



# City of Port Hueneme

## City Council Regular Meeting Minutes

July 19, 2021

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

4:00 p.m. Closed Session | 6:30 p.m. Regular Meeting

### 4:00 P.M. – CITY COUNCIL CLOSED SESSION AGENDA

**CALL TO ORDER** Mayor Gama called the closed session meeting to order at 4:03 p.m.

#### ROLL CALL

Present: Councilmembers Hernandez and Martinez; Mayor Pro Tem Rollins; Mayor Gama  
Absent: Councilmember Perez

#### 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. 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 Conners - 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

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: City Manager

Authority: Government Code Section 54957 (b)(1)

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: City Attorney

Authority: Government Code Section 54957 (b)(1)

Mayor Gama asked if any Councilmembers had any conflict-of-interest disclosures with the above listed items.

Councilmember Martinez declared a conflict with closed session item #1 due to his property being located within 1000 feet of the property involved in negotiations.

**RECESS TO CLOSED SESSION** Mayor Gama recessed the closed session meeting at 4:05 p.m.

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

**CALL TO ORDER / FLAG SALUTE** Mayor Gama called the meeting to order at 6:30 p.m. and lead the flag salute.

## ROLL CALL

Present: Council Members Hernandez and Martinez; Mayor Pro Tem Rollins; and Mayor Gama  
Absent: Councilmember Perez

**CLOSED SESSION REPORT** Deputy City Attorney Kevin Spaulding provided the closed session report indicating no reportable action at this time. Spaulding further announced that the City Council would be reconvening closed session immediately following the close of the regular Council meeting and a subsequent closed session report would be provided following the closed session adjournment.

**INSPIRATION** Each Councilmember provided a message of inspiration.

## AGENDA APPROVAL FOR CITY COUNCIL

### City Council Agenda Approval

A motion was made by Councilmember Hernandez, seconded by Mayor Pro Tem Rollins and passed by majority vote (Councilmember Perez absent) to approve the City Council Agenda of July 19, 2021.

AYES: Hernandez, Rollins, Martinez, Gama  
ABSENT: Perez

## GENERAL PUBLIC COMMENT

Public Comments were submitted by the following:

- Marshal Leftcourt

## PRESENTATIONS

1. Green Business Program Presentation  
Javier Saucedo presented to the City Council regarding the Ventura County Green Business Program, including: concepts, incentives, and rewards; program overview; certification process; business recognition; and program benefits.
2. Surfrider Presentation  
Joan Tharp from the Surfrider Foundation presented to the City Council regarding the Surfrider Mission, local Surfrider campaigns, plastic-free Ventura County campaign, reasons to ban single-use plastics, EPS Bans, single-use food ware alternatives, and items to consider for inclusion of a proposed local ordinance.

## 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 July 6, 2021
4. Received and Filed the Finance Cash Disbursements from June 24, 2021 - July 12, 2021
5. Held a Second Reading, By Title Only, Waiving Full Reading of the Text, and Adopted Ordinance No. 781 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 Related to the Operations of a Cannabis Facility (No. PHDA-889, Red Mule Group, LLC Cannabis Microbusiness (700 E. Port Hueneme Rd).
6. Authorized the Contract Award to J&H Engineering General Contractors, Inc. to Resurface Ocean View Drive and Authorized the City Manager to Execute the Contract
7. Authorized the Contract Award to J&H Engineering General Contractors, Inc. for Resurfacing the Beach Promenade and Authorized the City Manager to Execute the Contract

8. Authorized the Contract Award J&H Engineering General Contractors, Inc. to Resurface Ann Avenue Neighborhood and Authorized the City Manager to Execute the Contract

*Prior to the roll call vote, both Mayor Pro Tem Rollins and Councilmember Martinez stated conflicts of interest for item #5. Each declared they would recuse themselves from the vote and abstaining from voting on item #5. Two separate roll call votes were conducted for the consent calendar.*

**ROLL CALL VOTE #1**

It was moved by Mayor Pro Tem Rollins, seconded by Councilmember Hernandez and passed by majority vote 4-1 (Councilmember Perez absent) to approve the Consent Calendar Agenda items #3, 4, 6, 7, and 8.

AYES: Rollins, Hernandez, Martinez, Gama

ABSENT: Perez

**ROLL CALL VOTE #2**

It was moved by Mayor Gama seconded by Councilmember Hernandez and passed by majority vote 2-2-1 (Mayor Pro Tem Rollins and Councilmember Martinez abstained and Councilmember Perez absent) to approve the Consent Calendar Agenda items #5.

AYES: Gama, Hernandez

RECUSE/ABSTAIN: Rollins, Martinez

ABSENT: Perez

**PUBLIC HEARINGS**

9. Adopt a Resolution Granting Special Use Permit No. 19-21 for the Hueneme Beach Festival Event

The Public Hearing was opened at 7:42 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.

Mayor Gama asked the Councilmembers if there were any conflicts of interest to disclose. No conflicts were disclosed by Council.

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

Public Comments were received by the following:

- Juliet Rodriguez

The public hearing was closed at 8:29 p.m.

**ROLL CALL VOTE**

It was moved by Councilmember Hernandez, seconded by Councilmember Martinez and passed by majority vote 4-1 (Councilmember Perez absent) to:

1. Adopt Resolution No. 4367 of the City Council of the City of Port Hueneme deeming a temporary event exempt from the California Environmental Quality Act, conditionally approving Special Use Permit No. 19-21 (Hueneme Beach Festival) and renaming the event the "Hueneme Beach Festival," located at 550 E. Surfside Drive and Surfside and Oceanview Drives; and
2. Authorize the Director of Community Development to file a Notice of Exemption for the project in accordance with provisions of the California Environmental Quality Act ("CEQA").

AYES: Hernandez, Martinez, Rollins, Gama

ABSENT: Perez

## BUSINESS ITEMS

10. Adoption of 2020 Water Shortage Contingency Plan and Resolution

Public Works Director Don Villafana and consultants from MKN provided the report to Council regarding the 2020 Water Shortage Contingency Plan and answered questions from the Council.

### ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Mayor Pro Tem Rollins and passed by majority vote 4-1 (Councilmember Perez absent) to adopt Resolution No. 4368 adopting the 2020 Water Shortage Contingency Plan (WSCP) for management of the City water resources.

AYES: Hernandez, Rollins, Martinez, Gama

ABSENT: Perez

11. Adopt Amended Cannabis Implementing Resolution

Deputy City Attorney Kevin Spaulding provided the report to Council regarding an amendment to the Cannabis Implementing Resolution and answered questions from the Council.

### ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Councilmember Martinez and passed by majority vote 4-1 (Councilmember Perez absent) to adopt Resolution No. 4369 of the City Council of the City of Port Hueneme, California, establishing application requirements, minimum qualifications, locational criteria for medicinal and nonmedicinal cannabis activity pursuant to articles III and X of the Port Hueneme Municipal Code, procedures for the annual review of Development Agreements pursuant to Government Code Section 65865.1 and procedures for change in ownership or transfer of an interest in cannabis businesses.

AYES: Hernandez, Martinez, Rollins, Gama

ABSENT: Perez

12. Red Mule Purchase and Sale Agreement and Related Resolution

Mayor Pro Tem Rollins stated a conflict of interest due to living within 1000 feet proximity to the location.

Councilmember Martinez stated a personal conflict of interest regarding a reasonable foreseeable business venture.

Mayor Pro Tem Rollins and Councilmember Martinez both recused themselves from the vote and left the room for the duration of the discussion and vote.

Deputy City Attorney Kevin Spaulding provided the report to Council regarding a second amendment to the Red Mule Purchase and Sale Agreement and answered questions.

### ROLL CALL VOTE

It was moved by Councilmember Hernandez, seconded by Mayor Gama and passed by majority vote (Councilmember Perez absent) to:

1. Approve and authorize the Mayor to execute the Second Amended and Restated Purchase and Sale Agreement with Red Mule LLC.
2. Approve Resolution No. 4370 of the City Council of the City of Port Hueneme authorizing the sale of the sale of 700 E. Port Hueneme Road property to RMG Real Estate, as specified in the Second Amended and Restated Purchase & Sale Agreement.

AYES: Hernandez and Gama



ABSTAIN: Rollins and Martinez

ABSENT: Perez

*Mayor Pro Tem Rollins and Councilmember Martinez returned and resumed their seats at the dais.*

*Council recessed for a brief 10-minute break.*

13. [Annual Hueneme Hero Award](#)

City Manager Conners provided a brief background regarding the prior adoption of the Heroes, History, and Heritage Policy. Deputy City Manager Charles Peretz provided the report to Council regarding the Annual Hueneme Hero Award and answered questions from the Council.

Mayor Gama provided additional background information regarding the Friends of Ormond Beach who were nominated as the recipient for the Annual Hueneme Hero Award.

**ROLL CALL VOTE**

It was moved by Councilmember Hernandez, seconded by Mayor Pro Tem Rollins and passed by majority vote (Councilmember Perez absent) to approve the Citizen Advisory Commission's recommendation to recognize the Friends of Ormond Beach as the 2021 Hueneme Hero Award recipient.

AYES: Hernandez, Rollins, Martinez, Gama

ABSENT: Perez

**CITY MANAGER COMMENTS AND REPORTS**

City Manager Conners provided comments and reports regarding the following:

- Reopening of City Hall and in-person/live City Council meetings
- Final stages of budget process – Council meetings and budget workshops in anticipation of an August budget adoption.

**COUNCIL MEMBERS' REPORTS AND COMMENTS**

**Mayor Gama:** Spoke regarding a memorial parade for former Councilmember John Sharkey. Recognized Anna Hanely, Charles Peretz, and all of the lifeguards for the City's successful Lifeguard Program. Attended a recent BEACON meeting and planning to work on a visit to Washington D.C. to address the need for additional sand allocation. Provided a summary of a surprise visit he conducted to Animal Services and expressed he was impressed by the professionalism of staff and how well the aging facility was run. Spoke regarding homelessness and drug addiction and the need to address the epidemic plaguing the 99 Cent Store shopping center.

**Mayor Pro Tem Rollins:** As a representative on the Ventura County Air Pollution Board, he reported on the organizations interesting budget and their development towards an infrared detector for odors. Spoke regarding grant opportunities for electric blowers, which lessen sound pollution and lower emissions, and requested staff to look into grant opportunities and working towards Strategic Plan goals. Summarized a new grant program for Gold Coast Transportation program who will provide transportation for those who are working late and miss the bus.

**Councilmember Hernandez:** Detailed the Tax Payers Association's request for VRSD members to resign and indicated there were many inconsistencies and untruths found in a recent VC Star article. Stated for public record that she stands behind the comments she made regarding the PR and Communications Plan expressing her belief that it is important to communicate to the customers. Further indicating she was trying to encourage the Board to do a better job communicating with customers. Also detailed her participation in the park clean up

with the Coastal Keepers at Bubbling Springs Park and applauded them for caring about the environment.

**Councilmember Martinez:** Expressed his happiness at seeing soccer being played over the weekend and indicated his future attempt to get competitions within the City and figure out insurance coverage. Indicated he was working on a partnership to encourage youth involvement for Volleyball and Soccer.

**Councilmember Perez:** Absent

#### **REQUEST FOR FUTURE AGENDA ITEMS**

**Councilmember Hernandez:** Requested the City Attorney to draft an ordinance or presentation on EPS. City Attorney Spaulding clarified Councilmember Hernandez' request to make it a business item instead of a presentation. Councilmember Martinez seconded the request.

**ROLL CALL VOTE:** A motion was made by Councilmember Hernandez, seconded by Councilmember Martinez and passed by majority vote (Councilmember Perez absent) to add the item to a future Council agenda.

**Request #2:** Councilmember Hernandez requested the Council adjourn the meeting in honor of Terry Hensley who was tragically hit by a car. No roll call vote was taken.

**Mayor Gama:** Requested a physical area down by the beach be considered to recognize the service of former Mayor Toni Young. City Manager Conners detailed the Heroes, History and Heritage Policy which could satisfy Mayor Gama's request, indicating that anyone could fill out the application and submit for such a distinction. Anyone can fill out the application. No vote was taken.

**RECESSED TO CLOSED SESSION** Mayor Gama recessed the City Council back to Closed Session at 9:59 p.m.

**CLOSED SESSION REPORT** The City Council ended closed session at 11:30 p.m. and resumed their seats at the dais. Deputy City Attorney Kevin Spaulding announced there was no reportable action from any closed session items.

#### **ADJOURNMENT**

The City Council adjourned at 11:35 p.m. to the special Budget Workshop meeting of Monday, August 9, 2021, broadcast via zoom at 10:00 a.m. from the City Hall Council Chamber.

**Minutes approved by City Council: September 7, 2021**



Steven A. Gama, Mayor



Kristy Buxkemper, City Clerk