



City of Port Hueneme

City Council Regular Meeting Minutes

July 6, 2021

Port Hueneme City Hall: 250 North Ventura Road
Port Hueneme, CA 93041 (Virtual Meeting 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, the City Hall Council Chamber will be closed to the public until further notice. The following provides information to the public on how to observe and/or participate in City meetings 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 June 7, 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

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

CALL TO ORDER Mayor Gama called the closed session meeting to order at 5:30 p.m.

ROLL CALL

Present: Council Members Hernandez, Martinez, Perez; Mayor Pro Tem Rollins; Mayor Gama

Absent: None

GENERAL PUBLIC COMMENT

No closed session general public comments were submitted.

CLOSED SESSION ITEMS

Deputy City Attorney Kevin Spaulding read the closed session items into the record.

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Position: City Manager
Authority: Government Code Section 54957 (b)(1)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Position: City Attorney
Authority: Government Code Section 54957 (b)(1)

Mayor Gama asked if Council had any conflict of interest disclosures with the above listed item. No members had any disclosures.

RECESS TO CLOSED SESSION Mayor Gama recessed the closed session meeting at 5:32 p.m.

CALL TO ORDER / FLAG SALUTE Mayor Gama called the meeting to order at 6:32 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 Kevin Spaulding provided the closed session report indicating no reportable action.

INSPIRATION Mayor Pro Tem Rollins provided the inspiration.

AGENDA APPROVAL FOR CITY COUNCIL

Mayor Gama notated that the original agenda was published without the "City Manager Reports and Comments" section. Mayor Gama requested that the agenda approval include the addition of that section.

City Council Agenda Approval

A motion was made by Mayor Pro Tem Rollins, seconded by Mayor Gama and unanimously passed to approve the City Council Agenda of July 6, 2021, amended to include the "City Manager Reports and Comments" section.

AYES: Rollins, Gama, Hernandez, Martinez, Perez

GENERAL PUBLIC COMMENTS

There were no members of the public appearing to speak due to the City's response to the Local Emergency Declaration, and the City's closure of City Hall and the Council Chamber to the public. Public comments were accepted via U.S. mail and email to the City Clerk by 5:00p.m. on the day of the meeting.

Public Comments were read into the record and submitted by the following:

- Reuben Herrera

PRESENTATIONS

1. Parks and Recreation Quarterly Update

Recreation Programs Manager Anna Hanely presented a departmental quarterly update to the City Council providing details regarding their upcoming programing, the lifeguard programs, the City's application for grant funds for Bubbling Springs and Bolker Park renovations, volleyball court installation at the beach, among other projects and accomplishments.

2. Parks and Recreation Month Proclamation

Mayor Gama read and presented the Parks and Recreation Month Proclamation honoring and recognizing the division for their hard work and accomplishments.

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 June 21, 2021

4. Received and Filed the Finance Cash Disbursements from June 15, 2021 through June 23, 2021

5. Authorized the Contract Award to J&H Engineering General Contractors, Inc. for the Construction of Exterior ADA Improvements to 746 Industrial Avenue

CONSENT CALENDAR ROLL CALL VOTE

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

AYES: Rollins, Hernandez, Perez, Martinez, Gama

PUBLIC HEARINGS

6. Planned Development/Conditional Use Permit No. PHCU-888 and Development Agreement No. PHDA-889: Red Mule Group, LLC Cannabis Microbusiness (700 E. Port Hueneme Road)
The Public Hearing was opened at 7:41p.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.

Mayor Gama asked the Councilmembers if there were any conflicts of interest to disclose.

Mayor Pro Tem Rollins declared he may have a potential conflict of interest due to living in close proximity and his residence being part of an HOA involved in dealings with the applicant. Mayor Gama asked clarifying questions regarding his conflict of interest and Mayor Pro Tem Rollins decided to recused himself from the public hearing. He was removed from the virtual meeting and placed in a waiting room for the duration of the public hearing.

Councilmember Martinez also declared that he may have a potential conflict of interest from a business marketing venture, although indicated he had no business relationship with the applicant. Deputy City Attorney Kevin Spaulding clarified what Councilmember Martinez' obligation for disclosure is and explained the issues that could arise if there is a conflict of interest based on whether he could financially profit. Councilmember Martinez decided to recuse himself and was also removed from the meeting and placed in a virtual waiting room.

Community Development Director Tony Stewart presented the report to Council and Red Mule Applicants were introduced and spoke in regards to their business and application.

Public Comments were read into the record and submitted by the following:

- Susan and John Andrich
- Jamie and Kim Bachmeier
- Christy Carlson
- Dennis Castro
- John H Chamberlin
- Ann Daniels
- Hugh Dyer
- Lajuana and Robert Fire
- Wing K Fung
- Jim Galvan
- Jose L Jauregui
- Oleg and Galina Khokhlov
- Joseph Liddicote
- Ron Mongeau
- Derek Mori
- Norman Mori
- Romel Ramirez
- Martha Reza
- John & Jaqueline Traugher
- Paul Webb

- Ed and Julie Williams
- Jack and Robin Shelnutt
- Franz Schiffmann
- Laurie Jordan
- Peter and Karen Okita
- Edward and Nancy Robbins
- 809 Oceano Drive, Port Hueneme (signature/name unreadable)
- 801 Oceana Drive, Port Hueneme (signature/name unreadable)
- 193 Pelican Point, Port Hueneme (signature/name unreadable)
- 196 Seabluff Drive, Port Hueneme (signature/name unreadable)

Police Chief Andrew Salinas responded directly to comments provided in the submitted public comments to clarify information with City data and statistics related to public safety and the Police Department.

Chief Salinas, Tony Stewart, and the Red Mule applicants answered Council questions.

The public hearing was closed at 8:52 p.m.

ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Councilmember Perez and passed by majority vote 3-2-0 (Councilmember Martinez and Mayor Pro Tem Rollins abstained/recused) to:

1. Adopt Resolution No. 4366 of the City Council of the City of Port Hueneme, granting approval of Conditional Use Permit No. PHCU-888 (Red Mule Group, LLC Cannabis Microbusiness); 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 Red Mule Group, LLC (with adoption to follow at the next regularly scheduled City Council meeting); and*

AYES: Hernandez, Perez, Gama

ABSTAIN/RECUSED: Rollins, Martinez

BUSINESS ITEMS

7. [Consideration of New Legal Services Agreement with Green de Bortnowsky, LLP to Continue Services as Port Hueneme's City Attorney](#)

City Manager Brick Conners provided the report and answered Council questions.

Deputy City Attorney Kevin Spaulding recommended Council continue this item and bring it back following the completion of a City Attorney evaluation.

Councilmember Perez additionally recommended continuing the item.

Councilmember Hernandez recommended approval referencing that the City Attorney's contract would provide for month-to-month service while they completed the evaluation.

ROLL CALL VOTE

It was moved by Mayor Gama, seconded by Councilmember Martinez and passed by majority vote 4-1 (Councilmember Hernandez dissented) to continue this item pending the completion of an evaluation of the City Attorney's Firm. As notated, at the expiration of the current

contract, the City Attorney's office will continue service on a month-to-month basis until such time it is brought back before the Council for consideration.

AYES: Gama, Martinez, Perez, Rollins

NOES: Hernandez

8. City Name Change

City Manager Brick Conners and Consultant Steve Kinney provided the report and answered Council questions.

Discussion ensued among the Councilmembers regarding all aspects of the City's potential name change.

ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Councilmember Rollins and passed unanimously to authorize staff to begin the process leading to a November 2022 General Election ballot measure and citywide vote by the residents of Port Hueneme regarding a potential change of the City's name to Hueneme Beach.

AYES: Hernandez, Rollins, Martinez, Perez, Gama

CITY MANAGER COMMENTS AND REPORTS

City Manager Conners provided comments and reports regarding the following:

- City Hall – Grand Reopening scheduled for July 19th. ADA Remodel and construction and the project coming to a close. Resuming live meetings on July 19th with a reopening ceremony.
- Initial outreach to businesses was unsuccessful. Will attempt to try to engage businesses to see if American Relief Funds can help provide recovery assistance after COVID impacts.
- 8 volleyball tournament-ready poles ready to install on the beach. Hired experts to install the volleyball courts with a timeline of 4-6 weeks.
- Encouraged everyone to download the Go Hueneme app. Currently has approximately 500 subscribers, and indicated that residents have the ability to do all things city-related from their mobile devices.

CITY COUNCIL REPORTS AND COMMENTS

Councilmember Perez – No reports or comments

Councilmember Martinez – No reports or comments

Councilmember Hernandez – Provided an update on her attendance at recent SCAG committee meetings and issues regarding land-use. Indicated she would be attending an upcoming RDP strategic planning meeting and the Change of Command at the Naval Base. Provided an update regarding the Animal Services Commission meeting she attended as an alternate where Animal Services continues to look for an alternative home. Mayor Gama provided additional details regarding the Animal Shelters aging facility and the need for a new shelter.

Mayor Gama – Provided an update regarding a recent meeting with Julia Brownley regarding sand replenishment. Expressed he was blown away by the success of the recent car show event at the beach. Announced his upcoming VCOG meeting would be the first in-person meeting since pre-COVID.

Mayor Pro Tem Rollins – Indicated it was a busy week after attending the RDP-21 Committee and the changing of the Guard for the Navy. Announced upcoming transportation-related meetings with Gold Coast and the Ventura County Transportation Committee.

REQUEST FOR FUTURE AGENDA ITEMS

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

Councilmember Hernandez: Requested a clarification on what emails are allowed to be sent by and to other councilmembers and requested the City Attorney provide direction on appropriate information sharing protocols.

City Attorney Spaulding indicated he would prepare an executive memo to Council regarding proper information sharing.

Councilmember Perez: Requested an update on the operational condition of the parking machines. City Manager Conners responded indicating the parking machines were fully operational and had collected funds over the holiday weekend.


Perez Request #2 – Requested a discussion on whether the City could allow for safe and sane legal fireworks on the 4th of July and the possibility of a City sponsored firework show in the future.

ROLL CALL VOTE: A motion was made by Councilmember Perez, seconded by Mayor Pro Tem Rollins, and unanimously passed to add the item to a future Council agenda.

ADJOURNMENT

The City Council adjourned at 10:06 p.m. to the regular meeting of Monday, July 19, 2021, at 6:30 p.m. from the City Hall Council Chamber.

Minutes approved by City Council: July 19, 2021



Steven A. Gama, Mayor



Kristy Buxkemper, City Clerk