



# City of Port Hueneme

## City Council Regular Meeting Minutes

December 16, 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 ITEM

City Attorney Green listed the items to be discussed in Closed Session and corrected item #3 to be for the position of City Manager.

1. CONFERENCE WITH PROPERTY NEGOTIATORS

Authority: Government Code section 54956.8

PROPERTY: 746 Industrial Way, Port Hueneme, CA 93041

AGENCY NEGOTIATORS: Andrew Salinas – Interim City Manager; Charles Green - City Attorney; Steve Kinney - Consultant Kharis Navigating

NEGOTIATING PARTIES: City of Port Hueneme and 746 Industrial, LLC

UNDER NEGOTIATION: Negotiate price and terms of payment

2. CONFERENCE WITH PROPERTY NEGOTIATORS

Authority: Government Code section 54956.8

PROPERTY: Northeast Corner of San Pedro Street and West C Street, Port Hueneme, CA (APN 206-0-031-070)

AGENCY NEGOTIATORS: Andrew Salinas – Interim City Manager, Tony Stewart - Community Development Director, Steve Kinney - Consultant Kharis Navigating

NEGOTIATING PARTIES: City of Port Hueneme and Habitat for Humanity

UNDER NEGOTIATION: Negotiate price and terms of payment

3. PUBLIC EMPLOYEE SELECTION PROCESS / PUBLIC EMPLOYEE APPOINTMENT

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

Position: ~~Interim~~ City Manager \*Corrected to City Manager

**RECESS TO CLOSED SESSION** The meeting recessed to Closed Session at 5:33 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 Pro Tem Hernandez led the Flag Salute.

### ROLL CALL

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

Absent: None

**INSPIRATION** Councilmember Gama provided the inspiration recognizing Casa Pacifica for their services to our community and presented their staff with a recognition award.

### AGENDA APPROVAL FOR CITY COUNCIL

#### [City Council Agenda Approval](#)

It was moved by Council Member Muñoz-Schnopp, seconded by Mayor Pro Tem Hernandez and unanimously carried to approve the City Council agenda of December 16, 2019.

### REPORT ON CITY COUNCIL CLOSED SESSION ACTION

City Attorney Green stated there was no reportable action on the closed session items and restated the clerical error and correction to item #3 to indicate the position as City Manager.

### GENERAL PUBLIC COMMENT

The following provided public comment:

- Becky Breuning

### PRESENTATIONS

#### 1. [Recognizing 2019 Mayor and Mayor Pro Tem](#)

Mayor Berg presented a plaque to Mayor Pro Tem Hernandez honoring and thanking her for her service to the City Council for the year of 2019.

Mayor Pro Tem Hernandez presented a plaque to Mayor Berg honoring and thanking him for his service to the City Council for the year of 2019.

Mayor Berg celebrated the success of 2019 and notated all that the City and Council had accomplished.

### CITY COUNCIL REORGANIZATION

City Attorney briefed Council on the protocol for reorganizing indicating that only a nomination is required, no second motion is needed. After each nomination is made a vote will be taken, requiring three affirmative votes to successfully appoint.

#### 2. [Nominations for Mayor](#)

##### ROLL CALL VOTE

Mayor Berg nominated Laura Hernandez for Mayor. By a unanimous and majority vote 5-0 of the City Council, Laura Hernandez was appointed as Mayor.

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

#### 3. [Nominations for Mayor Pro Tempore](#)

##### ROLL CALL VOTE

Mayor Hernandez nominated Council Member Muñoz-Schnopp for Mayor Pro Tem. By majority vote 3-1-1 (Councilmember Gama abstained, Councilmember Rollins declined) of the Council, Sylvia Muñoz-Schnopp was appointed as Mayor Pro Tem.

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

*Council recessed for a 5 minute break to reorganize.*

*Mayor Hernandez took her seat as Mayor and reconvened the City Council meeting at 6:52 p.m.*

*City Attorney Green clarified the vote for Mayor Pro Tem to clarify that it was a 3-1-1 vote with Councilmember Gama abstaining and Councilmember Rollins declining.*

## **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 December 2, 2019 and the City Council Special Meeting of December 3, 2019](#)
5. [Approved Finance Cash Disbursements for November 23, 2019 through December 6, 2019](#)
6. [Adopted Resolution No. 4303 Authorizing the Acceptance of Funding from State of California, Office of Emergency Services, to Purchase 9-1-1 Emergency System Replacement](#)

### **CONSENT CALENDAR ROLL CALL VOTE**

It was moved by Council Member Berg, seconded by Council Member Rollins, and carried unanimously to approve the Consent Calendar Agenda items 4-6.

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

## **PUBLIC HEARINGS**

7. [Planned Development/Conditional Use Permit No. PHCU-864 and Development Agreement No. PHDA-865 Tech Delivery Solutions, LLC \(Dispensary located at: 501 W. Channel Islands Blvd, Suite 204\)](#)

The Public Hearing was opened at 6:54 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.

Community Development Director Tony Stewart gave a presentation and answered Council questions.

No speakers appeared for public testimony.

The public hearing was closed at 7:09 p.m.

### **ROLL CALL VOTE**

It was moved by Council Member Rollins, seconded by Council Member Berg, and carried unanimously to:

1. Adopt Resolution No. 4304 a Resolution of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-864 (Tech Delivery Solutions, LLC 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. 727 and Ordinance No. 734 of the Port Hueneme Municipal Code relating to the operation of a cannabis facility* for Tech Delivery Solutions, LLC (with adoption to follow at the next regularly scheduled City Council meeting).

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

## **BUSINESS ITEMS**

### ***City Attorney***

8. [Approval of Interim City Manager Agreement with Andrew Salinas](#)

City Attorney Green presented to Council and answered questions.

#### **ROLL CALL VOTE**

It was moved by Council Member Berg, seconded by Mayor Pro Tem Muñoz-Schnopp, and carried unanimously to approve the proposed Interim City Manager agreement with Police Chief Andrew Salinas, with a retroactive effective date of December 2, 2019, and authorize the Mayor to execute the agreement on behalf of the City Council.

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

### ***Public Works***

9. [Calling for Notice of Public Hearing and Utilization of Proposition 218 Majority Protest Procedure Regarding Proposed Water Rate Adjustments](#)

Public Works Director Don Villafana presented to Council and answered questions.

#### **ROLL CALL VOTE**

It was moved by Council Member Berg, seconded by Council Member Rollins, and carried unanimously to:

1. Call for a public hearing to be scheduled for February 3, 2020 at 6:30 p.m. regarding a proposed water rate adjustment; and
2. Approve the Proposition 218 Notice to Property Owners of a Public Hearing on Proposed Water Rate Adjustments and the Schedule of Proposed Water Rate Adjustments included in the Raftelis Water Rate Study; and
3. Authorize staff to proceed with the public noticing and majority protest procedures set forth in Proposition 218.

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

### ***City Manager***

10. [Land Purchase Option Agreement with Habitat for Humanity](#)

Kharis Navigation Consultant Steve Kinney presented to Council and answered questions.

Habitat for Humanity Director Darcy Taylor spoke to Council regarding the organization's desire to serve the community of Port Hueneme to help provide low-income housing.

#### **ROLL CALL VOTE**

It was moved by Council Member Berg, seconded by Mayor Pro Tem Muñoz-Schnopp, and carried unanimously to approve and authorize the Interim City Manager to execute an Option

Agreement with Habitat for Humanity of Ventura County, for the purchase of City-owned property at the northeast corner of San Pedro Street and West C Street.

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

**11. Approval of a Contract with Kupiec Architects PC to Conduct a Community Center Needs Assessment**

Interim City Manager Andrew Salinas provided an update on why this item was presented again for Council's approval. Salinas indicated that Council was not previously provided with comprehensive information to make a determination. With the supplemental information provided, staff asked for Council to reconsider.

Kharis Navigation Consultant Steve Kinney presented to Council and answered questions.

Housing Program Manager Gabby Basua addressed additional Council questions to clarify the scope of the Kupiec Contract. Indicated they will work with the contractor and ENGIE to ensure they run concurrently and have a feasible design.

Interim City Manager Salinas clarified the timeline for the work at City Hall and Community Center.

Steve Kinney and Gabby Basua clarified the correlation between the Parks Master Plan, the ENGIE project, and the Kupiec Architects Needs Assessment.

The following provided public comment:

- Dolly Knight
- Steven Auclair

*It was notated for the record that due to a clerical error an incorrect copy of the contract was posted with the original agenda and copies of the corrected contract were provided to Council and the public.*

**ROLL CALL VOTE**

It was moved by Council Member Berg, seconded by Mayor Pro Tem Muñoz-Schnopp, and carried 4-0-1 (Councilmember Gama declined) to approve and authorize the Interim City Manager to execute a contract with Kupiec Architects PC to conduct a Needs Assessment on the Orvene Carpenter Community Center.

AYES: Berg, Muñoz-Schnopp, Rollins, Hernandez

NOES: Gama

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

**Mayor Hernandez:** Attended the Senior Luncheon and enjoyed the wonderful event and Chief Salinas' singing. Thanked Council for nomination to Mayor, a position she takes very seriously and is humbled by the opportunity. Notated that her focus would be on continuing the great work already done in 2019, the hiring of a new City Manager, continue to work on the City's Strategic Plan which is crucial to the City's internal function, giving staff the tools and resources needed, implementing the budget, and analyzing the resources staff needs to do their jobs. Her personal goal is to strengthen collaboration with our partners; including the Port and Navy Base, and expanding collaboration with Puerto Vallarta for our Sister City Partnership. Thanked Council for their hard work and encouraged them to keep momentum going and accomplish good things next year. Reminded Council that committee liaison appointments would be reviewed in January to decide any new assignments.

**Mayor Pro Tem Muñoz-Schnopp:** Indicated the December PHWA was cancelled, but would be looking at the Boards Budget in January and reviewing the option to have the Water Agency apply for a variance. Wished the community a Merry Christmas, Happy New year and Happy Hanukkah. Notated her attendance at the sell-out Senior Luncheon put on by REACH and community groups and praised the beautiful decorations and elements added to the program, including the addition of the snow. Mayor Pro Tem commended staff for going above and beyond and pushing the envelope to continually improve the event. Complimented staff for bringing back the Santa Float, which has been missed for many years,

**Council Member Gama:** Commented that Council was not given the opportunity to approve the members of the Citizen Advisory Commission or Measure U Committee.


*Member Berg clarified each member had been appointed and approved by Council and directed staff to prioritize initiating the meetings for each group.*

**Council Member Berg:** Wished Council and City Staff a great year, Merry Christmas and a Happy New Year.

**Council Member Rollins:** Requesting action on the Citizen Advisory Board and Measure U Committee formation and agenda items. Commented that it was his neighborhood's first time to have the Santa Float and the kids within our community are looking forward the float.

#### **ADJOURNMENT**

The City Council voted unanimously to adjourn at 8:14 p.m. to the regular meeting of Tuesday, January 21, 2020, to be held at 6:30 p.m. in the City Hall Council Chamber.

  
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Laura Hernandez  
Mayor

  
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Kristy Buxkemper  
City Clerk