



City of Port Hueneme

City Council Regular Meeting Minutes

September 8, 2020

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

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

THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 AND THE ORDERS OF THE VENTURA COUNTY PUBLIC HEALTH OFFICER ISSUED MARCH 20, 2020 (STAY WELL AT HOME ORDER)

In order to minimize the spread of the COVID-19 virus, all meetings are closed to the public until further notice. The following provides information to the public on how to observe and/or participate remotely:

- *Meetings can be viewed live at:*
<http://porthuenemeca.suiteonemedia.com/web/Home.aspx>.
- *Public Comments can be submitted to kbuxkemper@ci.port-hueneme.ca.us and must be received by 5:00p.m. on September 8, 2020 in order to be considered by City Council. All comments will be part of the official record and minutes will notate all submissions.*
- *Additional electronic meeting guidelines can be found [here](#) and at the end of the agenda*
- *Detailed information and updates about COVID-19, can be found on the City of Port Hueneme's Emergency Website at: www.PortHuenemeEmergency.org*

6:00 P.M. – CITY COUNCIL CLOSED SESSION AGENDA

CALL TO ORDER Mayor Hernandez called to order the closed session meeting at 6:00 p.m.

ROLL CALL

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

Absent: None

GENERAL PUBLIC COMMENT (via submitted comments to the City Clerk)

None submitted

CLOSED SESSION ITEMS

Deputy City Attorney Spaulding read the closed session item listed below:

1. CONFERENCE WITH LABOR NEGOTIATORS

Authority: Government Code § 54957.6

AGENCY DESIGNATED REPRESENTATIVES: Brick Conners, City Manager, Andrew Salinas, Police Chief, and Charles Peretz, Deputy City Manager

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

RECESS TO CLOSED SESSION Council recessed to closed session at 6:01 p.m.

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

CALL TO ORDER / FLAG SALUTE Mayor Hernandez called the meeting to order at 6:34 p.m. and led the flag salute.

Mayor Hernandez announced that due to the Governor's Executive Order N-29-20 and the Orders of the Ventura County Public Health Officer's "Stay Well at Home" Order of March 20, 2020 that the Council Chamber has been closed to the public due to the local emergency. City Council and Staff participated remotely to help social distancing efforts and reduce the spread of COVID-19.

ROLL CALL

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

Absent: None

INSPIRATION Mayor Pro Tem Muñoz-Schnopp provided the inspiration.

AGENDA APPROVAL FOR CITY COUNCIL

City Council Agenda Approval

It was moved by Mayor Pro Tem Muñoz-Schnopp, seconded by Councilmember Rollins, and passed unanimously to approve the City Council agenda of September 8, 2020.

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

GENERAL PUBLIC COMMENT (via submitted comments to the City Clerk)

There were no members of the public appearing to speak due to the City's response to the Local Emergency Declaration, which required that City Council meeting be closed to the public. Public comments were accepted via email to the City Clerk by 5:00p.m. on the day of the meeting.

Public Comments were submitted by the following:

- Steven Gama
- David Scrivner
- Dolly Knight
- Kendall Lousen

PRESENTATIONS

1. Ventura County Continuum of Care Presentation
Ms. Tara Carruth with the Ventura County Continuum of Care Alliance presented to Council on efforts to help end homelessness, statistics regarding veteran household homelessness, and COVID-19 related effects throughout the County of Ventura. The County and Continuum of Care are looking at ways to increase outreach and services, including their One Stop Healthcare Outreach and Backpack Medicine program to provide help to homeless encampments.
2. Oxnard Union High School District Presentation
Oxnard Union High School District Interim Superintendent Dr. Thomas McCoy presented to Council providing a comprehensive update on the Oxnard Union High School District, the effects of COVID-19, and the new innovative ways the schools have adapted. Mr. McCoy answered questions.
3. Federally Employed Women (FEW) Southern California Gold Coast Chapter Proclamation
Mayor Hernandez read a proclamation honoring Federally Employed Women for the Southern California Gold Coast Chapter. Ms. Lisa Zimmerman accepted the proclamation and thanked Council for recognizing the Federally Employed Women of the Southern California Gold Coast Chapter.
4. Strategic Plan Focus Group and Community Engagement Presentation

ARIA Consultant Christine Grimm provided Council an update on the City's Strategic Plan Focus Group and community engagement efforts as they enter the final stages of plan creation.

5. [COVID-19 and Police, Community, and Crime Update](#)
Chief Salinas presented a COVID-19 report and a Police Department Community and Crime update to the City Council and answered questions.

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 for the Regular Meeting of July 20, 2020 and Special Meeting of August 12, 2020](#)
7. [Finance Cash Disbursements for July 15, 2020 through August 31, 2020](#)
This item was pulled for discussion. No action was taken on the consent calendar.
8. [Read, by Title Only Waiving Full Reading, and Adopted Ordinance No. 771 Approving Development Agreement No. PHDA-877 – Bleu Diamond, LLC Dispensary \(501 W. Channel Islands Blvd, Suite 202\)](#)

CONSENT CALENDAR ROLL CALL VOTE

It was moved by Councilmember Berg seconded by Councilmember Rollins and passed unanimously to approve the Consent Calendar Agenda item #6 and item #8.

Item #7 was pulled for discussion and no action was taken on that item.

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

PULLED FOR DISCUSSION

7. [Finance Cash Disbursements for July 15, 2020 through August 31, 2020](#)

This item was pulled from the Consent Calendar by Councilmember Gama for further discussion.

Finance Director Ken McDonald answer questions regarding the Finance Cash Disbursements relating to unfunded liability payments.

It was moved by Mayor Pro Tem Muñoz-Schnopp, seconded by Councilmember Gama and passed unanimously to approve item #7 to receive and file the Finance Cash Disbursements for July 15, 2020 through August 31, 2020.

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

PUBLIC HEARINGS

9. [Introduce for First Reading, by Title Only Waiving Full Reading, an Ordinance of the City Council of the City of Port Hueneme, California, Approving Planned Development/Conditional Use Permit No. PHCU-880 and Development Agreement No. PHDA-881 – Front Door Enterprises, LLC, DBA EcoMeds Dispensary \(521 W. Channel Islands Blvd., Suite 13\)](#)

The Public Hearing was opened at 9:39 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 presented the report to Council and answered questions.

No public comment were submitted from the public.

The public hearing was closed at 9:51 p.m.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Mayor Pro Tem Muñoz-Schnopp and carried unanimously to:

1. After considering the evidence, adopt *Resolution No. 4332 of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-880 (Front Door Enterprises 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 Innovative Concepts Investments Group, LLC (with adoption to follow at the next regularly scheduled City Council meeting)*; and

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

10. [Planned Development Permit No. PHPD-868 and Tentative Tract No. 6036 – Habitat for Humanity of Ventura County \(716 San Pedro Street\)](#)

The Public Hearing was opened at 9:52 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 presented the report to Council and answered questions.

No public comment were submitted from the public.

The public hearing was closed at 10:20 p.m.

ROLL CALL VOTE

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

1. After considering the evidence, adopt *Resolution No. 4333 of the City Council of the City of Port Hueneme, granting approval of Planned Development Permit No. PHPD-868, Tentative Tract No. 6036 and the Affordable Housing Agreement therefore (Habitat for Humanity) with the amendment for the applicant to return to City Council with revised color palate choices.*

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

11. [Appeal of City Denial of an Application for a Certificate of Approval for Beachside Delivery Service, Proposed at 720 North Ventura Road, Suites 1-3](#)

The Public Hearing was opened at 10:24 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 Spaulding briefed Council and the public on the appellate hearing process and their role.

Community Development Director Tony Stewart presented the report to Council and detailed the string of evidence that led to the denial of the Beachside Deliver Service application.

Mr. Lawrence Conlan, attorney representing applicant Mr. Joe Kyle, represented Beachside Delivery service and defended their application and requested Council to give the applicant an additional opportunity to resubmit the application.

Council had the opportunity to ask questions of Mr. Stewart, and of the defending party represented by Mr. Conlan. Mr. Joe Kyle also provided testimony and answered Council questions.

Discussion ensued among Council regarding the evidence presented to them and they analyzed the facts provided before making a determination.

Public comment/testimony was received by:

- Joe Kyle

The public hearing was closed at 11:52 p.m.

ROLL CALL VOTE

It was moved by Councilmember Rollins, seconded by Mayor Pro Tem Muñoz-Schnopp but motion failed on a 2-3 vote failing to uphold the City's denial of an application for a Certificate of Approval for the proposed Beachside Delivery Service.

AYES: Rollins, Muñoz-Schnopp

NOES: Berg, Gama, Hernandez

12. [Introduce for First Reading, by Title Only Waiving Full Reading, an Ordinance of the City Council of the City of Port Hueneme, California, Adding Sections 4215 Through 4216 to Chapter 3 of Article IV and Adding Section 4314 to Chapter 4 Article IV of the Municipal Code Relating to Smoking and Vaping On or Around the Beach Park, Wharf, or Pier](#)

The Public Hearing was opened at 11:54 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.

Police Chief Andrew Salinas presented the report to Council and answered questions.

No public comment were submitted from the public.

The public hearing was closed at 12:13 a.m.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins and passed on a 4-1 vote (Councilmember Gama opposed) to introduce, by title only, waiving a full reading of the ordinance, *an Ordinance of the City Council of the City of Port Hueneme, California, Adding Sections 4215 Through 4216 to Chapter 3 of Article IV and Adding Section 4314 to Chapter 4 Article IV of the Municipal Code Relating to Smoking and Vaping On or Around the Beach Park, Wharf, or Pier.*

AYES: Berg, Rollins, Muñoz-Schnopp, Hernandez

NOES: Gama

BUSINESS ITEMS

City Manager's Department

13. [Work Session Regarding Comprehensive Cost of Service Study](#)

Deputy City Manager Charles Peretz, along with consultants Cindy Sconce and Diana Hancock with MGT, presented to the City Council regarding the Comprehensive Cost of Service Study and provided an update addressing the suggested revisions to the Master Fee Schedule. Council conducted a workshop to discuss and review the User Fees, and staff and consultants answered Council questions.

ROLL CALL VOTE

After conducting a workshop, it was moved by Mayor Pro Tem Muñoz-Schnopp, seconded by Councilmember Berg, and passed unanimously to receive and file the Comprehensive Cost of Service Study. Feedback received during the session will be used to develop a revised Master Fee Schedule that will be considered for adoption by the City Council at a future date.

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

14. [Adoption of the Citizen Advisory Commission Bylaws](#)

City Manager Brad Conners presented the report.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins and passed unanimously to approve and formally adopt the Citizen Advisory Commission Bylaws.

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

15. [Heroes, History, and Heritage Policy Approval](#)

City Manager Brad Conners presented the report and answered Council questions.

Public comments received by:

- Steven Auclair

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Mayor Pro Tem Muñoz-Schnopp and passed unanimously to approve the Heroes, History, and Heritage Policy document and authorize the City Manager to make any necessary non-substantial changes to the policy during the annual review.

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

Police Department

16. [Authorization to Purchase the Axon Safety Plan 7+ for 30 Body Worn Cameras Using the City of Tucson's Cooperative Agreement with Axon Enterprise](#)

Chief Salinas presented the report, provided a comprehensive report regarding the benefits of purchasing the Body Worn Camera System, and answered Council questions.

ROLL CALL VOTE

It was moved by Councilmember Gama, seconded by Councilmember Rollins and passed unanimously to authorize the Police Department to purchase the Axon Officer Safety Plan 7+ for 30 body-worn cameras, including associated hardware and software, as a sole source agreement and award a contract to Axon Enterprise, Inc. for \$182,942.27.

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

Housing Department

17. Demolition of "Blue House" – 241-245 E. Port Hueneme Road

Housing Program Manager Gabby Basua presented the report and answered Council questions.

ROLL CALL VOTE

It was moved by Councilmember Berg, seconded by Councilmember Rollins and passed unanimously to authorize staff to move forward with the demolition and clearance of structures located at 241-245 E. Port Hueneme Road, and authorize the use of Housing Successor Agency funds to cover the cost of the project, with an estimated cost not to exceed \$60,000.

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

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

Mayor Hernandez: Announced that the City was installing a Voting Ballot Box at City Hall where residents could deposit their mail-in ballots.

Mayor Pro Tem Muñoz-Schnopp: Announced that the Ventura Council of Government Annual Dinner had been cancelled and that the JPIA will be separating their board meeting and conference into two separate events.

Council Member Berg: Requested that staff bring back an analysis on the hours City personnel spent and the cost for a Public Records Request previously submitted by Councilmember Gama and an evaluation of what, if any, information the records provided.

Council Member Gama: Requested an update regarding the slow progress of construction projects following Council approval.

Council Member Rollins: Attended the Ventura County Air Pollution District meeting and requested Staff to pursue grants for energy efficient lawn mowers. Requested that Chief Salinas provide an update on the upcoming movie in the park. Also requested staff to extend the no smoking ordinance to include no smoking in the City parks.

Mayor Hernandez reminded the public to visit the City's Emergency Website for updated information regarding COVID-19 at www.PortHuenemeEmergency.org.

ADJOURNMENT

The City Council adjourned at 1:38 a.m. to the regular meeting of Monday, September 21, 2020, to be broadcasted at 6:30 p.m. from the City Hall Council Chamber.



Laura Hernandez
Mayor



Kristy Buxkemper
City Clerk

