



CITY OF PORT HUENEME

City Council Regular Meeting Minutes

November 20, 2023

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

6:30 PM Open Session

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

- Meetings may also be viewed at: <https://porthuenemeca.suiteonemedia.com/>
- Public comments may be submitted in person or in writing.
In-Person: Complete a speaker request card located at the entrance of the Council Chamber and give it to the City Clerk. Your name will be called when it is your turn to speak. Public Comment is limited to minutes per speaker, unless for good cause, the Mayor amends the time limit. A speaker's time may not be transferred to another speaker.
Written: All written public comments shall be no more than 500 words and are subject to the Public Records Act. Written comments should be submitted to the City Clerk by 5:00 p.m. on the day of the City Council meeting by email or directly to the City Clerk's Office. Email clerk@cityofporthueneme.org and enter "City Council Public Comment" in the Subject line (and agenda item number if applicable). Mail or drop off written comments to the City Clerk's Office located at 250 N. Ventura Road, Port Hueneme, CA 93041. Please clearly mark envelope with "Public Comment and meeting date".
- Additional electronic meeting guidelines can be found at the end of the agenda.

6:30 PM CITY COUNCIL REGULAR MEETING AGENDA

CALL TO ORDER / FLAG SALUTE

Mayor Martinez called the meeting to order at 6:30 p.m. and led the flag salute.

ROLL CALL

Present: Councilmembers Steven A. Gama, Laura D. Hernandez, Martha R. McQueen-Legohn;
Mayor Pro Tem Misty Perez; Mayor Roberto "Bobby" Martinez
Absent: None

INSPIRATION

Given by Councilmember Gama

A motion was made by Mayor Martinez, seconded by Councilmember Hernandez, and passed unanimously, to move the Sergeant Promotions presentation to be the next item on the agenda.

PRESENTATIONS

1. [Sergeant Promotions of: Mike Hamrick, Baltazar Tapia, and Rocque Lopez](#)
Police Chief Federico introduced and congratulated the newly promoted Sergeants who were presented with new badges and pinned by loved ones.

PUBLIC COMMENT

Public Comments were provided in person by the following:

- Kendy Banos
- Javier Garnica
- Arely Garcia
- Estrella Garcia
- Ivan Vega
- Jesselyn Banos
- Meaghan Salas
- Odette Moran
- Ernesto Carrillo
- Ariel Zamora
- Gerardo Jove-Velasco
- Guillermo Jove-Velasco
- Hayden Stiles
- Monserrat Sanchez
- Julien Salas
- Daniel Gonzalez
- Maria Navarro
- Karina Cortes
- Angel Salinas
- Vanessa Frank
- Monica Salinas
- Camilo Garcia

Public Comments were submitted via email and read by City Clerk Georgianna Alvarez, by the following:

- Nan Waltman
- Mark F. McLernon

AGENDA APPROVAL FOR CITY COUNCIL

City Council Agenda

A motion was made by Councilmember Hernandez, seconded by Mayor Pro Tem Perez, and passed unanimously to approve the City Council Agenda of November 20, 2023.

CONFLICT OF INTEREST DECLARATION

There were no conflicts of interest disclosed.

CONSENT CALENDAR

A motion was made by Councilmember Hernandez, seconded by Councilmember McQueen-Legohn, to approve Consent Calendar Item Nos. 2 – 5, as presented.

Motion passed 5-0 as follows:

AYES: Gama, Hernandez, McQueen-Legohn, Perez, Martinez

NOES: None; ABSENT: None; ABSTAIN: None

City Council:

2. Minutes

Approved the November 6, 2023, City Council Regular Meeting Minutes.

3. Register of Disbursements
Received and filed the City's register of disbursements for the period of October 20, 2023 through November 3, 2023.
4. Second Reading by Title Only, Waiving Further Reading, of an Ordinance Approving the Joint Powers Agreement for Clean Power Alliance of Southern California and Authorizing the Implementation of a Community Choice Aggregation Program
 1. Adopted an Ordinance entitled "An Ordinance of the City Council of the City of Port Hueneme, California, approving the Joint Powers Agreement for Clean Power Alliance of Southern California and authorizing the implementation of a Community Choice Aggregation program"; and
 2. Authorized the Mayor to execute the Clean Power Alliance of Southern California Amended and Restated Joint Powers Agreement.
5. Approval of a Change Order for Professional Services Provided by Van Dermeyden Makus Investigations Law Firm
Authorized the City Manager to execute a change order in the amount of \$7,300, to Purchase Order 13680 with Van Dermeyden Makus, Investigations Law Firm, for a total purchase order amount not to exceed \$26,083.73.

BUSINESS ITEMS

6. Approval of General Fund Capital Reserve Policy
Recommendation: Adopt a Resolution entitled, "A Resolution of the City Council of the City of Port Hueneme, California, Adopting the General Fund Capital Reserve Policy and Authorizing an Initial Transfer of Funds at Fiscal Year 2022-23 Year End in the Amount of \$1,500,000."

City Manager James Vega presented the report. Questions followed. There were no public comments.

A motion was made by Councilmember Gama, seconded by Mayor Pro Tem Perez, to adopt a Resolution entitled, "A Resolution of the City Council of the City of Port Hueneme, California, Adopting the General Fund Capital Reserve Policy and Authorizing an Initial Transfer of Funds at Fiscal Year 2022-23 Year End in the Amount of \$1,500,000."

Motion passed 5-0 as follows:

AYES: Gama, Hernandez, McQueen-Legohn, Perez, Martinez

NOES: None; ABSENT: None; ABSTAIN: None

7. Discussion of Potential Revisions to Cannabis Program
Recommendation: Receive the report provided by staff, take public testimony on the matter, and after doing so:
 1. Authorize staff to take steps necessary to implement the 6 items recommended to improve the City's cannabis program.
 2. Authorize the appropriation for the refund of cannabis revenue related to excise tax collected from January 1, 2021, to June 30, 2023, in the amount of \$1,120,000; and
 3. Approve staff's recommendation to standardize the calculation of gross revenue effective July 1, 2023, to allow for the exclusion of excise and sales taxes for all existing cannabis businesses.

City Manager James Vega provided a brief introduction of the report. Community Development Director Tony Stewart and Finance Director Lupe Acero presented the report. Questions followed.

A Public Comment was provided in person by Zahur Lalji. Questions followed.

A Public Comment was submitted via email and read by City Clerk Georgianna Alvarez, by Patricia and Mark Tatum.

A motion was made by Mayor Pro Tem Perez, seconded by Councilmember McQueen-Legohn, to:

1. Authorize staff to take steps necessary to implement 5 of the 6 items recommended to improve the City's cannabis program, removing the recommendation related to cultivation fees until the next item:
 - i. Reduce City Fees for the ongoing operation of cannabis businesses in the City:
 - Reducing the Live Scan background checks for employees from \$400 to \$200 per check, and allow a \$75 employee transfer fee
 - Pursue opportunities to potentially reduce the annual audit fees the businesses are required to pay
 - Potentially reduce the \$1,680 annual Development Agreement review fee by simplifying the process, reducing staff time spent on the reviews
 - ii. Expand the hours of operation to be from 8:00 a.m. to 10:00 p.m., subject to the same provision of security personnel that is currently provided during the 9:00 a.m. to 9:00 p.m. hours.
 - iii. Allow free-standing consumption lounges that are operated by existing dispensaries in the City since these dispensary owners have already been vetted through the City's processes. Retain the existing cap of five dispensaries for the time being. Applications for stand-alone dispensaries to be processed through the existing process.
 - iv. (Removed from consideration until the next item) ~~Reduce the amount of the contribution towards the City's General Fund for the cultivation operations of microbusinesses from 5% of gross revenues to 3%.~~
 - v. Consider allowing stand-alone distribution operations in the General Commercial (C-1) zone. This would require an amendment to the Port Hueneme Municipal Code, specifically the land use table for the C-1 zone.
 - vi. Allow up to two temporary uses that are minor in nature per month for each business (minor in nature means a pop-up canopy for a vendor in front of the business or a food truck) without a Special Use Permit. The business would still be required to notify staff ahead of the event, to avoid Code Compliance action, and for any event that could potentially have an impact on adjacent properties (i.e., large crowds, noise, etc.). The business would be required to obtain City Council approval for a Special Use Permit.
2. Authorize the appropriation for the refund of cannabis revenue related to excise tax collected from January 1, 2021, to June 30, 2023, in the amount of \$1,120,000; and
3. Approve staff's recommendation to standardize the calculation of gross revenue effective July 1, 2023, to allow for the exclusion of excise and sales taxes for all existing cannabis businesses.

Motion passed 5-0 as follows:

AYES: Gama, Hernandez, McQueen-Legohn, Perez, Martinez

NOES: None; ABSENT: None; ABSTAIN: None

PUBLIC HEARINGS

8. [Continued Hearing on Annual Development Agreement Compliance Review for Tradecraft Farms and Finding of Exemption from CEQA](#)

Recommendation:

1. Open the continued public hearing to take testimonial and documentary evidence; and

2. Close the continued public hearing and consider the evidence; and
3. Adopt a Resolution determining that Tradecraft Farms-Port Hueneme, LLC is in partial compliance with their Development Agreement; and
4. Make a determination the project is exempt under CEQA; and
5. Take such additional, related, action that may be desirable, including determining which course of action to take regarding the three businesses who are out of compliance with their respective Development Agreements, per the options noted in the staff reports dated October 16, 2023 and November 20, 2023.

City Manager James Vega presented the report.

The public hearing was opened at 8:44 p.m. There were no public comments. Comment was provided in person by the Applicant (Tradecraft Farms). Questions and discussion followed. The public hearing was closed at 9:05 p.m.

A motion was made by Mayor Martinez, seconded by Mayor Pro Tem Perez, to:

1. Determine that the Applicant is acting in good faith; allow staff to continue to work on modifying the development agreement; and reduce the amount of the contribution towards the City's General Fund for the cultivation operations of microbusinesses from 5% of gross revenues to 3%; and
2. Make a determination the project is exempt under CEQA

Comments followed.

Motion passed 5-0 by Roll Call Vote as follows:

AYES: Gama, Hernandez, McQueen-Legohn, Perez, Martinez

NOES: None; ABSENT: None; ABSTAIN: None

CITY MANAGER COMMENTS AND REPORTS

City Manager James Vega provided comments and reports regarding the following topics:

- Speed Limit Signs
- Holiday events: Tree Lighting, Police Explorers Turkey Giveaway, Senior Holiday Luncheon, Mar Vista Holiday Party

COUNCILMEMBERS' REPORTS AND COMMENTS

Council provided comments and reports regarding the following topics:

Councilmember McQueen-Legohn:

- Participated in Committees and reported out on VCTC (Ventura County Transportation Commission)

Councilmember Gama:

- Thanked staff for Veteran's Day event
- Fundraiser at the VFW (Veterans of Foreign Wars)
- Savvy Senior Event
- Wished everyone a Happy Thanksgiving

Councilmember Hernandez:

- Attended all meetings including: California State University Channel Islands Site Authority, SCAG (Southern California Association of Governments) Legislative Communications and Membership Committee, VRSD (Ventura Regional Sanitation District)
- Mural Committee meeting and request for proposals for call for artists

Mayor Pro Tem Perez:

- None

Mayor Martinez:

- Veterans Day Celebration
- Sister City Committee meeting
- REACH (Recreation, Education, Arts, Culture in Hueneme)

REQUEST FOR FUTURE AGENDA ITEMS

Councilmember Hernandez:

1. Requested an item be added to a future Council agenda to discuss the mural selection committee, seconded by Mayor Martinez. Motion passed unanimously, 5-0.

Mayor Pro Tem Perez:

1. Requested an update on the street sweeping schedule and inquired about street sweeping on the Friday after Thanksgiving. City Manager James Vega indicated that an update is coming and that he will ensure information regarding street sweeping on the Friday after Thanksgiving is posted online.

Councilmember Hernandez:

1. Requested an item be added to a future Council agenda regarding a crime stats report. Motion failed for lack of second.

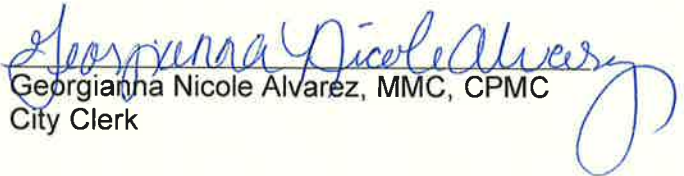
Mayor Martinez:

1. Requested an item be added to a future Council agenda regarding a smoking ban in multiunit housing, seconded by Councilmember Gama. Motion passed unanimously, 5-0.

ADJOURNMENT

The City Council adjourned at 9:20 p.m. to its next regular meeting scheduled for Monday, December 4, 2023, at 6:30 p.m.

Respectfully Submitted:


Georgianna Nicole Alvarez, MMC, CPMC
City Clerk

Approved this 4th day of December, 2023:


Roberto "Bobby" Martinez, Mayor