



City of Port Hueneme

City Council Regular Meeting Minutes

February 18, 2020

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

5:00 p.m. Council Closed Session | 6:30 p.m. Regular Meeting

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

CALL TO ORDER Mayor Pro Tem Muñoz-Schnopp called the meeting to order at 5:01 p.m. at the above listed address.

ROLL CALL

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

GENERAL PUBLIC COMMENT

There were no members of the public appearing to speak.

CLOSED SESSION ITEMS

Deputy City Attorney Spaulding 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. PUBLIC EMPLOYEE SELECTION PROCESS / PUBLIC EMPLOYEE APPOINTMENT

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

Position: City Manager (Employment Agreement and Goals/Expectations)

RECESS TO CLOSED SESSION The meeting recessed to Closed Session at 5:03 p.m.

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

CALL TO ORDER / FLAG SALUTE Mayor Pro Tem Muñoz-Schnopp reconvened the meeting at 6:30 p.m. and led the Flag Salute.

INSPIRATION Councilmember Berg provided the inspiration.

ROLL CALL

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

AGENDA APPROVAL FOR CITY COUNCIL

City Council Agenda Approval

It was moved by Councilmember Rollins, seconded by Councilmember Berg and passed by majority vote (Hernandez absent) to approve the City Council agenda of February 18, 2020.

REPORT ON CITY COUNCIL CLOSED SESSION ACTION

Deputy City Attorney Spaulding stated there was no reportable action for closed session agenda item #1. The Council, by a 3-0-2 vote (Hernandez and Gama absent) approved the City Manager Employment Contract for Brad Conners and confirmed his appointment (to be reconfirmed in City Council open session item #1).

GENERAL PUBLIC COMMENT

The following provided public comment:

- None

APPOINTMENT OF CITY MANAGER

1. Appointment of City Manager and Approval of Employment Agreement

Interim City Manager Andrew Salinas read the biography for Mr. Brad Conners and notated his immense leadership experience and qualifications.

It was moved by Councilmember Berg, seconded by Councilmember Rollins and carried by majority vote (Hernandez absent) to appoint Mr. Brad Conners as City Manager and approve a three-year Employment Agreement.

AYES: Berg, Rollins, Gama, Muñoz-Schnopp

ABSENT: Hernandez

CITY MANAGER OATH OF OFFICE

2. City Manager Oath of Office

Following Council's appointment of Mr. Brad Conners as City Manager, City Clerk Buxkemper conducted the City Manager's Oath of Office and swore Mr. Conners into office.

Councilmembers took the opportunity to thank Chief Andrew Salinas for serving as Interim City Manager and for his leadership and dedication to the City of Port Hueneme.

PRESENTATIONS

3. Many Mansions Presentation

Alex Russell, Executive Vice President for Many Mansions

Presentation Item #3 was removed at the request of Many Mansions.

4. Capital Improvement Projects Update

Chief Salinas gave an update on the City's Capital Improvement Projects and detailed the City's accomplishments covering a three month period following Council's approval of the Capital Improvement Projects Budget and answered Council questions.

5. Hueneme Beach Festival Event Presentation

Chief Salinas and REACH Board Director Steve Kinney gave an update on the City's renewed effort to host the Hueneme Beach Festival in August 2020. Staff and REACH received the approval and support of Council to proceed with event plans.

CONSENT CALENDAR AGENDA

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

6. Approved Minutes of the City Council
 - Special Closed Session Meeting of January 6, 2020
 - Special Closed Session Meeting of January 25, 2020
7. Approved Finance Cash Disbursements for January 24, 2020 through February 6, 2020
8. Read, by Title Only Waiving Full Reading of Text, and adopted Ordinance No. 763 an Ordinance of the City 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

Councilmember Gama requested that item #9 be pulled for discussion to immediately follow the consent calendar.

Councilmember Gama also clarified for the record, that pertaining to item #8, the City Council was not receiving a pay raise but were reinstating their health benefits which were previously forfeited.

CONSENT CALENDAR ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Gama, and carried with a 4-0-1 (Hernandez absent) to approve the Consent Calendar Agenda items 6-8, with the amendment to pull item #9 for discussion.

AYES: Berg, Gama, Rollins, Muñoz-Schnopp

ABSENT: Hernandez

PULLED FOR DISCUSSION

9. Read, by Title Only Waiving Full Reading of Text, and adopted Ordinance No. 764 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

Councilmember Gama asked questions regarding the Water Rates Ordinance for clarification before voting on final adoption. Staff clarified how rates were based on consumption and indicated that City departments were charged the same water rates as water rate payers.

Councilmember Rollins asked staff for future community outreach to educate the public on conservation methods and to distribute information on how to lower residential water bills.

Council requested additional follow-up on whether HOAs were classified as Commercial or Residential on City water bills.

The following provided public comment:

- Tom Dunn

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins and carried with a 4-0-1 (Hernandez absent) to Read, by Title Only Waiving Full Reading of Text, and adopt Ordinance No. 764 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, Rollins, Gama, Muñoz-Schnopp

ABSENT: Hernandez

PUBLIC HEARINGS

10. An Ordinance Relating to Prohibiting Camping, Sleeping, Cooking, Wheeled Vehicles, and Storage of Personal Property at the Beach Park, Wharf, or Pier

The Public Hearing was opened at 7:22 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.

Chief Salinas and Deputy City Attorney gave a presentation and answered Council questions.

The following provided public comment:

- Tom Dunn
- David Scrivner

The public hearing was closed at 7:58 p.m.

Council discussed the ordinance and the various proposed amendments.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Gama, and carried with a 4-0-1 (Hernandez absent) 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, amending Section 4201 and adding Sections 4210 through 4214 to Chapter 3 of Article IV and adding Sections 4311 through 4313 to Chapter 4 of Article IV of the Municipal Code relating to camping, storage of personal property, wheeled vehicles, and sleeping in or around the Beach Park, wharf, or pier.*

AYES: Berg, Gama, Rollins, Muñoz-Schnopp

ABSENT: Hernandez

11. An Ordinance 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 and Highways Code Sections 5610 Et Seq.

The Public Hearing was opened at 8:00 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 Attorney Kevin Spaulding gave a presentation, indicated the revised Ordinance incorporated a Council-directed amendment that was made at previous Council meetings regarding extending the deadline to 60 days, and answered Council questions.

Councilmember Gama presented a PowerPoint and compared the City of Port Hueneme's past and present practices on sidewalk and driveway repair. Expressed his reasoning to not support the Ordinance adoption.

In-depth discussion ensued among Councilmembers. Deputy City Attorney Spaulding indicated state law already placed the liability on owners and clarified the process for identifying the residents' responsibility and the lien that could be placed on their property.

The following provided public comment:

- David Scrivner

The public hearing was closed at 8:55 p.m.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins, and carried with a 3-1-1 (Hernandez absent and 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, 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 and Highways Code Sections 5610 Et Seq.*

AYES: Berg, Rollins, Muñoz-Schnopp

NOES: Gama

ABSENT: Hernandez

ABSTAIN: None

BUSINESS ITEMS

Public Works

12. Authorization to Enter into a Lease Agreement with First Baptist Church

Deputy Public Works Director Fred Camarillo presented to Council and answered questions.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins, and carried with a 4-0-1 (Hernandez absent) to:

1. Authorize the City Manager to enter into a lease agreement with First Baptist Church for use of a parking area located at 312 North Ventura Road Port Hueneme, CA 93041 with an initial term of 24 months; and
2. Appropriate \$6,000 to each of the Solid Waste, Wastewater, Water, and General Fund budgets for FY19-20 to cover the specific costs related to the lease and improvements designated in the agreement.

AYES: Berg, Rollins, Gama, Muñoz-Schnopp

ABSENT: Hernandez

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

Mayor Hernandez: Absent

Mayor Pro Tem Muñoz-Schnopp: Spoke in regards to her tour of the Indy Plant and how they implemented silencers to mitigate the noise and how their operations run 24/7 with the same routine during each shift. Indicated the Indy Plant changed the way they notify others internally, reducing noise by no longer using bells and implementing other noise reductions to diminish impacts to the community. Announced they do use ammonia, but are restricted to an approved level and it is used within the legal limitation. Added that when the winds shift and it's humid, that may result in the smell residents have reported. The Indy Plant takes complaints from the community regarding noise and smell, and residents are encouraged to call and submit reports. Mayor Pro Tem indicated the JPIA representative will be present in March, and she and Councilmember Gama will have an opportunity to speak with the representative. Provided an update on the Sister City Committee and announced the

invitation letter to Puerto Vallarta has been sent and the City is looking forward to hearing a response in the near future. Requested an update on the City-Port Committee and when the next meeting will be scheduled.

Council Member Berg: Indicated he also visited the Indy Plant with Councilmember Rollins, and attended the funeral services for former Oxnard Mayor Manual Lopez.

Council Member Gama: Spoke in honor of Black History month and detailed his recent trip and his tour of plantations in New Orleans and how society has come a long way.

Council Member Rollins: Spoke regarding Air Pollution and how over the last 15-20 years the levels of pollution have significantly decreased and pollution standards have become stricter. He also attended the Indy Plant tour and commented on the lack of odors and their efforts to mitigate and reduce noise. Spoke regarding the PHWA and how 94% of the City's water comes from United where water is less expensive and indicated the City has showed an increase in water conservation. Requested an update on the Community Benefit Fund.

ADJOURNMENT

The City Council adjourned at 9:20 p.m. to the regular meeting of Monday, March 2, 2020, to be held at 6:30 p.m. in the City Hall Council Chamber.



Sylvia Muñoz-Schnopp
Mayor Pro Tem



Kristy Buxkemper
City Clerk