

**OXNARD HARBOR DISTRICT  
MINUTES**

**MONDAY, DECEMBER 12, 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 4:30 p.m. on Monday, December 12, 2011, at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

**ROLL CALL:**

Present: Commissioners Herrera, Lopez, and Rooney

Absent: Commissioners Hodge and Ramirez

**PUBLIC COMMUNICATIONS:**

Mr. Robert Carr, Channel Islands Logistics, thanked the Port Hueneme Chief of Police and the Acting Executive Director for their handling of the Occupy Movement protest that took place outside the gate of the Port. Mr. Carr reported that his company experienced no delays in truck deliveries.

**CONSENT AGENDA:**

**1. Minutes of the special meeting of Monday, November 28, 2011.**

**RECOMMENDATION**

Approve the minutes of the regular meeting of Monday, November 28, 2011.

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

**EXECUTIVE DIRECTOR’S REPORT:**

1. **Report from the Acting Executive Director regarding on-going projects and activities at the Oxnard Harbor District**  
**RECOMMENDATION**  
Information.
2. **Calendar of Events for FY 2011 – 2012**  
**RECOMMENDATION**  
Approve revisions.

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

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

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

Commissioner Rooney reported that Mr. David Pollock, who is a candidate for the 26<sup>th</sup> Congressional District, visited and toured the Port on December 5<sup>th</sup>. Commissioner Rooney thanked the Acting Executive Director for giving a presentation and tour of the port to Mr. Pollock.

Commissioner Rooney reported on her attendance at the City National Bank Holiday mixer on December 6<sup>th</sup> the VCEDA Holiday Party on December 7<sup>th</sup> and Naval Base Ventura County Holiday event at the Bard Manson on December 11<sup>th</sup>.

Commissioner Lopez reported on his attendance at the Oxnard Chamber of Commerce Breakfast on December 8<sup>th</sup>.

**REPORT DEPUTY EXECUTIVE DIRECTOR – MARITIME SERVICES**

1. **Report from the Deputy Executive Director – Maritime Services regarding on-going projects and activities at the Port of Hueneme.**  
**RECOMMENDATION**  
Information.

2. **Request from the Port Hueneme Pilot Association for the assignment of the Cape West Marine Service interest in the Port Hueneme Pilot Association Joint Venture to the Buenaventura Pilot Service, effective January 1, 2012, in accordance with the Contract between the Port Hueneme Pilot Association and the Oxnard Harbor District dated June 1, 2008 as amended.**

**RECOMMENDATION**

Approve the request from the Port Hueneme Pilot Association for the assignment of the Cape West Marine Service Interest in the Port Hueneme Pilot Association Joint Venture to the Buenaventura Pilot Service (a sole proprietorship of Capt. Keith Eldridge), effective January 1, 2012, in accordance with the contract between the Port Hueneme Pilot Association and the Oxnard Harbor District dated June 1, 2008, as amended.

The Acting Executive Director reported on and recommended approval of the request from the Port Hueneme Pilot Association for the assignment of the Cape West Marine Service Interest in the Port Hueneme Pilot Association Joint Venture to the Buenaventura Pilot Service, effective January 1, 2012, in accordance with the contract between the Port Hueneme Pilot Association and the Oxnard Harbor District dated June 1, 2008 as amended.

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

## **FACILITIES DEVELOPMENT**

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

**RECOMMENDATION**

Information.

Commissioner Rooney asked if the timelines for completion of the construction projects would meet the grant deadlines. The Director of Facilities Development responded that there is a high degree of confidence that both segments of the JOSD project will be completed within the grant deadline.

2. **Consideration of Change Order No. 2 to the Contract with Tetra Tech Construction Services, Inc., increasing the Contract amount by \$25,455.95, extending the completion date, finding the project conditionally complete and authorizing the Acting Executive Director to record a Notice of Completion, with the Ventura County Clerk and Recorder**

**RECOMMENDATION**

1. Approve Change Order No. 2 to the Contract with Tetra Tech Construction Services, Inc. in the amount of \$25,455.95 and adding one hundred eleven (111) consecutive calendar days to the Time for Completion. The Revised Contract Price will therefore be \$963,835.35 and the Revised Date for Completion of all Work will therefore be December 12, 2011.
2. Authorize the Acting Executive Director of District to execute Change Order No. 2 on behalf of the District.
3. Contingent upon completion of punch list items, find the project complete effective as of the date of punch list completion and authorize the Acting Executive Director to record a Notice of Completion with the Ventura County Clerk and Recorder.

The Director of Facilities Development reported on and recommended: (1.) Approve Change Order No. 2 to the Contract with Tetra Tech Construction Services, Inc. in the amount of \$25,455.95 and adding one hundred eleven (111) consecutive calendar days to the Time for Completion. The Revised Contract Price will therefore be \$963,835.35 and the Revised Date for Completion of all Work will therefore be December 12, 2011. (2.) Authorize the Acting Executive Director of District to execute Change Order No. 2 on behalf of the District. (3.) Contingent upon completion of punch list items, find the project complete effective as of the date of punch list completion and authorize the Acting Executive Director to record a Notice of Completion with the Ventura County Clerk and Recorder.

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

3. **Consideration of Task Order No. 8 with Anchor Environmental QEA for Regulatory Permit Required Monitoring of Confined Aquatic Disposal Cell.**  
**RECOMMENDATION**

1. Approve Task Order No. 8 with Anchor Environmental QEA for the lump sum amount of \$20,000.
2. Authorize the Acting Executive Director of the District to execute Task Order No. 8 on behalf of the District.

The Director of Facilities Development reported on and recommended approval of Task Order No. 8 with Anchor Environmental QEA for the lump sum amount of \$20,000 and to authorize the Acting Executive Director of the District to execute Task Order No. 8 on behalf of the District.

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

## **REPORT DIRECTOR – FINANCE & ADMINISTRATION**

### **1. Report on the Sale of the Revenue Bond Series 2011 A & B (Refinancing Project) and on-going projects and activities associated with the District's Finance & Administration Department.**

#### **RECOMMENDATION**

Information.

The Director – Finance & Administration reported on the sale of the Revenue Bonds Series 2011 A & B. The Director – Finance & Administration reported that the end result of the bond refinancing was a positive refinancing of \$25 million dollars of the District's entire outstanding debt at a lower rate which will save the District \$2.7 million dollars over the course of the remaining term of the bonds. The District did not get any new money or extend any of the terms and captured 4% or \$1 million dollars in net present value savings. The District also has retained its "BBB" bond rating. The District will also see \$330,000 savings in interest in the Fiscal Year 2012/2013 Budget.

The Director – Finance & Administration reported that the District would be submitting the Comprehensive Annual Financial Report to the GOFA and the deadline for submission is December 31<sup>st</sup>.

Commissioner Rooney thanked staff for their hard work saving the District \$2.7 million dollars and also retaining the "BBB" bond rating. Commissioner Lopez commented that the community should be made aware about the action taken here and that it needs to be noticed in the media.

## **MARKETING AND FOREIGN TRADE ZONE SERVICES**

### **1. Report on Upcoming Activities**

#### **RECOMMENDATION**

Information.

The Director of Marketing reported that the Oxnard Harbor District Holiday Open House is schedule for December 14<sup>th</sup> at 5:30 pm and the Oxnard Ambassadors Mixer is scheduled for December 15<sup>th</sup> at 6:00 pm at the Courtyard by Marriott in Oxnard.

## **BOARD OF HARBOR COMMISSIONERS COMMENTS**

President Herrera asked the Port Hueneme Chief of Police Sheehan to report on the recent Occupy Port of Hueneme activity.

Chief Sheehan discussed the efforts of the Port Hueneme Police Department and the District during the Occupy Port Hueneme protest. Chief Sheehan reported that both the Occupy protestors, the Police Department and the Port had a successful outcome. Chief Sheehan reported that only one person was arrested for lying down in the street. Commissioner Herrera asked that Chief Sheehan extend the District's gratitude to her officers for all their work and professionalism.

Commissioner Rooney commented that she would like to know if other members of the Board are interested in looking into amending the State of California statue that does not permit Harbor Commissioners in participating on the Ventura County Transportation Commission Board and would like to discuss this at a future meeting. President Herrera recommended that this item be discussed next year during a Board Workshop.

## **VENDORS AND PURCHASE ORDERS**

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

- Amergent Techs - 5010-7000 Annual Security Audit \$2,700.00.

## **DISBURSEMENTS**

- December 12, 2011**  
**RECOMMENDATION**  
Approve.

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

AYES: Commissioners Herrera, Lopez, and Rooney

NOES: None

ABSENT: Commissioners Hodge and Ramirez

President Herrera declared the motion carried.

Commissioner Rooney commented that she disclosed at the previous meeting that she had a possible conflict of interest regarding participation in the EDC-VC and asked Legal Counsel if there is any conflict for her to approve the Disbursement for the EDC-VC and to sign a check for EDC-VC. Legal Counsel responded that she could approve the Disbursements and sign the check for the EDC-VC and it would not be considered a conflict.

## **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Lopez moved to adjourn the meeting. Commissioner Rooney seconded the motion. Meeting adjourned at 5:05 p.m.

Respectfully Submitted,

Bettina L. Schmock  
Executive Assistant/Clerk of the Board