



City of Port Hueneme

City Council Regular Meeting Minutes

November 18, 2019

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

5:30 p.m. Council Closed Session | 6:30 p.m. Regular Meeting

5:30 P.M. – CITY COUNCIL CLOSED SESSION AGENDA

CALL TO ORDER The meeting was called to order by Mayor Berg at 5:30 p.m., at the above listed address

ROLL CALL

Present: Council Members Gama, Muñoz-Schnopp, and Rollins; Mayor Pro-Tem Hernandez; and, Mayor Berg

Absent: None

PUBLIC COMMENT

There were no members of the public appearing to speak.

CLOSED SESSION ITEMS

City Attorney Green listed the items to be discussed in Closed Session.

1. PUBLIC EMPLOYEE SELECTION PROCESS / PUBLIC EMPLOYEE APPOINTMENT

Authority: Government Code § 54957 and Government Code § 354954.5(e)

Position: City Manager

RECESS TO CLOSED SESSION The meeting recessed to Closed Session at 5:30 p.m.

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

CALL TO ORDER / FLAG SALUTE Mayor Berg reconvened the meeting at 6:30 p.m. with all members present and Mayor Berg led the Flag Salute.

INSPIRATION Mayor Pro Tem Hernandez provided the inspiration and dedicated the meeting to those involved in the tragedy in Santa Clarita.

ROLL CALL

Present: Council Members Gama, Muñoz-Schnopp, and Rollins; Mayor Pro-Tem Hernandez; and, Mayor Berg

Absent: None

AGENDA APPROVAL FOR CITY COUNCIL

City Council Agenda Approval

It was moved by Council Member Muñoz-Schnopp, seconded by Council Member Rollins and unanimously carried to approve the City Council Agenda of November 18, 2019.

REPORT ON CITY COUNCIL CLOSED SESSION ACTION

City Attorney Green stated there was no reportable action on the closed session item.

GENERAL PUBLIC COMMENT - NONE

PRESENTATIONS - NONE

CONSENT CALENDAR AGENDA

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

1. [Approved Minutes of the City Council Regular Meeting of November 4, 2019](#)
2. [Approved Finance Cash Disbursements for October 26, 2019 through November 8, 2019](#)

CONSENT CALENDAR ROLL CALL VOTE

It was moved by Mayor Pro Tem Hernandez seconded by Council Member Muñoz-Schnopp, and carried unanimously to approve the Consent Calendar Agenda items 1-2.

PUBLIC HEARINGS

3. [Planned Development / Conditional Use Permit No. PHCU-858 and Development Agreement No. PHDA-859 Port Hueneme Organic Team, Inc. Microbusiness \(Located 475 W. Channel Islands Boulevard\)](#)

The Public Hearing was opened at 6:33 p.m. There were no disclosures by Council.

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

Director Tony Stewart gave a presentation and answered Council questions. Project applicants came to the podium and answered Council questions.

No speakers appeared for public testimony.

The public hearing was closed at 7:00 p.m.

ROLL CALL VOTE

At the close of the Public Hearing, it was moved by Council Member Rollins, seconded by Council Member Muñoz-Schopp, and carried unanimously to approve the following:

1. Adopt Resolution No. 4298 a *Resolution of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-858 (Port Hueneme Organics Team, Inc. Cannabis Microbusiness)*; 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. 727 and Ordinance No. 734 of the Port Hueneme Municipal Code relating to the operation of a cannabis facility for Port Hueneme Organic Team, Inc. (with adoption to follow at the next regularly scheduled City Council meeting)*.

AYES: Rollins, Muñoz-Schnopp, Gama, Hernandez, Berg

4. [Sidewalk Liability and Recovery of Cost Ordinance](#)

The Public Hearing was opened at 7:02 p.m. There were no disclosures by Council.

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

City Attorney Charlie Green gave a presentation and answered Council questions regarding program enforcement and oversight, California JPIA guidelines, the 14-day notice timeline,

the option for a cost-share between the City and homeowner, and the option to create a Master Agreement with a consultant to handle homeowner repairs. Green also clarified that per State Law it is currently the homeowners' obligation and already transfers the liability to homeowners, the proposed ordinance aims to clarify the enforcement of the ordinance and gives due process to the property owners.

Director Villafana clarified Public Works' current role and practice following the current Ordinance and Municipal Code. Villafana also noted that the City would supply homeowners with the engineering standards and the guideline process to apply for a no-cost Encroachment Permit to complete the work, and that the City would inspect all work after completion. He also answered questions regarding the proposed timeline to implement a City maintenance program.

Community Development Director Tony Stewart indicated the City's current practice and conditions of approval regarding the planting of trees, and clarified that residents are allowed to remove and replace trees which are hazardous.

The following provided public comment:

- David Scrivner

Councilmember Gama made a motion to tabling this item until the City has a maintenance program in place. Motion failed for lack of a second.

The public hearing was closed at 8:03 p.m.

Council members indicated their desires for the following:

- Flexibility or extension on the 14-day requirement on a case-by-case basis for responsive homeowners
- A maintenance management program to monitor and inspect sidewalks
- A comprehensive check on citywide sidewalks and hazards
- Guidance to homeowners for repairs / Master Agreement with contractor to follow JPIA program

ROLL CALL VOTE

At the close of the Public Hearing, it was moved by Mayor Pro Tem Hernandez, seconded by Council Member Muñoz-Schnopp and passed with a 4-1 vote (Gama declined) to introduce, for first reading by title only, waiving the reading of the full text, *an Ordinance of the City Council of the City of Port Hueneme, California, Adding Article VI, Chapter 1, Part A, Sections 6011.1 through 6011.2 of the Municipal Code of the City of Port Hueneme imposing liability on owners of property for repairs, cleaning, and maintenance of sidewalks and driveways and providing for recovery of public works maintenance costs pursuant to a lien in accordance with California Streets & Highways Code Sections 5610 Et Seq.*

AYES: Hernandez, Muñoz-Schnopp, Rollins, Berg

NOES: Gama

CITY COUNCIL BUSINESS ITEMS

Community Development Department

5. Introduce Ordinance to Adopt 2019 Editions of the California Building Standards Code

Director Tony Stewart and Building Official Renee Meriaux gave a presentation and answered Council questions.

No speakers appeared for public comment.

ROLL CALL VOTE

It was moved by Council Member Muñoz-Schnopp, seconded by Council Member Rollins, and carried unanimously to approve the following:

1. Introduce for first reading by title only, waiving full reading, an Ordinance adopting by reference the 2019 Editions of the California Building Standard Code ("CBSC") for the City of Port Hueneme, specifically titled:
Amending Article VIII, Building Regulations, of the Port Hueneme Municipal Code incorporating the California Building Standards Code by reference as follows: (1) California Building Code with Appendices C, I and J, California Residential Building Code with Appendix H, and California Green Building Standards Code, 2019 Editions; (2) California Electrical Code, 2019 Edition; (3) California Plumbing Code, 2019 Edition; (4) California Mechanical Code, 2019 Edition; (5) California Building Standards Administrative Code, 2019 Edition; (6) California Energy Code, 2019 Edition; (7) California Existing Building Code, 2019 Edition; (8) International Property Maintenance Code, 2018 Edition; (9) Gypsum Association Fire Resistive Design Manual, Twenty-First Edition, GA-600-15; and (10) Making Miscellaneous revisions to Article VIII, Building Regulations, to provide consistency with the California Building Standards Code; and
2. Schedule a public hearing for the City Council's December 2, 2019 meeting to consider adoption of the proposed Ordinance; and
3. Designate the City Clerk to publish a summary of the proposed Ordinance at least five days before the City Council meeting at which the proposed Ordinance is to be considered for adoption.

AYES: Muñoz-Schnopp, Rollins, Gama, Hernandez, Berg

6. Annual Beach Parking Permits

Director Tony Stewart gave a presentation and answered Council questions regarding the City-incurred costs to maintain the beach parking lot, enforcement of parking permits, the option to increase the cost of day parking permits, how the City informs residents regarding beach parking permits, the discount given to Port Hueneme residents, and current proof of residency requirements.

The following provided public comment:

- Jeffrey Scarberry (provided via email to Council)
- David Scrivner (read into the record by Mayor Berg)
- Tom King
- Archuro Garcia
- Becky Bruning

After further discussion, it was unanimously agreed to table the parking permit agenda item and have staff reevaluate the discount for residents, the option to increase one-day parking permits, and provide other options for residents to show proof of residency.

Finance Department and Capital Improvement Project Budget Items

7. 2019-20 and 2020-21 Capital Improvement Projects and One-Time Expenditures Budget Workshop and Adoption of the Annual Capital Improvement Projects Budget for Fiscal Year 2019-20 and 2020-21

City Manager Butler introduced both items #7 and 8 and prefaced why the Capital Improvement Budget and the Moranda Park Capital Improvements were separated in an effort to eliminate conflict of interests for Council Member Gama. Butler presented the PPT to Council and summarized the Capital Improvement requests in the CIP budget.

Butler and Villafana answered Council questions in regards to different CIP budget items and heard Council testimony on their priorities and discussion regarding the option to place a traffic light at Clara and Ventura road and increase Police Department positions to address public safety issues.

The following provided public comment:

- None

ROLL CALL

After conducting a public workshop, it was moved by Council Member Muñoz-Schnopp, seconded by Mayor Pro Tem Hernandez, and carried with a 4-1 vote (Gama declined) to:

1. Approved the proposed Fiscal Year Capital Improvements Projects (CIP) and one-time expenditures for the 2019-20 and 2020-21 budget; and
2. Waived further reading and adopt Resolution No. 4299 a *Resolution of the City Council of the City of Port Hueneme, California, adopting the Capital Improvement Projects Budget for Fiscal Years 2019-20 and 2020-21.*

AYES: Muñoz-Schnopp, Hernandez, Rollins, Berg

NOES: Gama

8. [2019-20 and 2020-21 Moranda Park Capital Improvement Projects and One-Time Expenditures Budget Workshop and Adoption of the Moranda Park Capital Improvement Projects Budget for Fiscal Year 2019-20 and 2020-21](#)

Council Member Gama recused himself due to a Conflict of Interest.

City Manager Butler presented to Council and he and Recreation Program Manager Anna Hanely answered Council questions.

The following provided public comment:

- None

ROLL CALL

After conducting a public workshop, it was moved by Council Member Muñoz-Schnopp, seconded by Mayor Pro Tem Hernandez, and approved on a 4-0-1 vote (Gama Recused due to Conflict of Interest) carried to:

1. Approved the proposed Moranda Park Fiscal Year Capital Improvements Projects (CIP) and one-time expenditures for the 2019-20 and 2020-21 budget; and
2. Waive further reading and adopt Resolution No. 4300 a *Resolution of the City Council of the City of Port Hueneme, California, adopting the Moranda Park Capital Improvement Projects Budget for Fiscal Years 2019-20 and 2020-21.*

AYES: Muñoz-Schnopp, Hernandez, Rollins, Berg

NOES: None

ABSTAIN: Gama (due to Conflict of Interest)

9. [Contract with MIG, Inc., to Update the Parks, Recreation & Community Services Master Plan](#)

Director Tony Stewart gave a presentation and answered Council questions.

The following provided public comment:

- none

ROLL CALL

It was moved by Mayor Pro Tem Hernandez, seconded by Council Member Muñoz-Schnopp, and unanimously carried to approve and authorize the City Manager to execute a contract with MIG, Inc., to update the City's Parks, Recreation & Community Services Master Plan.

AYES: Hernandez, Muñoz-Schnopp, Gama, Rollins, Berg

City Manager

10. Contract with Kupiec Architect PC to Conduct a Needs Assessment for the Orvene Carpenter Community Center

City Manager Rod Butler gave a presentation and answered Council questions. Kharis Navigating consultant Steven Kinney provided Council further explanation on the Orvene Carpenter Community Center Needs Assessment.

The following provided public comment:

- None

ROLL CALL

It was moved by Mayor Pro Tem Hernandez, seconded by Mayor Berg, and the motion failed to approve the contract with a vote of 2-0-3 (Gama, Rollins, Muñoz-Schnopp declined)

AYES: Hernandez, Berg

NOES: Gama, Rollins, Muñoz-Schnopp

11. Extension of Economic Development Consultant Contract with Steven Kinney (dba Kharis Navigating)

City Manager Rod Butler gave a presentation and various staff answered Council questions.

The following provided public comment:

- None

ROLL CALL

It was moved by Council Member Rollins, seconded by Mayor Pro Tem Hernandez, and unanimously carried to approve and authorize the City Manager to execute an extension of the existing contract for professional economic development services with Steven Kinney, dba Kharis Navigating, through June 30, 2020.

AYES: Rollins, Hernandez, Gama, Muñoz-Schnopp, Berg

12. Adopt a Resolution Approving Sterling National Bank Lease/Purchase Agreement and Related Documents for Energy Savings Contract

City Attorney Charlie Green gave a presentation and answered Council questions.

The following provided public comment:

- None

ROLL CALL

It was moved by Mayor Pro Tem Hernandez, seconded by Council Member Rollins, and unanimously carried to Adopt Resolution No. 4301 a *Resolution of the City Council of the City of Port Hueneme, California, authorizing the City Manager to enter into an equipment lease/purchase agreement between the City of Port Hueneme and Sterling National Bank.*

AYES: Hernandez, Rollins, Gama, Muñoz-Schnopp, Berg

13. 2020 City Council Meeting Calendar

City Manager Rod Butler gave a presentation and answered Council questions.

ROLL CALL

It was moved by Council Member Muñoz-Schnopp, seconded by Mayor Pro Tem Hernandez, and unanimously carried to approve the 2020 City Council Meeting schedule as presented.

AYES: Muñoz-Schnopp, Hernandez, Gama, Rollins, Berg

COUNCIL MEMBERS' REPORTS, COMMENTS, AND REQUEST FOR FUTURE AGENDA ITEMS

Council Members are appointed to various Regional Committees/Agencies/Boards and will report out on their activities with these organizations at this time, as well as request items to be placed on future agendas and put forth any comments in regards to community events.

Mayor Berg: Attended a meeting about industrial HEMP in Ventura County where the biggest complaint was the smell. Attended California Association of Governments which meets in Sacramento. Notated the Cal Lutheran Center for Economic Research had a great presentation on the growth of Latino businesses the economy.

Mayor Pro-Tem Hernandez: Received a tour of Boys and Girls club in Port Hueneme, who are having a major fundraising drive to improve all 3 Ventura County locations, particularly Port Hueneme. Encouraged all to support their efforts. She notated a meeting coming up with Future Leaders of America and would like to provide them with an update on the Flavored Tobacco ordinance.

Council Member Gama: Notated that an appointment to the Advisory Body Committee is needed to fill a vacancy of Mayor Berg's appointee. Announced he went to Animal Services meeting, where they do a great job with limited resources, and appreciate being directed towards those meetings. He also went to a BEACON meeting, respects their mission, and enjoys that assignment. Spoke in regards to the letter from Army Corps a response and making sure stake holders are part of drafting that response making clear we need to increase budget to get more sand. Credited Emerald Perspective Dispensary for helping pick up trash, including single-use cannabis items for which there is no recycle program. Notated that we need to find a solution and address these non-recyclable items at the state level since the single-use packaging is a state requirement. Requested a future agenda item to bring forward a plan to fund the trust. Lastly, he requested comprehensive Port agreements so the Council could fully understand the Port-City relationship.

Council Member Muñoz-Schnopp: Attended a welcoming for new consulate of Mexico. PHWA had a great presentation from consultant Peter Candy who is working on Groundwater Management and representing the Port Hueneme Water Agency. Announced a renewed effort to form a Sister City program, which a previous Council had approved.

Council Member Rollins: As a rep for APCB they are working with Indy site to repair the rafters which is one cause of the noise and citizen complaints which should have a direct effect on reducing the noise and possibly smell. He attended the Marine of the year awards

ceremony and went on a tour for the Water Agency where they talked in depth about the ground water management system. Requested to see Advisory Bodies start meeting before the end of the year.

ADJOURNMENT

The City Council voted unanimously to adjourn at 11:02 p.m. to the regular meeting of December 2, 2019, to be held at 6:30 p.m. in the City Hall Council Chamber.



Will Berg
Mayor



Kristy Buxkemper
City Clerk