

**OXNARD HARBOR DISTRICT
MINUTES**

MONDAY, JANUARY 26, 2009

Jesse Ramirez, President

Raymond E. Fosse, Vice President

Jess Herrera, Commissioner

Michael A. Plisky, Secretary

Manuel M. Lopez, Commissioner

The regular meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Jesse Ramirez at 5:00 p.m. on Monday, January 26, 2009 at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

ROLL CALL:

Present: Commissioners Fosse, Herrera, Lopez, Plisky and Ramirez

PUBLIC COMMUNICATIONS

Mr. Ray Pizarro addressed the Board on behalf of his wife Mrs. Susan Pizarro requesting that the Board withdraw the District's opposition to Mrs. Pizarro's claim for unemployment insurance benefits.

Commissioner Fosse moved to adjourn to Closed Session Pursuant to Government Code Section 54957 – Personnel Matters. Commissioner Herrera seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez

NOES: None

ABSENT: None

President Ramirez opened the public session.

Legal Counsel reported that the Board in Closed Session denied the request that the appeal of Susan Pizarro's unemployment insurance claim be withdrawn. Legal Counsel reported that the vote was unanimous.

CONSENT AGENDA:

1. Minutes

RECOMMENDATION

Approve the minutes of the special meeting of Thursday, January 8, 2009 and the regular meeting of Monday, January 12, 2009.

Commissioner Fosse moved to approve the recommendation. Commissioner Plisky seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez

NOES: None

ABSENT: None

SPECIAL ORDERS

1. Review and Discussion of Annual Financial Report for the Years Ended June 30, 2008 and 2007 and Activity Reports for the Year ended June 30, 2008 (Continued from January 12, 2009 meeting.

RECOMMENDATION

Information

Mr. Paul Kaymark representing the Audit Firm Charles Z. Fedak & Company discussed the District's Financial Report for year ending June 30, 2008. Commissioner Fosse felt that the report was good, but stated that he was concerned by the timeliness of the Board receiving it. Commissioner Fosse stated that if the District needs additional help internally the Audit Committee should be advised and additional staff will be obtained. Commissioner Fosse stated that waiting seven months to receive the District's financial report is inexcusable. Mr. Kaymark recommended the audit process begin in August with a completion date in September. Mr. Kaymark stated that this year's audit was scheduled in September which caused delays for them with the State of California State Controllers report due at the end of October. Commissioner Plisky inquired if there was a required delivery date indicated in our contract with Charles Z. Fedak & Company. Commissioner Plisky stated that the auditor has the responsibility to let the Board know if there is a problem in getting the report in a timely manner.

2. **Board of Harbor Commissioners 2009 Committee Assignments**
RECOMMENDATION

Approve 2009 Board of Harbor commissioner Committee Assignments.

Commissioner Fosse moved to approve the recommendation. Commissioner Plisky seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

CORRESPONDENCE

1. **Ventura County Special Districts Association (VCSDA) Annual Dinner Meeting, Tuesday, February 3, 2009**
RECOMMENDATION

Information/On Calendar of Events

The Executive Director reported that the Deputy Executive Director – Administration will be installed as the President at the VCSDA Annual Dinner.

EXECUTIVE DIRECTOR'S REPORT

1. **Management Staff "To Do List"**
RECOMMENDATION

Information.

2. **Public Relations Roadmap FY 2007-2008**
RECOMMENDATION

Information.

The Executive Director reported that a formal request has been made to Ms. Donna Helms of the Oxnard Neighborhood Council to arrange a meeting with their representatives at the District or at their meeting location.

The Executive Director report that the District plans to extend an invitation to newly elected Supervisor John Zaragoza and newly elected City Council Members from Oxnard and Port Hueneme for a tour and lunch at the Port.

The Executive Director reported that the latest District electronic newsletter has been sent out.

The Executive Director asked that the Board let staff know if they would like one-on-one meetings set up with key community leaders.

Commissioner Plisky requested that staff make a master list of all key community leaders and their phone numbers for the Board to review who they have and have not met with.

3. Approval of Revised Calendar of Events for FY 2008-2009

RECOMMENDATION

Consider revisions to the Calendar of Events to include events for participation by members of the Board of Harbor commissioners that are in the public interest or promote the business of the Harbor District.

The Executive Director reported that on February 10th the Assistant Secretary of the Army for Civil Works, John Paul Woodley, Jr. will be visiting the Port and the dredging site and that the District and NBVC will host a tour and dinner to discuss the dredging project and future deepening of the harbor.

Commissioner Plisky requested that staff prepare a talking points summary for the meeting with the Assistant Secretary of the Army and for the upcoming AAPA Spring Conference in Washington D.C.

The Executive Director reported that the WTCA North American Regional Meeting will be February 15-18 in Vera Cruz, Mexico.

The Executive Director reported that Association of Pacific Ports Mid-Year Conference would be held on February 12-13 in Honolulu, Hawaii and that Commissioner Lopez and Ms. Cofer will be representing the District.

The Executive Director reported on an invitation received from the Consul General of Mexico for Thursday, February 5th at Casa Lopez promoting Mexican imports.

The Executive Director reported on notices and invitations received by the District that were not placed on the Calendar of Events. The Executive Director reported on the El Concilio 20th Annual Leadership on March 21st and recommended the purchase of tickets only and not sponsorship. Commissioner Herrera requested that this item be brought back at the next meeting for discussion.

Commissioner Plisky moved to approve the recommendation. Commissioner Fosse seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

4. The Japan America Society of Southern California 100th Anniversary Dinner & Gala Celebration

RECOMMENDATION

Board will consider actions – 1) To approve Silver Sponsorship for the Japan America Society of Southern California as allocated in the FY 08-09 Operating Budget; or 2) to reduce participation in the Japan America Society of Southern California Dinner & Gala to tickets only; or 3) to remove the Japan America Society of Southern California Dinner & Gala from the FY 08-09 Calendar of Events.

Commissioner Herrera moved to approve sponsorship of the Japan America Society of Southern California at the Silver Sponsor level at a cost of \$4,000. Commissioner Plisky seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

REPORT OF ATTENDANCE AT MEETINGS, ACTIVITIES APPROVED ON THE CALENDAR OF EVENTS, OR CIVIC OR SPECIAL FUNCTIONS

The Executive Director reported that he and the Board attended the Oxnard Chamber of Commerce Installation Gala. Commissioner Ramirez reported on his attendance at the Oxnard Chamber Gala and performing the swearing-in ceremony for the new officers. Commissioner Herrera commented that during the Oxnard Chamber of Commerce Installation Gala Commissioner Plisky was recognized for his thirty-five years of community service and that it was well deserved.

FACILITIES DEVELOPMENT

1. Status Report and Discussion of the US COE, NBVC and OHD Maintenance Dredging Project

RECOMMENDATION

Information

The Director of Facilities Development reported on the status of the US COE, NBVC and OHD Maintenance Dredging Project.

Commissioner Plisky commented that documentation of the dredging project should be promoted in future press releases and presentations. Commissioner Plisky asked that the cost of replenishing the beach be calculated and added to the list of things the District contributes to the City.

Commissioner Ramirez requested that a follow-up report be presented to the Board at a future meeting.

REPORT DEPUTY EXECUTIVE DIRECTOR - ADMINISTRATION

**1. December 2008 Treasurer’s Report
RECOMMENDATION**

Receive.

Commissioner Fosse moved to approve the recommendation. Commissioner Plisky seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

MARKETING AND PUBLIC INFORMATION

**1. Consideration of Resolution No. 1023 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Endorsing the California Consensus on Federal Transportation Authorization policies.
RECOMMENDATION**

Approve Resolution No. 1023 endorsing the collaboratively developed California Consensus on Federal Transportation Authorization 2008 document and the final Southern California Priorities document proposal for the 2009 Federal Transportation Authorization Bill.

Commissioner Plisky moved to approve the recommendation. Commissioner Herrera seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

**2. Port Hueneme Chamber of Commerce, Annual Installation and Awards Dinner, Friday, February 27, 2009
RECOMMENDATION**

Approve sponsorship in the amount of \$800.00 and authorize the purchase of additional tickets for attendance at this event for members of the District staff, as needed.

Commissioner Plisky moved to approve the recommendation. Commissioner Fosse seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

BOARD OF HARBOR COMMISSIONERS COMMENTS

Commissioner Herrera commented on an article from AAPA entitled “Seaports Deliver Prosperity” and that we should look forward to the next peak and not worry so much about this current valley and that we stay positive.

DISBURSEMENTS

1. **January 26, 2009**
RECOMMENDATION
Approve.

Commissioner Fosse moved to approve the recommendation. Commissioner Plisky seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Lopez, Plisky, and Ramirez
NOES: None
ABSENT: None

CLOSED SESSION

Legal Counsel reported that Commissioner Herrera and Commissioner Ramirez indicated that they may have a possible remote conflict in regards to the Wallenius/Wilhelmsen Terminal Agreement and left the Board room and did not participate in the discussions or action taken by the Board.

1. **Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiators. Agency Negotiator: Anthony J. Taormina, Negotiating Parties: Len Mazzella, WWL, Under Negotiations: Wallenius/Wilhelmsen Terminal Agreement – 333 Ponomo Street, Port of Hueneme, CA.**

Legal Counsel reported that the Board in Closed Session approved in principle the Fourth Modification of Agreement to extend the term commencing January 1, 2009, to modify Wharfage effective March 1, 2009, to provide OCP and Export Incentives and to make other general changes as submitted by staff on January 26, 2009.

Legal Counsel reported that the Board in Closed Session authorized the Executive Director and Management Staff to enter in a Non-Disclosure Agreements for the purpose of negotiating with the WWL Group additional cargo for the Port of Hueneme and to approve an exclusive period for planning, marketing and soliciting this additional cargo commencing March 1, 2009 and expiring June 30, 2009.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Plisky moved to adjourn. Commissioner Fosse seconded the motion.
Meeting adjourned at 7:00 p.m.

Respectfully Submitted,

Bettina L. Schmock
Executive Assistant