



# City of Port Hueneme

## City Council Regular Meeting Minutes

February 3, 2020

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 Hernandez at 5:31 p.m., at the above listed address.

#### ROLL CALL

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

Absent: Member Gama

#### GENERAL 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. CONFERENCE WITH PROPERTY NEGOTIATORS

Authority: Government Code section 54956.8

PROPERTIES: The City owned property located at 241-245 E. Port Hueneme Road, 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 Genesis, LLC

UNDER NEGOTIATION: Negotiate price and terms of payment

2. CONFERENCE WITH LABOR NEGOTIATORS

Authority: Government Code § 54957.6

AGENCY DESIGNATED REPRESENTATIVES: Andrew Salinas, Interim City Manager; Charles Peretz, Deputy City Manager; and Ken McDonald, Finance Director

EMPLOYEE ASSOCIATION: Unrepresented Management

3. CONFERENCE WITH LABOR NEGOTIATORS

Authority: Government Code § 54957.6

AGENCY DESIGNATED REPRESENTATIVES: Steven M. Berliner, Special Counsel; Andrew Salinas, Interim City Manager; Charles Peretz, Deputy City Manager; and Ken McDonald, Finance Director

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

**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 Hernandez reconvened the meeting at 6:30 p.m. and led the Flag Salute.

### ROLL CALL

Present: Councilmembers Berg and Rollins; Mayor Pro-Tem Muñoz-Schnopp; and Mayor Hernandez

Absent: Councilmember Gama

**INSPIRATION** Councilmember Rollins led the inspiration.

### AGENDA APPROVAL FOR CITY COUNCIL

#### City Council Agenda Approval

It was moved by Councilmember Berg, seconded by Councilmember Rollins and carried with a 4-0-1 vote (Gama absent) to approve the City Council agenda of February 3, 2020, with the amendment to pull item #6 from the Consent Calendar and move it to Discussion.

**REPORT ON CITY COUNCIL CLOSED SESSION ACTION** City Attorney Green stated there was no reportable action on the closed session items.

### GENERAL PUBLIC COMMENT

The following provided public comment:

- Dolly Knight
- Orlando Herrera

### 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 January 21, 2020
2. Approved Finance Cash Disbursements for January 10, 2020 through January 23, 2020
3. Read, by Title Only, Waiving Full Reading of Text, and Adopted Ordinance No. 761 of the City Council of the City of Port Hueneme, California, Adding a New Chapter 7 to Article V, Beginning with Section 5616, to the City of Port Hueneme Municipal Code for the Purposes of Regulating Tobacco and Electronic Cigarette Retailers
4. Read, by Title Only, Waiving Full Reading of Text, and Adopted Ordinance No. 762 Approving Development Agreement No. PHDA-837, Major Modification #2 (Hueneme Patient Consumer Collective, LLC Dispensary, Located at 501 W. Channel Islands Blvd, Suites 301-303
5. Awarded a Contract to J&H Engineering General Contractors, Inc. for the Removal and Replacement of Broken, Cracked, and Uplifted Sections of Concrete Walk at Moranda Park

### CONSENT CALENDAR ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Mayor Pro Tem Muñoz-Schnopp and carried with a 4-0-1 (Gama absent) to approve the Consent Calendar Agenda items #1-5 with the amendment to pull item #6 for discussion.

AYES: Berg, Muñoz-Schnopp, Rollins, Hernandez

ABSENT: Gama

## PULLED FOR DISCUSSION

6. [Agreement with Rincon Consultants, Inc., for the Preparation of the City of Port Hueneme's General Plan Update, Including the Sixth-Cycle Housing Element Update, Climate Action Plan and Environmental Impact Report for an Amount Not-to-Exceed \\$610,082.](#)

Community Development Director Tony Stewart gave a presentation on the City's need to update the General Plan, Housing Element, Climate Action Plan and Environmental Impact Report and answered Council questions along with a consultant from Rincon.

### ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Mayor Pro Tem Muñoz-Schnopp, and carried with a 4-0-1 (Gama absent) to approve an agreement with Rincon Consultants, Inc. for the preparation of the City of Port Hueneme's General Plan Update, including the sixth-cycle Housing Element Update, Climate Action Plan, and Environmental Impact Report for an amount not-to-exceed \$610,082.

AYES: Berg, Muñoz-Schnopp, Rollins, Hernandez

ABSENT: Gama

## PUBLIC HEARINGS

7. [Proposed Water Rate Adjustments Public Hearing, Resolution Declaring Protest Ballot Count, and First Reading Introducing an Ordinance Setting the Amount of Water Rates and Charges](#)

**MAYOR HERNANDEZ ANNOUNCED THAT CITY STAFF CONDUCTED A PRELIMINARY PROTEST BALLOT OPENING AT 5:00 P.M. ON FEBRUARY 3, 2020. THOSE PROTESTS COUNTED WERE RECORDED PRIOR TO THE PUBLIC HEARING AND READ INTO THE OFFICIAL RECORD AT THE COUNCIL MEETING.**

The Public Hearing was opened at 7:04 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.

Public Works Director Don Villafana and consultants from Raftelis provided a comprehensive presentation to Council and answered questions.

The following provided public comment:

- None

The public hearing was closed at 7:40 p.m.

After the close of the public hearing, the City Clerk announced the prima fascia preliminary count of protests received indicated the following had been submitted:

- 367 protests received prior to Public Hearing / 3 received during the Public Hearing
- 16 potentially void protests
- 13 potentially duplicative protests
- **TOTAL PRELIMINARY PROTESTS: 399 protests received**

City Clerk Buxkemper notated that 3,161 protests would need to be received to protest the water rates. Buxkemper confirmed that an insufficient amount of protests were submitted allowing Council to continue consideration of the proposed water rates.

### ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Mayor Pro Tem Muñoz-Schnopp and carried with a 4-0-1 (Gama absent) to:

1. Adopt RESOLUTION NO. 4307 OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME RECITING THE FACTS OF THE PROPOSITION 218 MAIL PROTEST PROCESS HELD, DECLARING THE RESULT, AND SUCH OTHER MATTERS AS PROVIDED BY LAW; and
2. Introduce for first reading, by title only, and waive further reading AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME SETTING THE AMOUNT OF WATER RATES AND CHARGES PURSUANT TO HEALTH AND SAFETY CODE SECTION 5471.

AYES: Berg, Muñoz-Schnopp, Rollins, Hernandez

ABSENT: Gama

8. [Councilmanic Salaries Ordinance Amendment and Resolution Providing Health, Vision and Dental Benefits and Matching Contributions to the City's ICMA 457 Deferred Compensation Plan to Members of the City Council](#)

The Public Hearing was opened at 7:43 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.

Deputy City Manager Peretz gave a presentation and answered Council questions.

The following provided public comment:

- None

The public hearing was closed at 7:48 p.m.

### ROLL CALL VOTE

It was moved by Mayor Pro Tem Muñoz-Schnopp, seconded by Councilmember Rollins, and carried with a 4-0-1 (Gama absent) to:

1. Introduce, for first reading by title only, waiving the reading of the full text recommending adoption of *AN ORDINANCE OF THE COUNCIL OF THE CITY OF PORT HUENEME, CALIFORNIA, AMENDING ARTICLE II, CHAPTER 1, SECTION 2010 OF THE CITY OF PORT HUENEME MUNICIPAL CODE RELATING TO COUNCILMANIC SALARIES*; and
2. Adopt *Resolution No. 4308 providing health, vision and dental benefits and matching contributions to the City's ICMA 457 Deferred Compensation Plan to members of the City Council.*

AYES: Muñoz-Schnopp, Rollins, Berg, Hernandez

ABSENT: Gama

9. [Continuance of a Public Hearing to a Date Certain on Introduction of an Ordinance Amending the Port Hueneme Municipal Code, Pertaining to Development Standards for Accessory Dwelling Units](#)

The Public Hearing was opened at 7:49 p.m.

Mayor Hernandez announced that the Public Hearing would be continued to a date certain of April 20, 2020, but Council would still accept public testimony.

Community Development Director Tony Stewart repeated the announcement that the public hearing will be continued to a date certain of the regularly scheduled City Council meeting of April 20, 2020 and gave a brief explanation on the reasons for the continuance and the need for additional review time.

The following provided public comment:

- None

The public hearing was closed at 7:51 p.m.

#### **ROLL CALL VOTE**

It was moved by Councilmember Berg, seconded by Councilmember Rollins, and carried with a 4-0-1 (Gama absent) to continue the public hearing to a date certain scheduled for the regular City Council meeting on April 20, 2020.

AYES: Berg, Rollins, Muñoz-Schnopp, Hernandez

ABSENT: Gama

### **BUSINESS ITEMS**

#### ***Public Works***

##### **10. City Sidewalk Inspection and Maintenance Program**

Public Works Director Villafana presented the City Sidewalk Inspection and Maintenance Program to Council and answered questions.

#### **ROLL CALL VOTE**

By voice vote, the Council received and filed the oral report regarding an overview of the sidewalk inspection and maintenance program.

AYES: Berg, Rollins, Muñoz-Schnopp, Hernandez

ABSENT: Gama

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

**Mayor Hernandez:** Indicated she would be presenting a proclamation for Alaska Flight 261 to the Board of Supervisors and her arial footage of the beach showed the beauty of the Port Hueneme beach. Thanked everyone involved in the Alaska Flight 261 Memorial Event and commented on the appreciation and satisfaction of attendees. Detailed the success of utilizing the standard Emergency Response System to manage the crash catastrophe. Also introduced new student intern Andre Haroutounian, one of her former students who would be assisting the City by helping to update the Volunteer Manual and assist with efforts on the Strategic Plan and helping with the Mayor's panel on homelessness. Spoke in regards to the historic meeting with the Port of Hueneme where the full Board of Commissioners and City Council conducted a workshop.

**Mayor Pro Tem Muñoz-Schnopp:** Announced the upcoming reorganization of the Port Hueneme Water Agency and indicated a new Chairperson would be appointed at the next meeting scheduled for February 18. Applauded the City staff and volunteers for their efforts and the success of the Alaska Flight 261 Memorial, and commented on how touching and intimate the event was for family members who lost their loved ones. Commended the Alaska Airlines CEO who attended in person and apologized to the families for the tragedy, and admired the families who have fought for and succeeded in making huge changes in the airline industries. Thanked long-time employee Rita Turbyville, recognized her for her service and dedication to the City, and wished her well upon her retirement.


**Council Member Berg:** Commented on the success of the Alaska Flight Memorial event and how after 20 years the families have formed unique friendships. Indicated the Island Packers took family members out to the crash site and, while on the boat, were surrounded by dozens of dolphins.

**Council Member Gama:** Absent

**Council Member Rollins:** Thanked and applauded the Mayor for such a heartfelt, beautiful speech for the Alaska Memorial event and commended her on representing the City well. Announced he was planning to attend the upcoming REACH meeting and also a scheduled tour of the Indy Plant. Requested a report on the Community Benefit Fund.

#### **ADJOURNMENT**

The City Council adjourned in honor of Oxnard Police Resource Officer Nathan Martin at 8:24 p.m. to the special meeting of Friday, February 7, 2020 at 12:00 p.m. and the regular meeting of Monday, February 18, 2020, to be held at 6:30 p.m. in the City Hall Council Chamber.

  
\_\_\_\_\_  
Laura Hernandez  
Mayor

  
\_\_\_\_\_  
Kristy Buxkemper  
City Clerk