



City of Port Hueneme

City Council Regular Meeting Minutes

February 22, 2022

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

6:30 p.m. Regular Meeting

Closed Session Immediately Following End of Regular Meeting
Virtual/Remote Meetings

THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953, SUBDIVISION (e) AND THE RECOMMENDATION OF THE VENTURA COUNTY PUBLIC HEALTH OFFICER ISSUED SEPTEMBER 21, 2021 (SOCIAL DISTANCING RECOMMENDATION) AS DETERMINED BY THE CITY COUNCIL ON DECEMBER 20, 2021

In order to minimize the spread of the COVID-19 virus, the City Hall Council Chamber will be closed to the public until further notice. 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/84827027104?pwd=NGFrV3RFaEJKbGRuTjVvUFQwQU5QQT09>
Dial by your location: Meeting ID: 848 2702 7104/ Passcode: 071083
+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 (virtual) public comments may be made during the opportunities for General Public Comment during the 10-minute allotment in accordance with Government Code section 54953, subdivision (e)(2)(G)(iii). Submission of public comment may be accomplished through the raised hand function or identification to the City Clerk if made by telephone.**
- **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 on the item. A reasonable amount of time will be allocated for said comments pursuant to Government Code section 54953, subdivision (e)(2)(G)(ii).**
- **Written comments are requested to be received by 5pm and can be submitted to the City Clerk at:** kbuxkemper@ci.port-hueneme.ca.us.
- **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

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

CALL TO ORDER / FLAG SALUTE Mayor Rollins called the meeting to order at 6:31 p.m. and led the flag salute.

ROLL CALL

Present: Council Members Gama, Hernandez, Perez; Mayor Pro Tem Martinez; and Mayor Rollins
Absent: None

INSPIRATION Mayor Pro Tem Martinez provided the inspiration.

GENERAL PUBLIC COMMENT

Public Comments were provided by the following:

- Ronald Arruejo
- Jacob Marquez
- Daisy Valdivia (read by Councilmember Gama)

AGENDA APPROVAL FOR CITY COUNCIL

[City Council Agenda Approval](#)

A motion was made by Councilmember Hernandez, seconded by Councilmember Gama, and passed unanimously to approve the City Council Agenda of February 22, 2022.

PRESENTATIONS

1. [District Attorney Family Justice Center Update](#)
District Attorney Nasarenko and Chief Deputy Mike Jump provided a presentation to the City Council regarding the Family Justice Center, including topics such as Domestic Violence, Child Abuse, how to support victims and break the cycle of violence, and how the Family Justice center can help serve victims and survivors. The District Attorney's Office also spoke regarding a potential partnership with Port Hueneme for use of the Justice Center and answered questions from the Council.
2. [EPS and Plastics Presentation](#)
Consultant Steve Kinney provided a presentation to the City Council regarding Expanded Polystyrene (EPS) and Plastics providing a comprehensive report regarding options to ban EPS in the future.
3. [Traffic Calming and Speed Cushion Options](#)
Director of Public Works Don Villafana provided a presentation to the City Council regarding traffic calming measures and speed cushion options.

CONSENT CALENDAR AGENDA

The Mayor read the titles of the items on the Consent Calendar prior to the motion.

4. [Approved Minutes of the City Council Regular Meeting of February 7, 2022](#)
5. [Received and Filed the Finance Cash Disbursements from February 1, 2022 through February 8, 2022](#)
6. [Authorized the City Manager to Execute a Two-Year Agreement with Two One-Year Options with Alexander's Contract Services, Inc. for Citywide Meter Reading Services in an Annual Amount Not-to-Exceed \\$86,400.](#)
7. [Amendment to Purchase Order 18568 to Increase Purchase Order with Law Offices of Angel Ho by \\$11,165 – This item was pulled from the consent calendar for further discussion. No action was taken at this time.](#)

CONSENT CALENDAR ROLL CALL VOTE

A motion was made by Councilmember Hernandez, seconded by Councilmember Perez to approve the consent calendar. Councilmember Gama requested to pull item #7 for further discussion. An amended motion was made by Councilmember Hernandez to approve items #4-6. The motion was seconded by Councilmember Gama and passed unanimously to approve the Consent Calendar Agenda items #4-6.

AYES: Hernandez, Gama, Perez, Martinez, Rollins

ITEMS PULLED FOR FURTHER DISCUSSION

7. [Authorized an Amendment to Purchase Order 18568 to Increase Purchase Order with Law Offices of Angel Ho by \\$11,165](#)
Councilmember Gama pulled this item from the consent calendar for further discussion. Councilmember Gama voiced his concerns and suggested moving this personnel matter to closed session.

Councilmember Gama made a motion to move this item to a closed session meeting. Councilmember Perez seconded the motion.

City Attorney Kevin Spaulding clarified that Closed Session is governed by the Brown Act and personnel matters are not appropriate for closed session. Also clarified that there was no identifiable potential of litigation to allow it to be discussed in closed session.

ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Mayor Pro Tem Martinez, and passed by majority vote (4-1) to authorize an amendment to purchase order 18568 to increase the purchase order with Law Offices of Angel Ho by \$11,165.

AYES: Hernandez, Martinez, Perez, Rollins

NOES: Gama

PUBLIC HEARINGS

8. [Planned Development/Conditional Use Permit No. PHCU-897 and Development Agreement No. PHDA-898 for BB&SE, INC Dispensary, Located at 2667 N. Ventura Road](#)

The Public Hearing was opened at 8:42 p.m.

City Clerk Kristy Buxkemper affirmed Proof of Publication and a complete set of reports and exhibits were on file in the Office of the City Clerk.

Mayor Rollins asked the Councilmembers if there were any conflicts of interest to disclose. No conflicts were disclosed by Council.

Community Development Director Tony Stewart provided the report to Council.

Discussion ensued among Councilmembers. Director Stewart and applicant Sean Erickson responded to questions from the City Council.

No public comments were received.

The public hearing was closed at 9:00 p.m.

ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Councilmember Perez, and passed by majority vote 4-1 to:

1. Adopt *Resolution No. 4396* of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-897 (BB & SE, Inc., Cannabis Delivery Service); and
2. 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 operation of a cannabis facility for BB & SE, Inc. (with adoption at the next regularly scheduled City Council meeting).*

AYES: Hernandez, Perez, Martinez, Rollins

NOES: Gama

9. [Planned Development/Conditional Use Permit No. PHCU-899 and Development Agreement No. PHDA-900 for The Fire Garden, LLC Dispensary, Located at 2661 N. Ventura Road](#)

The Public Hearing was opened at 9:02 p.m.

City Clerk Kristy Buxkemper affirmed Proof of Publication and a complete set of reports and exhibits were on file in the Office of the City Clerk.

Mayor Rollins asked the Councilmembers if there were any conflicts of interest to disclose. No conflicts were disclosed by Council.

Community Development Director Tony Stewart provided the report to Council.

Discussion ensued among Councilmembers. Director Stewart responded to questions from the City Council. Applicants for Fire Garden responded to questions from the Council

No public comments were received.

The public hearing was closed at 9:24 p.m.

ROLL CALL VOTE

It was moved by Councilmember Perez, seconded by Councilmember Hernandez, and passed by majority vote 4-1 to:

1. Adopt *Resolution No. 4397* of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-899 (The Fire Garden, LLC, Cannabis Dispensary); and
2. 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 operation of a cannabis facility for The Fire Garden, LLC (with adoption to follow at the next regularly scheduled City Council meeting).*

AYES: Perez, Hernandez, Martinez, Rollins

NOES: Gama

10. [Adopt Resolution Granting Special Use Permit No. 02-22 for the Port Hueneme Police Department and Police Explorers Car Show and Fundraising Events](#)

The Public Hearing was opened at 9:28 p.m.

City Clerk Kristy Buxkemper affirmed Proof of Publication and a complete set of reports and exhibits were on file in the Office of the City Clerk.

Mayor Rollins asked the Councilmembers if there were any conflicts of interest to disclose. No conflicts were disclosed by Council.

Chief Andrew Salinas provided the report to Council and responded to questions.

No public comments were received.

The public hearing was closed at 9:41 p.m.

ROLL CALL VOTE

It was moved by Councilmember Gama, seconded by Councilmember Hernandez, and passed unanimously to *adopt Resolution No. 4398 approving Special Use Permit No. 02-22 (Port Hueneme Police Department and Police Explorers Car Show and Fundraising Events).*

AYES: Gama, Hernandez, Perez, Martinez, Rollins

BUSINESS ITEMS

11. [Co-Sponsorship of Ventura County Nami Walk Event](#)

Deputy City Manager Charles Peretz presented the report to Council regarding a co-sponsorship of the Ventura County Nami Walk event and clarified the amended waived fees.

ROLL CALL VOTE

It was moved by Councilmember Gama, seconded by Councilmember Hernandez and passed unanimously to adopt Resolution No. 4399 co-sponsoring the Ventura County NAMI Walk event.

AYES: Gama, Hernandez, Perez, Martinez, Rollins

12. [Renewal and Reconsideration of Remote Meetings Pursuant to Government Code Section 54953\(e\)](#)

City Attorney Kevin Spaulding presented the report to Council regarding the renewal and reconsideration of remote meetings pursuant to Government Code Section 54953(e).

ROLL CALL VOTE #1

It was moved by Councilmember Gama, seconded by Mayor Pro Tem Martinez, and failed to pass a motion to resume in-person meetings.

AYES: Gama, Martinez

NOES: Hernandez, Perez, Rollins

ROLL CALL VOTE #2

It was moved by Councilmember Hernandez, seconded by Councilmember Perez and passed by majority vote 4-1 to continue remote meetings by the following findings:

1. The state of emergency continues to directly impact the ability of the members to meet safely in person; and
2. State or local officials continue to impose or recommend measures to promote social distancing.

AYES: Hernandez, Perez, Martinez, Rollins

NOES: Gama

CITY MANAGER COMMENTS AND REPORTS

City Manager Conners provided comments and reports regarding the following topics:

- Annual Homeless County by Officer Montelongo
- Upcoming Blood Drive to increase blood banks
- Employee Anniversary Announcements
- Upcoming events:
 - Stem Robotics Competition
 - Port Hueneme High School announcement of two of counties CIF State Championship competitors
- Annual Homeless County by Officer Montelongo

COUNCIL MEMBERS' REPORTS AND COMMENTS

Mayor Rollins provided comments and reports regarding the following topics:

- Attended Reel Guppy Program event
- Selection made for Executive Director for Gold Coast Transportation
- Importance of connecting transportation and housing
- Upcoming REACH meeting
- City/Port Meeting approval of the monument and mural

Mayor Pro Tem Martinez provided comments and reports regarding the following topics:

- REACH – Future of brick program and contract for sponsorship of the Beach Festival
- City/Port Meeting and necessary steps to approve requests

Councilmember Gama provided comments and reports regarding the following topics:

- Proposed next fiscal year contribution of 10k to Oxnard HS District to fund school teams
- Proud of Kevin Brannon and Reel Guppies
- Proud of Learn to Swim Program
- Indicated his open-door policy to all staff members to speak without fear of retaliation
- Upcoming clean-up of Ormond Lagoon with Coastal Keepers
- Memorial at Hueneme Beach

Councilmember Hernandez provided comments and reports regarding the following topics:

- Participated in press conference hosted by Ventura County Watershed Protection District
- Nominated to Chair Ventura County Regional Energy Alliance

- Voted Vice-Chair for PHWA today
- Participating in homeless count and blood drive

Councilmember Perez provided comments and reports regarding the following topics:

- No reports or comments

REQUEST FOR FUTURE AGENDA ITEMS

Councilmember Hernandez:

Request #1: Requested the City sponsor a library grant request to enable the local library to obtain funding for remodeling and enhancements.

ROLL CALL VOTE

A motion was made by Councilmember Hernandez, seconded by Councilmember Perez and passed unanimously to add the item to a future Council agenda.

Request #2: An agenda item regarding the Community Benefit Fund to discuss the Council's position and achieve consensus.

ROLL CALL VOTE

A motion was made by Councilmember Hernandez, seconded by Councilmember Perez and passed unanimously to add the item to a future Council agenda.

Councilmember Perez:

Request #1: Requested future report on a potential partnership with the Family Justice Center in Oxnard.

ROLL CALL VOTE

A motion was made by Councilmember Perez, seconded by Mayor Rollins and passed unanimously to add the item to a future Council agenda.

Request #2: Requested an ordinance prohibiting loitering, standing and walking on center medians and dividers.

ROLL CALL VOTE

A motion was made by Councilmember Perez, seconded by Mayor Rollins and passed unanimously to add the item to a future Council agenda.

Request #3: Request update on how to get the Police Department access to beds at Mercy House.

ROLL CALL VOTE

A motion was made by Councilmember Perez, seconded by Mayor Rollins and passed unanimously to add the item to a future Council agenda.

Mayor Pro Tem Martinez requested an update on the beach parking machines status. Councilmember Perez seconded the motion. Following a staff clarification, Mayor Pro Tem Martinez withdrew his motion.

RECESS REGULAR MEETING TO CITY COUNCIL CLOSED SESSION at 10:18p.m.

CLOSED SESSION PUBLIC COMMENTS

No public comments were provided.

CLOSED SESSION ITEMS

City Attorney Kevin Spaulding read the closed session item into the record.

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Position: City Manager
Authority: Government Code Section 54957 (b)(1)

Council voted unanimously to take a 15 minute break and to reconvened at 10:35 p.m.

RECESS TO CLOSED SESSION The City Council recessed to closed session at 10:35 p.m.

CLOSED SESSION REPORT City Attorney Kevin Spaulding provided the closed session report indicating no reportable action.

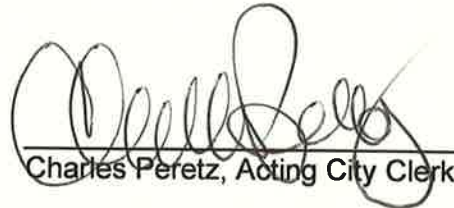
ADJOURNMENT

The City Council adjourned at 11:25 p.m. to the special closed session meeting of Thursday, March 3, 2022 and the regular meeting of Monday, March 7, 2022, at 6:30 p.m.

Minutes approved by City Council: March 7, 2022



Richard Rollins, Mayor



Charles Peretz, Acting City Clerk