

We Make Cargo Move

Commissioner Perspective

AAPA
COMMISSIONERS' SEMINAR
February 10, 2016





Mary Anne Rooney, Commissioner
PORT OF HUENEME



AGENDA



Structural
Framework –
Division of
Roles and
Responsibilities

Legal Issues

Employment
and
Management
Issues

General
Practices

Board / CEO Relationship



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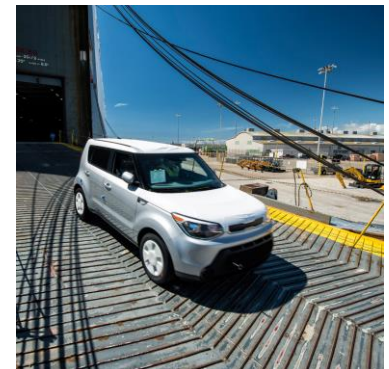
WHAT - Board Member **HOW** - Staff

As an Individual Board Member

- Represent the Citizens

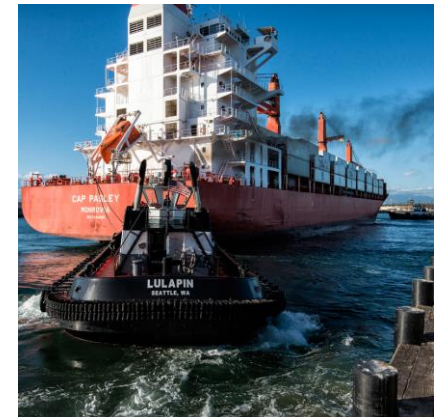
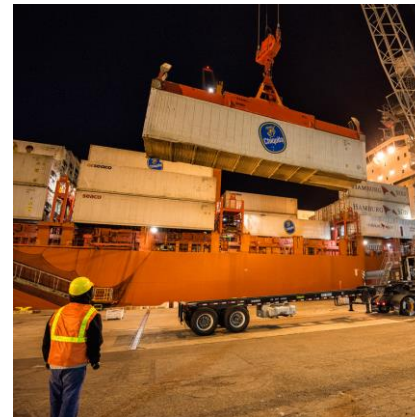
As a Whole Board:

- Debate and create policy
- Provide oversight (**not** management)
- Set strategic direction including mission, objectives & strategies
- Financial issues
- Understand legislative authority and powers
- Select CEO
- Identify port's strengths, weaknesses, risks



The Staff's Role:

- Inform and educate the board
- Provide an environment that allows board to represent the citizens and carry out its responsibilities
- Implement policy
- Run the day to day operations





Board member is not liable for an injury resulting from an act or omission in his or her discretion (*CA Gov. Code Section 820.2*)

Two Part Test:

- 1 Decision had to be made at policy or planning level
- 2 Decision cannot involve actual fraud, corruption, or malice



Board member not vicariously liable for injuries caused by the act or omission of the public entity or advisory body



- Public official is not immune from liability for injuries caused by his/her own wrongful conduct.
- Immunity for speech from dais



Transparency vs. Confidentiality

- Board member may not disclose confidential information obtained in closed session.
- Board member could face injunction or referral to grand jury for a willful violation.
- Port could face liability for improper disclosure.
- Practical difficulties if litigation later ensues.

Hiring (and Terminating) the CEO

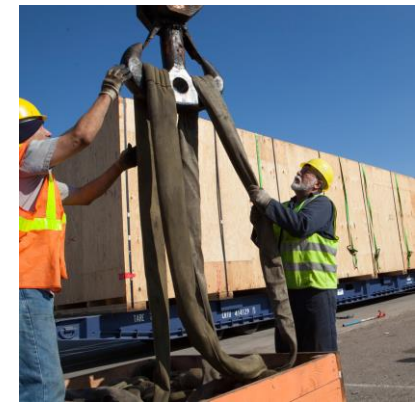
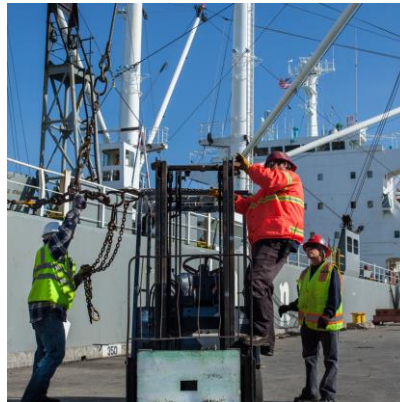
- Hire a well qualified, competent and skilled candidate to get job done
- Answer to voters and/or rate payers about their choice
- Use a search firm?
- Role for legal counsel?



Interacting with CEO



- CEO is the liaison between the Board and Staff
- Evaluate performance of CEO
- Empower the CEO (what motivates them?)
- Do not give staff instructions



- Read materials, come to meetings prepared and ask questions.
- Get answers you need.
- Delegate authority needed to achieve mandate.
- Set a tone of accountability.
- Know the balance between day to day management and policy and oversight. Objectivity is lost if you are involved in both places.

Elected Board / Harbors and Navigation Code / Special District of the State of California

Vision Statement

To operate as a **self-supporting** Port that enforces the principles of sound public stewardship maximizing the potential of maritime-related commerce and regional economic benefit.

Mission Statement

To be the preferred port for **specialized cargo** and provide the maximum possible economic and social benefits to our community and industries served.

Port of Hueneme held visioning workshops for development of strategic plan, engaging a diverse community brought forth a strong strategic direction and policy in the following areas:

- Economic Vitality and Business Retention
- Environmental Stewardship
- Innovation & Technology
- Marketing
- Strategic Partnerships



- The Board set high level policy in these areas.
- It gives staff the direction it needs to implement strategy on the day to day.
- See Port's Strategic 2020 plan.
- This is achieved all through an open and transparent process, thereby serving both the community and the internal team well.



- Board members and staff members have different roles.
- Board sets policy and provides oversight. Not management.
- Staff implements policy. Not set policy.
- Must be transparency, integrity, and trust for Board and Staff to effectively carry out roles.

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