

OXNARD HARBOR DISTRICT MINUTES

MONDAY, AUGUST 29, 2011

Jess Herrera, President

Manuel M. Lopez, Vice President

Jason T. Hodge, Commissioner

Jesse J. Ramirez, Secretary

Mary Anne Rooney, Commissioner

The special meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Jess Herrera at 4:00 p.m. on Monday, August 29, 2011, at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

ROLL CALL:

Present: Commissioners Herrera, Hodge, Lopez, Ramirez and Rooney
Absent: None

PUBLIC COMMUNICATIONS: None

SPECIAL ORDERS:

1. **Authorization for District Staff to proceed with obtaining professional services proposals from Sutter Securities and Orrick, Herrington & Sutcliffe to proceed with a District Revenue Bond refinancing and refunding.**

RECOMMENDATION

Authorize District staff to solicit professional service agreements from Sutter Securities and Orrick for consideration by the Board of Harbor Commissioners at their September 12, 2011 regular scheduled meeting.

The Director of Finance and Administration reported on and recommended the Board Authorize District staff to solicit professional service agreements from Sutter Securities and Orrick for consideration by the Board of Harbor Commissioners regarding the possible refunding of the District's revenue bonds. The Director of Finance and Administration reported that due to scheduling conflicts staff would meet individually with members of the Business Services Committee to discuss this matter.

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

AYES: Commissioners Herrera, Hodge, Lopez, Ramirez and Rooney

NOES: None

ABSENT: None

President Herrera declared the motion carried.

Commissioner Herrera and Commissioner Ramirez announced they had a remote conflict of interest with regards to item 2 on the agenda and excused themselves from the discussions and left the Board Room.

2. **Consideration of District staff CEQA Analysis Related to the Amended and Restated Agreement with NYKCool and Making a Finding of No Environmental Effects.**

RECOMMENDATION

Make the finding that the proposed activities are not projects pursuant to CEQA and the activities have no significant effect on the environment.

The Executive Director gave a brief background description of the history and relationship that the District has with NYKCool and Chiquita Brands.

The Director of Facilities Development reported that the activities associated with the Amended and Restated Agreement are included within the originally approved E.I.R. for the Port Master Plan and subsequent CEQA evaluations associated with the Port's Master Plan, and the activities will not exceed any of the environmental thresholds established by the District and City of Port Hueneme. The Director of Facilities Development recommended that the Board find that the proposed activities are not projects pursuant to CEQA and the activities have no significant effect on the environment.

Mr. Bryan McDonald commented that the port has a positive impact on jobs in the local community and supports the ports efforts in attracting new business to the area.

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

AYES: Commissioners Hodge, Lopez and Rooney

NOES: None

ABSENT: None

Having left the Board room by reason of the announced conflict of interest, Commissioners Herrera and Ramirez did not vote on the matter.

Vice President Lopez declared the motion carried.

3. **Consideration of Resolution No. 1079 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District approving the Amended and Restated Agreement with NYKCool to encourage and accommodate a regular scheduled container operation at the Port of Hueneme.**

RECOMMENDATION

Approve Resolution No. 1079 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District approving the Amended and Restated Agreement with NYKCool to encourage and accommodate a regular scheduled container operation at the Port of Hueneme.

The Executive Director reported on and recommended approval of Resolution No. 1079 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District approving the Amended and Restated Agreement with NYKCool to encourage and accommodate a regular scheduled container operation at the Port of Hueneme.

Mr. Michael Karmelich, President, NYKCool, stated that he was present to respond to any questions from the Board.

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

AYES: Commissioners Hodge, Lopez and Rooney

NOES: None

ABSENT: None

Having left the Board room by reason of the announced conflict of interest, Commissioners Herrera and Ramirez did not vote on the matter.

Vice President Lopez declared the motion carried.

Vice President Lopez called for a five minute recess.

CLOSED SESSION

1. Pursuant to Government Code Section 54957 PERSONNEL MATTERS – Discuss Executive Director Recruitment with Consultant.

Legal Counsel reported that the Board in Closed Session accepted three applications for the Executive Director position that were received after the August 15th advertised deadline. The Board closed consideration of any additional applications received for the position. The Board approved Mr. Pete Wallace, Deputy Executive Director – Maritime Services as the Acting Executive Director beginning October 11, 2011.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Hodge moved to adjourn the meeting. Commissioner Lopez seconded the motion. Meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Bettina L. Schmock
Executive Assistant/Clerk of the Board