



# City of Port Hueneme

## City Council Regular Meeting Agenda

**November 21, 2022**

**Port Hueneme City Hall  
250 North Ventura Road, Port Hueneme, CA 93041**

**6:00 p.m. Closed Session | 6:30 p.m. (In-Person and Virtually)**

The following provides information to the public on how to observe and/or participate in City meetings remotely:

- Meeting Zoom Link for Live Public Participation and Real Time Public Comments:  
<https://us02web.zoom.us/j/83955264088?pwd=eVBMNzRIWXFDNVVGa2NkUGRUMHd0UT09>  
Dial by your location: Meeting ID: 839 5526 4088 / Passcode: 115998  
+669 900 6833 US (San Jose) +346 248 7799 US (Houston) +253 215 8782 US (Tacoma)  
+312 626 6799 US (Chicago) +929 205 6099 US (New York) +301 715 8592 US (Washington DC)
- Meetings can also be viewed at: <http://porthuenemeca.suiteonemedia.com/web/Home.aspx>
- In-person and virtual public comments may be made during the opportunities for General Public Comment. Submission of public comment may be accomplished through the raised hand function or identification to the City Clerk if made by telephone. Live comments should be no more than 3 minutes in length.
- Public comments pertaining to specific agenda items may be made in the same manner as during General Public Comment after the agenda item is announced and Staff has presented the item.
- Written comments should be no more than 500 words, are requested to be received by 5:00 pm, and can be submitted to the City Clerk at: [clerk@ci.port-hueneme.ca.us](mailto:clerk@ci.port-hueneme.ca.us). Please enter "City Council Public Comment" in the Subject line and agenda item number if applicable.
- All public comments will be part of the official record and minutes will notate all submissions.
- Additional electronic meeting guidelines can be found at the end of the agenda.
- Detailed information and updates about COVID-19, can be found on the City of Port Hueneme's Emergency Website at: [www.PortHuenemeEmergency.org](http://www.PortHuenemeEmergency.org)

### **6:00 P.M. – CITY COUNCIL CLOSED SESSION AGENDA**

#### **CALL TO ORDER**

**ROLL CALL** Councilmembers Gama, Hernandez, Perez; Mayor Pro Tem Martinez; Mayor Rollins

#### **GENERAL PUBLIC COMMENT (10 Minutes)**

The Council will hear closed session public comments for a maximum of 10 minutes. The Council cannot enter into a detailed discussion or take any action on comments, but may refer them to the City Manager for follow up or scheduling on a subsequent agenda for discussion. Each live comment should be no more than 3 minutes and each written comment must be 500 words or less.

#### **CLOSED SESSION ITEMS**

With respect to every item of business to be discussed in CLOSED SESSION, pursuant to the California Government Code:

##### **A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Authority: Government Code section 54956.8

PROPERTIES: The vacant property on the west side of Market Street, between Scott Street and Port Hueneme Road, Port Hueneme, CA (APN 206-0-091-285, -305).

AGENCY NEGOTIATORS: Brad Conners - City Manager; Kevin Spaulding – City

Attorney; Steve Kinney - Consultant Kharis Navigating  
NEGOTIATING PARTIES: City of Port Hueneme and Oxnard Harbor District  
UNDER NEGOTIATION: Negotiate price and terms of payment

## RECESS TO CLOSED SESSION

## 6:30 P.M. CITY COUNCIL REGULAR MEETING AGENDA

### CALL TO ORDER / FLAG SALUTE

**ROLL CALL** Councilmembers Gama, Hernandez, Perez; Mayor Pro Tem Martinez; Mayor Rollins

**INSPIRATION** Councilmember Gama

### CLOSED SESSION REPORT

### GENERAL PUBLIC COMMENT

Members of the public may submit comments on the Agenda or that is within the subject matter jurisdiction of the City Council. Written comments are requested to be received by the City Clerk by 5:00p.m. on the day of the City Council meeting to ensure they are received and considered by Council. Please enter "City Council Public Comment" in the Subject line. Public comments may also be made by accessing the available meeting zoom link and providing real-time (virtual) comments at appropriate public comment times throughout the meeting. All written public comments should be no more than 500 words and will be part of the official record and subject to the Public Records Request Act and all live public comments should be no more than 3 minutes in length.

### AGENDA APPROVAL FOR CITY COUNCIL

#### City Council Agenda Approval

*Recommendation:* Approve the City Council Agenda of November 21, 2022.

### PRESENTATIONS

1. Cannabis Report – Financial Obligations and Community Benefit Fund Information
2. Bubbling Springs Creek Clearing Update

### CONSENT CALENDAR AGENDA

All matters listed on the Consent Calendar are to be considered routine by the governing body, and will be enacted by one motion in the form listed. There will be no discussion of these items unless, before the governing body votes on the motion to adopt, specific items are removed from the Consent Calendar for separate motions

3. [Minutes](#)

*Recommendation:* Approve the November 2, 2022, City Council Special Meeting Minutes and the November 7, 2022, City Council Regular Meeting Minutes.

4. [Register of Disbursements](#)

*Recommendation:* Receive and file the City's register of disbursements for the period of October 31, 2022 through November 15, 2022.

5. [Cost Allocation Plan \(CAP\) Services Contract Award](#)

*Recommendation:*

1. Award and authorize the City Manager to execute the agreement with MGT for cost allocation plan services in an amount not to exceed \$15,475. The cost allocation plan

will provide a plan to allocate citywide overhead costs to the City's programs, departments and funds.

2. Authorize an appropriation of \$15,475 in fiscal year 2022-23 for cost allocation plan services. The costs are to be allocated to General, Enterprise and Housing Funds.

6. [5-Year Sole-Source Purchase Agreement with Axon Enterprises, Inc. for the Purchase of Taser 7 Certification Bundle with Virtual Reality \(VR\) Program and Approval of a FY 22/23 Budget Appropriation of \\$22,111.89](#)

*Recommendation:* Authorize the Chief of Police to enter into a 5-year sole-source purchase agreement, per Municipal Code Section 2564(a), with Axon Enterprises, Inc. for the purchase of the Taser 7 Certification Bundle with Virtual Reality (VR) Program; and authorize a FY 22/23 budget appropriation of \$22,111.89 to pay the first year of the purchase agreement.

7. [Authorization for Out of State Travel and Teacher Leave Reimbursement for Mayor Pro Tem Bobby Martinez to Participate in Sister City Event](#)

*Recommendation:*

1. Authorize out of state travel for Mayor Pro Tem Bobby Martinez to represent the City of Port Hueneme at a Sister City event between Santa Barbara and Puerto Vallarta in furtherance of Port Hueneme's efforts to establish a Sister City; and
2. Authorize teacher leave reimbursement for substitute teacher costs pursuant to Education Code Section 44987.3(b), in the amount of \$450.00, payable to the Oxnard Unified School District, to cover Mayor Pro Tem Bobby Martinez absence from December 5, 2022, through December 7, 2022.

8. [Adoption of a Resolution Ratifying the Implementation of Chapter 5 Section 507, Chapter 9 Section 903 and Appendix B of the Ventura County Fire Protection District \(Fire District\) Ordinance No. 32 to be Effective within the City](#)

*Recommendation:*

1. Adopt by majority vote the attached resolution, which allows the Ventura County Fire Protection District to enforce certain building standards within the City of Port Hueneme.
2. Authorize the Building Official to file a copy of the findings of the Ventura County Fire Protection District together with a copy of Chapter 5 Section 507, Chapter 9 Section 903 and Appendix B of Ordinance 32 to the California Department of Housing and Community Development and California Building Standards Commission.

9. [Enter into a Grant Agreement for the Acceptance of \\$5,850 from the Air Pollution Control District \(APCD\) for the Purchase of Battery Electric Landscape Equipment](#)

*Recommendation:* Approve and authorize the City Manager to execute an agreement between the Ventura County Air Pollution Control District and the City of Port Hueneme to provide Clean Air Funds in the amount of \$5,850 for the purchase of four hand operated battery electric landscaping tools, one battery electric self-propelled mower, supporting chargers, and batteries to replace equivalent gasoline-powered landscaping equipment, approved as to form by the City Attorney. In addition, it is recommended that the Council approve and authorize the appropriation of grant revenue and expense to execute the purchase of the landscaping tools.

## PUBLIC HEARINGS

10. [Planned Development/Conditional Use Permit No. PHCU-862, Major Mod. #1 and Development Agreement No. PHDA-863, Major Mod. #1 - Skunkmasters Cannabis Consumption Lounge, Located at 233 E. Channel Islands Boulevard](#)

*Recommendation:*

1. Open the public hearing to take testimonial and documentary evidence; and
2. Close the public hearing and consider the evidence; and
3. After considering the evidence, adopt a *Resolution* of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-862, Major Mod. #1 (Skunkmasters Cannabis Consumption Lounge); and
4. Introduce, by title only waiving full reading, an *Ordinance approving and adopting a development agreement under Government Code Sections 65864 to 65869.5 and Ordinance No. 780 of the Port Hueneme Municipal Code relating to the modified operation of a cannabis facility for Freedom 1<sup>st</sup> Association, Inc.* (with adoption to follow at the next regularly scheduled City Council meeting); and
5. Find the project exempt under CEQA; and
6. Take such additional, related, action that may be desirable.

11. [Appeal of City Denial of an Application for a Certificate of Approval for Beachside Delivery Service, Proposed at 720 North Ventura Road, Suites 1-3](#)

*Recommendation:*

1. Open the public hearing to take testimonial and documentary evidence; and
2. Close the public hearing and consider the evidence; and
3. After considering the evidence, adopt a *Resolution* of the City Council of the City of Port Hueneme, denying the appeal and upholding the City's denial of an application for a Certificate of Approval for the proposed Beachside Delivery Service cannabis delivery business; and
4. Take such additional, related, action that may be desirable.

## BUSINESS ITEMS

12. [Hideaway Proposed Rental Cap](#)

*Recommendation:*

Authorize and direct staff to a cast a NO vote to the proposed Amendment to the Declaration of Covenants, Conditions and Restrictions (CC&Rs).

13. [Adoption of a Resolution Regulating Parking on City Streets for Purposes of Street Sweeping](#)

*Recommendation:*

1. Adopt a Resolution, entitled, "A Resolution of the City Council of the City of Port Hueneme Regulating Parking on City Streets for Street Sweeping," incorporating changes to the street sweeping schedule which will help alleviate parking conflicts during street sweeping operations.
2. Appropriate \$50,000 to streets account #001-3102-631.63-03 for the purchase of the necessary signage and hardware.

14. [City/Port Community Benefit Fund \(BF\) FY23 Proposed Projects](#)

*Recommendation:*

Approve CBF projects as selected by the Port-City Committee.

## CITY MANAGER COMMENTS AND REPORTS

### COUNCILMEMBERS' REPORTS AND COMMENTS

Council Members are appointed to various Regional Committees/Agencies/Boards and will report out on their activities with these organizations and put forth any comments in regards to community events at this time.

**Mayor Rollins:** Air Pollution Control Board; City-Port Standing Committee; Gold Coast Transit; Port Hueneme Water Agency (PHWA); Regional Defense Partnership for the 21<sup>st</sup> Century (RDP-21); Southern California Association of Governments (SCAG); Ventura County Transportation Commission (VCTC)

**Mayor Pro Tem Martinez:** City-Port Standing Committee; Recreation, Education, Arts, Culture in Hueneme (REACH); Sister City Committee

**Councilmember Gama:** Animal Services Commission; Beach Erosion Authority for Clean Oceans and Nourishment (BEACON); California Joint Powers Insurance Authority (CJPIA); Ventura Council of Governments (VCOG)

**Councilmember Hernandez:** Point Mugu Regional Airport Authority; Port Hueneme Water Agency (PHWA); Southern California Association of Governments (SCAG); Southern California Edison Advisory Committee; Ventura County Regional Energy Alliance District Board (VCREA); Ventura Regional Sanitation District (VRSD)

**Councilmember Perez:** Economic Development Collaborative (EDC-VC); Port Hueneme Water Agency (PHWA); Southern California Association of Governments (SCAG)

### REQUEST FOR FUTURE AGENDA ITEMS

Councilmembers may request items to be placed on future agendas at this time. All requested items will require a motion, a second, and a majority vote, per adopted Council policies, to be placed on a future agenda and will be scheduled at the City Manager's discretion.

### ADJOURNMENT

The City Council will adjourn to its next regular meeting scheduled for Monday, December 5, 2022, at 6:30 p.m.

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Copies of staff reports or other written documentation relating to each item of business referred to in this Agenda are available for public inspection in the Office of the City Clerk and on the City's website at [www.cityofporthueneme.org](http://www.cityofporthueneme.org). Materials received after agenda packet distributions are made available to the public on the City's website and in the City Clerk's office at the same time they are provided to the Council. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, CONTACT THE OFFICE OF THE CITY CLERK AT (805) 986-6503 OR THE CALIFORNIA RELAY SERVICE. NOTICE 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ALLOW PARTICIPATION IN THIS MEETING

I, Georgianna Nicole Alvarez, City Clerk of the City of Port Hueneme, do hereby affirm that the agenda was posted at least 72 hours in advance of the meeting on the City's website and near the front entrance of Port Hueneme City Hall, 250 N. Ventura Road, Port Hueneme, California, 93041, in accordance with California Government Code Section 54954.2(a).