

## BOARD OF PORT COMMISSIONERS MEETING MARCH 16, 2022



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

Closed Session Report

Board Communications

Staff and General ManagerReports

## 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

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

#### **RECOMMENDATION**

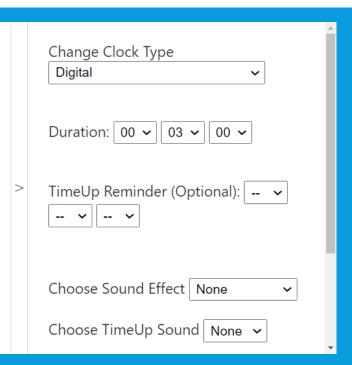
That the Board of Port Commissioners adopts Resolution No. 3448 to:

- 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



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

#### **RECOMMENDATION**

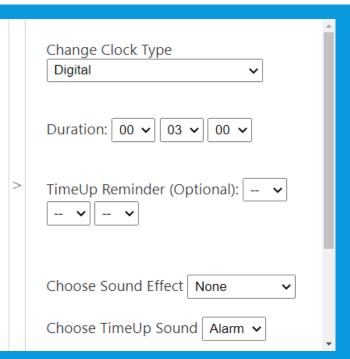
The Board adopt Resolution No. 3449 amending the COVID-19 Ventura Harbor Rental Abatement and Deferment Program.

## STANDARD AGENDA ITEM

2

Report by: an D. Pendleton, General Ma

Brian D. Pendleton, General Manager Todd Mitchell, Sr. BOM





## 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)

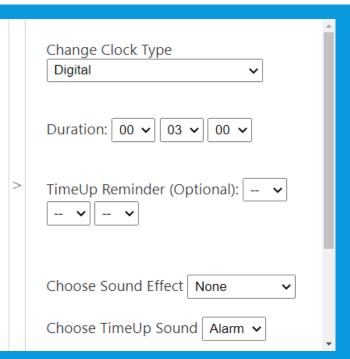
- Staff is recommending the following terms for this amendment:
- Qualifying businesses complete a form verifying eligibility and acknowledging the obligation to repay the remaining balance prior to receiving the abatement credit.
- Nothing in this repayment schedule prohibits early repayment.

#### 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.



## 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

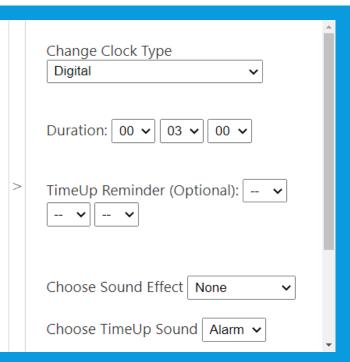
### Approval of a Professional Services Agreement with MRI Software

#### 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





## 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

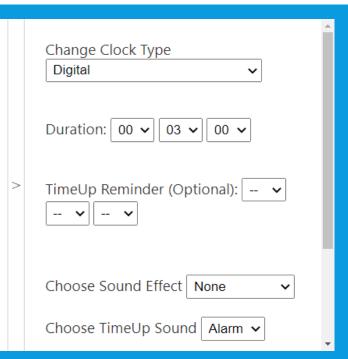
- Data migration will be time consuming because it requires significant validation.
- SAGE includes many data fields that can be exported, but the leasing data is not stored within.
- MRI owns a subsidiary company called Leverton, which will be used to extract hundreds of key data fields from actual 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.



### 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



## ADJOURNMENT NEXT MEETING APRIL 6, 2022

