



BOARD OF PORT COMMISSIONERS MEETING MARCH 16, 2022

Ventura Harbor
HOME OF THE CHANNEL ISLANDS NATIONAL PARK

- Call to Order
- Pledge of Allegiance
- Roll Call

ADMIN AGENDA

ADMIN AGENDA

Adoption of the March 16, 2022 Agenda

Approval of the Minutes of
the February 16, 2022
Regular Meeting

**PUBLIC COMMUNICATION
ADMIN AGENDA
ITEMS NOT ON TODAY'S AGENDA**

00 : 03 : 00

- Closed Session Report
- Board Communications
- Staff and General Manager Reports

ADMIN AGENDA

CONSENT AGENDA

- A) Adoption of Resolution No. 3446 Permitting the Board of Port Commissioners to Continue to Conduct Remote Teleconference Meetings Pursuant to AB 361**
- B) Approval of Out-of-Town Travel Requests**
- C) Adoption of Resolution No. 3447 Accepting the Work of JTEC Corporation for the 1575 Ventura Harbor Trash Enclosure Project**

PUBLIC COMMUNICATION CONSENT AGENDA

00 : 03 : 00

**Adoption of Resolution No. 3448 Approving
the Financial Statements and Checks for
October through December 2021**

RECOMMENDATION

That the Board of Port Commissioners adopts Resolution No. 3448 to:

- a) Accept the draft financial statements for the Quarter ending December 31, 2021; and,
- b) Review the payroll and regular checks for October through December 2021.

**STANDARD
AGENDA
ITEM
1**

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

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 1

00 : 03 : 00

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TimeUp Reminder (Optional):

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None

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None

**Adoption of Resolution No. 3449 Amending the
COVID-19 Ventura Harbor Rental Abatement
and Deferment Program**

RECOMMENDATION

The Board adopt Resolution No. 3449 amending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

**STANDARD
AGENDA
ITEM
2**

**Report by:
Brian D. Pendleton, General Manager
Todd Mitchell, Sr. BOM**

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 2

00 : 03 : 00

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TimeUp Reminder (Optional): --

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**VENTURA
PORT DISTRICT**

Established 1952

Standard Item: 2 COVID-19 Rental Abatement and Deferment Amendment

**Report by Brian D.
Pendleton**

BACKGROUND

- COVID-19 Pandemic impacted the Harbor businesses due to closure or partial closure.
- The response to assist all the tenants who were directly impacted was the Board-approved “COVID-19 Ventura Harbor Rental Abatement and Deferment Program”.
- Current program summary:
 - Rental abatement (50% CAM and 100% Promotional Fees) from April 2020 to June 2021.
 - Rental deferment (50% CAM and 100% Base Rent) from April 2020 to June 2021.
 - Schedule for repayment - 40% due by December 31, 2021, and the remaining balance due by June 30, 2022.
 - Board-approved extended schedule for repayment through December 31, 2022.
- 90% tenants have repaid deferred rents.

CITY OF VENTURA ORDINANCE 2020-024

- Deferred rents
 - Repayment schedule 40% of deferred rent due by July 31, 2021, and the remaining balance due by January 31, 2022.
- Provides the ability for landlords and tenants to negotiate other mutually agreeable terms (e.g.):
 - Longer repayment of deferred rents
 - Rental abatements

PROPOSED AMENDMENT

- Staff is recommending the below changes in response to reported hardships for qualifying businesses, which are VHV tenant with reported sales demonstrating > 80% reduction due to pandemic or determined “ineligible entities” by SBA:
- The General Manager would have the authority to make case-by-case adjustments to the repayment schedule:
 - All repayment received no later than June 30, 2023.
- Through the 15-month period of the Program (April 2020 - June 2021) qualifying businesses would receive:
 - 50% abatement of their Base Rent.
 - Abate the remaining 50% of CAM Fees (total of 100% CAM Fees abatement).

PROPOSED AMENDMENT (CONTINUED)

- Staff is recommending the following terms for this amendment:
 - Qualifying businesses complete a form verifying eligibility and acknowledging the obligation to repay the remaining balance prior to receiving the abatement credit.
 - Nothing in this repayment schedule prohibits early repayment.

FISCAL IMPACT & RECOMMENDATION

- **Fiscal Impact**

- If approved, the approximate total amount of abated Base Rent, CAM and Promotional Fees is \$303,128.

Recommendation

That the Board adopt Resolution No. 3449 amending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 2

00 : 03 : 00

Change Clock Type

Digital

Duration: 00 03 00

TimeUp Reminder (Optional): --

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Choose Sound Effect None

Choose TimeUp Sound Alarm

**Adoption of Resolution No. 3449 Amending the
COVID-19 Ventura Harbor Rental Abatement
and Deferment Program**

RECOMMENDATION

The Board adopt Resolution No. 3449 amending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

**STANDARD
AGENDA
ITEM
2**

**Report by:
Brian D. Pendleton, General Manager
Todd Mitchell, Sr. BOM**

**Update on State of Emergency due to the
Hunga Tonga Tsunami and Emergency
Measures to Restore District Assets**

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 19, 2022, set forth in Resolution No. 3441.

**STANDARD
AGENDA
ITEM
3**

**Report by:
Brian D. Pendleton, General Manager
John Higgins, Harbormaster**

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 3

00 : 03 : 00

**Approval of a Professional Services Agreement
with MRI Software**

RECOMMENDATION

That the Board of Port Commissioners approve a Professional Services Agreement with MRI Software for a three-year term with two-year option in the amount not to exceed \$65,000 for the first year of the contract.

**STANDARD
AGENDA
ITEM
4**

**Report by:
Todd Mitchell, Sr. BOM
Jessica Snipas, BOA**

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 4

00 : 03 : 00

Change Clock Type

Digital

Duration: 00 03 00

TimeUp Reminder (Optional): --

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Choose Sound Effect None

Choose TimeUp Sound Alarm



**VENTURA
PORT DISTRICT**

Established 1952

Standard Item: 4 Professional Services Agreement with MRI Software

**Report by Jessica
Snipas**

BACKGROUND

- The District uses the software SAGE 300 Construction and Real Estate (Sage) for its core accounting and property management functions.
- The software has been in use for over 2 decades and has limited property management functionality.
- Staff began seeking a combination accounting and property management software to replace SAGE in 2021.

SELECTION PROCESS

- Several software products on the market, but most lacked sufficient commercial property capabilities and/or were primarily designed for residential real estate.
- MRI and Yardi were identified to manage the Harbor Village shopping center and Master Leases while providing the necessary functions required to meet the Accounting Department needs.
- Staff found MRI's product well suited due to functionality, price point, level of service during the selection process, and reference provided.

SYSTEM SET-UP

- Data migration will be time consuming because it requires significant validation.
- SAGE includes many data fields that can be exported, but the leasing data is not stored within.
- MRI owns a subsidiary company called Leverton, which will be used to extract hundreds of key data fields from actual tenant lease documents in addition to human review.
- Once MRI is online, Staff anticipate operating both programs for a minimum of 2 months to ensure the transition has been successful.

FISCAL IMPACT & RECOMMENDATION

- Annual cost of MRI Software:
 - (For reference, annual cost of SAGE: \$7,157 with an average increase of 6% per year)
 - Annual increase of 5% or CPI (not to exceed 9%) per year = \$10,435
- Set-up costs for MRI Software:
 - Leverton: \$13,210
 - MRI: \$40,885

Recommendation

That the Board of Port Commissioners approve a Professional Services Agreement with MRI Software for a three-year term with two-year option in the amount not to exceed \$65,000 for the first year of the contract.

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 4

00 : 03 : 00

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Digital

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TimeUp Reminder (Optional): --

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**Approval of a Professional Services Agreement
with MRI Software**

RECOMMENDATION

That the Board of Port Commissioners approve a Professional Services Agreement with MRI Software for a three-year term with two-year option in the amount not to exceed \$65,000 for the first year of the contract.

**STANDARD
AGENDA
ITEM
4**

**Report by:
Todd Mitchell, Sr. BOM
Jessica Snipas, BOA**

**Ventura Port District Update as it Relates to
COVID-19**

RECOMMENDATION

That the Board of Port Commissioners receive an update on the status of COVID-19 in Ventura County.

**STANDARD
AGENDA
ITEM
5**

**Report by:
Brian D. Pendleton, General Manager**

PUBLIC COMMUNICATION STANDARD AGENDA ITEM 5

00 : 03 : 00



VENTURA
PORT DISTRICT

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ADJOURNMENT
NEXT MEETING APRIL 6, 2022

Ventura Harbor

HOME OF THE CHANNEL ISLANDS NATIONAL PARK