



# City of Port Hueneme

## City Council Regular Meeting Minutes

**October 17, 2022**

**Port Hueneme City Hall  
250 North Ventura Road, Port Hueneme, CA 93041  
Teleconference Location:  
Figueroa Hotel (Lobby)  
939 South Figueroa Street, Los Angeles, CA 90015**

**5:00 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/82917278900?pwd=OU9WY2RjQ0IzZmSDhLL1ZDZz09>  
*Dial by your location: Meeting ID: 829 1727 8900 / Passcode: 483826*  
*+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.*
- *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 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.*
- *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)*

### **5:00 P.M. – CITY COUNCIL CLOSED SESSION AGENDA**

Mayor Rollins called the closed session meeting to order at 5:01 p.m.

#### **ROLL CALL**

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

#### **GENERAL PUBLIC COMMENT**

Closed session public comments were provided by the following:

In-person:

- Tamah Figg
- Tracy Sisson Phillips
- Anthony C. Volante
- Tom Fiala
- Scott Matalon
- Charles Peretz
- Laura D. Hernandez

Written comments:

- Mark F. McLernon
- Pamela Jo Waddell
- Joan Tharp
- Will Berg
- Steve Kinney
- Beverly Kelley
- Diane Anderson
- Juliet
- Kim M. Rhineheart
- Dawne Hamilton

### **CLOSED SESSION ITEMS**

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

#### **A. CONFERENCE WITH LABOR NEGOTIATORS**

Authority: Government Code § 54957.6

AGENCY DESIGNATED REPRESENTATIVES: Brad Conners, City Manager; Charles Peretz, Deputy City Manager; and Kevin Spaulding, City Attorney

EMPLOYEE ASSOCIATION: Port Hueneme Police Officers' Association (POA)

#### **B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Authority: Government Code section 54956.9(c)(2)

Significant exposure to litigation exists based upon the facts and circumstances. These facts and circumstances arise out of a series of transactions between the City of Oxnard and the City of Port Hueneme relating to disputed amounts for wastewater treatment services.

Number of potential cases: One (1)

#### **C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

Authority: Government Code section 54957, subdivision (b)(1)

Title: City Manager

#### **D. PUBLIC EMPLOYEE APPOINTMENT**

Authority: Government Code Sections 54957 and 54954.5(e)

Title: City Manager (Interim)

Councilmember Perez disclosed a conflict of interest for Closed Session Item A, Conference with Labor Negotiators for POA, due to potential spousal income.

### **RECESS TO CLOSED SESSION**

Mayor Rollins recessed to the closed session meeting at 5:44 p.m.

Councilmember Perez did not attend the Closed Session for Closed Session Item A, Conference with Labor Negotiators for POA, due to potential spousal income.

Councilmember Perez entered the Closed Session meeting at 6:54 p.m.

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

#### **CALL TO ORDER / FLAG SALUTE**

Mayor Rollins called the meeting to order at 6:55 p.m. Councilmember Perez led the flag salute.

**INSPIRATION** In the interest of time, Councilmember Perez did not provide an inspiration.

### **CLOSED SESSION REPORT**

City Attorney Kevin Spaulding informed:

- Mayor Pro Tem Martinez joined the Closed Session in person and will be rejoining the meeting remotely (his address and location is noted on the agenda in conformity with the Government Code) from the teleconference location.
- Council heard the first item of business, Closed Session Item A, Labor Negotiations with POA, and indicated there was no reportable action.
- Council by a unanimous vote opted to defer the 3 remaining Closed Session items to the end of this meeting and indicated that he would report out at the end of the meeting.

### **ROLL CALL**

Present: Councilmembers Gama, Hernandez, Perez, and Mayor Rollins

Absent: Mayor Pro Tem Martinez

### **GENERAL PUBLIC COMMENT**

Public Comments were provided by the following:

In-person:

- Sylvia Muñoz Schnopp
- Carlos Marcel Botello
- Jess Guitierrez

Written:

- Kathy Stolkin
- Andy Martinez
- Kenny Paddock

### **AGENDA APPROVAL FOR CITY COUNCIL**

#### City Council Agenda Approval

A motion was made by Councilmember Gama, seconded by Councilmember Perez, and passed 4-0-1 (Martinez absent) to approve the City Council Agenda of October 17, 2022.

### **PRESENTATIONS**

#### *1. Audubon Society Presentation*

Ventura Audubon Society Executive Director Cynthia Hartley gave a presentation regarding snowy plovers at Ormond Beach including information regarding nesting, monitoring, habitat protection, volunteers, and outreach; and answered questions from Council.

#### *2. Great Shake Out Presentation*

Public Works Director Don Villafana gave a presentation regarding, "The Great California Shake Out", an annual statewide earthquake drill, to take place on October 20, 2022.

### **CONSENT CALENDAR**

City Clerk Georgianna Alvarez stated for the record that an error in the exhibits of Agenda item 6 had been identified. The number listed as the "Base" annual salary for the Recreation and Ocean Safety Supervisor in Exhibit B (on page 15 of the agenda item) was transposed. It should be listed as \$71,080.33 and not \$71,008.33. Connected to this error the monthly salary must be updated as well; instead of \$5,917.36 per month, the document should be corrected to state the monthly salary as \$5,923.36 per month. These

numbers served as the basis of exhibits C and D and the Base salary amounts for the subject position should be updated as follows:

2023

Monthly = \$6,160.29

Annual = \$73,923.54

2024

Monthly = \$6,406.70

Annual = \$76,880.48

Staff recommended that Council consider the amendments and approve the Consent Calendar as revised.

A motion was made by Councilmember Hernandez, seconded by Councilmember Perez, to approve Consent Calendar Item Nos. 3 – 5 as presented, and Consent Calendar Item No. 6 as revised.

*Motion passed by Roll Call Vote as follows:*

AYES: Gama , Hernandez, Perez, Rollins

NOES: None; ABSENT: Martinez; ABSTAIN: None

City Council:

3. Minutes

Approved the October 3, 2022, City Council Regular Meeting Minutes.

4. Register of Disbursements

Received and filed the City's register of disbursements for the period of September 28, 2022 through October 9, 2022.

5. Award of Contract for Network Upgrade and Configuration Services

Awarded a contract to Blue Chip Computer Systems for Network Upgrade and Configuration Services, and authorized the City Manager to execute the contract subject to review and approval of the City Attorney.

6. Adoption of Resolution Amending the Benefits and Additional Compensation for Unrepresented Executive Management and Management & Professional Employees

Adopted Resolution No. 4430, as revised, amending the benefits and additional compensation for Unrepresented Executive Management and Management & Professional Employees for the period of July 1, 2022 through June 30, 2025.

**PUBLIC HEARINGS – None.**

**BUSINESS ITEMS**

7. Professional Services Agreement with Hopkins Groundwater Consultants, Inc. for Professional Services, Construction Observation and Documentation on the Emergency Water Well 6A Rehabilitation

Public Works Director Don Villafana presented the report and PowerPoint presentation. Public Works Director Don Villafana and Curtis Hopkins from Hopkins Groundwater Consultants, Inc., answered questions from Council.

There were no public comments.

A motion was made by Councilmember Gama, seconded by Councilmember Hernandez, to authorize the City Manager to execute the Professional Services Agreement in the amount not-to-exceed \$51,300.00 with Hopkins Groundwater Consultants, Inc.

*Motion passed by Roll Call Vote as follows:*

AYES: Gama, Hernandez, Perez, Rollins

NOES: None; ABSENT: Martinez; ABSTAIN: None

8. Award a Contract to J & H Engineering General Contractors, Inc. to Rehabilitate Emergency Standby Well 6A

Public Works Director Don Villafana presented the report and answered questions from Council.

There were no public comments.

A motion was made by Councilmember Perez, seconded by Councilmember Gama, to award a contract to J & H Engineering General Contractors to rehabilitate emergency standby well 6A; and authorize the City Manager to execute the contract.

City Attorney Kevin Spaulding provided clarification in regards to the process having gone through competitive bidding sufficient to satisfy state law.

*Motion passed by Roll Call Vote as follows:*

AYES: Perez, Gama, Hernandez, Rollins

NOES: None; ABSENT: Martinez; ABSTAIN: None

### **CITY MANAGER COMMENTS AND REPORTS**

City Manager Brick Conners indicated he had no comments or reports.

City Manager Brick Conners responded to an inquiry from Councilmember Hernandez regarding traffic studies on Channel Islands and Surfside.

City Attorney Kevin Spaulding responded to an inquiry from Councilmember Hernandez regarding a polyurethane plastics ordinance.

### **COUNCILMEMBERS' REPORTS AND COMMENTS**

#### **Councilmember Gama:**

- Monitoring cell phone for mom's status
- Status update regarding weeds abatement project
- Monitoring dredge
- Status update on agenda items requested by Council to be on a future agenda

#### **Councilmember Hernandez:**

- Attended swearing in of new Ventura County Board Supervisor – Vianey Lopez
- Attended Carmen Ramirez' Memorial
- Attended Memorial service for a member of the community, Karen Scanlan, and requested to adjourn in her memory
- Attended 58 year celebration at Baptist Evangelical Missionary Church
- Attended Friends of the Port Hueneme Library High Tea event

- Sister City Program – Puerto Vallarta trip
- Traffic concerns regarding Channel Islands Boulevard and Bolker Drive

**Mayor Rollins:**

- Status update on modifications to street sweeping policy
- Attended Friends of the Port Hueneme Library High Tea event
- Attended Gold Coast Transit meeting

**Councilmember Perez:** None.

**REQUEST FOR FUTURE AGENDA ITEMS**

**Councilmember Perez requested:**

1. To explore ideas of the possibility of a fixed turn lane on Hueneme Road and Ventura Road. Council suggested to amend the motion to broaden the item.
2. Councilmember Perez amended her motion to request a traffic and speeding study in all areas of issue, seconded by Councilmember Gama. Motion passed by roll call vote 4-0-1 (Martinez absent) to add the item to a future agenda.
3. A status update regarding Surfside Motel issues, seconded by Councilmember Gama. Motion passed by roll call vote 4-0-1 (Martinez absent) to add the item to a future agenda.
4. A status update on Cannabis Dispensaries financial obligations and their community benefit fund participation.

Mayor Rollins suggested to amend the motion to include a report that identifies the non-profits that the dispensaries are giving back to.

Upon clarification from the City Manager, Councilmember Perez confirmed her motion was to add an item to a future agenda for a status update on cannabis dispensaries financial obligations and their community benefit fund participation, seconded by Mayor Rollins. Motion passed by roll call vote 4-0-1 (Martinez absent) to add the item to a future agenda.

**Councilmember Gama requested:**

1. An update on the Hideaway – City Attorney Kevin Spaulding clarified that the Hideaway would be a Housing Authority matter.

Councilmember Gama amended his motion to add an item to a future agenda to discuss the merits of the City owning 9 units in the Hideaway. City Attorney Kevin Spaulding clarified that would be a Housing Authority matter and staff has been made aware to bring the item back to a Housing Authority meeting. City Attorney Kevin Spaulding answered clarifying questions from Councilmember Gama and Mayor Rollins.

2. To discuss and consider how we manage the Hueneme Bay medians.

Councilmember Gama, clarified his motion is to discuss the option to contract with the onsite landscaper regarding the landscape and medians at Hueneme Bay, seconded by Mayor Rollins. Motion passed by roll call vote 4-0-1 (Martinez absent) to add the item to a future agenda.

**RECESS TO CLOSED SESSION**

Mayor Rollins recessed to the closed session meeting at 8:42 p.m.

City Attorney Kevin Spaulding indicated that the Council meeting will be recessed into Closed Session for the following items:

- **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Authority: Government Code section 54956.9(c)(2)  
Significant exposure to litigation exists based upon the facts and circumstances. These facts and circumstances arise out of a series of transactions between the City of Oxnard and the City of Port Hueneme relating to disputed amounts for wastewater treatment services.  
Number of potential cases: One (1)
- **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**  
Authority: Government Code section 54957, subdivision (b)(1)  
Title: City Manager
- **PUBLIC EMPLOYEE APPOINTMENT**  
Authority: Government Code Sections 54957 and 54954.5(e)  
Title: City Manager (Interim)

City Attorney Kevin Spaulding further indicated that following the Closed Session the regular meeting will be reconvened where reporting out requirements will take place.

#### **RECONVENE CITY COUNCIL MEETING**

Mayor Rollins reconvened the meeting at 11:46 p.m.

#### **CLOSED SESSION REPORT**

City Attorney Kevin Spaulding indicated that there were two reportable actions follows:

- Closed Session Item B, **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**, the City of Port Hueneme and the City of Oxnard have reached a final settlement agreement concerning the general release of claims against one another and setting forth a performance such that wastewater disputes will not arise again in the future. The vote was unanimous with all Councilmembers in favor.
- Closed Session Item C, **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**, there was action to not renew the public employment contract of the City Manager which is set to expire February 2023. The vote was 4-1 in favor with Councilmember Hernandez voting No.


City Attorney Kevin Spaulding indicated there was no reportable action in regards to Closed Session Item D, **PUBLIC EMPLOYEE APPOINTMENT**.

The City Council adjourned at 11:47 p.m. to its next regular meeting scheduled for Monday, November 7, 2022, at 6:30 p.m.

Respectfully Submitted:

  
Georgianna Nicole Alvarez, CMC, CPMC  
City Clerk

Approved this 7<sup>th</sup> day of November, 2022:

  
Richard Rollins, Mayor