

OAK PARK MUNICIPAL ADVISORY COUNCIL MINUTES
of Meeting, March 24, 2015
The Oak Park MAC held a meeting Tuesday, March 24, 2015 at 7:00 PM
Oak Park High School Room G-9, 899 N. Kanan Road, Oak Park

1. Call to Order

The meeting was called to order by *Chair Alon Glickstein* at 7:11 PM. *Michael Paule, Robert Von Schneidau, Chris Chapman, and Mike McReynolds* were also present.

2. Flag Salute

Chris Chapman led the flag salute.

3. Adoption of the Agenda

The agenda was adopted 5-0 on a motion by *Mike McReynolds* seconded by *Michael Paule*.

4. Approval of the minutes of January 27 and March 10

The minutes of January 27 were approved 5-0 on a motion by *Mike McReynolds* seconded by *Michael Paule*. The minutes of March 10 were approved 5-0 on a motion by *Mike McReynolds* seconded by *Chris Chapman*.

5. Public Safety reports

Ventura County Sheriff's Office Captain Ross Bonfiglio reported that since December of last year the number of burglaries reported for Oak Park totaled six, and that all but one of these happened to occur on a Thursday or Friday, and could be termed thefts of opportunity. Regarding measures for crime prevention, he commented that garage doors continued to be left wide open in Oak Park and should be closed. He said that it helps to make it obvious to passers-by that a home is occupied with residents present inside. He said that it was possible to "harden the target" with lighting, surveillance cameras, a dog, or organizing a Neighborhood Watch program. In response to community interest he described the online "Next Door" program.

CHP Community Liaison Officer Gregg Musgrove presented statistics for reported vehicle collisions in Oak Park for the previous three years, showing that there were 49 in the year 2012, 44 in 2013, and 29 in 2014. There occurred no fatalities. He said that no patterns emerged from plotting the accident locations on a matrix, and that the accident sites appeared to be random. He reported that there were 7 accidents involved driving under the influence (DUI) in 2013, and 2 accidents involving DUI in 2014. He said that his agency was planning a series of special enforcement events in unincorporated areas including Oak Park; in the month of May, for example, marked school zones would receive special enforcement from CHP officers.

6. Comments of Ventura County Supervisor Linda Parks

Supervisor Parks commented that earlier in the day the Board of Supervisors had approved funding for the Kanan Shuttle, and that beginning on April 11 the Shuttle would provide service on Saturdays. She said she was hopeful that new routes and stops could be added. She encouraged residents to apply for two open seats on the Oak Park Parks and Recreation Advisory Committee, and she said that on May 2 the county would sponsor its annual recycling and clean up event in the Oak Park High School parking lot.

7. Information items

- a) *Oak Park Green Streets Retrofit Project funded by Proposition 84 Stormwater Implementation Grant Program (Presentation by Ventura County Watershed Protection District staff)*

A new Power Point presentation given by county staff is attached here. The Power Point given was the fourth presentation about the project provided to the Oak Park MAC by County staff; it incorporated the revisions to the project in response to comments received from the Landscape Committee and the Triunfo Sanitation District board.

Watershed Protection District staff member Ewelina Mutkowska said that for maintenance costs for the entire project, the county would split the total with the CSA #4 which already was contracting out for landscape work on the medians. She said the annual project maintenance was estimated at \$20,000.

Robert Von Schneidau questioned the safety of a 3/1 slope used within the roadside medians project area, and **Watershed Protection District staff member David Kirby** responded that it was not steep, slightly more than a standard handicap access ramp. **Robert Von Schneidau** also commented that there would be no place to step out of a car parked along the project site. He questioned the health concerns of concentrating E-coli with the project, and **Watershed Protection District staff member Gerhardt Hubner** responded that E-coli would not concentrate at the project site. **Robert Von Schneidau** said that he liked the aesthetics of the project. He concluded his comments by remarking that he believed the project presented safety issues for the general public.

Michael Paule said that he was concerned about issues involving the project's aesthetics and its future maintenance. Oils from the roads for example would not be cleaned by the biofilter systems. **David Kirby** responded that the biofilters are designed to remove such pollutants. **Michael Paule** said that the project was substantially better now after the recent communication with Watershed Protection District staff. He said that a number was needed for the cost of maintenance, and that he was worried about maintenance taking resources away from community needs such as the Kanan Shuttle. He said that he also was concerned about construction on the project occurring when school was in session.

Mike McReynolds said that he was glad Watershed Protection District was working on pollutants, and that he was glad for the grant and for the County paying half of maintenance costs. He said that the project's aesthetics was the key issue for him. He said that the project was improved from before, and he urged staff to keep working with the Landscape Committee. He asked whether the project had been advertised for bids, and was told that it had not been. He requested that construction hours be restricted to between the hours of 10 AM and 2 PM. Finally, he said that he continued to prefer a project consisting of modular wetlands alone.

Chris Chapman said that it was appreciated that staff was listening. He said that the maintenance costs for twenty years should have been accounted for with the project from the outset. He said that he had concerns related to traffic issues during construction. He said that it remained important to have a lot of communication about the project.

Alon Glickstein said that the project had been already applied for, and approved, before the MAC and the public knew about it. He said that Watershed Protection District staff did address concerns expressed about the project, even if not completely. He said that the MAC's goal that evening was to hear the community input, and that the MAC's role was to convey that to the Board of Supervisors. He mentioned the letter he had written before the meeting to be sent to the Board of Supervisors. (The letter is attached here.) He asked what Watershed Protection District staff meant by splitting the cost of maintenance, and staff responded that it meant splitting the cost in halves. He asked who would approve splitting the cost. **Supervisor Parks** commented

that she had suggested it. He asked what the grant "match" consisted of. **Gerhardt Hubner** said that much of the match was the work staff engineers devoted to planning the project.

Debra Sharpton said that the project was a great benefit to help Medea Creek, and she thanked Watershed Protection District staff for their work. She said that the community needed to clean up the creek and that everyone was contributing to pollution problems. She said she appreciated the native plants proposed for the medians, and she offered to help move the project forward.

Barbara DeMinico said that she was a long time homeowner on Kanan Road, received no notice about the project, and that the roadside medians were planned as safe zones for children. She said that people walk on the medians, that only two oak trees remain out of a series planted by the developer, and that Oak Park is different from other communities. She said that cleaning for Medea Creek could be done underground.

Janna Orkney thanked **Alon Glickstein** for writing a letter about the project for the Board of Supervisors. She said that she had a letter (attached here) for the MAC from resident **Drew Fountaine** about the project. She said that the project was inappropriate for Kanan Road. She said that it was a drainage ditch attached to a pipe. She said that according to **Mary Weisbrock** the project was not exempt from CEQA because it was an expansion of the existing use of the medians, and would create a significant effect. She said that the County was jamming it down their throats. She asked **Supervisor Parks** to look at the project's legal aspects.

Steven Kozel introduced himself as a health professional, and said he was concerned about health impacts of the project, especially if it became clogged or caused mosquitos with West Nile disease or encephalitis. He said that he wanted to see the science for the project. He said that existent storm drains were never cleaned, and that raccoons lived in them. He asked what other mitigation work for pollution had been done.

Kim Kavett-Moore asked if an air quality study had been done to show the impact of the project on air quality, and staff responded no. She noted that Kanan Road has a high level of traffic, and that with the landscape trees removed there would be an impact on air quality and on home values. She asked how long the filters were expected to last, and staff responded for 20 years. She noted that school would be starting on August 11 in the coming summer, and this could be impacted by project construction.

Don Casino said that he had lived along Kanan Road for 22 years, and he disagreed that the clay was too deep at the medians to allow for underground filtering of storm water. He asked who would buy a home with a sewer system in front.

Stephen Gregorchuk said that he appreciated the meeting, and that he received no notice about the project. He said that everyone wanted the creeks to be clean, and that he liked the plantings proposed for the medians. He said he had questions about the project design, namely where the storm water comes from, whether there are contaminants at his home, and why all the storm water treatment couldn't instead be accomplished at Medea Creek. Staff responded that 20 acres were already draining into the project area at Kanan Road, that the pollutants targeted were coming from the residential community, and that now the legal requirement was to remedy the pollution at the source, not as before to take all the storm water away as quickly as possible. The medians were being retrofitted to do that. **Stephen Gregorchuk** said that the project would take down the value of his home.

Stuart Charter said that the project was in the wrong place, and that it would hurt home values.

Karla Tingersen asked what would happen if something like an earthquake went wrong with the project. She said that it would collect bacteria at the site, and hurt house values. She asked whether the project was going forward. She asked whether there was a similar project to see elsewhere in a neighborhood.

Gene Rosecrans commented that diverting storm water from catch basins is not legal. He asked how much the fine would be for not complying with requirements, and how home values would be impacted by the project. He said that he wanted an alternative design in another place.

Rick Oberlander commented that run off from Tamarind would not go to the Kanan medians project area, and staff responded that the Tamarind area run off would go to a modular wetland facility. Then he asked whether gravity was used to direct the runoff, and staff responded yes.

Dominic Parlartore said that residents were not beneficiaries of the project, but rather its victims. He said that it would be thirty feet from his front door. He said that existing roots clogging things would impact the project's pipes, too. He asked what would happen with water that overflowed the system, and staff responded that it would go to existing storm drains. He asked about trees offered for front yards, and staff said that this was the choice of the property owner and optional. He asked Supervisor Parks how home values would be affected. He said that the project would move pollution from Medea Creek to Kanan Road. He asked Supervisor Parks for help with the financial cost to residents, with the decreased assessments the project would cause.

Keli Kaye called the project a rude awakening and asked whether the \$20,000 figure for annual maintenance could be trusted.

Mike Fabrizio asked for help in preventing the project process from happening.

Ellen Bernstein asked for help in stopping the project until people had more information, because she was concerned about home values. She said she wanted to see more science about the project, because she was concerned with its health risks. She also expressed concern over nuisance impacts related to construction, noise, gas, and concrete vibrations.

Linda Estrin asked whether the TMDL standards used were for dry weather runoff. She commented that residents do have control over their pollution, and can for example stop excess runoff during dry seasons. She concluded that she was "on the fence" about the project.

Rich Lomas commented that he was concerned about home values dropping.

Alon Glickstein summed up the comments. He mentioned as concerns the maintenance costs, construction impacts, and that children play in the medians and people walk there. He said that no one wants a sewage system in front of their home. He cited the fear that home values would suffer from the project, and the belief that the project needed a CEQA review. He asked whether the project's scientific testing was done at the wrong periods of time or too long ago so that the data was not relevant. He asked whether the entire school district shouldn't be involved. He asked what would happen if something went wrong with the project. Who would fix it? He said that people wanted to see examples of similar projects. He asked what fine would be imposed for not doing the project, and who would pay for it. He expressed the concern over losing trees. He noted that people can fix the pollution problems, and that alternative sites for the project were needed.

Kim Kavett-Moore said that residents could do more preventative things about pollution, such as having dog waste disposal bags available. She said that the community needed to put funding into prevention.

Steven Kozel said that he was not convinced the project would be effective, and that he wanted to see the science supporting it.

b) Presentation, Mountains Restoration Trust Update and Adopt-A-Creek program
The presentation was postponed to the April meeting.

8. Public comments

Deena Parry asked the MAC for assistance with obtaining the promised results of Enhanced Landscape's testing of CSA #4 maintained landscape work without the use of Round-Up. **Chair Glickstein** asked her to send an e-mailed request about it to the MAC.

9. Council comments

Michael Paule noted the planned closing of the Fresh & Easy store in Oak Park. He commented that Oak Park is one of the few southern California communities to meet the State water consumption cutback mandates. He said that the Triunfo Sanitation District was halfway to completing work on its new water meters. He urged everyone to support local retailers.

Robert Von Schneidau said that he applauded the residents who came to the MAC meeting.

Chris Chapman said that the residents' involvement at the MAC meeting was great, and that in regards to residents' concerns "we have your back."

Mike McReynolds commented that the Triunfo Sanitation District along with Las Virgenes Regional Sanitation District would be discussing the Tapia wastewater treatment plant, the EPA, and water quality TMDL standards, and five potential projects.

Alon Glickstein commented that the Community Foundation for Oak Park had room for new board members.

10. Written communications

There were none.

11. Advisory Matters

a.) **MAC recommendation, Standing Landscape Committee update and recommendations**
There was no committee report.

12. Adjournment to the April 28 meeting

The Chair adjourned the meeting at 10:15 PM, on a motion, approved 5-0, by **Michael Paule** seconded by **Mike McReynolds**.



Public Works Agency



Oak Park Green Streets Retrofit Project

March 24, 2015

Additional Discussion and Considerations

Oak Park Municipal Advisory Council



Malibu Creek Watershed Total Maximum Daily Loads (TMDLs)

TMDL	Effective Date	Promulgating Agency
Nutrients*	March 21, 2003	US EPA
Bacteria*	Jan. 24, 2006	LARWQCB
Trash**	July 7, 2009	LARWQCB
Benthic Community & Nutrients**	July 2, 2013	US EPA

LARWQCB – Los Angeles Regional Water Quality Control Board
US EPA - U.S. Environmental Protection Agency

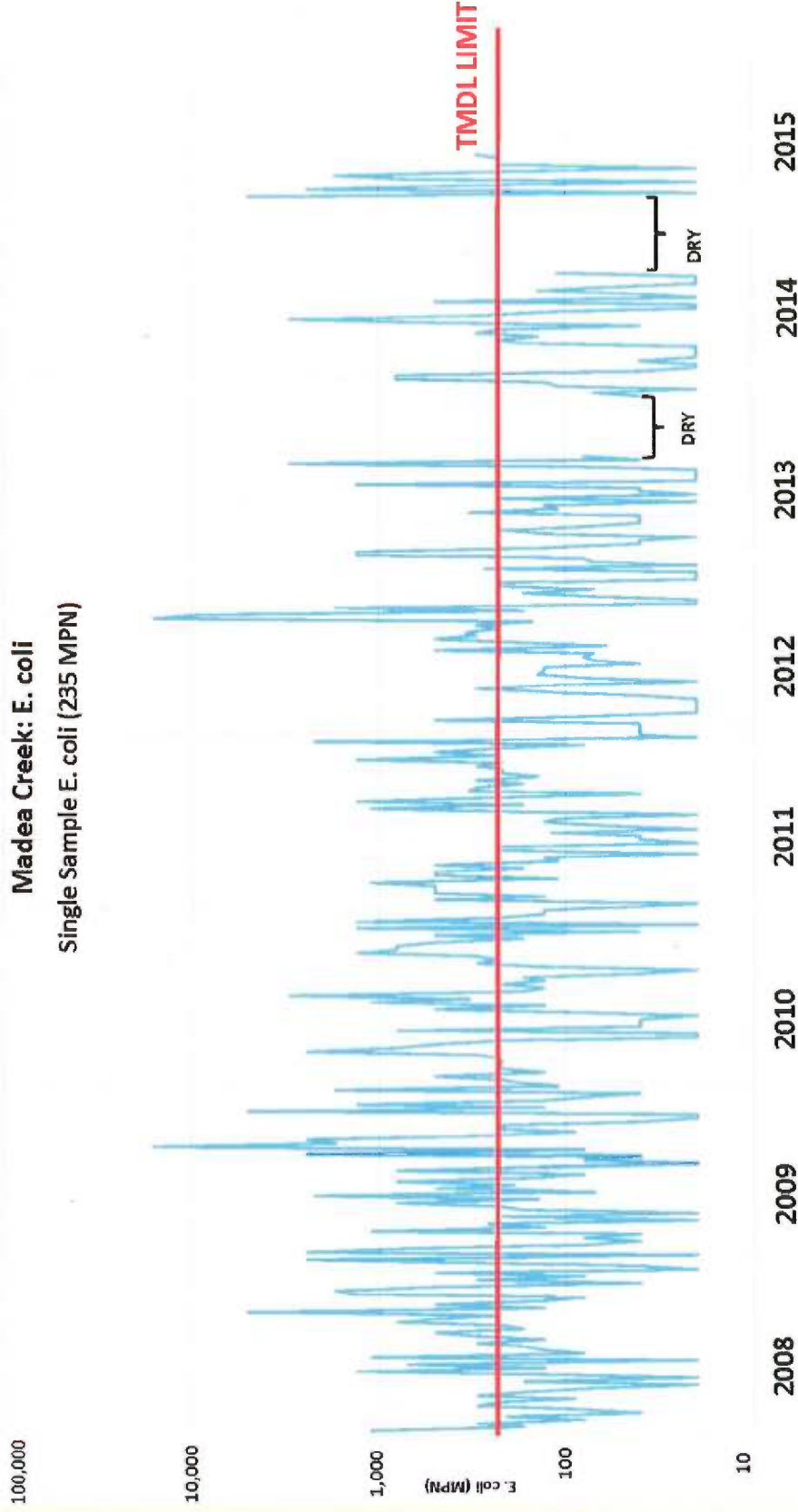
* Included in current Ventura Countywide Municipal Stormwater Permit (LARWQCB's enforcement mechanism)

** to be included in the Permit expected renewal in 2015



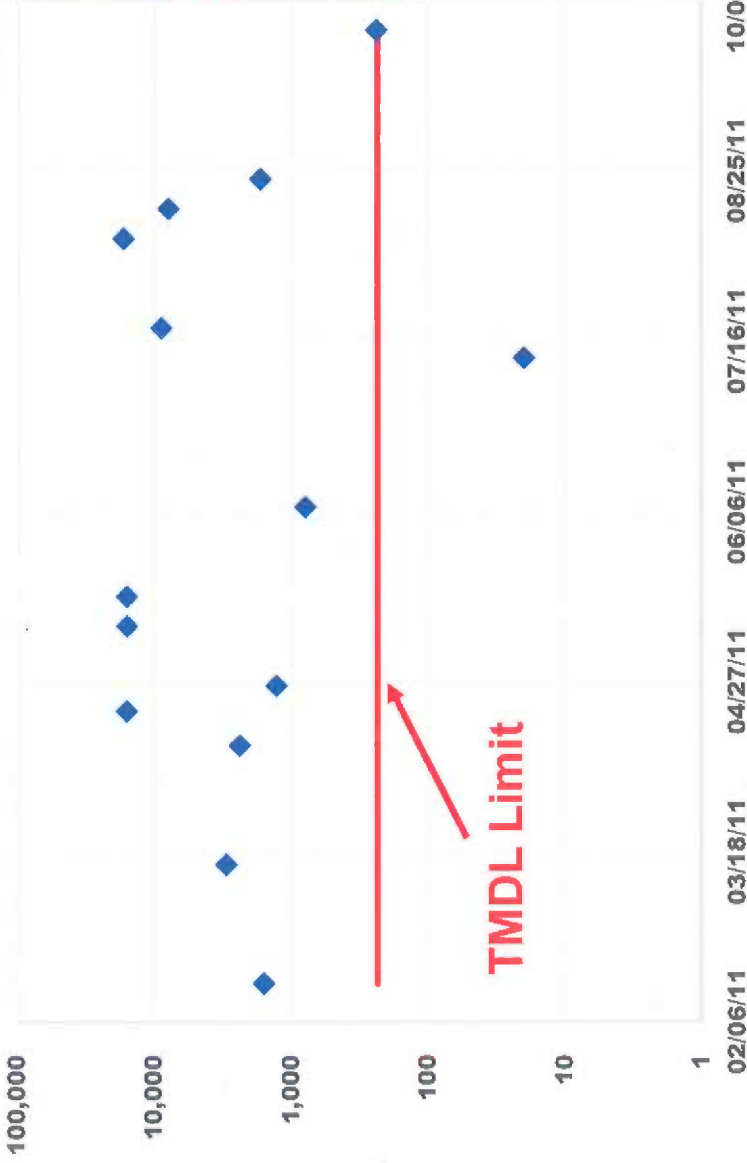
Medea Creek: *E. coli*

Public Works Agency





Tamarind Lane: *E. coli* in Runoff





Pollution Sources

STORMWATER RUNOFF
Fecal Coliform Annual Loading

Effluent Irrigation

Onsite Wastewater Treatment Systems

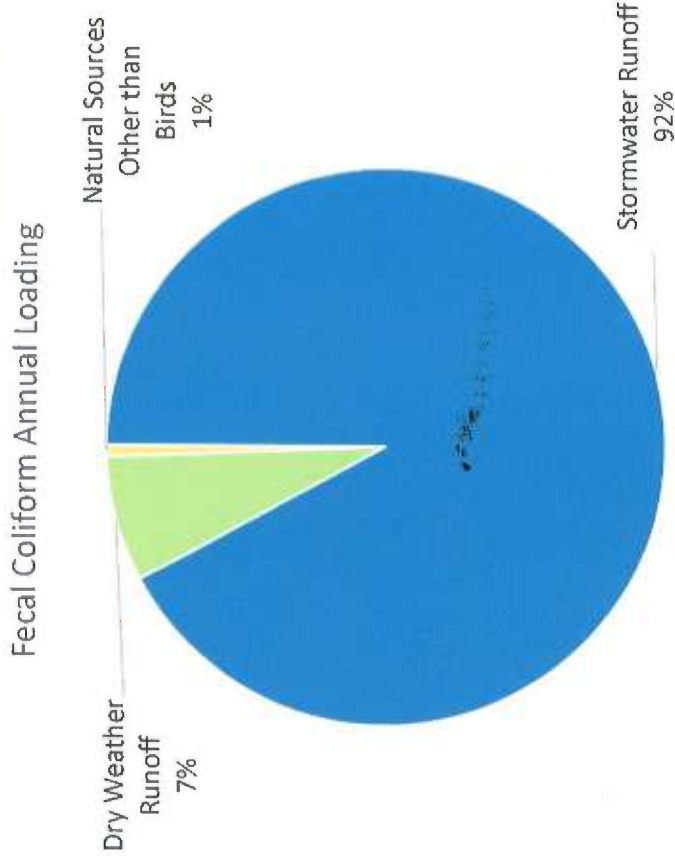
Agriculture/Livestock

Rural Residential

Residential

Commercial/Industrial

0% 10% 20% 30% 40% 50% 60%



Reference:
MCW Bacteria TMDL Staff Report,
LARWQCB 2004



Cost of Compliance

Compliance	Design & Construction	Annual O&M
Dry-weather (effective 2012)	\$6,000,000	\$90,000
Dry weather (effective 2012) & Wet-weather (effective 2021)	\$30,000,000	\$630,000

Notes:

- A. This cost estimate was prepared for estimated 736 acres of impervious surface in upper Malibu Creek Watershed.
- B. If enforced by LA RWQCB, out-of-compliance fines estimated at **\$10,000/day**



Prop 84 Stormwater Grant



Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARD

Public Works Agency

- The Ventura County Public Works Agency has submitted numerous applications for Oak Park project under various State grant programs.
- Proposition 84 SWGP is intended to provide matching grants to local public agencies for reduction and prevention of stormwater contamination of rivers, lakes, and streams.
- First successful award of \$1.4M grant funding (May 2014)

				FUNDING AMOUNT		
PIN	REG	APPLICANT NAME	PROJECT NAME	PROP 84	MATCH	TOTAL
25941	4	County of Ventura	Oak Park Green Streets Urban Retrofit	\$1,397,410	\$350,540	\$1,747,950



Landscape Committee Meeting

COMMENT: Project requires removal of about 30 ornamental trees in the median at Kanan Rd (estimated replanting cost \$7,500)

No.	Request	Response
1	Replant the removed trees within the medians	Revised design to include 2 Signature Oaks and additional trees within 6 forebays of the biofilter.
2	Replant the removed trees in the front yards of properties along the biofilter sites (outside of right-of-way)	The removed trees will be replanted depending on property owner's interest. The property owner will need to maintain and take any future liability for the trees.
3	All plants to be at least 1 gallon size for planting	Plugs changed to 1 gallon size



Biofilters





Landscape Committee Meeting (Cont.)

No.	Request	Response
4	Remove additional turf from two small areas (ab. 600 sq. ft.) and plant to match biofilter sites (no treatment)	Updated design to include the two requested areas
5	Remove turf and plant in additional median (South to Conifer St.) to match biofilter sites (no treatment)	Considerations: 1. Removal of additional trees needed 2. No funding available for additional construction without WQ benefit
6	Plant iceberg roses along edges of biofilters (for their full lengths) in both medians along Kanan Rd.	Considerations: 1. Aesthetics and visual effect of mixing with native plants 2. Infringe on street parking along median curb 3. Increased maintenance



OPMAC Comments (3/10/2015)

No.	Comment	Response
1	<p>a) What are maintenance costs?</p> <p>b) CSA#4 shouldn't be responsible for maintenance</p>	<p>a) Approximately \$20,000;</p> <p>b) County will split maintenance cost with CSA#4</p>
2	<p>Kanan Rd median project location does not seem logical</p>	<ul style="list-style-type: none">➤ Treats 20 acres of highest bacteria contamination (PhD-lead study)➤ Flow patterns were established and documented by certified professionals➤ The only and best site for installation of the best available stormwater treatment method.
3	<p>Concerned for safety of children with water filling medians and liability for accidents at the site</p>	<ul style="list-style-type: none">➤ Medians are a traffic feature, not for pedestrian traffic use (no crosswalks or sidewalks).➤ Biofilters were designed to drain within 48 hours➤ Not aware of any such accident



OPMAC Comments (3/10/2015)

No.	Comment	Response
4	Aesthetic impacts at the main entrance to the community	<ul style="list-style-type: none">➤ Design was altered to allow for 2 Oaks and additional trees to be planted;➤ Landscape Architect expanded plant list that meets project design goals and adds varying color and height options;
5	Lack of CEQA review. OPMAC member doubts CEQA exemption	<ul style="list-style-type: none">➤ Categorical exemption for a retrofit of existing facilities within County's Right-of-Way (<i>Existing Facilities</i>, Sec. 15301 and <i>Replacement or Reconstruction</i> Sec. 15302).
6	Landscape Committee member wants to see data that supports need for project, design of project, efficacy of project, for where it is planned	<ul style="list-style-type: none">➤ Multiple presentations to the OP MAC were given since 2010;➤ Additional doc is available upon request including TMDL reg's, Implementation Plan, Technical Memo and Reports; Hydrology & Hydraulics Report

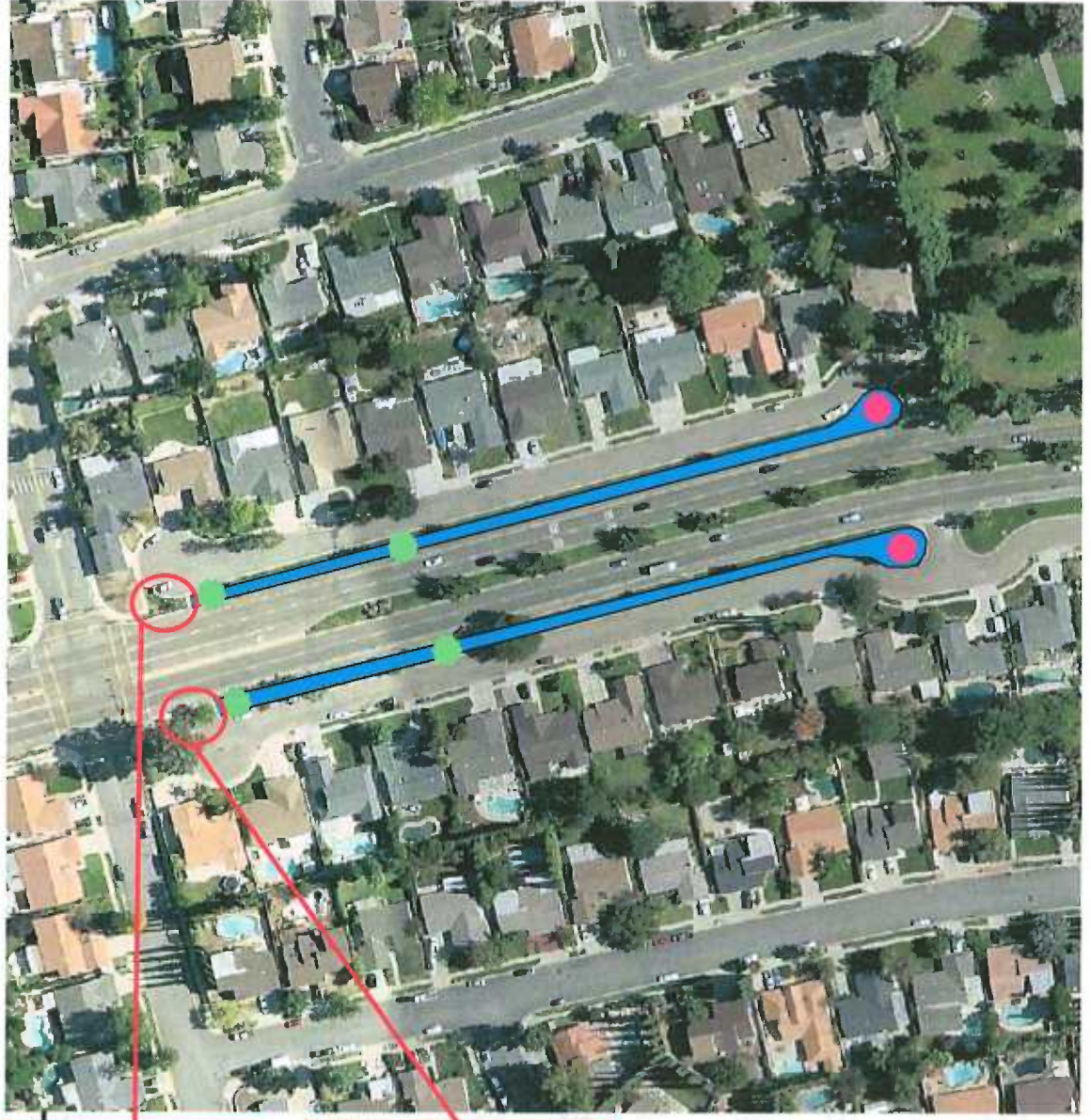


OPMAC Comments (3/10/2015)

No.	Comment	Response
7	Concern for additional dirt or trash, mosquitoes, salts, once project is installed.	<ul style="list-style-type: none">➤ Project will remove all these items from runoff entering storm drain (big benefit) for proper disposal.➤ Project reduces irrigation needs (recycled water has higher salinity).➤ Project designed to drain in less than 72 hours as required for vector control.
8	Concerned the proposed plantings will not survive in the roadside median.	<ul style="list-style-type: none">➤ Landscape Architect has developed plant list and new irrigation system that will flourish in Oak Park.➤ Climate-based selections (hot in summer, frost in winter, high salinity from recycled water irrigation, resilient to submersion during rain).



Proposed Biofilters Oaks Sycamore Trees





Next Steps

- Coordination with residents, OP MAC and/or Landscape Committee March 2015
- Construction Sept. – Dec. 2015
- Effectiveness Monitoring Fall 2015 & Winter 2015/16
- Educational Outreach including Ocean Friendly Garden workshops Fall of 2015

Oak Park Municipal Advisory Council

Alon Glickstein (Chair)

Mike McReynolds (Vice Chair)

Mike Paule (Council Member)

Robert Von Schneidau (Council Member)

Chris Chapman (Council member)

Ventura County Supervisors

Linda Parks

Supervisors,

The Municipal Advisory Council of Oak Park (MAC) evaluated the proposed Oak Park Green Streets Urban Retrofit Project consisting of 2 large bio-filtration systems and 10 Modular Wetland systems throughout Oak Park. The MAC voted unanimously at our last meeting that the 2 large bio-filtrations systems along Kanan Road should not be installed as planned. The MAC would like to request that the County Board of Supervisors reconsider the installation of the project unless the 2 large bio-filtrations systems are removed from the project and reevaluated.

The MAC recognizes the importance of reducing the bacteria, nitrogen and other pollutants affecting the health of Malibu Creek Watershed. The MAC also recognizes the benefit of getting at least partial funding for the project which intends to reduce these pollutants. The MAC also wants to thank Ewelina Mutkowska and David Kirby and their staff who through their hard work were able to secure funding for this project. However the MAC has several concerns related to their installation. The main concerns are:

- The aesthetics of the bio-filtrations systems will have a significant impact on our community. Kanan Road is the main thoroughfare in Oak Park. As such it is important that the aesthetics of this Road not be dimensioned as it will have a detrimental effect on the whole community.
- The installation along Kanan Road will require removal of several trees that currently serve as a buffer for the homes on Kanan for noise, pollution, and sight.
- The cost of maintaining the bio-filtrations systems and the smaller Modular Wetland systems is prohibitive. The cost is estimated to be \$70,000 dollars annually. Oak Park currently is running a deficit in its budget. An extra \$70,000 of expenditures will reduce our reserves at an alarming rate. We were specifically told that the project needs to be in operation for 20 years, yet there are absolutely no funds allocated to maintenance. We were also told that the system will become inoperational after a very short time without maintenance.
- There is also a safety and health concern about having standing water along Kanan Road after a rain event. The large bio-filtration systems are designed to hold water for as long as 48 hours with depth of more than 18 inches. The standing water could potentially injury children or cause them to become sick after playing in it or walking through it.

The MAC supports the installation of all smaller Modular Wetland systems, but also strongly rejects the installation of the 2 large bio-filtrations systems along Kanan Road. We respectfully ask that they not be installed.

Thank you for your consideration.



Alon Glickstein

Chair, Municipal Advisory Council of Oak Park

H. Drew Fountaine, CPA MBA Ed.D

6830 Oak Springs Drive

Oak Park, CA 91377

drew.fountaine@mspperdine.edu

818.865.8818

March 24, 2015

To: Ventura County/Oak Park MAC

Re: Opposition to Proposed Biofilter Project in Oak Park

I am writing in opposition to the proposed biofilter project in Oak Park. Residents were not properly informed about this project despite its considerable impact on our community. It seems to me that some money became available and the County scrambled to find a way to spend it without going through proper noticing of the residents.

I support efforts to clean the Media Creek Watershed. But a project with high visibility such as this one that also includes destruction of many trees and the visual entrance to our community deserves to be vetted with the residents, not foisted on them without their knowledge.

~~There is also a question of whether thought has been given to the collection of potentially hazardous liquids in an area not only central to our community, but accessible to children and animals.~~

It is improper to proceed with a project of this nature without community input just because money was found and needs to be spent before a deadline.

There are many of us who will oppose and fight this project in an effort to preserve our community.

Sincerely,

Dr. H. Drew Fountaine
Oak Springs Drive
Oak Park, California