

CITY OF OXNARD
PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION
AGENDA
REGULAR MEETING
City Council Chambers
305 West Wing Third Street
Oxnard, CA 93030
Wednesday, August 28, 2019, 5:30 p.m.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A person may address the Parks, Recreation and Community Services Commission (PRCSC) only on matters within the subject matter jurisdiction of the Commission. The presiding officer shall limit public comments to three minutes. The Commission cannot enter into detailed discussion or take action on any item presented during public comments that is not on the agenda. Such items may only be referred to the Commission Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on items on the agenda should do so during public comments for that agenda item.

D. APPROVAL OF MINUTES

1. SUBJECT: Minutes of the PRCSC meetings from the May 22, 2019 regular meeting, June 19, 2019 special meeting, and July 24, 2019 regular meeting are submitted for approval.

RECOMMENDATION: PRCSC approve the minutes of the May 22, 2019, June 19, 2019, and July 24, 2019 meetings.

E. CEREMONIAL CALENDAR

F. PRESENTATION TO THE COMMISSION

1. SUBJECT: Brown Act Training for CAGs - Jason Zaragoza, Deputy City Attorney

RECOMMENDATION: That the Commission receive the training.

G. REPORT OF COMMISSION SECRETARY

The Commission Secretary shall report on items of interest to the Commission occurring since the last meeting. The Commission cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the Secretary for administrative action or scheduled on a subsequent agenda for discussion.

H. PARKS DIVISION REPORT

1. SUBJECT: CALFire Trees Grant - Planting Plan and Schedule - Eric Humel, Interim Project Manager
RECOMMENDATION: That the Commission receive the presentation and provide feedback.

2. SUBJECT: Park Restrooms and the Park User Experience - Roger Poirier, Chair
RECOMMENDATION: That the Commission receive the presentation and provide feedback.

3. SUBJECT: Update on Capital Improvement Projects Related to Parks - Erik Garwick, Parks Manager

RECOMMENDATION: That the Commission receive the presentation and provide feedback.

I. NEW BUSINESS

1. SUBJECT: Formation of PRCSC Commission Ad Hoc Committees - Roger Poirier, Chair

RECOMMENDATION: That the Commission approve formation of PRCSC Ad Hoc Committees, provide guidance for Committee operations, and choose assignments for each Committee.

J. TASK FORCE/COMMITTEE REPORTS

Commissioners may report or arrange for the report of Task Force and Committee activities.

K. COMMISSION COMMENTS

Commissioners may individually report on items of interest or concern outside of sub-committee reports. The PRCSC cannot enter into detailed discussion or take action on any item presented during these reports.

L. ITEMS OF FUTURE CONSIDERATION

Commissioners may request that items be placed on future agendas for extended discussion.

M. ADJOURNMENT

The next regular meeting is scheduled for **Wednesday, September 25, 2019**, at 5:30 p.m. at the Council Chambers, 305 W. Third Street, Oxnard, CA 93030.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the **Recreation office at (805) 385-7995**. Notification 72 hours prior to the meeting will enable the City to make reasonable accommodations to assure accessibility to the meeting.

“City of Oxnard website” The Parks, Recreation and Community Services Commission agenda is available on the City of Oxnard website at www.oxnard.org seven days before a meeting.

Written materials relating to an item on this agenda that are distributed to the Parks, Recreation and Community Services Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 305 W. Third Street, Oxnard, CA 93030 during customary business hours.

RALPH M. BROWN ACT

JASON ZARAGOZA
DEPUTY CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY

LEGISLATIVE INTENT

The purpose of the Brown Act is to ensure that local governmental bodies conduct the people's business openly.

“In enacting this chapter, the Legislature finds and declares that the public commissions, boards, and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be conducted openly.”

BROWN ACT

APPLICATION

The Brown Act only applies to “meetings” of local “legislative bodies.”



LEGISLATIVE BODIES

“LEGISLATIVE BODY” includes:

- Governing body;
- Newly-elected members;
- Appointed bodies;
- Standing committees;
- Certain private organizations
 - Created by the legislative body in order to exercise authority that may lawfully be delegated by such body to a private corporation;
 - That receive agency funding and whose governing board includes a member of the legislative body of the local agency appointed by the legislative body as a full voting member of the private entity’s governing board.

BROWN ACT

- SEC. 2-80. ESTABLISHED; QUALIFICATIONS.
- (A) There is hereby established a parks and recreation and community services commission composed of seven members.
- (B) A member shall serve without compensation, shall reside in the city and shall be at least 18 years of age.

- SEC. 2-81. POWERS AND DUTIES.
- The powers and duties of the parks and recreation and community services commission shall be as follows:
- (A) Advise the city council on all matters pertaining to the parks and recreation and community services activities in the city;
- (B) Serve as a liaison between the city council and the community in matters related to parks and recreation and community services activities;
- (C) Advise city staff on future parks and recreation and community services programs;
- (D) Receive suggestions on general community parks and recreational and community services policy issues and make recommendations to the city council; and
- (E) Prepare and submit an annual report of activities to the city council and make such other reports and recommendations to the city council from time to time as the parks and recreation and community services commission may determine necessary to improve parks and recreation and community services activities in the city.



LEGISLATIVE BODIES

“LEGISLATIVE BODY” does not include a temporary advisory committee:

- Composed solely of less than a quorum of the legislative body;
- That serves a limited single purpose;
- That is not perpetual;
- Whose meeting schedule is not fixed by formal action of the legislative body;
- That will be dissolved once its specific task is completed.

MEETINGS

“MEETING” is:

- Any congregation;
- Of a majority of the members of a legislative body;
- At the same time and place;
- To hear, discuss, or deliberate upon;
- Any item that is within the subject matter jurisdiction of the legislative body.



MEETINGS

MEETING exceptions:

- Individual contacts;
- Conferences;
- Community meetings (non City sponsored);
- Meetings of other legislative bodies;
- Attendance at an open and noticed standing committee meeting (only as observers);
- Social or ceremonial events;
- However, a majority of the members cannot discuss among themselves (other than as part of the scheduled meeting) business within their subject matter jurisdiction.

SERIAL MEETINGS

- Strictly prohibited under the Brown Act.



Serial Meeting is:

- Use of a series of communications of any kind by a majority of the members (avoid “reply all” in emails or group texts);
- Directly or through intermediaries;
- To discuss, deliberate, or take action on;
- Any item of business within the subject matter jurisdiction of the legislative body.

SERIAL MEETINGS

Are a chain of communications, each of which involves less than a quorum of a legislative body, but which together involve a majority of the body's members. It is also a concerted plan to engage in collective deliberation on public business through a series of letters or telephone calls passing from one member of the governing body to the next and excluding the public.

(Sutter Bay Assoc. v. County of Sutter (1987) 58 Cal.App.4th 860)

- Daisy Chain: A contacts B, B contacts C, C contacts D, and so on.
- Hub and Spoke: A contacts B, A contact B, A contacts C, A contacts D- until A gets consensus.

What starts out as “legal” under the Brown Act:

- I think we should do “x” at our next meeting

Becomes “illegal” when it is replied to by a majority or by “Reply to All”:

- “I agree” [Reply to All]
- “Good idea!!!” [Reply to All]
- “Concur . . .” [Reply to All]

What does the term "developing a concurrence" mean?

- The Brown Act prohibits serial communications that lead to "developing a concurrence." Developing a concurrence on an item is broadly construed. It means any discussion or information that assists you in voting. It means any information that assists or clarifies your understanding of an issue. It means any information that leads to an agreement or compromise among the members. It means any discussion or information that advances the resolution of an item that is on the agenda or within the board's subject matter jurisdiction. (California Attorney General, The Brown Act: Open Meetings for Local Legislative Bodies, 2004, p. 11.)

E-MAIL

What are some examples of prohibited serial communications?

- E-mails among a majority of the board or committee members that discuss or argue a member's opinion or point of view.
- A meeting with the majority of the board or committee members that discusses or seeks clarification on an issue that will be heard by the board or committee.
- A majority of members participating in an email chain where opinions or information are discussed on a matter that lies within the jurisdiction of the board or the committee.

E-MAIL

What are some examples of proper communications?

The board or committee members may discuss their availability for an upcoming meeting, e.g., the dates and times of an upcoming meeting.

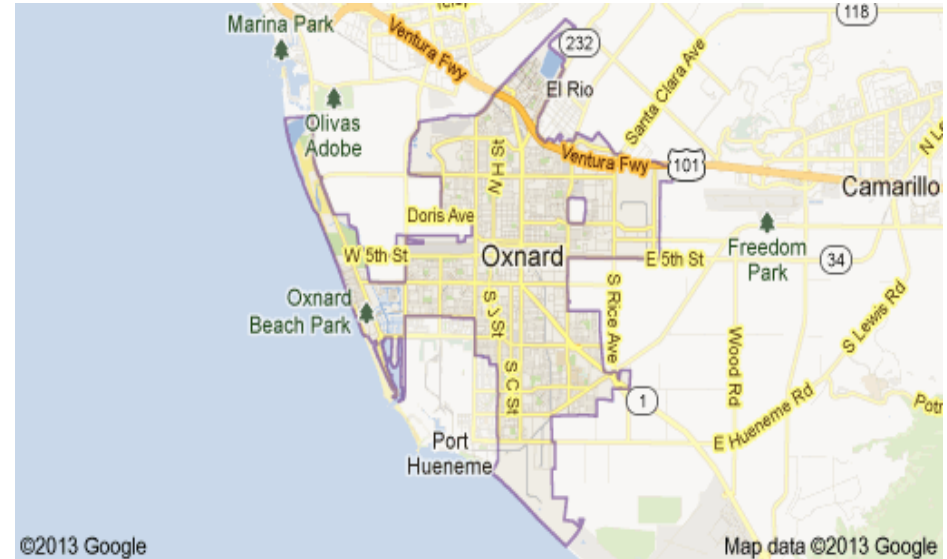
Distributing legal advice to the board/committee from the Office of the City Attorney.

Distributing general public announcements. For example, notifying the other board members of a City Council meeting or a community event.

BROWN ACT

OTHER MEETING REQUIREMENTS

- Brown Act generally requires all regular and special meetings of a legislative body to be held within the territorial boundaries of a local agency's jurisdiction. Certain exceptions apply.
- Teleconference meetings are permitted under the Brown Act. Special rules apply.



AGENDA REQUIREMENTS

- Regular Meetings: Need to post agenda 72 hours prior to meeting.
Need to be posted seven days prior to a meeting.
- Special Meetings: Need to post agenda 24 hours prior to meeting.
Need to be posted seven days prior to a meeting.
- Adjourned Meetings: No need to post new agenda if meeting is adjourned for less than 5 calendar days and no new item of business is introduced. Need to post a copy of order of adjournment within 24 hours after adjournment.

AGENDA REQUIREMENTS

- Agendas should include a brief description of each item of business to be discussed.

4. *SUBJECT: Award of Contract for the Replacement of Flooring in 129 Public Housing Units*

RECOMMENDATION: That the City of Oxnard Housing Authority Board of Commissioners approve and authorize the Chairman to execute a firm-fixed price contract in the amount of \$362,014 with Coastal Flooring Surface dba Coastal Construction Team (Agreement number A-7956), using funds previously appropriated from 2015 and 2016 Capital Fund grants, for the replacement of the existing flooring in 52 public housing units located in Colonia Village and 77 units in scattered public housing sites throughout Oxnard for a total of 129 units.

Legislative Body: HA Contact: Arturo Casillas Phone: 385-8094

AGENDA REQUIREMENTS

- No action or discussion of items not on the posted agenda.

CITY OF OXNARD
PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION
REGULAR MEETING
City Council Chambers
305 West Wing Third Street
Oxnard, CA 93030
Wednesday, April 25, 2018, 5:30 p.m.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS
A person may address the Parks, Recreation and Community Services Commission (PRCSC) only on matters within the subject matter jurisdiction of the Commission. The presiding officer shall limit public comments to three minutes. The Commission cannot enter into detailed discussion or take action on any item presented during public comments that is not on the agenda. Such items may only be referred to the Commission Secretary for administrative action or scheduled on a subsequent agenda for discussion. Unless otherwise approved by the Commission, persons wishing to speak on items on the agenda should do so during public comments.

D. APPROVAL OF MINUTES
1. SUBJECT: The minutes of the PRCSC meeting from March 28, 2018 are submitted for approval.
RECOMMENDATION: PRCSC approve the minutes of March 28, 2018 regular meeting.

E. CEREMONIAL CALENDAR
1. SUBJECT: Hueneme High School Girls CIF Basketball Champions.
2. SUBJECT: Recognition of Ralph Alamillo's years of service to Oxnard.

F. PRESENTATION TO THE COMMISSION
1. SUBJECT: Presentation on Inclusive Playgrounds, Jamie Amburgey, Ventura County Public Health.
RECOMMENDATION: That the Commission receive a presentation.
2. SUBJECT: Brown Act Presentation, Jason Zaragoza, Deputy City Attorney.
RECOMMENDATION: That the Commission receive a presentation.

G. REPORT OF COMMISSION SECRETARY
The Commission Secretary shall report on items of interest to the Commission occurring since the last meeting. The Commission cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the Secretary for administrative action or scheduled on a subsequent agenda for discussion.

H. PARKS DIVISION REPORT

I. NEW BUSINESS
1. SUBJECT: PRCSC Commission goals for the Parks & Recreation Master Plan.
RECOMMENDATION: That the Commission present goals as discussed at the April 11 Special Meeting.

■ Exceptions:

- Emergency situation (i.e., disaster occurring since agenda posting that requires immediate action);
- 2/3 of the members present determine there is a need for immediate action and the need to take action came to the attention of the local agency subsequent to the agenda being posted (i.e., City has learned since agenda posting that it will lose grant funds and needs to take action before the next meeting).
- Adjourned items.

NON-AGENDA ITEMS

- Legislative body member or staff person may “briefly respond” to questions or comments by the public.
- Member or staff person may ask a question for clarification, make a brief announcement, or a brief report on his or her own activities.
- May provide a reference to staff or elsewhere for factual information, request staff to report back at a later meeting on any matter, or direct a matter to be placed on a future agenda.

PUBLIC PARTICIPATION REQUIREMENTS

- Public has right to speak on any item on agenda;
- Public has right to speak on items within a legislative body's subject matter jurisdiction;
 - During special meetings, public can be limited to speaking only on items on the agenda and not any item within a legislative body's subject matter jurisdiction.
- Legislative body can impose reasonable limits on public testimony;
- Public has right to obtain documents when documents are distributed to members of the legislative body.

CLOSED SESSION

All matters must be discussed in open session unless there is specific statutory authority to discuss a subject in closed session.

Permissible closed session topics include:

- Litigation;
- Real estate negotiations;
- Public employment;
- Labor negotiations;
- Grand jury testimony;
- Public security.

It is unlikely that a CAG would ever discuss any topic in closed session.

CIVIL REMEDIES

Brown Act provides two distinct types of civil remedies:

1. Injunction, mandamus or declaratory relief to prevent or stop violations or threatened violations.
2. Action to void past acts of the legislative body.



CRIMINAL PENALTIES

Misdemeanor: A violation of the Brown Act is a misdemeanor if the public official:

1. Attends a meeting where action of the legislative body is in violation of the Brown Act;
2. Intends to deprive the public of information to which the official knows or has reason to know the public is entitled to under the Brown Act.



ADDITIONAL RESOURCES

League of California Cities:

“Open & Public V: A Guide to the Ralph M. Brown Act.”

<http://www.cacities.org/Resources-Documents/Resources-Section/Open-Government/Open-Public-2016.aspx>

Ralph M. Brown Act (Gov. Code section 54950 et seq.) (Full Text)

<http://leginfo.legislature.ca.gov/>



QUESTIONS?

The CIP includes the replacement of playground structures, resurfacing of tennis and basketball courts, park restroom and lighting improvements, the replacement of barbecues and park benches, and repairing walking tracks. Some of these projects will take place in:

- Community Center East Park
- Pleasant Valley Park
- Seaview Park
- East Park
- Oxnard Tennis Center
- Pfeiler Pocket Park
- Vineyards Park



RiverPark

48 City-Owned Sports Courts

27 need full reconstruction

21 need resurfacing

Total: \$3.9 million



Taking Care of Our Trees:

56,000 trees/total value \$162.9 M

1,100 trees to be removed (dead or dying)

900 trees to be planted in 2019-20

Current tree-trimming cycle: 60 years

10-year tree-trimming cycle: \$550,000/year

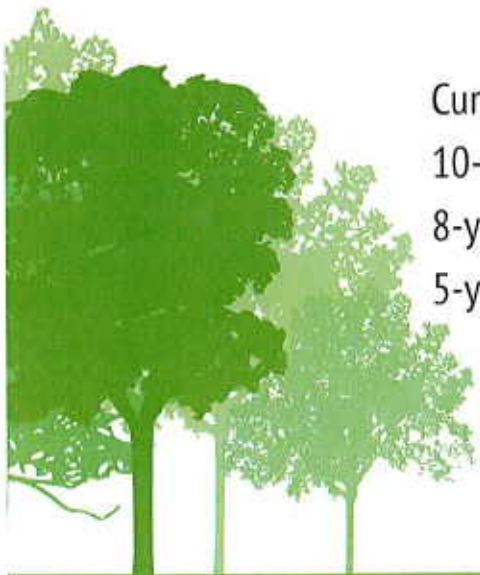
8-year tree-trimming cycle: \$770,000/year

5-year tree trimming cycle: \$925,000/year

Oxnard has been a

Tree City, USA

for 35 years



Community Center East Park Improvements - Phase I

Parks & Open Space

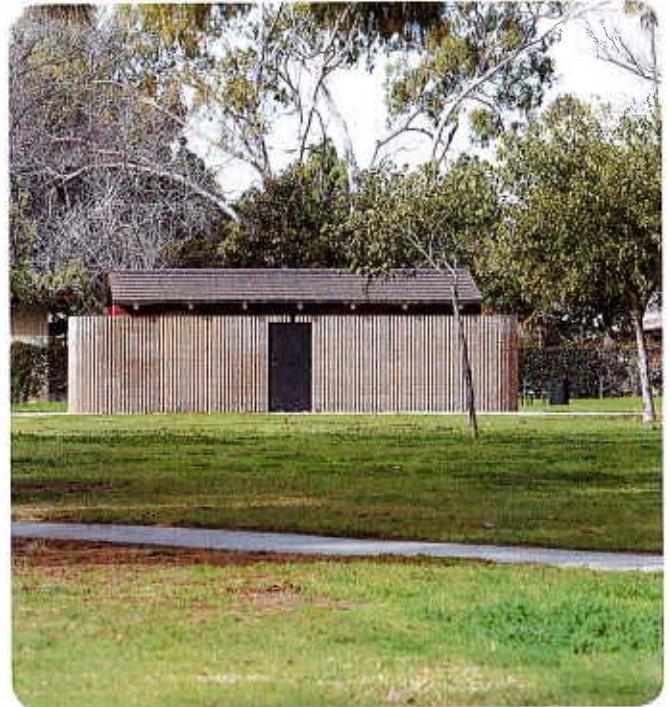
Seventh & G Street
Council District(s): 4

Project Description:

Construct new restroom at a new location near the street with more security lighting.

Purpose and Need:

Modern park design places restrooms closer to the sidewalks and parking lots for increased convenience and safety. The existing restroom will remain for large events.

**General Plan Consistency:**

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2019-20

Funding Source

Fund Type	Fund Amount
CDBG Entitlement	\$450,000

TOTAL**\$450,000****Responsible Staff Member:**

Jim Nelson

Title: Project Manager

Phone: (805) 385-7828

Email: Jim.Nelson@oxnard.org

Funding Priority Level

New or Expanded Services

Community Center East Park Improvements - Phase II

Parks & Open Space

Seventh & G Street
Council District(s): 4

Project Description:

Replace the play structure, install new LED security lighting, resurface parking lot, and install new park amenities.

Purpose and Need:

The playground was built in the 1980s and is in need of renovation. The play structure needs to be replaced, and lighting should be installed. The parking lot also needs to be resurfaced.

**General Plan Consistency:**

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2019-20

Funding Source

Fund Type	Fund Amount
CDBG Entitlement	\$450,000

TOTAL**\$450,000****Responsible Staff Member:**

Jim Nelson

Title: Project Manager

Phone: (805) 385-7828

Email: Jim.Nelson@oxnard.org

Funding Priority Level**Asset Preservation**

Cypress (Garden City Acres) Park Improvements

Parks & Open Space

5302 Cypress Road
Council District(s): 5

Project Description:

Install new smart irrigation and new controller.
Repair and resod damaged turf. Install an additional basketball court with lights.

Purpose and Need:

To conserve water and increase recreation opportunities in this neighborhood by adding an additional basketball court with lights.

**General Plan Consistency:**

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Funding Source

Fund Type	Fund Amount
Park Fees-Quimby Reserve	\$342,000
2006 TAB HERO	\$350,000

Fiscal Years:

FY2019-20

TOTAL**\$692,000****Responsible Staff Member:**

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level

New or Expanded Services

Del Sol Park Improvements - Phase I

Parks & Open Space



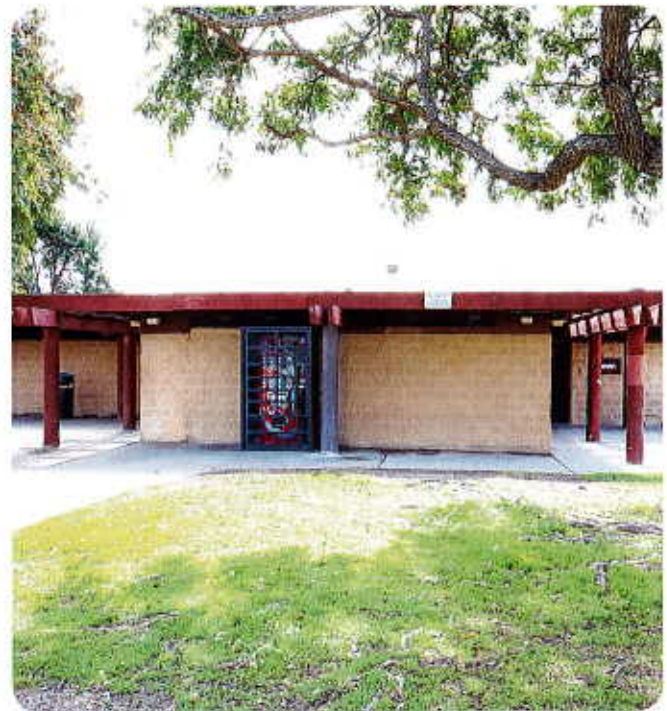
1500 Camino Del Sol
Council District(s): 3

Project Description:

Construct a new restroom.

Purpose and Need:

The existing restroom at Del Sol Park is in a bad location and is in poor condition but will still be used in large events or busy weekends. The new restrooms will provide a better option for the public.



General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2020-21

Funding Source

Fund Type	Fund Amount
Park Fees-Quimby Reserve	\$520,000

TOTAL	\$520,000
--------------	------------------



Responsible Staff Member:

Jim Nelson

Title: Project Manager

Phone: (805) 385-7828

Email: Jim.Nelson@oxnard.org

Funding Priority Level



New or Expanded Services

Lemonwood Park Parcel Development

Parks & Open Space



2055 San Mateo Place
Council District(s): 5

Project Description:

The park was acquired in early 2017 and requires a design to remediate the half acre site.

Purpose and Need:

The site located on the west side of the park has the soil contaminated from an old oil well site. The environmental review has been completed, and there is now a need to develop a plan and specifications to remediate the soil.



General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2020-21

Funding Source

Fund Type	Fund Amount
Measure O Sales Tax	\$450,000

TOTAL*

\$450,000

* Previously Appropriated: \$95,583



Responsible Staff Member:

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level



New or Expanded Services

Pleasant Valley Park Court Resurfacing

Parks & Open Space



4501 Justin Way
Council District(s): 5

Project Description:

Full reconstruction and resurfacing of basketball courts and tennis courts.

Purpose and Need:

The basketball and tennis courts are in need of full reconstruction. These facilities are highly used by residents in the Pleasant Valley neighborhood.



General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2021-22

Funding Source

Fund Type	Fund Amount
General Fund	\$340,000

TOTAL **\$340,000**



Responsible Staff Member:

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level



Asset Preservation

Seaview Park Improvements

Parks & Open Space



Pilot Way & Offshore Street Council District(s): 1

Project Description:

Install new walking path/track, new LED lighting and new restrooms. New inclusive play area to accommodate ages 2 through 5 and 5 through 12 years old.

Purpose and Need:

New improvements will help meet the demand for the increased use at this park.



General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2021-22

Funding Source

Fund Type	Fund Amount
Park Fees-Quimby Reserve	\$1,500,000

TOTAL
\$1,500,000


Responsible Staff Member:

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level



New or Expanded Services

Southbank Park Improvements

Parks & Open Space



Kentia Street & Woodside Place Council District(s): 1

Project Description:

Resurface playground and make improvements to restrooms.

Purpose and Need:

The restroom needs repairs and updating, and the playground surface is in poor condition. Security lighting increases safety.



General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2020-21 FY2021-22

Funding Source

Fund Type	Fund Amount
General Fund	\$300,000

TOTAL
\$300,000


Responsible Staff Member:

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level



New or Expanded Services

Tennis Court Resurfacing

Parks & Open Space

801 Hobson Way
Council District(s): 4

Project Description:

Resurface four tennis courts.

**Purpose and Need:**

The Oxnard Tennis Center has eight existing courts. Four of the courts need to be resurfaced. These four courts have large cracks that interfere with play.

General Plan Consistency:

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Fiscal Years:

FY2020-21

Funding Source

Fund Type	Fund Amount
Measure O Sales Tax	\$530,000

TOTAL**\$530,000****Responsible Staff Member:**

Jim Nelson

Title: Project Manager

Phone: (805) 385-7828

Email: Jim.Nelson@oxnard.org

Funding Priority Level

Asset Preservation

Via Marina Park Renovation

Parks & Open Space

Offshore Street & Keel Avenue
Council District(s): 1

Project Description:

Install new sprinkler system, new play structures, a new rubberized walking track, and new LED security lighting.

Purpose and Need:

The park is frequently used and could benefit from expanded amenities.

**General Plan Consistency:**

Category: Community Development

Goal#: CD-3

A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure, and community identity and pride

Funding Source

Fund Type	Fund Amount
Park Fees-Quimby Reserve	\$1,215,952
Measure O Sales Tax	\$50,000

Fiscal Years:

FY2022-23 FY2023-24

TOTAL**\$1,265,952****Responsible Staff Member:**

Art Gutierrez

Title: Facilities Maintenance Supervisor

Phone: (805) 385-8082

Email: Art.Gutierrez@oxnard.org

Funding Priority Level

New or Expanded Services