



# City of Port Hueneme

## City Council Regular Meeting Minutes

February 16, 2021

Port Hueneme City Hall: 250 North Ventura Road  
Port Hueneme, CA 93041 (Broadcast Live)

5:30 p.m. 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](mailto:kbuxkemper@ci.port-hueneme.ca.us) and must be received by 5:00p.m. on February 16, 2021 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](http://www.PortHuenemeEmergency.org)

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

**CALL TO ORDER** Mayor Gama called the closed session meeting to order at 5:33 p.m.

### ROLL CALL

Present: Council Members Hernandez, Martinez, Perez; Mayor Pro Tem Rollins; and Mayor Gama  
Absent: None

### GENERAL PUBLIC COMMENT

No Closed Session public comments were received.

### CLOSED SESSION ITEMS

Deputy City Attorney Kevin Spaulding read the closed session items into the record and indicated that closed session item #2 would not be heard and will be rescheduled for a future date.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Authority: Government Code Section 54956.9(d)(1)

*Ronald Austin v. City of Port Hueneme – Ventura County Superior Court Case No. 56-2020-00542396-CU-WM-VTA*

~~2. CONFERENCE WITH PROPERTY NEGOTIATORS~~

~~Authority: Government Code section 54956.8~~

~~PROPERTIES: The vacant property on the west side of Market Street, between Scott Street and Port Hueneme Road, Port Hueneme, CA (APN 206-0-091-285, -305).~~

~~AGENCY NEGOTIATORS: Brad Connors – City Manager; Charles Green – City Attorney; Kevin Spaulding – Deputy City Attorney; Steve Kinney – Consultant Kharis Navigating~~

~~NEGOTIATING PARTIES: City of Port Hueneme and Oxnard Harbor District~~

~~UNDER NEGOTIATION: Negotiate price and terms of payment~~

**RECESS TO CLOSED SESSION** The Council recessed to closed session at 5:34 p.m.

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

**CALL TO ORDER / FLAG SALUTE** Mayor Gama called the meeting to order at 6:31 p.m. and lead the flag salute.

### ROLL CALL

Present: Council Members Hernandez, Martinez, Perez; Mayor Pro Tem Rollins; and Mayor Gama  
Absent: None

**CLOSED SESSION REPORT** Deputy City Attorney Spaulding provided a closed session report indicating the following:

- Regarding Closed Session Item #1:
  - Council discussed the terms of settlement for *Ronald Austin v. City of Port Hueneme – Ventura County Superior Court Case No. 56-2020-00542396-CU-WM-VTA*, and voted to approve the Mayor to execute a settlement agreement, which consisted of the following terms:
    - No admission of liability;
    - Agreement to follow a procedure for withholding documents pursuant to a privilege (this was followed and identified the privilege and sought additional information from Mr. Austin as to whether he fit within an exception);
    - Dismissal of the action with prejudice;
    - Payment of \$1,500 to Mr. Austin within 10 days of filing said request for dismissal.
- Regarding Closed Session Item #2:
  - Announced again that Closed Session Agenda Item #2 had been cancelled and would be heard at a future date.

### CLOSED SESSION ROLL CALL VOTE FOR ITEM #1

AYES: Hernandez, Perez, Rollins

NOES: Martinez, Gama

**INSPIRATION** Councilmember Perez provided the inspiration.

### AGENDA APPROVAL FOR CITY COUNCIL

#### City Council Agenda Approval

It was moved by Mayor Pro Tem Rollins, seconded by Councilmember Hernandez and passed unanimously to approve the City Council agenda of February 16, 2021.

AYES: Rollins, Hernandez, Martinez, Perez, Gama

### 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.

General public comments were read into the record by the City Clerk and submitted by the following:

- Mark Savalla
- Jonathan Hawes
- Mayor Gama

### PRESENTATIONS

1. COVID-19 Update

Police Chief Andrew Salinas presented a COVID-19 update to the City Council including the current numbers throughout the Ventura County, overview of the vaccine distribution timeline and current vaccination numbers, and registration portal information.

2. Third-Party Delivery Fee Cap Report

City Manager Conners presented an update on a council request to review information regarding third party delivery fees and the potential impacts of placing a cap on their service fees. Conners discussed the "Big Four" business model and financial position, restaurant service restrictions, delivery service app cap limit demand, county-wide practices, considerations for an emergency cap limit, risk and liabilities associated with the exposure, unintended consequences, and alternative restaurant strategies.

### **CONSENT CALENDAR AGENDA**

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

3. Approved Minutes of the City Council for the Regular Meeting of February 1, 2021

4. Received and Filed the Finance Cash Disbursements January 26, 2021 through February 8, 2021

5. Awarded a Contract for Classification and Compensation Study to Ralph Anderson & Associates to prepare and conduct a Classification Study and Authorized the City Manager to Execute a Contract in the Amount of \$50,000

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

It was moved by Councilmember Hernandez, seconded by Councilmember Martinez and passed unanimously to approve the Consent Calendar Agenda items #3-5.

AYES: Hernandez, Martinez, Perez, Rollins, Gama

### **PUBLIC HEARINGS**

6. Amendment to Section 5141 of the City's Municipal Code Regarding Fireworks

The Public Hearing was opened at 7:34 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 presented the report to Council and answered questions.

No public comments were submitted from the public.

The public hearing was closed at 7:37 p.m.

### **ROLL CALL VOTE**

It was moved by Mayor Pro Tem Rollins, seconded by Councilmember Perez and carried unanimously to introduce for first reading, waiving full reading, an Ordinance of the City Council of the City of Port Hueneme, California, Amending Section 5141 of Part G of Chapter 2 of Article V of the City of Port Hueneme Municipal Code relating to Fireworks.

AYES: Rollins, Perez, Hernandez, Martinez, Gama

### **BUSINESS ITEMS**

7. Approval of Electrical Instrumentation Technician II Position

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

## **ROLL CALL VOTE**

It was moved by Councilmember Hernandez, seconded by Mayor Gama and passed unanimously to:

1. Approve one new position in the Water Division: Electrical Instrumentation Technician (EIT) II
2. Amend the FY 2020-2021 Operating Budget to include the EIT II position with an annual cost of \$126,617 for salary and benefits.

AYES: Hernandez, Gama, Martinez, Perez, Rollins

## **COUNCIL MEMBERS' REPORTS AND COMMENTS**

**Mayor Gama:** Reminded of the upcoming BEACON Sand Summit and the importance of understanding the issues regarding the deficit of sand that accumulates each year. Announced that Animal Services was looking for a new home and expressed his hopes for a significant fund-raising effort to build a new animal shelter. Detailed an invitation he received to attend an awards ceremony with a recent victim of a brutality incident at Island View and commended his friend, Jason Klinshaw, who was recognized for his heroic efforts by the Fire Department for providing first aide to the victim prior to the police and fire department arriving on the scene. Announced that many seniors are frustrated by the City's new "Go Hueneme" app and the need to have better access to call departments at City Hall. Expressed he was impressed with the baseball community for taking care of the infield and weeds. Questioned why some play equipment/swing sets were fully functional at some parks and locked up at others.

**Mayor Pro Tem Rollins:** Expressed he was proud to be involved with SCAG on the Energy and Environment Committee, as well as a representative on the Ventura County Transportation Commission and Gold Coast Transit. Indicated that many people depend on the transportation, who have eliminated fees during the pandemic. Announced that the Transportation Commission organization approved a matching grant with the Port of Hueneme to eliminate idle pollution. Detailed his attendance at the Bubbling Springs and Bolker Park local open house for the grant application, and indicated the community indicated they'd like additional amenities, a dog park, turf renovation, and some kind of water feature for kids during the summer.

**Councilmember Hernandez:** Thanked Councilmember Perez for her inspiration that was very personal and courageous. Commented on her desire to draft a proclamation recognizing Tom Dunn and John Sharkey for their contributions. Indicated her involvement in the SCAG Policy Committee, the Transportation Committee, and the Public Safety Policy Committee, which is run through the League of California Cities. Reported that the Safety Committee talked regarding Police reform and the impact on departments being able to recruit Police Officer candidates. Also detailed four focus areas/strategic priorities including: securing state and federal funding; securing funding to increase supply and funding of housing; improving state and local coordination to strengthen disaster preparedness; and protecting and modernizing critical infrastructure. Announced that the Ventura Regional Sanitation District was dealing with issues regarding potential contractual changes between the City of Oxnard and the VCSD.

**Councilmember Martinez:** Announced that the REACH meeting was cancelled and would be rescheduled.

**Councilmember Perez:** Indicated her participation with SCAG's Economic Development Committee whose regional early access program gave a presentation providing financial resources for businesses, access to affordable housing, and small business tech support.

## **REQUEST FOR FUTURE AGENDA ITEMS**

All request items to be placed on future agendas will require a motion, a second, and a majority vote per adopted Council policies.

**Mayor Pro Tem Rollins Request:** Requested that staff agendize a presentation regarding what a "Tree City USA" means, to include what the City's policy is regarding tree removal and replacement.

**ROLL CALL VOTE:** A motion was made by Councilmember Rollins, seconded by Mayor Gama and passed unanimously to add the above requested item.

**Councilmember Hernandez Request:** Formally requested a Ventura Regional Sanitation District (VRSD) presentation to be placed on the March 1<sup>st</sup> agenda.

**ROLL CALL VOTE:** No roll call vote was conducted as City Manager Connors indicated this item was already scheduled for March 1, 2021.

**Councilmember Martinez Request:** Due to youth's weight, obesity and health concerns, he requested the Moranda Park basketball courts to be reopened and follow COVID-19 protocols.

**ROLL CALL VOTE:** A motion was made by Councilmember Martinez, seconded by Mayor Gama and passed unanimously to add the above requested item.

#### **ADJOURNMENT**

The City Council adjourned at 8:13 p.m. to the regular meeting of Monday March 1, 2021, to be broadcasted at 6:30 p.m. from the City Hall Council Chamber.

**Minutes approved by City Council: March 1, 2021**



Steven A. Gama, Mayor



Kristy Buxkemper, City Clerk