

OXNARD HARBOR DISTRICT MINUTES

MONDAY, JULY 14, 2008

Jess Herrera, President

Nao Takasugi, Vice President
Jesse Ramirez, Secretary

Raymond E. Fosse, Commissioner
Michael A. Plisky, Commissioner

The regular meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Jess Herrera at 5:00 p.m. on Monday, July 14, 2008 at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

ROLL CALL:

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

PUBLIC COMMUNICATIONS:

The following people spoke in regards to the SEIU contract negotiations: Mr. Richard Danglo, Ms. Janet Ritza, Mr. Miklos Elo, Mr. Mark Christian, Mr. William Ruelas, Jr., Mr. Anthony Ryan, Mr. Albert Sierra, and Mr. Al Valasquez.

CONSENT AGENDA:

- Minutes**
RECOMMENDATION
Approve the minutes of the regular meeting of Monday, June 23, 2008.
- Revised Calendar of Events for FY 2007-2008**
RECOMMENDATION
Approve revisions and additions as indicated on the District's Calendar of Events for FY 2007-2008.
- Approve increase in sponsorship of the Association of Pacific Ports 2008 Annual Conference, August 10-13, 2008, Stockton, CA**
RECOMMENDATION
Approve Breakfast for Everyone sponsorship in lieu of the Coffee Break Sponsorship at the Association of Pacific Ports 2008 Annual Conference at a cost of \$1,000.00.

4. **Resolution No. 1007 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Honoring Mr. James J. Kilpatrick for his Contribution and Service to the Oxnard Harbor District and the Port of Hueneme.**

RECOMMENDATION

Approve Resolution No. 1007 – A Resolution of the Oxnard Harbor District Board of Harbor Commissioners Honoring Mr. James J. Kilpatrick for his lifetime achievements and service to the Oxnard Harbor District, and the Port of Hueneme.

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

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez and Takasugi.
NOES: None

SPECIAL ORDERS

1. **Presentation of Oxnard Harbor District’s Final Operating Budget, Capital Outlay Plan and Debt Schedule for Fiscal Year 2008-2009.**

RECOMMENDATION

Following the Executive Director’s presentation, open the public hearing on the Final Operating Budget, Capital Outlay Plan and Debt Schedule for Fiscal Year 2008-2009.

The Executive Director presented the Oxnard Harbor District’s Final Operating Budget, Capital Outlay Plan and Debt Schedule for Fiscal Year 2008-2009.

Commissioner Plisky commented on the budget and the bargaining process and questioned if the budget could be adopted before negotiations are completed.

The Executive Director reported that there are resolutions that set forth the procedures for bargaining between the District employees and employer, which indicate that both parties will endeavor to complete the negotiations prior to the adoption of the final budget. Adoption of the final budget is a factor in completing the bargaining process prior to final action on the budget.

Commissioner Plisky recommended that the Board defer approval of the budget to give the bargaining team time to come to terms. Commissioner Plisky inquired if the MOU employees could continue to operate under the current contract until such time as the negotiation process is finished. The Executive Director responded that at the present time the District continues good faith negotiations with the SEIU and that the status quo of the contract has remained in tact. The Executive Director reported that the California Harbors and Navigation Code would allow for an additional two weeks to finalize the budget. The budget would then be required to be delivered to the Board of Supervisors.

2. **Public Hearing: This is the opportunity for the public to provide comments on the District's Preliminary and Final Operating Budget, Capital Outlay Plan and Debt Schedule for Fiscal Year 2008-2009.**

RECOMMENDATION

Take public comments and close the public hearing.

President Herrera declared opened the Public Hearing. There being no comments, President Herrera closed the Public Hearing. President Herrera recommended that items G. 3, G. 4, and G. 5 be deferred for two weeks until the completion of the SEIU negotiations. The Board unanimously agreed.

GENERAL CORRESPONDENCE

1. **Ventura Local Agency Formation Commission (LAFCO) Letter of June 26, 2008 and Ballot for the Election of an Independent Special District Alternate Member.**

RECOMMENDATION

Board to determine a nominee.

Commissioner Plisky moved to nominate Commissioner Ramirez. Commissioner Fosse seconded. The vote was as follows:

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez and Takasugi.
NOES: None

2. **Resolution E-4173 a Resolution of the Public Utilities Commission of the State of California allowing SCE to change Rule 18 to permit SCE master-metered customers at the Port of Long Beach and the Port of Hueneme to sub-meter cold-ironing load.**

RECOMMENDATION

Information only.

EXECUTIVE DIRECTOR'S REPORT

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

RECOMMENDATION

Information only.

The Deputy Executive Director – Administration reported on the status of the unfunded liability analysis report.

Commissioner Fosse asked if the District is acknowledging these numbers as of June 30th so that they will appear on the District's financial statements as a liability.

The Executive Director recommended that a meeting of the Business Services Committee be scheduled to discuss and determine how the District wants to proceed.

The Executive Director recommended that a media day event be discussed at the Public Relations Board Workshop to be scheduled in August. The Executive Director reported that the Executive Assistant will set a date for the workshop sometime in August.

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

RECOMMENDATION

Information only.

3. **Resolution No. 1008 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Establishing Salaries for Fiscal Year 2008-2009 for Employees of the Oxnard Harbor District Excluding those Employees Covered by the S.E.I.U. Memorandum of Understanding**
RECOMMENDATION

Approve and adopt Resolution No. 1004.

The Board unanimously agreed to defer this item to the July 28th meeting.

4. **Resolution No. 1009 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District approving and adopting the Capital Outlay Plan for Fiscal Year 2008-2009**

RECOMMENDATION

Approve and Adopt Resolution No. 1009.

The Board unanimously agreed to defer this item to the July 28th meeting.

5. **Resolution No. 1010 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Fixing the District’s Contribution Under the Public Employees’ Medical and Hospital Care Act**

RECOMMENDATION

Approve and adopt Resolution No. 1010.

The Board unanimously agreed to defer this item to the July 28th meeting.

6. **Discussion of the Executive Director’s June 30, 2008 Response to the April 16th Ventura County Grand Jury 2007-2008 Report: “Oxnard Harbor District: Port Security and Safety”**

RECOMMENDATION

Discuss and direct the Executive Director to make additional comments to the Ventura County Grand Jury regarding their 2007-2008 report.

The Board had no additional comments to the response given by the Executive Director to the Grand Jury.

7. **Standard Navy Cooperative Research and Development Agreement between Naval Postgraduate School and the Oxnard Harbor District, The Port of Hueneme, for Emergency Planning and Preparedness Studies associated with the FY 2008-2009 Operating Budget**

RECOMMENDATION

Approve the Executive Director to enter into the Standard Navy Cooperative Research and Development Agreement between Naval Postgraduate School and the Oxnard Harbor District for Port of Hueneme Emergency Planning and Preparedness Studies (e.g. Security Exercises, Training and Security Plan Update) in the amount of \$75,000 and authorize the Executive Director to execute the final Agreement.

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

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez and Takasugi.

NOES: None

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

1. **Japan America Society 99th Anniversary Dinner**

RECOMMENDATION

Information only.

The Executive Director reported on his attendance at this event and that Commissioners Herrera and Takasugi also attended.

REPORT DEPUTY EXECUTIVE DIRECTOR - ADMINISTRATION

1. **Resolution No. 1011 – Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District Amending Resolution No. 1003 Initiating Application Proceedings for the Sphere of Influence Amendment and Annexation of the Territory within Ventura County Elections Precinct No. 4392, Oxnard No. 546 to the Oxnard Harbor District.**

RECOMMENDATION

Approve Resolution No. 1011.

The Deputy Executive Director – Administration reported on the status of the Sphere of Influence Amendment and Annexation of the Territory within Ventura County Elections Precinct No. 4392, Oxnard No. 546 to the Oxnard Harbor District. Commissioner Plisky asked that the Board be notified when this action is finalized. Commissioner Plisky asked if staff has a process in place for future annexations. The Deputy Executive Director – Administration reported that the Executive Director of LAFCO has informed the District that if the City of Oxnard is in agreement they can include the District in any

future annexations of property at no cost to the District or any additional cost to the City of Oxnard. Commissioner Plisky asked that this item be included on the Executive Director's "Management To Do List".

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

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez, and Takasugi
NOES: None

MARKETING AND PUBLIC INFORMATION

1. Report from Mr. Tim Gallagher 20/20 on Public Information and Communication Programs.

RECOMMENDATION:

Information only.

Mr. Gallagher reported on the public opinion survey and his findings. Commissioner Takasugi suggested that the people involved in Mr. Gallagher's survey be invited to visit the port and be given a tour of the facilities.

BOARD OF HARBOR COMMISSIONERS COMMENTS

Commissioner Fosse expressed his concern regarding the Manager of the Railroad's authority and discretion in making decisions regarding the railroad as opposed to taking direction from the Board. Legal Counsel responded that with regards to small items the Manager has the ability to make those decisions. The Board determines under the Operating Agreement who the Manager will be and can determine whatever restrictions the Board wants. With regard to taking money from the Railroad and giving it to the District; the Railroad has a contract with the District for services, so the railroad is required to pay those to the District. If the railroad has surplus monies that it wants to distribute to the District, then that comes back to the Board as the membership to determine if they want to make that distribution or not.

Commissioner Fosse asked if payment for the upgrade to the Channel Islands Blvd. railroad crossing had been received from the City of Port Hueneme. The Deputy Executive Director – Administration reported that the work has been completed and the City invoiced for their portion of the cost. The Deputy Executive Director – Administration will verify receipt of the City's payment to the Railroad.

Commissioner Herrera asked if the District will be highlighting the World Trade Center association as part of our organization at upcoming events.

Commissioner Herrera inquired if the SCAG traffic study would be disseminated to the general public and the findings released to the media. The Executive Director responded that an op-ed piece is being considered to circulate the information from the study. Commissioner Plisky requested staff prepare a bullet summary sheet of the findings of the SCAG traffic study.

SERVICE CONTRACTS

1. **LAFCO**
RECOMMENDATION
Approve.

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

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez and Takasugi.
NOES: None

DISBURSEMENTS

1. **July 14, 2008**
RECOMMENDATION
Approve.

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

AYES: Commissioners Fosse, Herrera, Plisky, Ramirez, and Takasugi.
NOES: None

CLOSED SESSION

1. Pursuant to Government Code Section 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR, Agency Negotiator: Anthony J. Taormina, Employee Organization: SEIU, AFL-CIO, CLC, Local 721

Legal Counsel report that no action was taken.

2. Pursuant to Government Code Section 54957 PERSONNEL MATTERS.

Legal Counsel report that no action was taken.

3. Pursuant to Government Code Section 54957 PERSONNEL: Evaluation of the Executive Director

President Herrera report that no action was taken.

ADJOURNMENT

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

Meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Bettina L. Schmock
Executive Assistant