

**OXNARD HARBOR DISTRICT
MINUTES**

MONDAY, JULY 11, 2011

Jess Herrera, President

Manuel M. Lopez, Vice President

Jason T. Hodge, Commissioner

Jesse J. Ramirez, Secretary

Mary Anne Rooney, Commissioner

The regular meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Jess Herrera at 5:30 p.m. on Monday, July 11, 2011, at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

ROLL CALL:

Present: Commissioners Herrera, Hodge, Lopez, and Ramirez

Absent: Commissioner Rooney

PUBLIC COMMENTS:

Mr. Danny Carrillo, SEIU Local 721 representative, commented in opposition to Resolution No. 1075 and asked that the item be tabled. Mr. Carrillo asked the Board to consider bonus pay in lieu of wage adjustments for individuals taking on additional job duties.

CONSENT AGENDA:

1. **Minutes**
RECOMMENDATION
Approve the minutes of the regular meeting of June 27, 2011.
2. **Consideration of Renewal of “Lease of Boat Slip” between the Oxnard Harbor District and Tom Pencek for the vessel Swordfish.**
RECOMMENDATION
Approve boat lease between Oxnard Harbor District and Tom Pencek.
3. **Consideration of Renewal of “Lease of Boat Slip” between the Oxnard Harbor District and Manana Bait Company, Inc. for the vessel Manana.**
RECOMMENDATION
Approve boat lease between Oxnard Harbor District and Manana Bait Co., Inc.

Commissioner Lopez moved to approve the Consent Agenda. Commissioner Hodge seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez, and Ramirez

NOES: None

ABSENT: Commissioner Rooney
President Herrera declared the motion carried.

GENERAL CORRESPONDENCE

1. **Oxnard – Ocotlán Sister City Opening Ceremony, July 28, 2011 at Plaza Park, Oxnard. (Information)**
RECOMMENDATION
Information

The Executive Director reported that invitations were extended to Commissioners to attend the Ocotlán Sister City Opening Ceremonies on July 28, 2011 at Plaza Park in Oxnard. The Ocotlán Sister City group will visit the District for a tour on August 1, 2011.

EXECUTIVE DIRECTOR'S REPORT

1. **Report from the Executive Director regarding on-going projects and activities at the Oxnard Harbor District**
RECOMMENDATION
Information

The Executive Director reported on activities and on-going projects at the Oxnard Harbor District. The Executive Director discussed a draft letter to be sent to the Mayors of the City of Oxnard, Port Hueneme and Ventura County Transportation Commission regarding the Memorandum of Understanding for the extension of Rice Road to Highway 101 and the completion of the project.

2. **Calendar of Events for FY 2011 – 2012 Based Upon Preliminary Operating Budget**
RECOMMENDATION
Approve.

The Executive Director reported on and recommended approval of the Revised Calendar of Events.

Commissioner Hodge moved to approve. Commissioner Lopez seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez, and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

3. **Discussion and establishment of recruitment process for Executive Director.**
RECOMMENDATION
Information.

The Executive Director reported that the announcement for the position of Executive Director has been placed with the AAPA, District customers, CAPA members and APP members. In addition, a copy was sent to the Los Angeles and Pacific Northwest Gate Office of the Maritime Administration and a copy was sent to the Commanding Officer NBVC. The announcement has also been placed on the District's Website.

4. **Consideration of Resolution No. 1075 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Establishing Salaries for Fiscal Year 2011-2012 for Employees of the Oxnard Harbor District Excluding those Employees Covered by the SEIU Memorandum of Understanding . (Continued from last meeting – Approve)**
RECOMMENDATION

Approve Resolution No. 1075 with either the **Revised Exhibit 1** or the **original Exhibit 1** - A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District establishing salaries for fiscal year 2011-2012 for employees of the Oxnard Harbor District excluding those employees covered by the SEIU Memorandum of Understanding.

The Executive Director reported that this item was brought back from the last meeting of the Board of Harbor Commissioners as the President of the Board suggested that a general overall salary and wage adjustment be made for non-MOU employees. Since that meeting, the Executive Director met with the Board President and prepared the Revised Exhibit 1.

Commissioner Herrera commented that he is disappointed by the comments and position taken by the SEIU on this item. Commissioner Hodge reiterated his comments from the last meeting that he felt those individuals shouldering additional responsibilities and duties warranted an increase, but with the current economic climate he does not support an overall increase for all non-MOU employees. Commissioner Lopez commented that the matter needs to be heard by the full Board.

Commissioner Ramirez moved to table the motion until the next meeting for further research and to have the full Board in attendance. Commissioner Lopez seconded. The vote was as follows:

AYES: Commissioners Hodge, Lopez, Ramirez

NOES: Commissioner Herrera

ABSENT: Commissioner Rooney

President Herrera declared the motion carried three votes to one.

5. **Continued discussion of the Preliminary Operating Budget, Capital Outlay Plan, and Debt Schedule for the Fiscal Year 2011-2012. (The Board will conduct a public hearing for the adoption of a Final Operating Budget on Monday, July 25, 2011)**

RECOMMENDATION

Information.

The Executive Director reported that the public hearing and final adoption of the Budget for FY 2011-2012 is scheduled for July 25th. The only change has been a request to add to the budget a President's Dinner.

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

The Executive Director reported that Commissioner Rooney is attending the AAPA Economic Development Seminar in Portland, Oregon and is a presenter on Foreign Trade Zones.

REPORT DEPUTY EXECUTIVE DIRECTOR – MARITIME SERVICES

1. **Report on Cargo Performance – Maritime Services Business Line.**

RECOMMENDATION

Information

The Deputy Executive Director – Maritime Services reported on cargo performance and on-going projects.

2. **Request from TracTide Marine Corp. for reconsideration of a Throughput Fee Rate Increase and consideration of Modification #1 to the Lease Agreement between TracTide Marine Corp. and the Oxnard Harbor District. (Approve)**

RECOMMENDATION

Reconsider the request from TracTide Marine to increase the Throughput Rate, approve, effective July 15, 2012, a Throughput Rate of \$0.400 per gallon in accordance with Paragraph 7 of the Terminal Agreement between TracTide Marine and the Oxnard Harbor District and approve Modification # 1 to the Lease Agreement between TracTide Marine Corporation and Oxnard Harbor District.

The Deputy Executive Director-Maritime Services recommended the Board reconsider the request from TracTide Marine to increase the Throughput Rate, approve, effective July 15, 2012, a Throughput Rate of \$0.400 per gallon in accordance with Paragraph 7 of the Terminal Agreement between TracTide Marine and the Oxnard Harbor District and approve Modification # 1 to the Lease Agreement between TracTide Marine Corporation and Oxnard Harbor District.

Commissioner Ramirez moved to approve. Commissioner Lopez seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

FACILITIES DEVELOPMENT

1. Capital Outlay Program Status Report and Update.

RECOMMENDATION

Information

SECURITY PROJECTS

1. Consideration of Modification #1 to the Cooperation Research Development Agreement with the U.S. Naval Postgraduate School for the preparation of an Oxnard Harbor District Emergency Operations Plans (Security Grant Project). Approve

RECOMMENDATION

Approve the Executive Director to execute Modification #1 to the Standard Navy Cooperation Research Development Agreement between the U.S. Naval Postgraduate School and the Oxnard Harbor District for Port of Hueneme Emergency Planning and Preparedness Studies for the preparation of an Emergency Operations Plan in the amount of \$97,000.

Mr. Scott Brewer of Center for Asymmetric Warfare, (CAW), presented a slide show on the Oxnard Harbor District Emergency Operations Plan (EOP), development process. Mr. David Cruz, Moffatt & Nichol presented Continuity of Operations Plan, which ties into the EOP and falls under Security Grants.

Commissioner Ramirez moved to approve. Commissioner Hodge seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

2. Consideration and approval of Modification # 3 Task Order # 10 with Moffatt & Nichol for Professional Services associated with the Oxnard Harbor District Security Grant Program (ARRA Stimulus). Approve

RECOMMENDATION

Approve Modification #3 Task Order #10 with Moffatt & Nichol for Professional Services associated with the Oxnard Harbor District Security Grant Program (ARRA Stimulus).

Commissioner Hodge moved to approve. Commissioner Ramirez seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

3. Consideration of Change Order #1 with Tetra Tech Construction Services Inc. for the Port Wide Fiber Optic Network Project (Approve).
RECOMMENDATION

1. Approve change order No. 1 to the Contract with Tetra Tech Construction Services, Inc. in the amount of \$317,411.63 and adding twenty seven (27) consecutive calendar days to the time for completion. The revised contract price will therefore be \$938,379.40 and the revised date for completion of all work will therefore be September 16, 2011.

2. Authorize the Executive Director to executive Change Order No. 1 on behalf of the District.

Commissioner Hodge commented as to why the change order was necessary as change orders were a concern when awarding the contract. Mr. Cruz with Moffatt & Nichol explained that since the JOSC now includes modifications for increased capacities to the Administration building, that requires additional work.

Commissioner Lopez moved to approve. Commissioner Ramirez seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

MARKETING AND FOREIGN TRADE ZONE SERVICES

1. Marketing & Public Relations Updates
RECOMMENDATION
Information

The Executive Director requested Commissioners make reservations for participation in community events with the Executive Assistant.

VENDORS AND PURCHASE ORDERS (Less than \$10,000 annually)

RECOMMENDATION

Information

The following purchase of services, supplies, materials and equipment has been approved by the Executive Director in accordance with Administrative policy 4205.1B:

- Bernardo's Flowers, Inc. - \$139.61 – Employee Relations (4540-1400)

MEMBERSHIPS AND SERVICE CONTRACTS

1. 2012 Professional Affiliation memberships to be included in the Oxnard Harbor District's Final Operating Budget.

RECOMMENDATION

Approve Professional Association Memberships in CSDA, VCSDA, GFOA, CSMFO and CMTA.

- a) VCSDA- Ventura County Special District's Association. Membership Dues and events. \$500 / Public Agency Affiliations-Finance Dept (6130-1200)
- b) CSDA- California Special District's Association. Membership dues and events. \$4,500 / Public Agency Affiliations-Finance Dept (6130-1200)
- c) GFOA- Government Finance Officers Association. Annual Membership Dues and CAFR award submission costs. \$550 / Professional Affiliations-Finance Dept (6130-1200)
- d) CSMFO- California Society of Municipal Finance Officers. Annual Membership Dues and events. \$100 / Professional Affiliations-Finance Dept (6130-1200)
- e) CMTA- California Municipal Treasurers Association. Annual Membership Dues \$155 / Professional Affiliations-Finance Dept (6130-1200)

2. Consideration of Modification #2 to the Scientific Laboratories Professional Services Agreement.

RECOMMENDATION

Approve as submitted

Commissioner Hodge moved to approve item R.1 and R.2. Commissioner Lopez seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

DISBURSEMENTS

- 1. **July 11, 2011**
RECOMMENDATION
Approve

Commissioner Ramirez moved to approve. Commissioner Hodge seconded. The vote was as follows:

AYES: Commissioners Herrera, Hodge, Lopez, and Ramirez

NOES: None

ABSENT: Commissioner Rooney

President Herrera declared the motion carried.

VENTURA COUNTY RAILROAD COMPANY, LLC (MEMBER MATTERS)

- 1. **Consideration of Resolution No. 1076 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District, Sole Member of Ventura County Railway Company, LLC, A California Limited Liability Company, Designating Persons Authorized to Sign Checks.**
RECOMMENDATION

Approve Resolution No. 1076 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District, Sole Member of Ventura County Railway Company, LLC, A California Limited Liability Company, Designating Persons Authorized to Sign Checks.

The Executive Director reported on and recommended approval of Resolution No. 1076 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District, Sole Member of Ventura County Railway Company, LLC, A California Limited Liability Company, Designating Persons Authorized to Sign Checks.

Commissioner Lopez moved to approve. Commissioner Ramirez seconded. The vote was as follows:

AYES: Commissioners Herrera, Lopez, and Ramirez

NOES: Commissioner Hodge

ABSENT: Commissioner Rooney

President Herrera declared the motion carried three votes to one.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Ramirez moved to adjourn the meeting. Commissioner Hodge seconded the motion. Meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Robin D. Campos
Account Clerk