

# VENTURA PORT DISTRICT

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## BOARD OF PORT COMMISSIONERS REGULAR MEETING MINUTES OF APRIL 16, 2025

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### **CLOSED SESSION**

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

The Ventura Port District 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:**

##### **Commissioner's Present:**

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

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

Anthony Rainey, Secretary

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

Brian D. Pendleton, General Manager  
Todd Mitchell, Deputy General Manager  
Jessica Rauch, Clerk of the Board

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

Tom Bunn, Lagerlof, LLP

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

0 via zoom; 0 in-person

**PUBLIC COMMUNICATIONS:** None. Closed at 6:01PM.

**CONVENED TO CLOSED SESSION AT 6:02PM.**

**ADJOURNMENT:** Closed Session was adjourned at 6:32PM.

## **OPEN SESSION**

### **ADMINISTRATIVE AGENDA:**

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

The Ventura Port District Board of Port Commissioners' Regular Open Session Meeting was called to order by Chair Blumenberg at 7:01PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001 and via Zoom meeting.

**PLEDGE OF ALLEGIANCE:** By Chair Blumenberg.

#### **ROLL CALL:**

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

Michael Blumenberg, Chair  
Elizabeth Howell, Vice-Chair  
Anthony Rainey, Secretary  
Chris Stephens  
Jackie Gardina

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

None.

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

Brian D. Pendleton, General Manager  
Todd Mitchell, Deputy General Manager  
Jessica Rauch, Clerk of the Board  
Gloria Adkins, Accounting Manager  
Brendan Donohue, Sr. Harbor Patrol Officer  
Justin Fleming, Capital Projects Manager  
Wayne Hatch, Maintenance Supervisor  
John Higgins, Harbormaster  
Will McReynolds, Management Assistant  
Jessica Perkins, Accountant II via Zoom  
Jessica Snipas, Business Operations Analyst  
Jennifer Talt-Lundin, Marketing Manager  
Dave Werneburg, Marina Manager

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

Tom Bunn, Lagerlof, LLP  
Robert Smith, K&L Gates via Zoom

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

Councilmember Duran, City Council Liaison – present

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

4 via zoom; 5 in person

## **ADOPTION OF AGENDA**

**ACTION:** Commissioner Gardina moved to adopt the April 16, 2025 agenda.

Commissioner Stephens seconded. The vote was unanimous.

## **APPROVAL OF MINUTES**

**ACTION:** Commissioner Gardina moved to adopt the April 2, 2025 regular meeting minutes.

Commissioner Stephens seconded. The vote carried 4-0-1 (Blumenberg abstained).

**PUBLIC COMMUNICATIONS:** None. Closed at 7:03PM.

**CLOSED SESSION REPORT:** Mr. Bunn stated that the Board met in closed session and discussed and reviewed all items on the closed session agenda. Staff was given instructions on how to proceed as appropriate and no action was taken that is reportable under The Brown Act.

**BOARD COMMUNICATIONS:** Vice-Chair Howell attended the Ventura Yacht Club's opening ceremonies with Chair Blumenberg. Chair Blumenberg attended the Cal Lutheran Economic Forum. He also announced that this Friday is Coffee with a Commissioner at On the Alley at 9:30PM and that the District will be giving a presentation to City Council next week. Closed at 7:06PM.

**STAFF AND GENERAL MANAGER REPORTS:** Mr. Pendleton reported on the upcoming events and promotions at Harbor Village. Closed at 7:19PM.

## **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) Brian D. Pendleton, General Manager, to attend the California Coastal Commission Meeting from May 6-8, 2025 in Half Moon Bay, CA.
- a) Todd Mitchell, Deputy General Manager, to attend the California Coastal Commission Meeting from May 6-8, 2025 in Half Moon Bay, CA.

Public Comment: None.

**NOTE:** The California Coastal Commission posted the agenda after the District. The Ventura Port District Sand Management Plan Application No. 4-24-0248 will be heard on Friday, May 9<sup>th</sup>. Travel will be May 8-9, 2025.

**ACTION:** Commissioner Stephens moved to approve the out-of-town travel requests for Brian D. Pendleton, General Manager, and Todd Mitchell, Deputy General Manager to attend the California Coastal Commission Meeting from May 6-8, 2025 in Half Moon Bay, CA adding a Commissioner to travel to the same event at the equivalent cost reported.

**Commissioner Gardina seconded. The vote was unanimous.**

**B) Approval of a New Restaurant Lease Agreement with Bobaloon LLC dba Boba by the Sea**

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve a new restaurant lease agreement between the Ventura Port District dba Ventura Harbor Village and with Bobaloon LLC dba Boba by the Sea for the premises located at 1559 Spinnaker Drive, Suite #109, Ventura, California 93001, consisting of approximately 1,381 of interior square feet and 220 of patio square feet.

Public Comment: None.

**ACTION: Commissioner Stephens moved to approve a new restaurant lease agreement between the Ventura Port District dba Ventura Harbor Village and with Bobaloon LLC dba Boba by the Sea for the premises located at 1559 Spinnaker Drive, Suite #109, Ventura, California 93001, consisting of approximately 1,381 of interior square feet and 220 of patio square feet.**

**Commissioner Gardina seconded. The vote was unanimous.**

**STANDARD AGENDA:**

**1) Acceptance of Fiscal Year 2023-2024 Audit**

Recommended Action: Voice Vote.

That the Board of Port Commissioners accept the Basic Financial Statements and Supplementary Information with Independent Auditor's Report for the Year Ended June 30, 2024, prepared by Clifton Larson Allen, LLP.

Presentation by Gloria Adkins, Accounting Manager and Bob Callanan, Clifton Larson Allen, LLP.

Public Comment: None.

**ACTION: Commissioner Gardina moved to accept the Basic Financial Statements and Supplementary Information with Independent Auditor's Report for the Year Ended June 30, 2024, prepared by Clifton Larson Allen, LLP.**

**Vice-Chair Howell seconded. The vote was unanimous.**

**2) Adoption of Resolution No. 3528 Declaring a State of Emergency for Sand Removal and Return within the District**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners:

1. Adopt Resolution No. 3528 making certain findings as set forth in said Resolution, including, without limitation, the following:
  - A) Declare a State of Emergency due to the accumulation of sand in areas of public coastal access and use creating a public safety concern.
  - B) Find, based upon the evidence presented, that the conditions require emergency actions by the District.
  - C) Delegate to the District's General Manager the authority to:

1. take any action required to respond to the emergency.
  2. submit any and all emergency permit applications and documents required to support obtaining any necessary permits to perform work.
  3. to procure the necessary equipment, services, and supplies for the purpose of making the District's facilities, infrastructure, waterways and adjacent beach areas safe and usable, without giving notice for bids to let contracts.
- D) Require the General Manager to report to the Board of Port Commissioners at its next regularly scheduled meeting the actions taken to respond to the emergency.
- E) The Board will review the emergency action at every regularly scheduled meeting hereafter until the emergency action is terminated.

Presentation by Brian D. Pendleton, General Manager.

Robert Smith from K&L Gates and Derek Lerma from Rincon Consultants were available for questions.

Public Comment: Andrew Berner, Secretary of Hokuloa Outrigger Canoe Club, Spencer Noren, Tommy Few and Kevin support approval of the Resolution to manage sand and public accessibility. Closed at 7:47PM.

NOTE: The Clerk of the Board changed the Resolution No. from 3526 to 3528 as 3526 was already used.

**ACTION: Commissioner Stephens moved to:**

1. **Adopt Resolution No. 3528 making certain findings as set forth in said Resolution, including, without limitation, the following:**
  - A) **Declare a State of Emergency due to the accumulation of sand in areas of public coastal access and use creating a public safety concern.**
  - B) **Find, based upon the evidence presented, that the conditions require emergency actions by the District.**
  - C) **Delegate to the District's General Manager the authority to:**
    1. take any action required to respond to the emergency.
    2. submit any and all emergency permit applications and documents required to support obtaining any necessary permits to perform work.
    3. to procure the necessary equipment, services, and supplies for the purpose of making the District's facilities, infrastructure, waterways and adjacent beach areas safe and usable, without giving notice for bids to let contracts.
  - D) **Require the General Manager to report to the Board of Port Commissioners at its next regularly scheduled meeting the actions taken to respond to the emergency.**
  - E) **The Board will review the emergency action at every regularly scheduled meeting hereafter until the emergency action is terminated.**

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



**AYES: Commissioners Blumenberg, Howell, Rainey, Stephens, Gardina**  
**NOES: N/A**  
**ABSTAINED: N/A**  
**ABSENT: N/A**

**The motion passed 5-0.**

**3) Adoption of Resolution No. 3527 Approving a Notice of Proposed Ordinance for Amendment No. 2 to a Restaurant Lease Agreement between the Ventura Port District and The Boatyard, Inc. dba The Boatyard Pub**

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3527 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for an Amendment No. 2 between the Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. dba The Boatyard Pub for the premises located at 1583 Spinnaker Drive #109 consisting of a total of 2,675 square feet of interior space, 1,643 square feet of patio, and 90 square feet of storage and mechanical equipment space for an additional two five-year options be amended to the Restaurant Lease Agreement.

Presentation by Todd Mitchell, Deputy General Manager.

Public Comment: Spencer Noren likes that great restaurant owners are investing in the Harbor as well as the District investing in them. Closed at 8:05PM.

**ACTION:** Commissioner Stephens moved to adopt Resolution No. 3527 authorizing the Ventura Port District to publish a Notice of Proposed Ordinance for an Amendment No. 2 between the Ventura Port District dba Ventura Harbor Village and The Boatyard, Inc. dba The Boatyard Pub for the premises located at 1583 Spinnaker Drive #109 consisting of a total of 2,675 square feet of interior space, 1,643 square feet of patio, and 90 square feet of storage and mechanical equipment space for an additional two five-year options be amended to the Restaurant Lease Agreement.

Commissioner Rainey seconded. The vote was as follows:

**AYES: Commissioners Blumenberg, Howell, Rainey, Stephens, Gardina**  
**NOES: N/A**  
**ABSTAINED: N/A**  
**ABSENT: N/A**

**The motion passed 5-0.**

**4) Ventura Port District 5-Year Objectives Quarterly Update**

Recommended Action: Voice Vote.

That the Board of Port Commissioners receive and file the FY24-25 2<sup>nd</sup> Quarter Ventura Port District 5-Year Objectives quarterly update.

Report by Brian D. Pendleton, General Manager.

Public Comment: None. Closed at 8:20PM.

**ACTION:** Vice-Chair Howell moved to accept and approve the FY24-25 2<sup>nd</sup> Quarter Ventura Port District 5-Year Objectives quarterly update.

**Commissioner Gardina seconded. The vote was unanimous.**

Note: The Commission agreed to have this item be presented twice a year instead of quarterly.

**5) Update on State of Emergency to Address the Failure of the Elevator at 1591 Spinnaker Drive**

Recommended Action: Roll Call 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 15, 2025, set forth in Resolution No. 3520.

Report by Capital Projects Manager, Jusitn Fleming.

Public Comment: None. Closed at 8:30PM.

**ACTION:** Commissioner Gardina moved to continue the emergency action adopted by the Board on January 15, 2025, set forth in Resolution No. 3520.

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

**AYES:** Commissioners Blumenberg, Howell, Rainey, Stephens, Gardina  
**NOES:** N/A  
**ABSTAINED:** N/A  
**ABSENT:** N/A

**The motion passed 5-0.**

**ADJOURNMENT:** The meeting was adjourned at 8:32PM.

The next regular meeting is Wednesday, May 7, 2025.

  
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Anthony Rainey, Secretary

