

CASA CONEJO MUNICIPAL ADVISORY COUNCIL MINUTES
Wednesday, July 21, 2021

The Casa Conejo MAC held a Meeting on Wednesday, July 21, 2021
at 5:30 p.m. via Zoom and Teleconference.

1. Call to Order

The meeting was called to order by **Scott Horn** at 5:33 pm. MAC members **Wendy Zimmerman** and **Cecily Rock** were present. **Richard Gaz** attended at 5:53 pm and **Edward Villa, Sr.** was absent.

2. Flag Salute

Scott Horn led the flag salute.

3. Approval of Minutes from May 26, 2021

Wendy Zimmerman moved to approve the minutes from May 26, 2021 with one amendment to Item 5 changing the accident location mentioned to Wendy Drive by the Dollar Tree shopping center. **Cecily Rock** seconded the motion and it passed 3/0.

4. Agenda Review

Chair Horn moved Item 8b to be heard prior to Item 8a.

5. Public Safety Reports (CHP, Sheriff's Department)

CHP Lt. Jeremy Key announced that Commander Heather Hoglund is the new Commander at the Conejo Inspection Facility effective July 1st. She will take over the commercial aspects of that facility. He said over the July 4th weekend there were several DUI arrests, which removes dangerous drivers from the roads, and there were no fatalities in this area. He warned that drivers seem testier lately and pursuit rates have increased. He said the CHP is doing their best to de-escalate situations. **Wendy Zimmerman** asked about illegal passing on on/off ramps to the freeway. He said that cars cannot pass once an on/off ramp becomes one lane, which is a common violation, and that they do cite drivers. Resident **Kinsie Flame** asked about adding a crossing guard at Michael Drive and Borchard Road. **Lt. Key** responded that he would look into get an officer to do proactive enforcement in that area. **Supervisor Parks** noted the intersection was in the City and said the City and school district are the best places to approach with this request.

Ventura County Sheriff Senior Deputy Jeff Miller reported that vehicle related crimes are often due to cars left unlocked or valuables left visible in the car. He warned residents to be aware that skimmers have been found in Westlake Village Bank of America branches. He said skimmers copy the magnetic information on the ATM card and with peephole cameras thieves can steal your pin number. He said to always cover your hand when entering in your pin number. **Wendy Zimmerman** mentioned there was a skimmer reported at the Bank of America branch by the library on Borchard Road as well. Lastly, he announced that he will be the point of contact for the time being now that Officer John Chiaramonte has been promoted to Sergeant and reassigned.

6. Comments of Ventura County Supervisor Linda Parks

Supervisor Linda Parks announced a Fire Safety Town Hall at the Oak Park Community Center on Thursday, July 22 at 6:30 pm with speakers from the Fire Department, Office of Emergency Services, Rancho Simi Recreation and Park District, CERT, Fire Safe Councils, and an expert from the Chaparral Institute who will discuss environmentally sustainable vegetation management. She said the Board of Supervisors will begin looking at redistricting with the new census data and that each district should have similar population sizes. She wants to ensure communities and cities are not split, such as Thousand Oaks and Somis. She said the County is starting to see an increase in COVID cases due to the Delta variant and has made a strong recommendation that people wear masks indoors. She said more information can be found at www.vcrecovers.org **Wendy Zimmerman** asked about clinics for vaccinations serving east county since recent case numbers are showing an increase in the Newbury Park area. She wants to know if information about vaccination sites can be more visible to the community. **Supervisor Parks** said mostly private entities are providing vaccines, such as pharmacies,

and she's hoping to ramp up testing because of the new variant. She said over 70% of Ventura County residents have received their vaccine so far. **Wendy Zimmerman** recommended that the private locations put signs out front so people know. Supervisor Parks said it was a great idea and would pass it on.

7. Discussion with the Public Works Agency regarding the flowage easement on the vacant 37-acre property at the end of Alice Drive

Glenn Shepard, Director of the Public Works Agency Watershed Protection District provided a memo dated July 19, 2021 to MAC Chair Scott Horn in response to last meeting's questions regarding potential for development of the Borchard Road property (attached). He discussed the flowage easement that was granted to the Ventura County Watershed Protection District in 1978 for the purpose of controlling periodic inundation with flood water and storm drainage waters, and their right to prohibit construction of any structures or channel improvements in, over, under and across the easement. He said the estimated storage capacity of the parcel is 250-acre feet, and to illustrate how much water would be on the parcel he said if the 37 acres of land were walled off on flat ground it would equate to 6.75 feet of water in that walled area. If the area were 25 acres, it would be 10 feet high. He said another way to mitigate 250-acre feet would be needed if the land was not available for this purpose and the authority to relinquish the easement is with the Board of Supervisors.

The MAC asked questions about whether the easement has been updated and requested a record of past flooding in this area and latest hydrology figures of the flood channel. **Mr. Shepard** said he will provide the flooding history and hydrology update of the area.

Ryan Hiete from the law firm of Groveman Hiete LLP commented on a letter sent to County Counsel on behalf of his client Shawn Moradian, who owns the vacant Borchard Road property on the agenda. He claimed a Santa Monica Mountains Conservancy conspiracy to slander the property, said the Public Works Agency has a revisionist position, and the County is inaccurate.

Shawn Moradian asked about what standard is being applied to his 250-acre feet analogy, a 100-year storm or 500-year event. **Mr. Shepard** said is it based on a 100-year storm.

Lori Dingman commented that she lives next to the property and has seen it flood and has photos from 2005 with the channel overflowing and with the property full of water. She said it is disheartening to hear claims of secret meetings, unlawful slander, and conspiracy from the property owner because he has also been having meetings and not wanting to involve local property owners and is using his money and law firm to silence people who don't agree with his plans. She said the land was purchased as is with the easement already on it and is not being devalued.

Fernando Necedal asked if the property is already approved for mixed-use. He said hundreds of residents submitted letters opposing this and wanted to know what the next steps are. **Wendy Zimmerman** said to look on the City of Thousand Oaks website because there are other processes to be completed before potential plans are confirmed. She said the issues for local homeowners is safety and that many have to pay extra for flood insurance. **Lori Dingman** added that her understanding is that the City must submit their formal plan in October so there will be opportunity for more discussion.

8. Advisory Items

b. MAC Approval, Amendment to the MAC Protocols

Scott Horn discussed a possible amendment to the protocols in Item 3b to remove the word "in" and replace it with "affecting" to read "The MAC makes recommendations on matters affecting the Casa Conejo area..." **Wendy Zimmerman** proposed a change the word "prohibits" to "prohibit" in Item 1a.

Scott Horn made a motion to include the two amendments and **Wendy Zimmerman** seconded the motion. It was approved 4/0.

a. Formation of an Ad Hoc Borchard Property Sub-Committee

Vanise Terry clarified the requirements for an ad hoc committee based on information from County Counsel. **Scott Horn** expressed an interest in serving on an ad hoc committee with a focus of looking at the Borchard wetlands regarding development. **Wendy Zimmerman** said she has been active with the City's General Plan independently of the MAC and her understanding is that there is not a proposal

before the City yet as there are other considerations necessary before they would officially change the zoning. She said the committee should be investigatory and monitor the General Plan process and provide a report to the MAC with any concerns, and the MAC could provide an advisory opinion in keeping with the approved MAC protocols.

Scott Horn as Chair appointed himself and **Ed Villa, Sr.** to an ad hoc committee with the purpose to examine and investigate what is best for Casa Conejo homeowners with regards to the potential development of the wetlands area.

Shawn Moradian commented that the formation of an ad hoc committee seems premature as there is no project to consider as they are on hold until the City completes an environmental review of the General Plan. He said the scope of the ad hoc committee is unclear and suggested the MAC may be in violation of the Brown Act. He said the City and he as a neighbor will do proper outreach when there is a project to consider.

Wendy Zimmerman said she is not comfortable appointing someone to the ad hoc committee that is not present at the meeting. **Richard Gaz** volunteered to be the second member on the ad hoc committee.

Ryan Hiete cautioned the MAC that using the term "wetland" is making a legal statement about a piece of property that is not accurate based on the U. S. Corp of Engineer's letter regarding the status of the property. **Wendy Zimmerman** responded that the Department of Fish and Wildlife considers the property an emergent wetland so there are differing opinions, and the term is being used as an identifier which is also a local name for it and would not make a difference in terms of what the committee would be looking at.

9. Information Items

a. Update on Dog Waste Station Proposal in Casa Conejo

Cecily Rock reported that she contacted Poo Free Parks but has not heard back yet. She said she reached out to Borchard Park and will receive more information about who takes care of the waste stations at the park.

b. Update on VCTC 101 Highway Expansion Project

Scott Horn said there is no new information from the last update. **Supervisor Parks** reported that the Executive Director of the Transportation Commission will be moving on to MetroLink, and that the Commission will likely continue with a temporary Director and they will continue their efforts. She expressed appreciation to the MAC for providing input. **Mr. Horn** said he will follow up with another update and said he feels the primary issue is expanding the 101 Freeway where it crosses over Moorpark Road heading south, widening the bridge and using unused concrete for a fourth lane. **Supervisor Parks** said there is an alternate proposal before the Commission to use the existing paved areas for expansion.

c. Graffiti Removal Intervention Team (GRIT) Update

Scott Horn said Ed Villa Sr. relayed information that there is no graffiti to report in Casa Conejo at this time. **Wendy Zimmerman** asked about the procedure for reporting graffiti. **Vanise Terry** said graffiti can be reported to her at Supervisor Parks' office and should include photos and location, and she will report it to law enforcement and contact Mr. Villa. She said since Mr. Villa is out in the community, he often catches it very quickly as well. **Mr. Horn** said any graffiti in the City can be reported to their graffiti number and there is good coordination between the County and City.

10. Council Comments on Items not on the Agenda

Scott Horn commented that he believes there were less fireworks this Fourth of July. However, **Wendy Zimmerman** and **Cecily Rock** said they felt the opposite was true near their homes.

11. Public Comments on Items not on the Agenda

Jen Rice asked for assistance with a neighbor who is parking multiple cars at the corner of Jeanne Court and Gerald Drive blocking the sidewalks and creating a safety concern. She said the City suggested she contact the CHP and she has spoken to CHP Officers. However, the issue is continuing

to persist. **Scott Horn** said he would see what assistance can be offered and **Vanise Terry** also provided her contact information.

12. Correspondence

There was no correspondence to report.

13. Suggestions for Future Agenda Items

- a. Dog Waste Station Update
- b. VCTC/Highway101 Expansion Project Update

14. Adjournment at 6:56 pm to Wednesday, September 15, 2021.

July 19, 2021

Casa Conejo Municipal Advisory Council
ATTN: Scott Horn

Dear Chair,

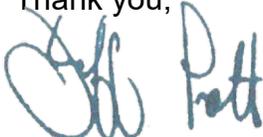
Your Casa Conejo MAC has requested information regarding the Watershed Protection District's ownership of a flowage easement encumbering Parcel Number 662-0-010-030 and mitigation measures that would be required to circumvent the restrictions noted on the existing easement for purposes of development. In response to your request the Ventura County Watershed Protection District (VCWPD) offers the following:

1. The flowage easement was granted to the VCWPD in 1978 as condition of development of the west end of the tract subdivision. The easement grants VCWPD "an easement and right of way for flood control purpose of periodic inundation with flood and/or storm drainage waters and the right to prohibit the construction of any structures or channel improvements in, over under and across". The acceptance of the easement authorizes the VCWPD to protect and preserve the right to inundate the property with flood and storm waters. There is a significant public benefit in the easement to absorb overflow from surrounding properties and any decision regarding the exercise of VCWPD's rights under the easement would need to take that public benefit into account.
2. Since the easement was dedicated as mitigation for floodplain encroachments by the adjacent development, the property is also subject to VCWPD's regulatory authority to prohibit development that will result in inundation or erosion caused by overflow of flood or storm waters or impairment of the use of the easement. Any development on the property would need to comply with criteria established by the District and include appropriate measures to mitigate flood risks and impacts to the easement. Our current estimate is that the easement provides 250 acre feet of flood and/or storm water storage capacity. Any development proposal would need at a minimum to address the loss of any of this storage capacity.
3. Authority to relinquish the easement is vested in the Board of Supervisors. Any decision to release or amend the easement would occur at a regular meeting of the Board at which time interested parties would have an opportunity to address the Board.



Please let us know if you have additional questions regarding this matter.

Thank you,

A handwritten signature in blue ink, appearing to read "Jeff Pratt". The signature is stylized and cursive.

Jeff Pratt

Director of Public Works

cc: Vanise Terry, Ventura County Board of Supervisors

David Fleisch, Assistant Director, Public Works Agency

Glenn Shephard, Director of Watershed Protection, Public Works Agency





COUNTY of VENTURA

Office of Supervisor Linda Parks
Supervisor, District 2
625 W. Hillcrest Drive, Thousand Oaks
(805) 214-2510

DATE: Amended July 21, 2021

TO: Casa Conejo Municipal Advisory Council (MAC)

SUBJECT: Approved Protocols for the Casa Conejo MAC

The below set of suggested protocols is brought to your MAC for consideration. The purpose is to establish an agreed-upon process for MAC communications and responsibility to enable more efficient, transparent, and clear conducting of MAC business.

1. Brown Act Compliance

The MAC is required under state law to comply with the Ralph M. Brown Act. Below are two major components of the Act that must be adhered to and are called out here to assist the MAC in their communications between themselves and the public:

- a. MAC members are to follow the Brown Act requirements that prohibit communication among a majority (3 or more) of MAC members (including serially or through an intermediary) about MAC agenda items or potential future agenda items, including communication in person, in writing, electronically, telephonically, or otherwise.
- b. Comments and questions from individual MAC members about items on a current or future MAC agenda should not be shared with a majority of MAC members prior to the item's discussion during the MAC meeting, including communication in person, in writing, electronically, telephonically, or otherwise.

2. MAC Representation

- a. MAC members should make it explicit that they are acting as private citizens if they express their own opinions in letters, e-mails, interviews, or during meetings of other agencies, or on social media. MAC members should explicitly state that their personal opinions do not represent the agency's position and should not allow the inference that they do. MAC members could state: "All opinions expressed herein are the opinions of the author [or presenter] and do not represent the views or opinions of the Casa Conejo Municipal Advisory Council."

3. Coordination with District 2 Supervisor's Office

- a. An important role of the MAC is to keep the Board of Supervisors informed about its activities through the District 2 Supervisor.
- b. The MAC jurisdiction includes the community of Casa Conejo, bounded by Borchard Road, Old Conejo Road, and the 101 Freeway in the unincorporated area of Newbury Park. The MAC makes recommendations on matters affecting the Casa Conejo area related to planning, public works, public health, safety, and welfare which are heard by the Planning Commission, Board of Supervisors, and Local Agency Formation Commission.

- c. The Supervisor's office will coordinate follow up requests from MAC meetings and MAC members unless arranged differently in advance.
- d. Communications sent directly to County departments by MAC members should be copied to the District 2 Supervisor's office to ensure efficiency.