

**OXNARD HARBOR DISTRICT  
MINUTES**

**MONDAY, OCTOBER 13, 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, October 13, 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 COMMUNICATION:**

Ms. Janet Ritza of the ILWU Local 46 commented that she is interested in serving on a committee to discuss the a tribute area on the waterfront to recognize those Longshore workers who have lost their lives while on the job.

**CONSENT AGENDA:**

Commissioner Fosse asked that item 4 be pulled from the Consent Agenda for discussion.

**1. Minutes**

**RECOMMENDATION**

Approve the minutes of the regular meeting of Monday, September 8, 2008, special meeting of Wednesday, October 1, 2008 and special joint meeting of Wednesday, October 1, 2008.

**2. Consideration of month-to-month lease for use of portion of 5901 Edison Drive with BMW Motors.**

**RECOMMENDATION**

Authorize the Executive Director to execute a month-to-month lease with BMW of North America, LLC.

3. **Consideration of modification to month-to-month lease for use of additional property at the Channel Entrance Wharf area with Brusco Tug and Barge.**  
**RECOMMENDATION**

Approve modification to the lease between the Oxnard Harbor District and Brusco Tug and Barge and authorize the Executive Director to execute the new lease.

5. **Revised Calendar of Events**  
**RECOMMENDATION**

Approve the Consent Calendar including revisions and additions as indicated on the District's Calendar of Events for FY 2007-2008.

Commissioner Plisky moved to approve the recommendation for items #1, #2, #3 and #5. Commissioner Fosse seconded. The vote was as follows:

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

NOES: None

4. **Ratification of Extension of FY 2007 Supplemental Port Security Grant Program, Moffatt & Nichol and the Oxnard Harbor District extending term to September 30, 2008.**

Commissioner Fosse recommended that the dates on Task Order #1 be corrected to read June 30, 2008 and September 30, 2008. Commissioner Plisky seconded. The vote was as follows:

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

NOES: None

**CORRESPONDENCE**

1. **Letter from USCG Captain of the Port expressing appreciation for June 25-26, 2008 Full Scale Exercise.**

**RECOMMENDATION**

Information only.

2. **Association of Pacific Ports Fall Fly-in Fly-out Seminar on Rail Transportation Planning for Ports, Thursday, November 6, 2008.**

**RECOMMENDATION**

Information only.

3. **VCEDA 38<sup>th</sup> Annual Business Outlook Conference, Green is Gold, Friday, October 17, 2008.**

**RECOMMENDATION**

Information only.

## **EXECUTIVE DIRECTOR'S REPORT**

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

#### **RECOMMENDATION**

Information.

The Executive Director discussed the proposed special tribute area on the waterfront to harbor workers. The Executive Director reported that LAFCO will be holding a protest hearing on October 21, 2008 to hear public comment on the District's request to annex a new section of the City of Oxnard into the District's boundary.

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

#### **RECOMMENDATION**

Information.

The Executive Director commented that on November 1<sup>st</sup> staff would like to begin scheduling one-on-one meetings with Commissioners and key community leaders. The Executive Director asked that the Board contact the Executive Assistant with names of individuals that they would like to set up appointments with.

The Executive Director reported that the District's first virtual newsletter was launched on September 15<sup>th</sup> and a second newsletter is in production.

The Executive Director reported that the production of op-ed pieces for publication in the Ventura Star are on-going.

The Executive Director reported that the Director of Marketing will be working on setting up meetings with neighborhood council groups.

### **3. Report on October 1, 2008 City of Port Hueneme Council Meeting concerning the 1983 and 1987 Agreements between the City of Port Hueneme and the Oxnard Harbor District.**

#### **RECOMMENDATION**

Information.

The Executive Director reported that the City of Port Hueneme Council and the Oxnard Harbor District Board of Harbor Commissioners held a joint meeting on October 1, 2008 concerning the continuation of the 1983 and 1987 Agreements. The Executive Director reported that the City of Port Hueneme Council met later in the evening on October 1, 2008 and adopted a resolution concerning the continuation of the 1983 and 1987 Agreements. The Executive Director reported that a copy of the District's response was incorporated in the City Council's resolution as an attachment.

4. **Ratification of Modification #1 to the Professional Services Agreement with All Automotive Consultants, LLC for extension of time and an additional \$5,000 professional fees for additional services.**

**RECOMMENDATION**

Approve the actions of the Executive Director in modifying the All Automotive Consultants, LLC professional services agreement to increase the total from \$20,000 to \$25,000 and to extend the report to the Board of Harbor Commissioners from October 13<sup>th</sup> to October 27<sup>th</sup>.

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

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

NOES: None

5. **Consideration of second modification to Resolution No. 1005 – A resolution of the Board of Harbor Commissioners of the Oxnard Harbor District establishing employment benefits for employees not covered by the SEIU 721 Memorandum of Understanding, Harbor Commissioners, Retired Employees and Eligible Former Harbor Commissioners.**

**RECOMMENDATION**

Approve Amendment #2 to Resolution No. 1005 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District establishing employment benefits for employees not covered by the SEIU 721 Memorandum of Understanding, Harbor Commissioners, Retired Employees and Eligible Former Harbor Commissioners.

The Board asked that this item be brought back at the next meeting with revisions as recommended by Legal Counsel.

6. **Discussion of November 6, 2008 President's Dinner and Business Roundtable**

**RECOMMENDATION**

Information.

The Executive Director reported on preparations for the President's Dinner and Business Roundtable. Commissioner Ramirez and Commissioner Fosse felt that the Business Roundtable Program should be shortened to allow for attendance at both events. The Executive Director responded that the program would be revised.

**6.a Consideration of a professional services agreement for video services at the President's Dinner and for other video services.**

**RECOMMENDATION**

Approve selection of Home Video Studio to perform professional services for two five to seven minute videos for a fix fee amount of \$4,500 and authorize the Executive Director to execute the agreement.

Commissioner Fosse requested that the evening event be video taped and photographs taken as was done last year.

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

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

**6.b Consideration of proposal of proposal to CSUCI for Memorandum of Agreement for future activities and services.**

**RECOMMENDATION**

Consider the Executive Director's Report and make any recommendations regarding the proposal.

**7. Consideration of Task Order #3 with Moffatt & Nichol for continuation of Security Grant Management with the Oxnard Harbor District in the amount of \$50,000.**

**RECOMMENDATION**

Approve Project Request and Agreement Task Order #3 with Moffatt & Nichol in the amount of \$50,000 for Security Grant Support Services.

Commissioner Fosse expressed his concern regarding what the District is spending grant money for and would like to see a list of items that are being considered. The Executive Director recommended that security projects be discussed in closed session at the next meeting of the Board.

Commissioner Takasugi moved to approve the recommendation. Commissioner Plisky seconded. 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. American Association of Port Authorities, Annual Convention, Anchorage Alaska.**

The Executive Director reported on his attendance and attendance by Commissioner Ramirez, Commissioner Herrera and Commissioner Plisky at the American Association of Port Authorities, 2008 Annual Convention in Anchorage Alaska. The Executive Director reported that the Port of Hueneme is now on the AAPA Board of Directors. Commissioner Ramirez commented that members of AAPA requested Mr. Birkelo's attendance at future Engineering AAPA meetings.

**2. Report on visit to the Ports of Manzanillo and Lazaro Cardenas.**

The Executive Director reported on visiting the Ports of Manzanillo and Lazaro Cardenas in Mexico with Commissioner Ramirez and the Deputy Executive Director – Maritime Services. The delegation met with port officials and toured port facilities. The Executive Director reported that discussions were open regarding the Port of Hueneme becoming a little sister port of the Port of Lazaro Cardenas. Commissioner Ramirez reported on his visit to the Ports of Manzanillo and Lazaro Cardenas. Commissioner Ramirez reported on his meetings with port officials and visit to terminal facilities at both ports. Commissioner Ramirez reported that he felt it is important to establish a little sister port relationship with Lazaro Cardenas.

**FACILITIES DEVELOPMENT**

**1. Consideration of professional services agreement with HALCROW, Inc. for engineering services to review and evaluate the 1999 Harbor Deepening Concept in the amount of \$9,000.**

**RECOMMENDATION**

1. Approve Professional Services Agreement with Halcrow, Inc. for Engineering Services to Review and Evaluate the 1999 Harbor Deepening Concept for the Fixed Fee of \$9,000.
2. Authorize the Executive Director to execute the Agreement on behalf of the District.

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

**2. Consideration of Modification Seventeen (17) and Eighteen (18) to Joint Use Agreement N6871103RP03P36 Adjusting Project Scope for LTM Projects #2 and #3.**

RECOMMENDATION

1. Approve Modification Seventeen (17) and Eighteen (18) to the Joint Use Agreement N6871103RP03P36 between the Oxnard Harbor District and U.S. Government. 2. Authorize the Executive Director to execute the Modifications on behalf of the District.

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

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

**REPORT DEPUTY EXECUTIVE DIRECTOR - ADMINISTRATION**

1. **Consideration of Resolution No. 1018 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District casting the District’s vote for Commissioner Jesse J. Ramirez for Alternate Commissioner of the Ventura Local Agency Formation Commission**

RECOMMENDATION

Approve Resolution No. 1018 – A Resolution of the Board of Harbor Commissioners of the Oxnard Harbor District casting the District’s vote for Commissioner Jesse J. Ramirez for Alternate Commissioner of the Ventura Local Agency Formation Commission.

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

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

2. **August 2008 Treasurer’s Report.**

RECOMMENDATION

Receive.

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

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

3. **Authorization for Executive Director to solicit proposals for Insurance Brokerage Services for Oxnard Harbor District Insurance program.**

RECOMMENDATION

Authorize the Executive Director to solicit proposals for Insurance Brokerage Services for the Oxnard Harbor District Insurance Program.

Commissioner Plisky requested that a report be prepared comparing all proposals that are received. Commissioner Ramirez suggested that review of the proposals go before the Business Services Committee.

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

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

**4. Consideration of Memorandum of Agreement with the U.S. & Foreign Commercial Service International Trade Administration U.S. Department of Commerce and the Oxnard Harbor District and authorizing the President of the Board of Harbor Commissioners to execute the Agreement.**

**RECOMMENDATION**

Approve the attached Memorandum of Agreement between the Oxnard Harbor District and U.S. Foreign Commercial Service International Trade Administration U.S. Department of Commerce and authorize the President of the Board of Harbor Commissioners to execute the Agreement.

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

**BOARD OF HARBOR COMMISSIONERS COMMENTS**

Commissioner Plisky asked that the posting of the minutes on the website be updated.

Commissioner Herrera thanked staff for all their work their doing on the President's Dinner and Workshop.

**DISBURSEMENTS**

**1. August 25, 2008**

**RECOMMENDATION**

Approve.

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

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

President Herrera called for a five minute recess.

**CLOSED SESSION**

1. Pursuant to Government Code Section 54956.9 (b) – CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION – Claim of Ms. Susan Pizarro.

Legal Counsel reported that in closed session the Board considered the settlement offer and rejected it.

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

Legal Counsel reported that no action was taken.

## **ADJOURNMENT**

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

Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

Bettina L. Schmock  
Executive Assistant