

OXNARD HARBOR DISTRICT MINUTES

MONDAY, FEBRUARY 22, 2010

Raymond E. Fosse, President

Michael A. Plisky, Vice President

Manuel M. Lopez, Commissioner

Jess Herrera, Secretary

Jesse J. Ramirez, Commissioner

The regular meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Raymond E. Fosse at 5:00 p.m. on Monday, February 22, 2010, 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
Absent: None

CONSENT AGENDA:

1. Minutes

RECOMMENDATION

Approve the minutes of the meeting of February 8, 2010.

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

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

NOES: None

ABSENT: None

President Fosse declared the motion carried.

SPECIAL ORDERS:

1. Presentation by the Ventura County Maritime Museum (Request for participation in the Ventura County Maritime Museum Capital Program).

RECOMMENDATION

Information.

Mr. William Buenger, President, and Mr. Bill Conroy, Executive Director, for the Ventura County Maritime Museum presented plans for relocating the Museum from its current location at Channel Islands Fisherman's Wharf to the former Port Royal Restaurant in the Channel Islands Harbor. Mr. Buenger also discussed the capital program to raise funds for the relocation and improvements associated with the new facility.

2. **Consideration of Administrative Policy No. 3176 – A policy of the Board of Harbor Commissioners, Oxnard Harbor District, establishing a “Driving Policy”.**

RECOMMENDATION

Approve the revised Oxnard Harbor District Administrative Policy No. 3176.01 (Driving Policy) as submitted and authorize the President and Executive Director to execute and place in the District’s Administrative Policy Manual.

The Executive Director reported on and recommended approval of the revised Oxnard Harbor District Administrative Policy No. 3176.01 (Driving Policy) as submitted and authorize the President and Executive Director to execute and place in the District’s Administrative Policy Manual.

Mr. Danny Carrillo, member representative for the SEIU Local 721, commented that clarification of various items in the Driving Policy was not sufficient during the meet and confer meeting with the Executive Director. Mr. Carrillo asked the Board on behalf of the SEIU members that the item be tabled and to direct the Executive Director to meet with SEIU members regarding changes to this policy.

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

AYES: Commissioners Fosse, Lopez, and Plisky

NOES: Commissioners Herrera and Ramirez

ABSENT: None

President Fosse declared the motion carried three votes to two.

3. **Consideration of Administrative Policy No. 3178 – A policy of the Board of Harbor Commissioners of the Oxnard Harbor District, establishing a “Trash Bin and Waste Materials” Policy.**

RECOMMENDATION

Approve the revised Oxnard Harbor District Administrative Policy No. 3178 – A policy of the Board of Harbor Commissioners of the Oxnard Harbor District Establishing a Trash Bin and Waste Material Policy.

The Executive Director reported on and recommended approval of the revised Oxnard Harbor District Administrative Policy No. 3178 – A policy of the Board of Harbor Commissioners of the Oxnard Harbor District Establishing a Trash Bin and Waste Material Policy.

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

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

NOES: None

ABSENT: None

President Fosse declared the motion carried.

President Fosse declared a five minute recess.

4. **CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – Pursuant to Government Code Section 54956.9 – Discussion of Settlement of Potential Litigation with owners of the M/V Otello, M/V Otello and Wallenius Wilhelmsen [one case].**

Legal Counsel reported that the Board in Closed Session approved the terms of an offer of Settlement of the damages occurred by the M/V Otello to be embodied in a General Release and Indemnity Agreement that has been presented to the Board.

CORRESPONDENCE

1. **Letter of appreciation from Ms. Nancy Lindholm, President/CEO Oxnard Chamber of Commerce for the District’s sponsorship of the 2010 Annual Installation Gala.**
RECOMMENDATION
Information.

EXECUTIVE DIRECTOR’S REPORT

1. **Management Staff “To Do List”**
RECOMMENDATION
Information.
2. **Public Relations Roadmap FY 2008-2009**
RECOMMENDATION
Information.
3. **Discussion of the Revised Calendar of Events for FY 2009-2010**
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.

Commissioner Ramirez 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

President Fosse declared the motion carried.

4. Consideration of participation at the El Concilio 21st Annual Latino Leadership Awards, March 20, 2010.

RECOMMENDATION

Consideration of a Table Sponsorship at a cost of \$1,500 or purchase of individual tickets at a cost of \$125 each.

The Executive Director reported on the El Concilio 21st Annual Latino Leadership Awards to be held on March 20, 2010 and commented that the event would conflict with delegates traveling to the AAPA/CMANC meetings in Washington, D.C.

Commissioner Ramirez moved to approve a Table Sponsorship for the El Concilio 21st Annual Latino Leadership Awards at a cost of \$1,500. Commissioner Lopez seconded. The vote was as follows:

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

NOES: None

ABSENT: None

President Fosse declared the motion carried.

5. Consideration of modification of Royal Host Catering Truck Permit for new "Hot Truck".

RECOMMENDATION

Subject to the District receiving the requested information, the Board may consider a modification of the permit to substitute a catering truck for Royal Host Catering Truck Permit.

The Executive Director reported that Mr. Nick Carzis, owner of Royal Host Catering, informed the District today that the address on his Permit is incorrect and submitted his correct address. Mr. Carzis also notified the District that he did not purchase a new catering truck, but is leasing one. Commissioner Plisky requested that staff prepare a letter to Mr. Carzis regarding his disposal of trash on Port property. The Executive Director recommended that this item be brought back to the Board at a future date for discussion.

Commissioner Plisky moved to place this item on a future agenda. Commissioner Ramirez seconded.

The vote was as follows:

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

NOES: None

ABSENT: None

President Fosse declared the motion carried.

6. **Report on Oxnard Harbor District “Non-Compliance Truck Report” submitted to the California Air Resources Board by E2 Manage Tech.**
RECOMMENDATION

Information.

7. **Consideration of a written Settlement Agreement with owners of the M/V Otello, M/V Otello and Wallenius Wilhelmsen for repairs of Wharf 1 and Wharf 2 Damages.**
RECOMMENDATION

Consideration of Settlement Agreement by the Board.

The Executive Director reported that a copy of the General Release and Indemnity Agreement (Revised Draft #2) was received at 4:00 p.m. on Monday, February 22, 2010 and was placed in the Public File.

Commissioner Ramirez moved to approve the Settlement Agreement with owners of the M/V Otello, M/V Otello and Wallenius Wilhelmsen for repairs of Wharf 1 and Wharf 2 damages. Commissioner Plisky seconded. The vote was as follows:

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

NOES: None

ABSENT: None

President Fosse declared the motion carried.

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

Commissioner Fosse reported on his attendance at the Port of Hueneme Chamber of Commerce Breakfast.

REPORT DEPUTY EXECUTIVE DIRECTOR – MARITIME SERVICES

1. **Report on January Cargo Performance**
RECOMMENDATION

Information.

FACILITIES DEVELOPMENT

1. **Capital Outlay Program Status Report and Update**
RECOMMENDATION

Information.

The Director of Facilities Development presented to the Board a plaque for Port of Hueneme CAD project being selected the Project of the Year by the Society of American Military Engineers at the National Engineers Week.

REPORT DEPUTY EXECUTIVE DIRECTOR - ADMINISTRATION

1. January 2010 Treasurer's Report.

RECOMMENDATION

Receive.

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

President Fosse declared the motion carried.

2. Report on the M/V Otello Damages and Claims.

RECOMMENDATION

Information.

3. Discussion of "Overview for Proposal, Contract and Scope of Project" for Teambuilding Services for the Oxnard Harbor District with BHI Management Consulting.

RECOMMENDATION

Information. To be continued to a future meeting.

MARKETING AND PUBLIC INFORMATION

1. Report on upcoming District Events.

RECOMMENDATION

Information.

COMMITTEE REPORTS

1. Business Services Committee

RECOMMENDATION

Information.

The Executive Director reported that the Business Services Committee met on February 17, 2010 to discuss the Non-MOU Employee Benefits Resolution.

2. **Consideration of Wastewater Agreement between the City of Port Hueneme and Oxnard Harbor District**

RECOMMENDATION

Approve the Wastewater Agreement Between the City of Port Hueneme and Oxnard Harbor District and authorize the Executive Director to execute the Agreement in substantially the form presented.

The Executive Director reported that the City/Port Standing Committee met to review and discuss the Wastewater Agreement between the City of Port Hueneme and the Oxnard Harbor District.

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

President Fosse declared the motion carried.

DISBURSEMENTS

1. **February 22, 2010**

RECOMMENDATION

Approve.

Commissioner Ramirez 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

President Fosse declared the motion carried.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Herrera moved to adjourn. Commissioner Plisky seconded the motion.

Meeting adjourned at 7:10 p.m.

Respectfully Submitted,

Bettina L. Schmock
Executive Assistant