THROUGH DECEMBER 2024**

RECOMMENDATION:

That the Board of Port Commissioners adopts Resolution No. 3521 to:

- a) Accept the financial statements for the Quarter ending December 31, 2024.
- b) Review the payroll and regular checks for October through December 2024.

**STANDARD
AGENDA
ITEM
1**

**Report by:
Gloria Adkins, Accounting Manager**

**ADOPTION OF RESOLUTION NO. 3522 APPROVING THE
FISCAL YEAR 2024-2025 MID-YEAR BUDGET
ADJUSTMENTS AND CAPITAL IMPROVEMENT PLAN AND
RESOLUTION NO. 3523 ESTABLISHING THE SALARY
SCHEDULE FOR THE ADMINISTRATIVE SERVICES
MANAGER AND ACCOUNTING SUPERVISOR AS NON-
REPRESENTED EMPLOYEE OF THE DISTRICT EFFECTIVE
JULY 1, 2025**

RECOMMENDATION:

That the Board of Port Commissioners:

- a) Adopt Resolution No. 3522 approving the Mid-Year Budget Adjustments for Fiscal Year 2024-2025 effective January 1, 2025.
- b) Adopt Resolution No. 3523 establishing the Salary Schedule for the Administrative Services Manager and Accounting Supervisor as a Non-Represented Employee of the District effective July 1, 2025.

STANDARD AGENDA ITEM 2

Report by:

**Brian D. Pendleton, General Manager
Gloria Adkins, Accounting Manager
Todd Mitchell, Deputy General Manager**

OPERATING REVENUES

Fiscal Year	Revenue	% +/-
FY20-21	\$9,491,185	13%
FY21-22	\$10,394,853	10%
FY22-23	\$10,787,324	4%
FY23-24*	\$12,518,387	16%
FY24-25**	\$12,149,000	<0.03%>

* FY23-24 represents the actual unaudited financial statements at 6/30/24. Includes onetime income from VenturaWaterPure and lease option fees.

** FY24-25 approved current year budget as adjusted for Mid-Year.

OPERATING EXPENSES

Fiscal Year	Expenses	% +/-
FY20-21	\$6,276,863	<0.5%>
FY21-22	\$5,738,258	<9%>
FY22-23	\$6,595,355	15%
FY23-24*	\$7,219,147	9.5%
FY24-25**	\$8,293,940	15%

* FY23-24 represents the actual unaudited financial statements at 6/30/24.

** FY24-25 proposed Mid-Year Adjustment. Represents a net increase of \$310,000 (3.88%) over the approved FY24-25 budget.

Summarized areas of increases/decreases:

- \$180,000 increase in Professional Services related to personnel recruitment, engineering services, accounting/leasing software migration and policy updates
- \$55,000 increase in Software/Subscriptions related to accounting/leasing software
- \$10,000 increase in Office/computer Supplies due to unforeseen IT expenses
- \$65,000 increase in Dredging Related Expenses for technical services related to permitting: material testing, sand management permitting and monitoring

Personnel Expenses

Personnel Expenses

- Employee Merit Program
 - The FY24-25 budget provides for a 3.0% merit increase for eligible employees pursuant to the Human Resources Manual. There is no recommended adjustment to the midyear budget.

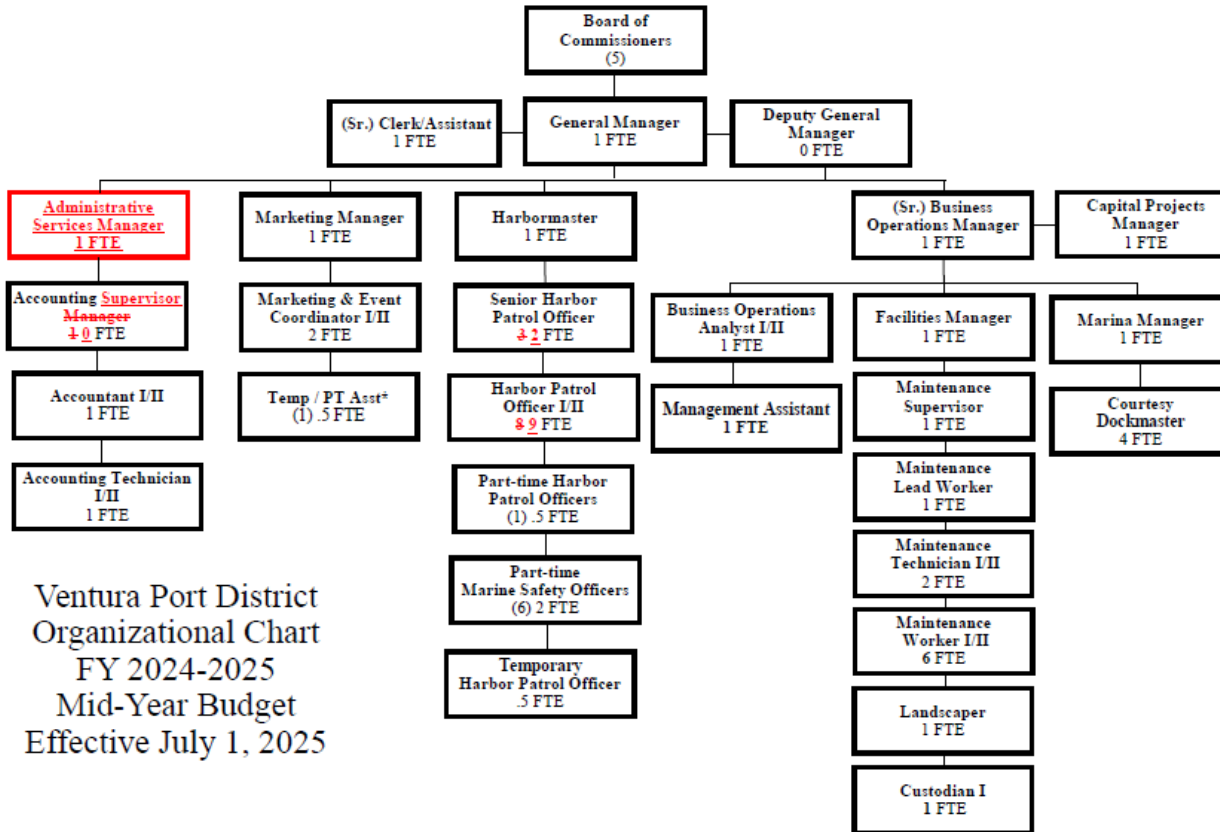
PROPOSED CHANGES IN CIP PROJECTS AT MID-YEAR ADJUSTMENT:

#	Project	Original FY24-25	Proposed FY24-25	Reason for Change
1	1575 Building Façade Improv.	\$1,000,000	\$250,000	Reduction: soft costs plus interior demo only. No construction likely in current FY.
2	Launch Ramp Floating Dock	\$540,000	\$630,000	Cost increased to add work to improve launch ramp restrooms.
4	Promenade Curved Patio Walls	\$250,000	\$0	No construction likely in current FY.
5	Paid Parking Infrastructure	\$175,000	\$200,000	Adds additional cost for parking lot signage.
6	Fish Pier – Fender Camels	\$175,000	\$0	Deferred to next FY.
7	Parcel 19A: Parking Lot/Dry Storage	\$150,000	\$330,000	Increase to meet City requirements for landscaping and new electrical pedestal. Also adds additional security measures.
8	Harbor Entrance Feature (Schooner)	\$75,000	\$115,000	Initial cost estimates received from contractors.
11	1575/1583 Pass-Through Repaving	\$60,000	\$75,000	Expanded area of repaving.
12	Lot Resurfacing (Dry Storage)	\$55,000	\$75,000	Additional cost for restriping.
13	1567 B Building Patio Wall Replacement	\$55,000	\$65,000	Contracted cost
15	Harbor Wayfinding Signage	\$30,000	\$42,000	Additional banner signs on streetlights.
17	Harbor Village Elevator Upgrades	\$0	\$185,000	Advanced from FY25-26 to current FY and increased budget.
29	Harbor Cove & Surfers Knoll - Retaining Wall & Shower Area Improvements	\$300,000	\$135,000	Only restroom improvements will be completed prior to end of current FY.

FY23-24 Tenant Improvement Budget

FY24-25 Building Tenant Improvements

- Staff are projecting a reduction of \$100,000 in expenses (from \$827,500 to \$727,500).
- This is through a combination of reduced cost for scheduled improvements (\$60,000) and reduced exposure to contingency due to unscheduled tenant turnover (\$40,000).



Ventura Port District
Organizational Chart
FY 2024-2025
Mid-Year Budget
Effective July 1, 2025

PUBLIC COMMUNICATION STANDARD ITEM 2

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Duration: 00 03 00

TimeUp Reminder (Optional): --

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FISCAL YEAR 2024-2025 MID-YEAR BUDGET
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JULY 1, 2025**

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- b) Adopt Resolution No. 3523 establishing the Salary Schedule for the Administrative Services Manager and Accounting Supervisor as a Non-Represented Employee of the District effective July 1, 2025.

STANDARD AGENDA ITEM 2

Report by:

**Brian D. Pendleton, General Manager
Gloria Adkins, Accounting Manager
Todd Mitchell, Deputy General Manager**

**APPROVAL OF AMENDMENT NO. 2 TO THE RESTAURANT
LEASE AGREEMENT WITH AARMARK BEER GARDENS, INC.
DBA THE LOOSE CANNON**

RECOMMENDATION:

That the Board of Port Commissioners approve Amendment No. 2 to the Restaurant Lease Agreement with Aarmark Beer Gardens, Inc. a California corporation dba The Loose Cannon, and the Ventura Port District dba Ventura Harbor Village, for the premises located at 1567 Spinnaker Drive, Suite #100 consisting of approximately 5,736 square feet of commercial space and 600 of patio area.

**STANDARD
AGENDA
ITEM
3**

**Report by:
Todd Mitchell, Deputy General Manager**

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

SUMMARY:

Due to escalation of construction costs as well as providing a superior build-out, the Tenant invested significantly more than anticipated. The Tenant has requested that the District amend the Lease to increase the reimbursable expense limit to \$180,739.50 from \$80,000.

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Background:

- Prior to the Façade Renovation Project, the previous tenant was paying vastly less than market rate rent.
- In 2018 and 2019, the District actively solicited for new businesses in the space and received only 2 proposals.
- Marketing of the space paused through the pandemic.

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Background (Continued):

- After resuming marketing in 2021, the District discussed with the previous tenant their interest in being considered for a video arcade only at market rate rent. The tenant advised of their plans to move operations to a new location.
- The District then entered into a new lease with Aarmark Beer Garden Inc. in February 2022.

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Background (Continued):

- In comparison:
 - The previous tenant was paying \$52,865 per year.
- Staff estimates Aarmark Beer Gardens will have paid approximately \$185,000 per year in rent over the base term of the lease
 - Aarmark has 3 x 5-year options

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Aarmark Beer Gardens Lease (Original):

- The tenant's lease included tenant improvement responsibilities of both the landlord and tenant.
 - The District's improvements were itemized (details in staff report).
 - The tenant would perform improvements estimated at \$651,000 at their sole cost (see staff report).
 - The tenant would also perform certain improvements that would be eligible for reimbursement up to \$80,000 (see staff report).

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Aarmark Beer Gardens Lease Amendment No. 1:

- Staff recommended Lease Amendment No. 1. on March 20, 2024 to account for reimbursement of tenant performing some of District's lease obligations.
- During that meeting, Lagerlof identified that this required the tenant to perform all construction work subject to DIR prevailing wage.
- Staff returned to the Board on May 1, 2024 with a revised Lease Amendment No. 1 that remedied the prevailing wage issue.

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Aarmark Beer Gardens Lease Amendment No. 2:

- As Loose Cannon was nearing opening, Staff met with Aarmark to discuss the reimbursements. More than \$80,000 had been requested and paid out under the “reimbursable” category than was allowable under the lease or the amendment. Staff withheld further payments while reviewing.
- Aarmark was able to eventually demonstrate sufficient justification for additional reimbursement to warrant Staff to recommend this amendment increasing the reimbursable limit to \$180,739.50.

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

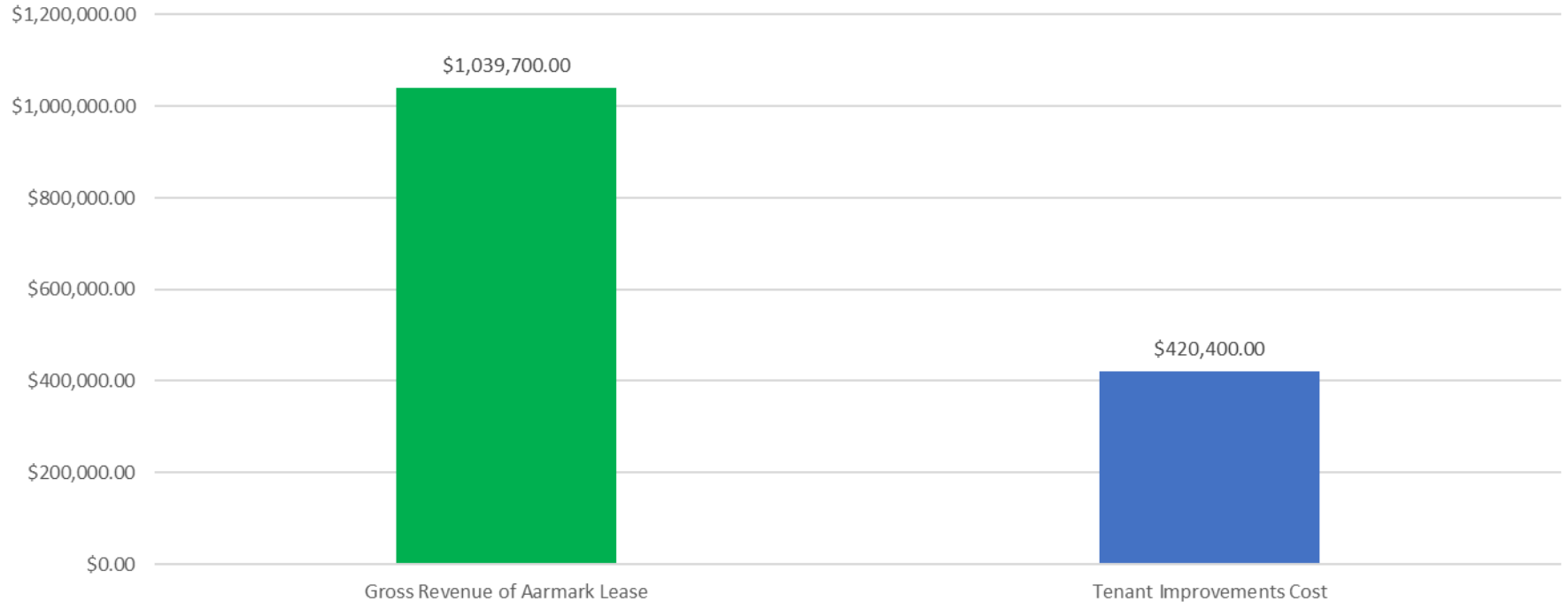
Fiscal Impact:

- District estimates total rent payable to the District from Aarmark during the base term of the lease: \$1,039,700* (4 years, 1 month)
- If Lease Amendment No. 2 is approved, District will have invested:
 - \$420,400 in Tenant Improvement contributions.
 - District will have recouped the Tenant Improvement contribution in just over 2 years after opening.

* Based on Tenant's provided business plan

PROPOSED AMENDMENT NO. 2 TO RESTAURANT LEASE WITH AARMARK BEER GARDEN, INC. DBA THE LOOSE CANNON

Base Period (49 months) Revenue vs. TI Costs



Questions & Discussion

PUBLIC COMMUNICATION STANDARD ITEM 3

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TimeUp Reminder (Optional): --

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**STANDARD
AGENDA
ITEM
3**

**Report by:
Todd Mitchell, Deputy General Manager**

**UPDATE ON STATE OF EMERGENCY TO ADDRESS THE
FAILURE OF THE ELEVATOR AT 1591 SPINNAKER DRIVE**

RECOMMENDATION:

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 15, 2025, set forth in Resolution No. 3520.

**STANDARD
AGENDA
ITEM
4**

**Report by:
Justin Fleming, Capital Projects Manager**

PUBLIC COMMUNICATION STANDARD ITEM 4

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TimeUp Reminder (Optional): --

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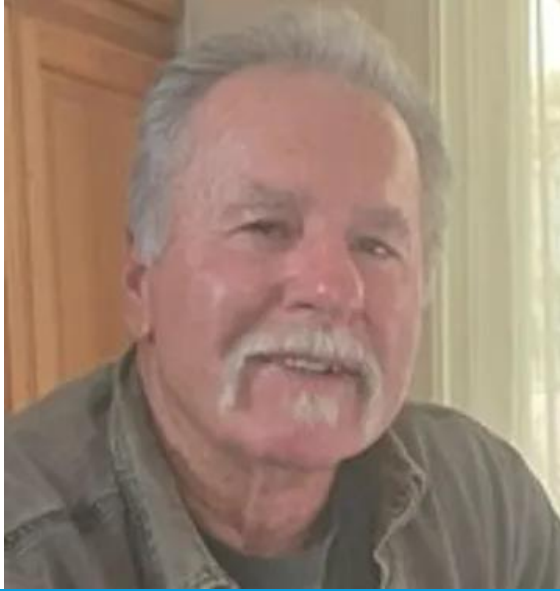
**UPDATE ON STATE OF EMERGENCY TO ADDRESS THE
FAILURE OF THE ELEVATOR AT 1591 SPINNAKER DRIVE**

RECOMMENDATION:

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**STANDARD
AGENDA
ITEM
4**

**Report by:
Justin Fleming, Capital Projects Manager**



**ADJOURNMENT IN HONOR OF TERRY WILMARTH
NEXT MEETING MARCH 5, 2025**

Ventura Harbor
GATEWAY TO THE CHANNEL ISLANDS NATIONAL PARK