

OXNARD HARBOR DISTRICT MINUTES

MONDAY, NOVEMBER 24, 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 4:00 p.m. on Monday, November 24, 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

CLOSED SESSION:

Commissioner Plisky stated that he will recuse himself during the closed session discussion of item 2.

1. **Pursuant to Government Code Section 64957 PERSONNEL: Evaluation of the Executive Director.**

President Herrera reported that no action was taken in closed session.

2. **Pursuant to Government Code Section 54956.9(b) (3) (C) – Claim of Michael A. Plisky UNDER THE TORT CLAIM ACT – claim is by the same statute available for inspection by members of the public**

Commissioner Plisky asked that the Board review Mr. Boehm's opinion letter and return with a favorable decision to his request.

Legal Counsel reported that the Board found by a vote of three to one that the Management Staff of the District properly applied the District's policy with regard to the payment of out-of-pocket costs under an alternative to a PERS plan prior to the adoption of Resolution No. 1005 and the claim of Michael A. Plisky is denied.

3. **Pursuant to Government Code Section 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Agency Negotiator: Anthony J. Taormina, Negotiation Parties: Salim Murr/BMW of North America, LLC, Under Negotiation: Terminal Agreement, Port of Hueneme.**

Legal Counsel reported that the Board approved unanimously Modification No. 4 to the Agreement between BMW of North America, LLC and the Oxnard Harbor District.

4. **Pursuant to Government Code Section 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Agency Negotiator: Anthony J. Taormina, Negotiation Parties: Michael Karmelich/NYKCool, Under Negotiation: Lease at 105 E. Hueneme Road, Port Hueneme.**

Legal Counsel reported that no action was taken in closed session.

5. **Pursuant to Government Code Section 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Agency Negotiator: Anthony J. Taormina, Negotiation Parties: Michael Karmelich/NYKCool, Under Negotiation: Terminal Agreement, Port of Hueneme.**

Legal Counsel reported that no action was taken in closed session.

SPECIAL ORDERS

1. **Presentation by Economic Development Collaborative of Ventura County: President Bruce Stenslie, and Board Chairman Dave White Jr.**

Mr. Bruce Stenslie, President and Mr. Dave White, Jr., Chairman of the Board of the Economic Development Collaborative of Ventura County gave a presentation and discussed the benefits of the Oxnard Harbor District becoming a member.

2. **Consideration of Oxnard Harbor District 2009 membership and participation in the Economic Development Collaborative of Ventura County and designation of a member by the Board of Harbor Commissioners.**

RECOMMENDATION

1. Approve 2009 membership in the Economic Development Collaborative of Ventura County as an enterprise Special District in the amount of \$6,250.00.
2. Designate a member of the Board of Harbor Commissioners to serve on the Economic Development Collaborative of Ventura County with appropriate staff support.

Commissioner Plisky moved to approve the recommendation and designated Commissioner Ramirez to serve as the District representative. Commissioner Ramirez seconded. The vote was as follows:

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

UNFINISHED OR DEFERRED BUSINESS

1. Consideration of Capitol Circle Sponsorship and Participation with the Regional Legislative Alliance to Further the District’s Commercial Interest and Trade Activities.

RECOMMENDATION

1. Approve a Senate partnership level of \$5,000. 2. Designate a Board Member to be District representative at the RLA Board of Directors Meetings.

Ms. Lisa Rivas, Executive Director, Regional Legislative Alliance of Ventura and Santa Barbara Counties gave a presentation on the Regional Legislative Alliance and responded to questions from the Board.

Commissioner Plisky moved to approve the recommendation and nominated Commissioner Ramirez to serve as the District representative at the RLA Board of Directors Meetings. Commissioner Ramirez seconded. The vote was as follows:

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

CONSENT AGENDA:

1. Minutes

RECOMMENDATION

Approve the minutes of the regular meeting of Monday, November 10, 2008.

2. Revised Calendar of Events

RECOMMENDATION

Approve the Consent Calendar including revisions and additions as indicated on the District’s Calendar of Events for FY 2008-2009.

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

CORRESPONDENCE

1. **Letter from Mr. Kenneth M. Hess, Fair Board President, Ventura County Fairgrounds.**
RECOMMENDATION
Information only.
2. **AAPA Shifting International Trade Routes Seminar, January 15-16, 2009.**
RECOMMENDATION
Information only.
3. **Sixth-Annual Holiday Mixer sponsored by the CSUCI, Thursday, December 4, 2008.**
RECOMMENDATION
Information / On the Calendar of Events for tickets in an amount not to exceed \$250.00.
4. **US Navy League of the United States – Channel Islands Council, Holiday Celebration, Sunday, December 7, 2008.**
RECOMMENDATION
Information / On the Calendar of Events for Tickets in an amount not to exceed \$250.00.
5. **AAPA: “Seaports Deliver Prosperity” awareness initiative.**
RECOMMENDATION
Information only.
6. **Ventura County Maritime Museum General Operating Fund and Capital Campaign Committee appeal.**
RECOMMENDATION
Information and referral to an appropriate Committee of the Board of Harbor Commissioners for recommendation to the Board on the future participation of the District in the Ventura County Maritime Museum.

The Executive Director reported on and recommended that this item be referred to an Ad Hoc Committee for review. President Herrera appointed Commissioner Plisky and Commissioner Ramirez to serve on the Ad Hoc Committee to review the request by the Ventura County Maritime Museum.

EXECUTIVE DIRECTOR’S REPORT

1. **Management Staff “To Do List”**

RECOMMENDATION

Information.

The Executive Director reported that in a meeting with the Port Hueneme City Manager he was very supportive of the concept of a harbor workers tribute area located on the Waterfront Promenade. President Herrera recommended that this item be referred to the City/Port Standing Committee.

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

RECOMMENDATION

Information.

3. **Report on the payment of Wharf Damage repairs associated with the Oxnard Harbor District / Wallenius Claim UK250L.**

RECOMMENDATION

Information.

The Executive Director reported that the District has received a partial payment of \$180,748 from Wallenius for the wharf damage repairs.

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

1. **Executive Director’s Attendance at the CAPA/NMTA Joint Meeting (San Diego, CA).**

The Executive Director reported on his attendance at the CAPA/NMTA Joint Meeting and agreement to join talking group.

2. **Executive Director’s Attendance at the US Maritime Security Expo and Conference 2008 and California Maritime Security Council (Long Beach, CA).**

The Executive Director reported on his attendance at the US Maritime Security Expo and Conference 2008 in Long Beach, CA. The Executive Director reported that he had the opportunity to review three different TWIC card readers for implementation of a TWIC system in April 2009. The Executive Director reported that the Captain of the Port announced that the Port of Hueneme designation has changed from a Tier 3 port to a Tier 2 port. This designation change will require upgrade in our assessments and planning and will provide additional funding.

3. **The Director of Facilities Development meeting of the Board of Directors California Marine and Navigation Conference (Washington, D.C.)**

The Director of Facilities Development reported on his attendance at the CMANC Board of Directors meeting in Washington, D.C. Commissioner Ramirez recommended that the District host a hospitality room during the CMANC Washington Week in 2009.

REPORT DEPUTY EXECUTIVE DIRECTOR - ADMINISTRATION

1. October 2008 Treasurer's Report.

RECOMMENDATION

Receive the October 2008 Treasurer's Report.

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

DISBURSEMENTS

1. November 24, 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

ADJOURNMENT

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

Meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Bettina L. Schmock
Executive Assistant