

**OXNARD HARBOR DISTRICT  
BOARD MEETING  
MINUTES  
MONDAY, JANUARY 25, 2016**

**Jess Herrera, President**

**Dr. Manuel M. Lopez, Vice President**  
**Jason T. Hodge, Commissioner**

**Arlene Fraser, Secretary**  
**Mary Anne Rooney, Commissioner**

The regular Board meeting of the Oxnard Harbor District, Board of Harbor Commissioners was called to order by President Jess Herrera at 5:30 p.m. on Monday, January 25, 2016 at 333 Ponomo Street, Port Hueneme, California. Following the Pledge of Allegiance, roll call was taken.

**ROLL CALL**

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

**SPECIAL ORDERS**

**1. Annual Re-Organization of the Board of Harbor Commissioners. Election of officers may be determined by written ballot, open ballot, show of hands or roll call.**

**a. Nomination and Election – President, Board of Harbor Commissioners**

Motion to nominate Commissioner Dr. Manuel M. Lopez as President, Commissioner Rooney; Seconded, Commissioner Fraser.

The vote was as follows:

AYES: Commissioners Fraser, Herrera Hodge, Lopez and Rooney  
NOES: None  
ABSENT: None

President Herrera declared the motion carried.

**b. Nomination and Election – Vice President, Board of Harbor Commissioners**

Motion to nominate Commissioner Arlene Fraser as Vice President, Commissioner Hodge; Seconded, Commissioner Rooney.

The vote was as follows:

AYES: Commissioners Fraser, Herrera Hodge, Lopez and Rooney  
NOES: None  
ABSENT: None

President Herrera declared the motion carried.

**c. Nomination and Election – Secretary, Board of Harbor Commissioners**

Motion to nominate Commissioner Jason Hodge as Secretary, Commissioner Rooney; Seconded, Commissioner Fraser.

The vote was as follows:

AYES: Commissioners Fraser, Herrera Hodge, Lopez and Rooney  
NOES: None  
ABSENT: None

President Herrera declared the motion carried.

**2. Comments by the newly elected President of the Board of Harbor Commissioners.**

Commissioner Lopez thanked the Board of Harbor Commissioners for his appointment as President. President Lopez presented an appreciation plaque to Commissioner Herrera for his time served as President. Commissioner Herrera expressed that it was his honor to serve as President and that he believes a lot of great things were accomplished.

**3. Comments by members of the Board of Harbor Commissioners.**

Commissioners thanked President Herrera for all of his efforts and accomplishments while serving as President.

There was a ten minute recess. Board meeting resumed at 5:51 p.m.

**CONSENT AGENDA**

- 1. Minutes of the Regular Board Meeting of December 14, 2015**
- 2. Revised Calendar of Events**
- 3. 2015 Oxnard Harbor District Standing Board & Committee Calendar**
- 4. Consideration of Ratification and/or Approval of District Disbursements for the period of December 9, 2015 to January 19, 2015**

Motion to approve Consent Items as submitted, Commissioner Rooney; Seconded, Commissioner Fraser.

The vote was as follows:

AYES: Commissioners Fraser, Herrera Hodge, Lopez and Rooney

NOES: None

ABSENT: None

President Lopez declared the motion carried.

**CEO & PORT DIRECTOR**

**1. CEO & Port Director's Update**

Mr. Andrew Palomares noted Kristin Decas is away at a conference.

**2. Procurement Schedule**

The Board received a copy of the Oxnard Harbor District's Procurement Schedule.

**3. Policy Schedule**

The Board received a copy of the Oxnard Harbor District's Policy Schedule.

**BOARD COMMUNICATION**

The Commissioners reported on meetings attended over the past month and upcoming meetings for January 2016.

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

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

The Board received the report on upcoming community events.

### **2. Press Report**

The Board received the report on press pertaining to the District.

### **3. Consideration to Sponsor a Table at the Farewell Celebration for Richard Rush CSUCI**

Motion to sponsor two tables at the Farewell Celebration for Richard Rush CSUCI, Commissioner Rooney; Seconded, Commissioner Fraser.

The vote was as follows:

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

NOES: None

ABSENT: None

President Lopez declared the motion carried.

## **CHIEF OPERATIONS OFFICER REPORT**

### **1. Chief Operations Officer's Update - Oral**

Mr. Demers gave an update to the Board of Harbor Commissioners.

### **2. Consideration of Cooperative Research And Development Agreement For Port And Maritime Technology Research And Application Studies Between U.S. Army Armament Research, Development And Engineering Center and Oxnard Harbor District**

Motion to approve Cooperative Research and Development Agreement for Port and Maritime technology research and application studies between U.S. Army Armament Research, Development And Engineering Center and Oxnard Harbor District, Commissioner Rooney; Seconded, Commissioner Hodge.

The roll call vote was as follows:

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

NOES: None

ABSENT: None

President Lopez declared the motion carried.

**3. Consideration of Rent Deferral And Security Pledge Agreement Between Oxnard Harbor District and TracTide Marine Corp**

The Rent Deferral and Security Pledge Agreement between Oxnard Harbor District and TracTide Marine Corp was updated prior to the Board meeting and published on the District's website. It was also provided to the public at the Board meeting.

Mr. Demers noted only base rent is being deferred. The Commissioners had a lengthy discussion on the rent deferral. Commissioners Herrera and Hodge noted they would not support the contract with Section 5 Secondary Security/Personal Guarantee in the contract. Legal Counsel noted no collateral was attached to the personal guarantee and noted his legal advice would be to include the Pledge of Security. Commissioner Rooney noted her concern if it was a gift of public funds. Commissioner Rooney also had a concern of if the Port was not collecting the revenue, would it impact on how the Port shares funds with other entities. Legal Counsel noted he did not believe there would be a gift of public funds. Mr. Palomares noted deferring revenue would be posted as a liability on the books and not recorded until it was earned. Mr. Palomares also noted the Port's books has an allowance for doubtful accounts where a certain amount of receivables are reserved for potential write off.

Motion to approve Rent Deferral and Security Pledge Agreement between Oxnard Harbor District and TracTide Marine Corp with the amendment to striking Section 5 Secondary Security and any reference to it, Commissioner Herrera; Seconded, Commissioner Hodge.

The roll call vote was as follows:

AYES: Commissioners Fraser, Herrera, Hodge, and Lopez

NOES: None

ABSTAIN: Commissioner Rooney

ABSENT: None

President Lopez declared the motion carried.

**4. Consideration Of Approval For A Battery Services Agreement With Tesla Motors, Inc.**

Commissioner Rooney inquired if the contractor would be paying prevailing wage. Mr. Demers noted he did not believe that prevailing wage would be required. Legal Counsel stated he would need to further review. Commissioner Hodge noted his support for this program to continue for the Port to move to a high tech and green Port.

Motion to approve a Battery Services Agreement with Tesla Motors, Inc., Commissioner Hodge; Seconded, Commissioner Fraser.

The vote was as follows:

AYES: Commissioners Fraser, Herrera, Hodge, and Lopez

NOES: None

ABSTAIN: Commissioner Rooney

ABSENT: None

President Lopez declared the motion carried.

**5. Consideration of Fugro Pelagos Emergency Callout Survey Services**

Motion to approve Fugro Pelagos Emergency Callout Survey Services, Commissioner Fraser; Seconded, Commissioner Hodge.

The vote was as follows:

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

NOES: None

ABSENT: None

President Lopez declared the motion carried.

**CHIEF FINANCE & ADMINISTRATIVE OFFICER REPORT**

**1. Chief Finance & Administrative Officer's Update**

Mr. Palomares updated the Board of Harbor Commissioners.

**2. Oxnard Harbor District's Comprehensive Annual Financial Report (CAFR) inclusive of the annual Audit report for Fiscal Year Ended 6-30-15**

President Lopez inquired if correspondence received by the Oxnard Harbor District on the CAFR and the Annual Audit. Legal Counsel noted all questions were answered by staff, Legal Counsel and the Auditors and provided by confidential communication to the Board prior to the meeting.

Motion to receive the Oxnard Harbor District's Comprehensive Annual Financial Report (CAFR) inclusive of the annual Audit report for Fiscal Year Ended 6-30-15 as submitted, Commissioner Rooney; Seconded, Commissioner Fraser.

The roll call vote was as follows:

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

NOES: None

ABSENT: None

President Lopez declared the motion carried.

**3. Treasurers Report**

Motion to receive the Treasurers Report for the month of October 2015 as submitted, Commissioner Rooney; Seconded, Commissioner Fraser.

The roll call vote was as follows:

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

NOES: None

ABSENT: None

President Lopez declared the motion carried.

**BOARD OF HARBOR COMMISSIONERS COMMENTS**

Commissioner Rooney noted the City of Oxnard will be holding a meeting to discuss SOAR on February 9, 2016.

**COMMITTEE REPORTS**

Commissioner Rooney and Fraser noted their attendance at the Special Events Committee which discussed the upcoming APP Conference at the Port.

**PUBLIC COMMENT**

No Comments

**ADJOURNMENT**

There being no further business to come before the Board, President Lopez moved to adjourn the meeting. Meeting adjourned at 7:07 p.m.

Respectfully Submitted,

Michelle Kinnun

Executive Aide/Clerk of the Board