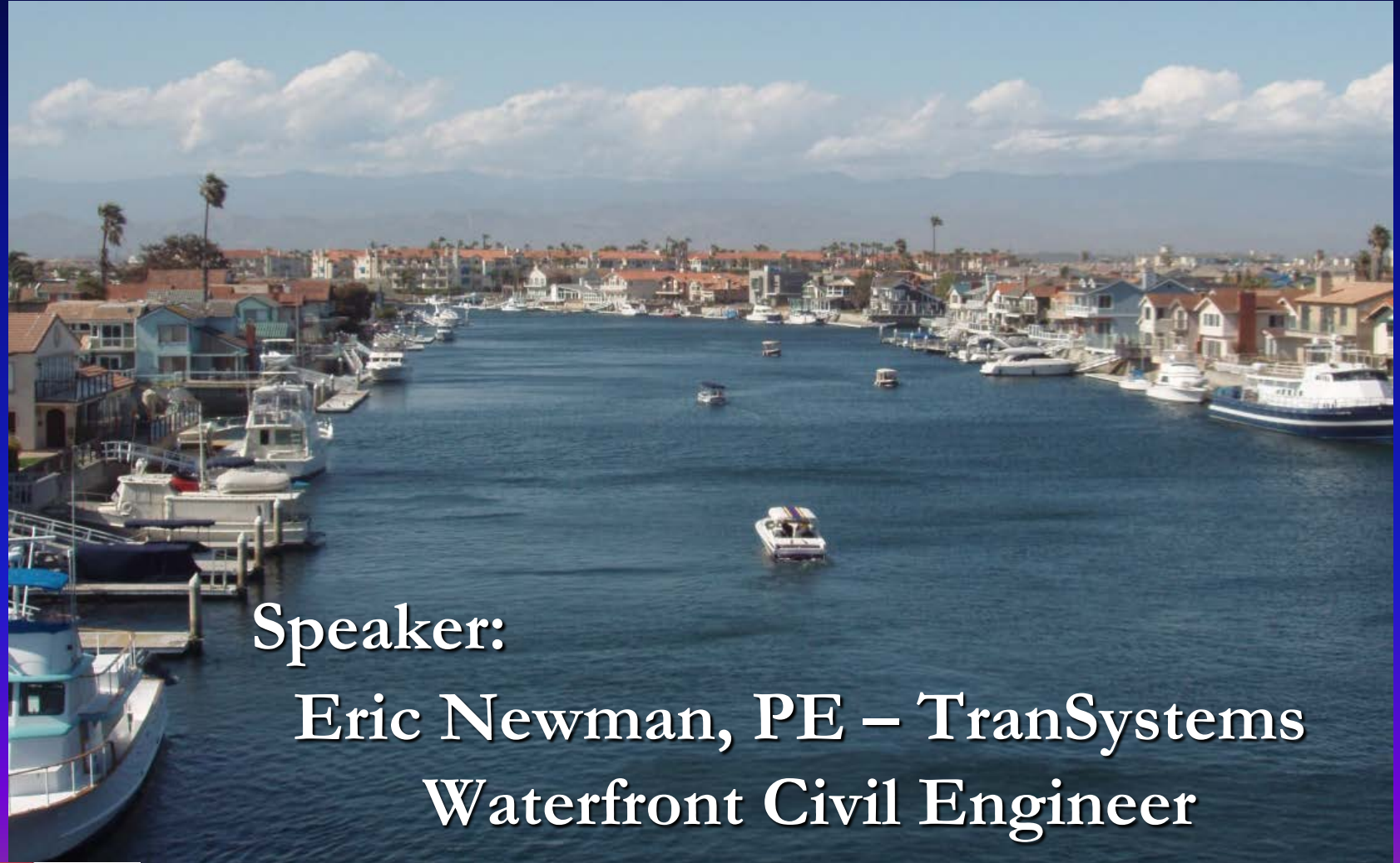


# Channel Islands Waterfront Homeowners Association Annual Meeting February 11, 2017





# Seawall Maintenance & Repair 2017 CIWHA Annual Meeting



Speaker:

Eric Newman, PE – TranSystems  
Waterfront Civil Engineer



# Current Projects

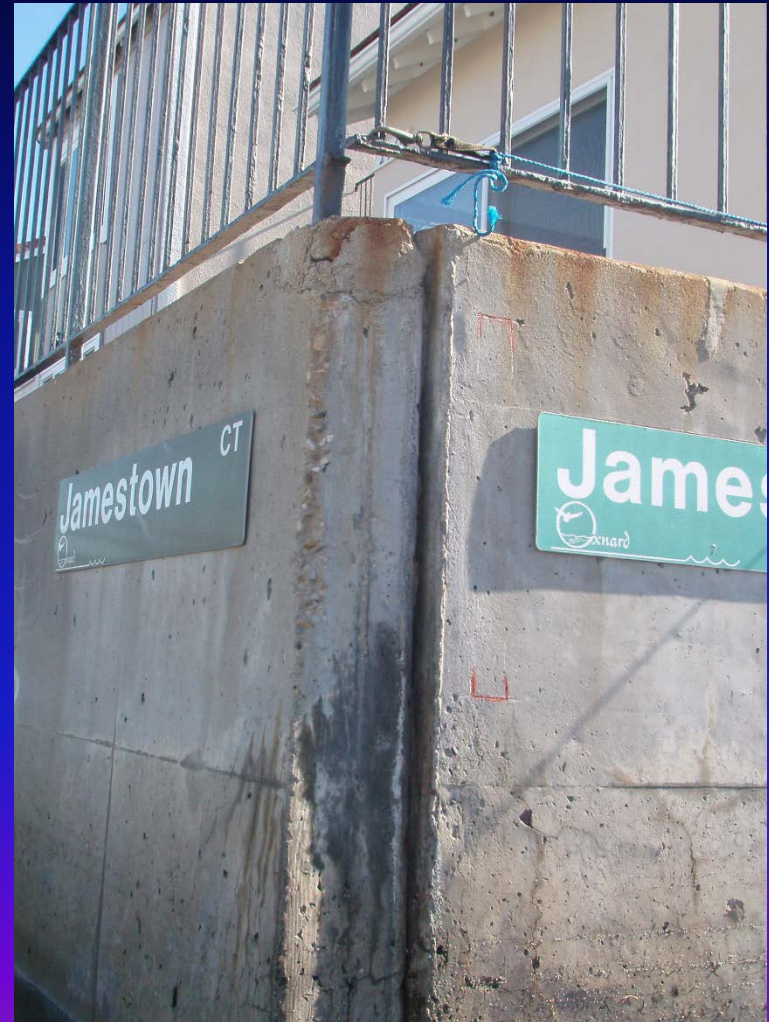
- Seawall Monitoring Program
- West Hemlock Street Wall Repairs
- Pilaster Jacket Repairs
- Hydrographic Survey for Dredging





# Seawall Monitoring Program

- Identify all seawall segments with suspected wall movement – currently (13) locations
- Collect data points at 6 month intervals to determine if each segment is stable or if movement is on-going and should be advanced to a High Priority repair.



# 3900 – 3966 West Hemlock Street

- (4) Boise wall panels and (4) pilasters with Flexural Overstress Cracks
- Field Investigation of Concrete, Rebar, Soil & Drainage
- Pilot Program will explore using varying repair methods to identify the “best value solution” for future use on Boise walls.





# Pilaster Jacket Repairs



- Repair (74) of the worst condition pilasters by installing concrete jackets similar to previous jacket repairs
- Repairs grouped together to reduce costs and limit dock moves
- Repair in groups of 15-20 pilasters so work can begin this year





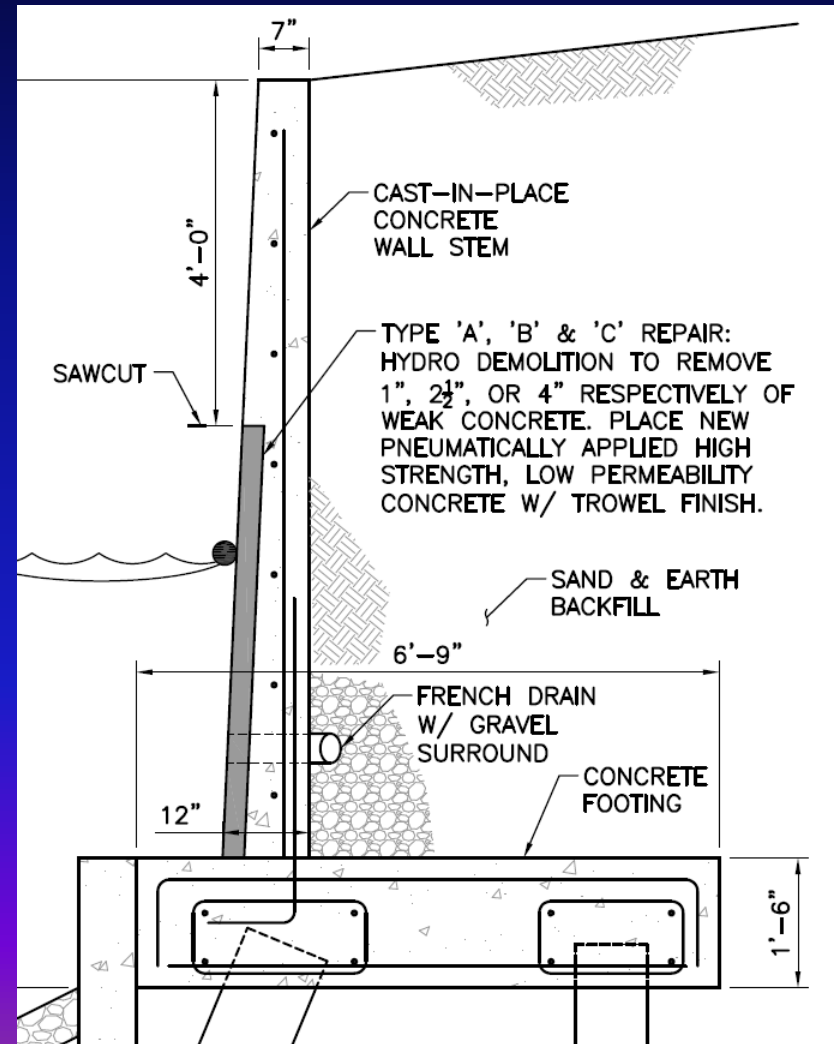
# Hydrographic Survey

- Perform a Hydrographic Survey of the seafloor for the entire community including bathymetric data in channels and mooring clearances at docks.
- Identify the areas in need of Maintenance Dredging
- Design & Environmental Permits in Fall 2017
- Maintenance Dredging in 2018



# Next Projects

- Begin repair of worst condition Zurn Walls
- Begin repair of worst condition Boise Walls
- Slope repairs at locations with high undermining potential
- Repair additional Boise Pilasters



# Seawall Maintenance Costs

- \$31 Million needed in next 10 years
- \$29 Million needed in years 11 – 20
- Timely repairs reduces overall repair costs
- Group repairs into larger projects (\$2M to \$5M) for cost efficiency





# Questions



# Honored Guest

- City Manager- Greg Nyhoff



# Honored Guests

- Officer Mike McManama
  - Beat 21 Coordinator
- Roger Brooks
  - Code Compliance Manager



# Harbor and Beach Community Alliance

## Oppose Apartments at Fisherman's Wharf (Amendment #7)

400 Luxury Gated Apartments- 55 ft Tall  
Massive Concrete Building **2 City Blocks** Long

Adds about **1,000** cars at Victoria and Channel  
Islands Blvd.

Removes **4 Acres** of Boat Launch Ramp  
Parking

**HBCA only fundraises to oppose  
the Fisherman's Wharf Apartment  
Project per the Public Works Plan**





# Fisherman's Wharf

Fisherman's Wharf, a once-vibrant waterfront center that served visitors, schoolchildren and locals, was and should again be a valuable asset of our City.





# Fisherman's Wharf

The County has proposed a project and we'd like to show you what it is and how it impacts you and our city.





Channel Islands Blvd

W Channel Islands Blvd

H C Seafood

Elite Theatre Company

Victoria Ave

S Victoria Ave

S Victoria Ave

Fisherman's Wharf is located at  
the southwest corner of Victoria  
and Channel Islands Blvd



Channel Islands Blvd

W Channel Islands Blvd

H C Seafood

Elite Theatre Company

Victoria Ave

S Victoria Ave

S Victoria Ave

**LAND OWNED BY COUNTY  
LOCATED IN OXNARD**



Victoria Ave

S Victoria Ave

Retail  
&  
Shops

Theater  
& Shops

PUBLIC  
PARKING

RV PARKING

Public Park

The County proposes to replace much of  
Fisherman's Wharf and Public amenities



Victoria Ave

S Victoria Ave

Retail  
&  
Shops

c Park

With a massive apartment project



Victoria Ave

S Victoria Ave

that removes over one-half of the  
current wharf footprint





RV PARKING

Theater  
Shops  
Galleries

Eliminates most of the existing visitor and recreational uses.



An aerial photograph of a waterfront area. A large red polygon is overlaid on the map, containing the text 'RV PARKING' and 'PUBLIC PARKING'. Below this, the text 'Theater & Shops' is written. To the left of the red polygon, a yellow-outlined area highlights a residential or commercial district. The waterfront features a pier with several boats and a larger pier structure extending into the water. The background shows a city street with buildings and trees.

RV PARKING  
PUBLIC PARKING

Theater & Shops

Removing a large portion  
of free public parking.

# KEY DOCUMENTS

**Development at the Harbor is overseen by two planning documents:**

- **The County's Public Works Plan**
- **The City's Local Coastal Plan**

**Both certified by the California Coastal Commission**





**AMENDMENTS REQUIRE  
CITY APPROVAL**





**RESIDENTIAL DEVELOPMENT  
IS NOT A  
PERMITTED LAND USE**

## LCP Policies 14 and 16:

**Encourage the Protection and Expansion of Facilities for Commercial and Sport Fishing, Recreational Boating and other harbor related activities...**





The background image shows a harbor scene with several sailboats docked in the foreground. In the middle ground, there are several buildings along the waterfront, including a large white building with a dark roof and a red building. The sky is clear and blue.

## LCP Policies 14 and 16:

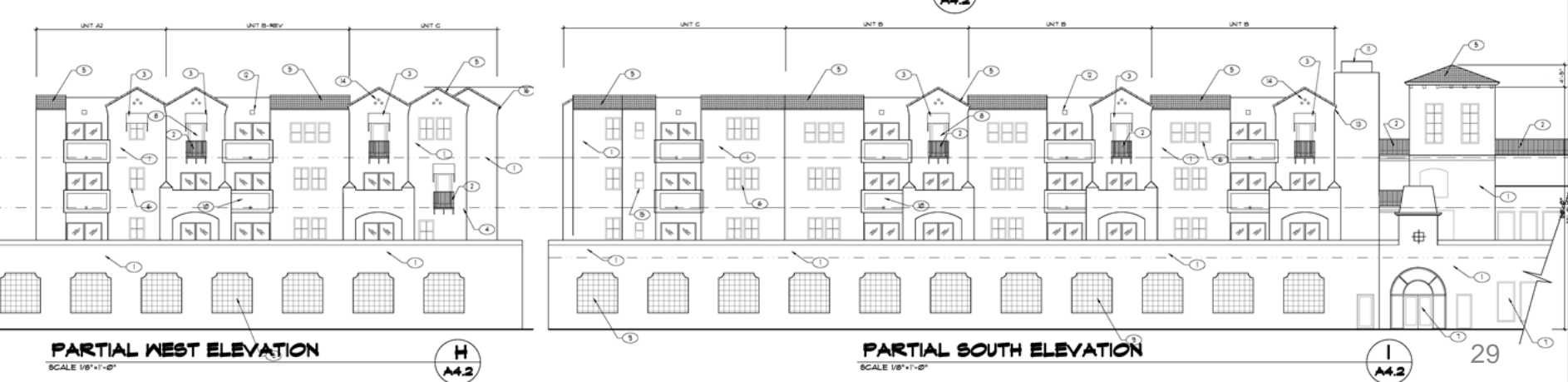
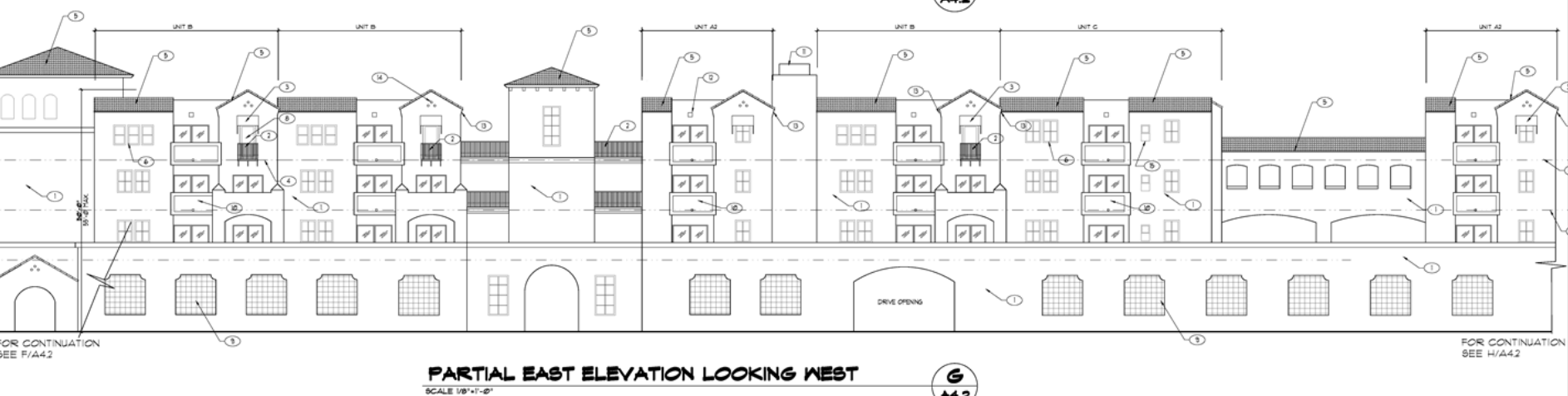
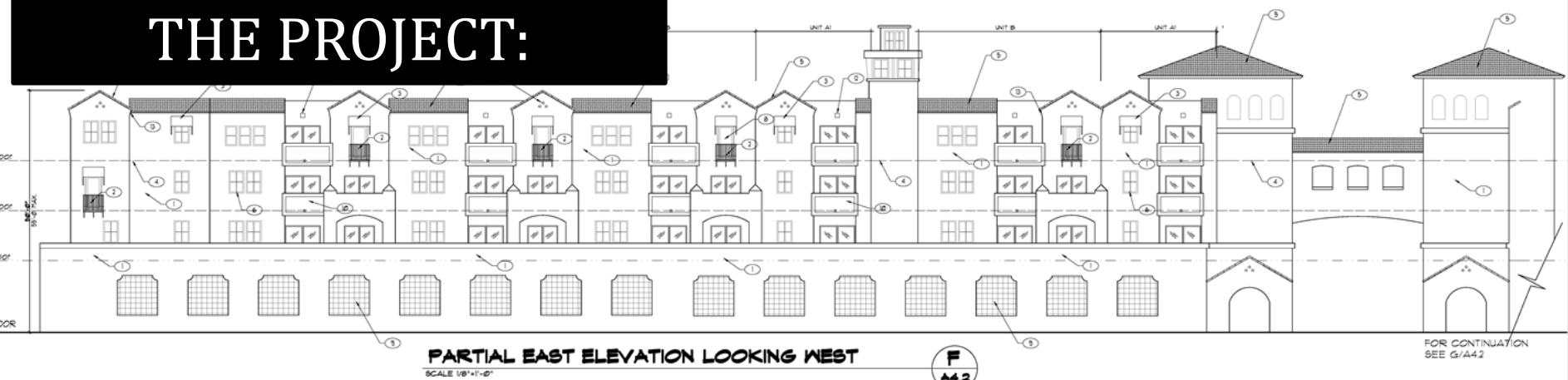
**Encourage the Protection and Expansion of Facilities for Commercial and Sport Fishing, Recreational Boating and other harbor related activities...**

**NOT APARTMENTS**

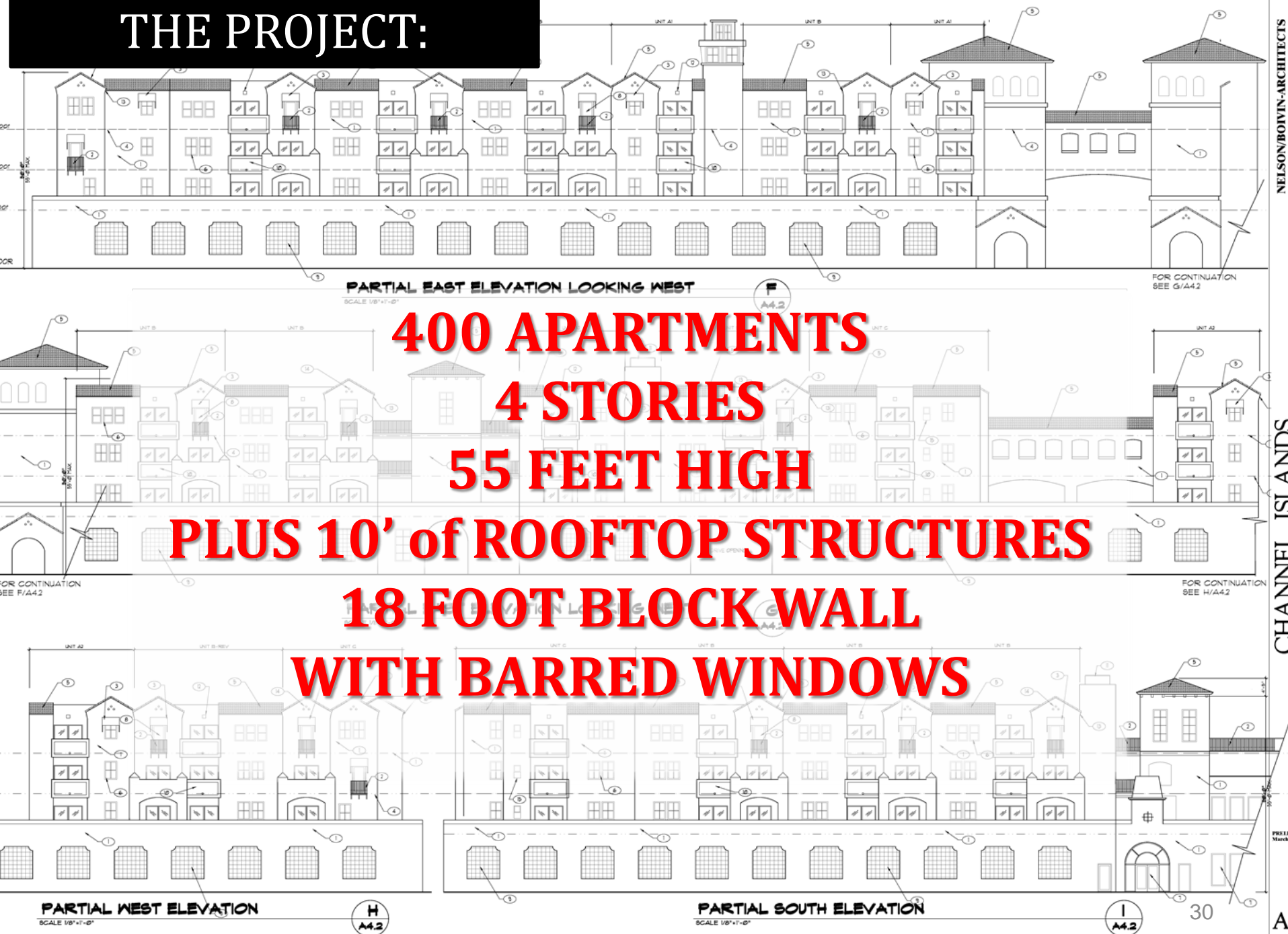
**Residential development is the lowest priority under the Coastal Act.**



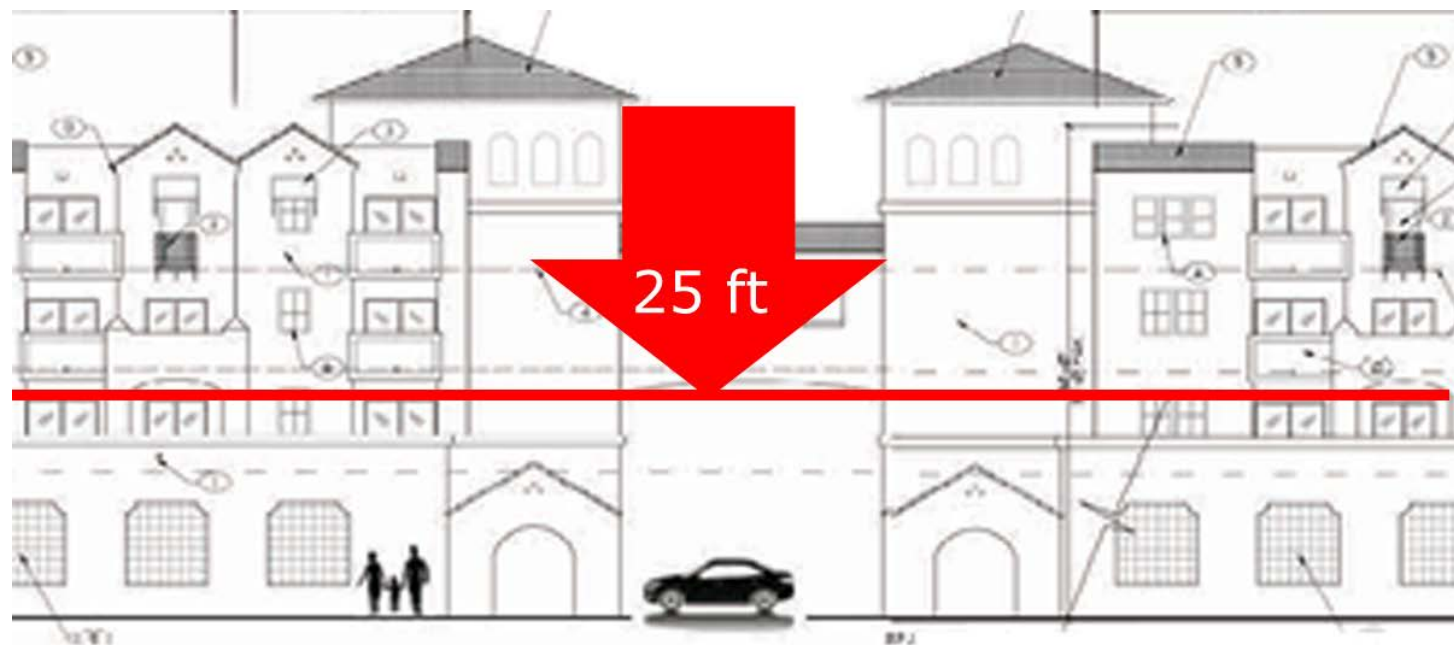
# THE PROJECT:



# THE PROJECT:







Scale: Family & Car

**Policy 35** protects and maintains the visual quality of the Harbor.

The project does not.

**Policy 23** limits residential development to **no more than 18 units per acre.**

The project's density is **41.2 units per acre** an **unacceptable up-zoning.**

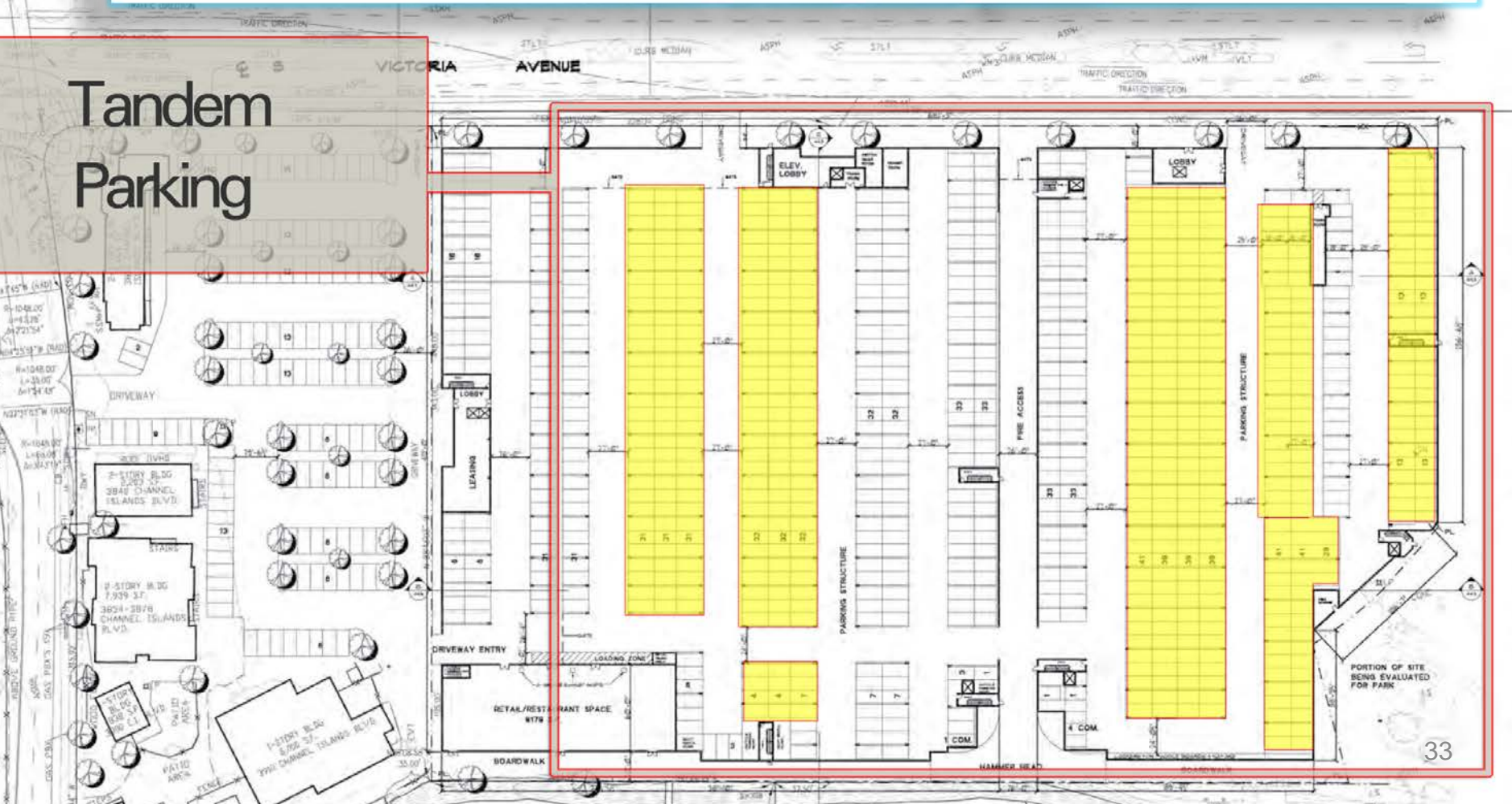
**Policies 14, 16 & 18** encourage Visitor Serving Commercial, Public Access and Recreation.

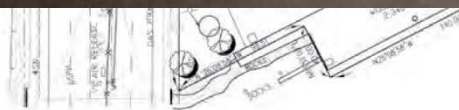
**The project has a very limited component of Visitor Serving Commercial facilities.**



**Policy 28** requires no significant adverse cumulative impacts on adjacent neighborhoods. **Removing parking and increasing traffic are not consistent with this goal.**

Tandem  
Parking





CHANNEL ISLANDS  
HARBOR



OVERALL PARKING SUMMARY				
	STANDARD DIRECT	COMPACT TANDEM	COMPACT DIRECT	TOTAL
IN GARAGE	158	502	8	668
SURFACE PARKING	0	0	0	0



US NAVAL CONSTRUCTION BATTALLION CENTER  
PORT HUENEME NAVAL BASE

**No Parking on Victoria**

**Tandem  
Parking**

**No Parking on Channel Islands Blvd**

**OVERALL PARKING SUMMARY**

	STANDARD DIRECT	COMPACT TANDEM	COMPACT DIRECT	TOTAL
IN GARAGE	150	302	35	487
SURFACE PARKING	0	0	0	0



**parking lot is nearly  
full during the  
summer, holidays  
and even sunny  
winter days**

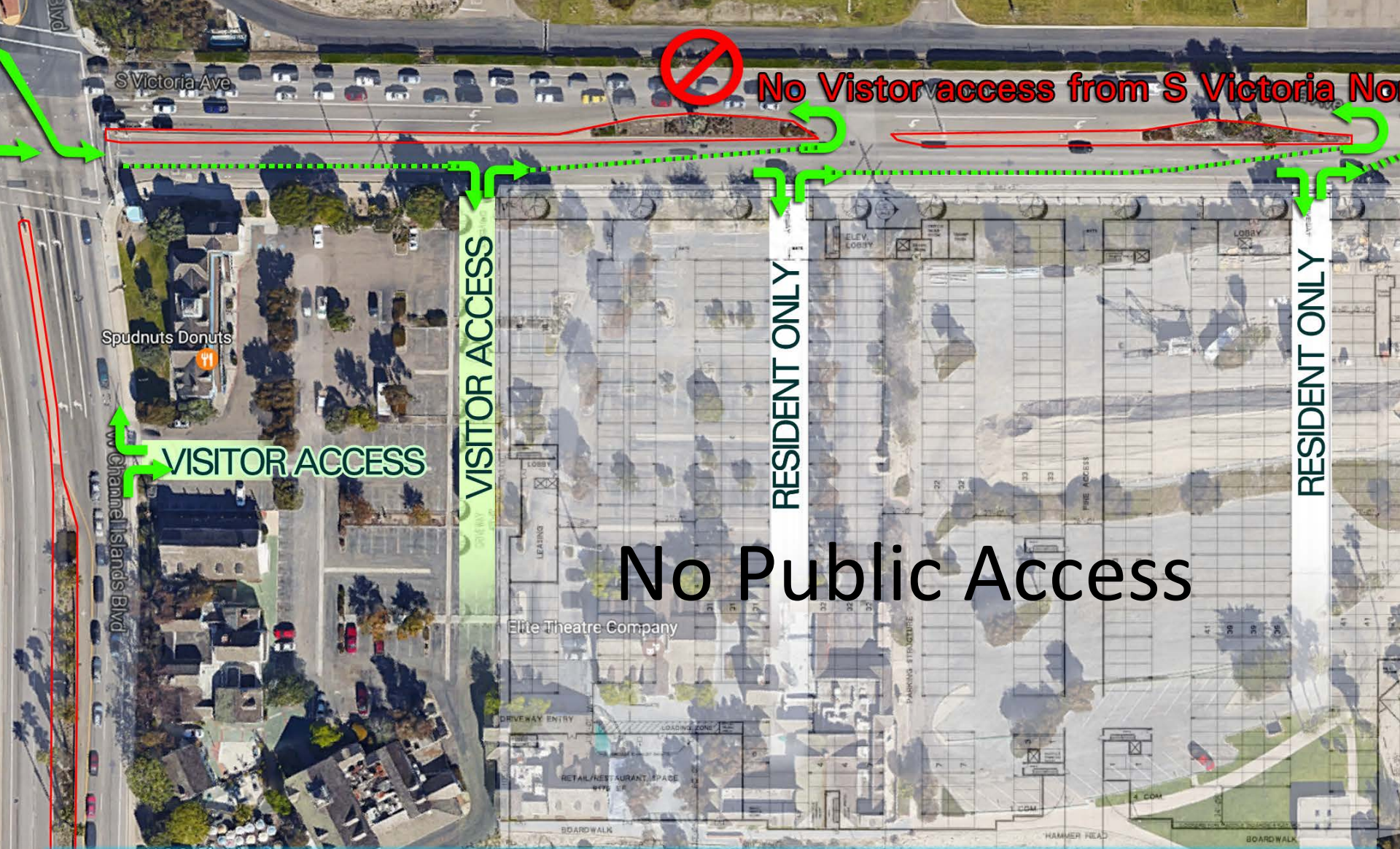






Interferes with the public's access to the harbor  
and special harbor events like the 4<sup>th</sup> of July  
fireworks and holiday Parade of Lights





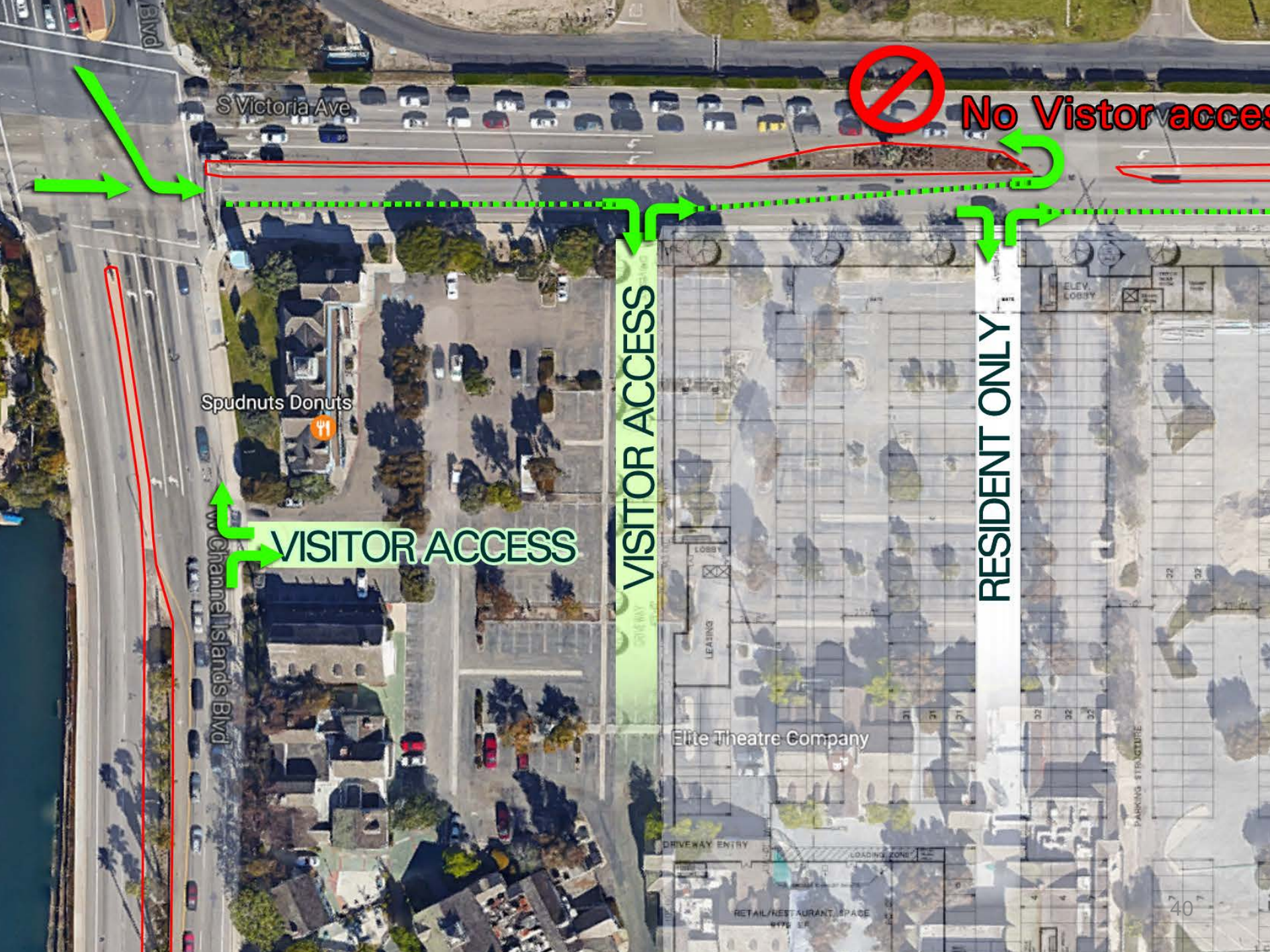
**Policy 28** requires no significant adverse cumulative impacts on adjacent neighborhoods. **Removing parking and increasing traffic are not consistent with this goal.**





**Policy 28** requires no significant adverse cumulative impacts on adjacent neighborhoods. **Removing parking and increasing traffic are not consistent with this goal.**





S Victoria Ave



No Visitor access

Spudnuts Donuts

Channel Islands Blvd

VISITOR ACCESS

VISITOR ACCESS

RESIDENT ONLY

Elite Theatre Company

PARKING STRUCTURE

40





Freight traffic from both ports, employees of the Naval base, hundreds of approved new area homes and the addition of 1,000+ more cars from this project





Channel Islands & Victoria will operate at a very poor service level  
adversely impacting the public's access to the harbor





and coastal neighborhoods





The LCP states that Public park areas shall be preserved for general public recreational use and Maximum public access shall be supported.





**Policy 26 requires  
lower cost recreational  
& visitor-serving  
facilities be available  
to all income groups**





**Policy 27 requires adequate parking for boat slips.**







Public Parking

RV Overnight Parking


Public Parking

Recreational Boater  
& Public Parking

Public  
Park

Public  
Restroom





The public would have to cross 3  
lanes of busy boat ramps to use a  
public restroom.

In essence, a public park is converted  
to one for the private use of the  
apartment residents.



**Policy 35** of the LCP and Section 30251 of the Coastal Act require that the **scenic and visual quality of coastal areas** shall be protected as a resource of public importance and development shall be sited and designed to **protect views**





**Policy 35** of the LCP and Section 30251 of the Coastal Act require that the **scenic and visual quality of coastal areas** shall be protected as a resource of public importance and development shall be sited and designed to **protect views**







**65 YEAR LEASE WITH MORE OPTIONS ON  
PENINSULA & THE WEST HARBOR**



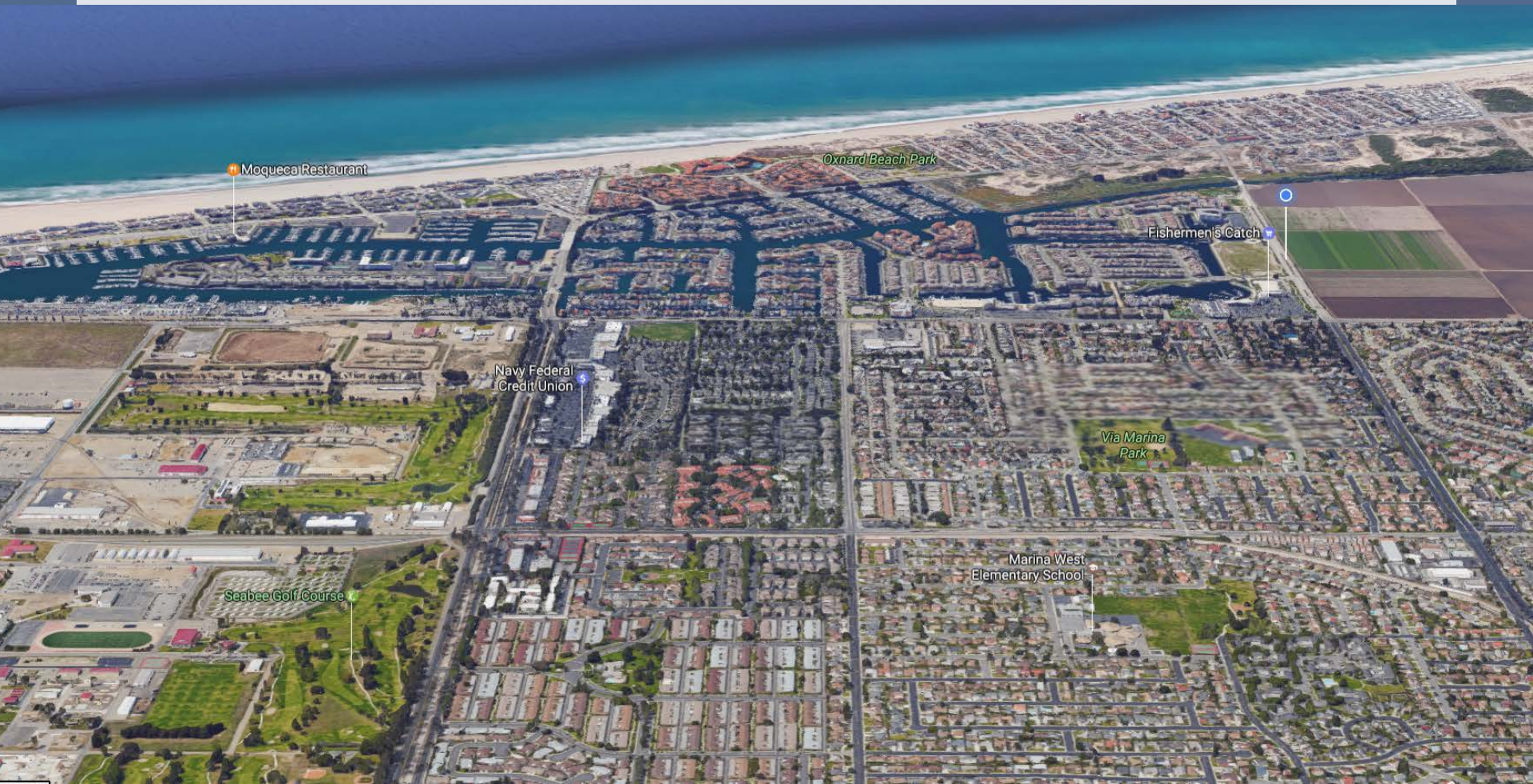
After over 20 years of failing to re-develop Fisherman's Wharf, the county says they need those 400 apartments for Fisherman's Wharf to succeed.

There are over 700 apartments and condos located in the harbor.





And thousands of low to high end housing units in the area around the harbor.





# A new hotel and restaurant have been approved at the old Casa Sirena/Lobster Trap

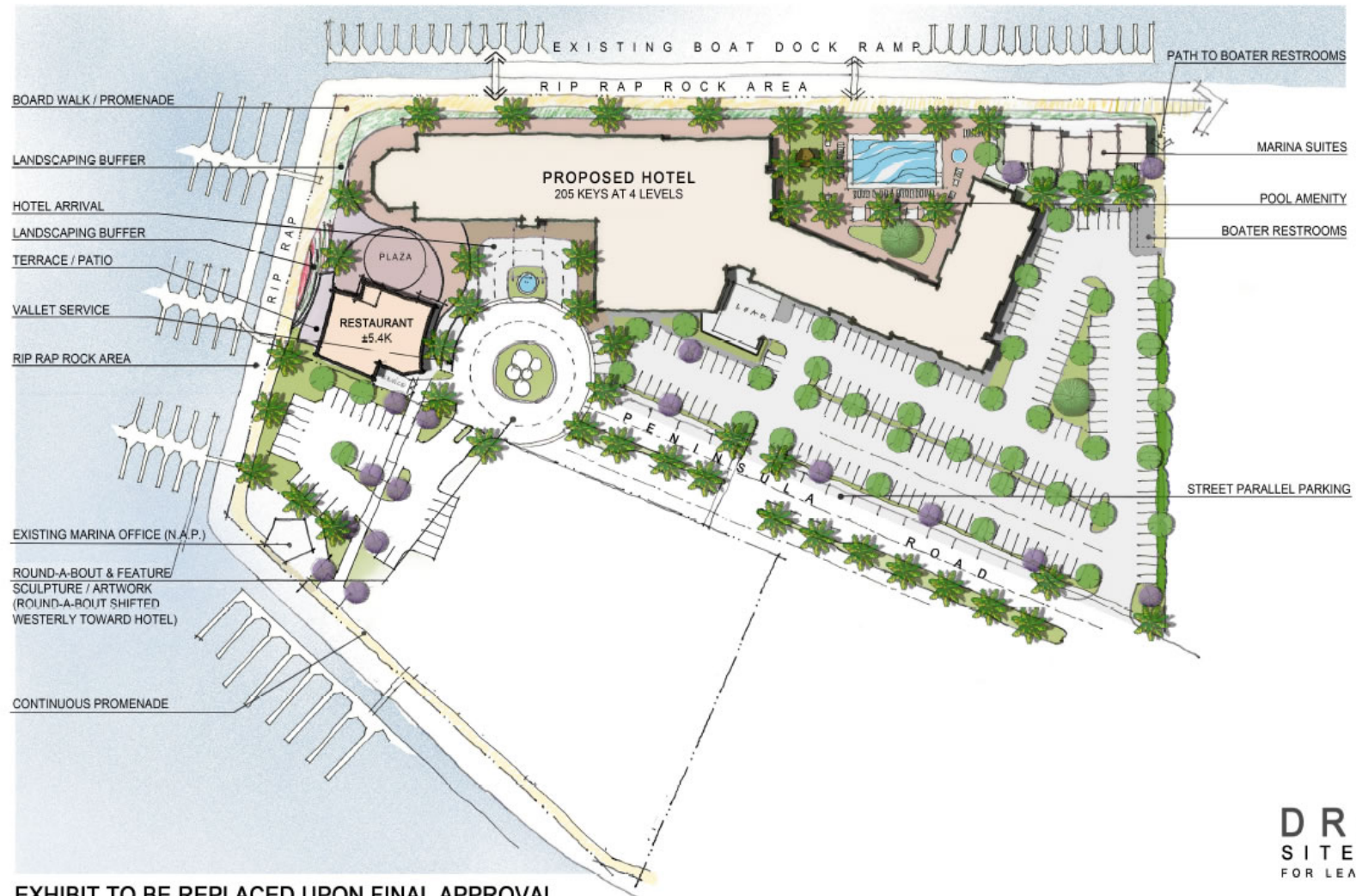


EXHIBIT TO BE REPLACED UPON FINAL APPROVAL  
BY THE CALIFORNIA COASTAL COMMISSION.

THE PRELIMINARY INFO ON THIS EXHIBIT ARE CONCEPTUAL, AND SUBJECT TO ADJUSTMENT. ANY FURTHER  
DEVELOPMENT IS SUBJECT TO A THOROUGH SITE INVESTIGATION, THE APPROVAL OF CLIENT, AND GOVERNMENT AGENCIES



We need outdoor low coast activities and something special - for our youth, for our seniors and for families.



By virtue of the City's Action, the Developer is in imminent danger of suffering, has suffered and/or will continue to suffer grave and irreparable harm and damage, including, but not limited to, damages proximately caused by the delays caused by the City's Action and damages caused by the temporary and/or permanent loss and/or diminution in value of the Developer's Vested Rights and any viable economic use of the real property that is subject to the Option Agreement and the Ground Lease with the County.

By virtue of the foregoing, the Developer hereby demands that: (i) the City comply forthwith with the County Request and Demand; (ii) the City immediately cease and desist from asserting or exercising any Jurisdiction over the CIHP LLC Development; and (iii) that the City provide unequivocal and reasonable written assurances that it will not attempt to exercise such Jurisdiction in the future.

In the meantime, nothing contained or omitted herein is intended to or shall operate as an admission or as an election, waiver or relinquishment of, or limitation on, any right, remedy or defense, at law or in equity, all of which are reserved.

Thank you for your attention to this matter.

Very truly yours,

COSTELL & CORNELIUS LAW CORPORATION

The city's position is that the developer will have to provide a Specific Plan as well as an amendment to the local coastal plan which are both comprehensive processes that will ensure conformity with the City's goals. These processes require considerable public input.



Stephen M. Fischer  
City Attorney

Office of the City Attorney  
1000 Street, Suite 300

Leroy Smith, County Counsel  
Jeffrey Lee Costell, Costell & Cornelius  
November 15, 2016  
Page 2 of 15

1. Background

There is overlapping oversight of spe  
"Harbor") resulting from (current and past) c

Leroy Smith, County Counsel  
Jeffrey Lee Costell, Costell & Cornelius  
November 15, 2016  
Page 3 of 15

the Project is not consistent with the LCP, for that reason alone, the Coastal Commission cannot approve the proposed Amendment #7 to the County's PWP.

The County's proposal to amend the PWP was outlined in a letter dated August 17, 2016 to the Coastal Commission. Coastal Commission staff, however, properly determined on August 24, 2016 that, because PWP Amendment #7 was inconsistent with the City's LCP, PWP Amendment #7 could not move forward until

The City has responded strongly to the County and deserves our full support, but their time and resources are spread thin.

The developer has a two-year option agreement with the County as of Dec 1, 2015. Thereafter the agreement may be jointly extended for up to three additional one year terms.

"The Legislature left wide discretion to local governments to formulate land use plans for the coastal zone, and it also left wide discretion to local governments to determine how to implement certified LCPs." (*Yost v. Thomas* (1984) 36 Cal.3d 561, 574.) Thus, after certification of a local coastal program, issuance of coastal development permits is the purview of the local government, not the Coastal Commission. And, after certification of an LCP, the Coastal Act mandates – with the singular, narrow exception delineated in the [Public Resource Code] section 30515 override provision – local control over changes to a local government's land use policies and development standards." (Emphasis added.)

The California Coastal Act creates a partnership between state and local government. The state Legislature set forth broad policies in Chapter 3 of the Coastal Act (Pub. Res. Code §§30200-30265.5) and required local governments within the coastal zone to prepare local coastal programs (LCPs) to implement the Coastal Act's overarching objectives of protecting sensitive coastal resources and maximizing public access. (Pub. Res. Code § 30001.5, 30512, 30513; *Landgate, Inc. v. California Coastal Commission* (1998) 17 Cal.4th 1006, 1011.)

Interpreting the Coastal Act, the California Supreme Court concluded that the Legislature left "wide discretion to a local government" to determine the contents of its LCP. (*Yost v. Thomas* (1984) 36 Cal.3d 561, 573.) "Local governments are responsible for creating their LCPs. [Citations omitted.] The Coastal Commission was established to review the LCPs to certify that the LCPs meet the requirements of the Act."

proposed plan within the category of developm

The Project proposes high density multi-family housing within the category of developm  
County's PWP, approved prior to the certification of the City's LCP. Given that the Project is not consistent with the City's certified LCP, it appears that we are in agreement that the City could not approve the CDP required for the Project.

Instead of proposing development consistent with the certified LCP, the County demands that the City amend its LCP to accommodate the Project. The City has indicated its willingness to consider the County's proposal, but your demand letters suggest a mistaken belief that the County is entitled to the amendment it desires. Moreover, the Developer's demand appears ignorant of the City's statutory role in implementing and enforcing the Coastal Act. The Coastal Act vests the City with jurisdiction to determine whether and how to amend its LCP in order to advance the state's goals. (Pub. Res. Code §§ 30512, 30512.2.)

Contrary to Developer's claims, the City generally has jurisdiction over proposed development within the Harbor; and, specifically, based on the information provided to date, the City is the permitting authority under the Coastal Act for the Project. As such, the City will not accede to the Developer's demands to abdicate its statutory role under the Coastal Act, nor could the City do so.

<sup>8</sup> There is currently no evidence in the record that the very narrow override exception outlined in Public Resources Code Section 30515 would be applicable in this case.



It is important for everyone who cares about the quality of life here in Oxnard to oppose this project.

Some of your neighbors have formed a little grassroots group, Harbor Beach & Community Alliance, and a few have donated funds to help hire an environmental consultant and land-use attorney as needed. Their guidance has helped us focus on the defensible issues that validate our opposition to this project.

We can win this, but we can't without your help, so please do whatever you can – volunteer, donate, speak up.

It's your City and its our future.



Harbor & Beach  
Community Alliance



**100% of all donations will pay for Legal Fees and Experts.**

**All Donations are 100% Tax Deductible.**

*Western Alliance for Nature, an established non-profit, has generously allowed us to raise funds under their organization. There are no administrative fees.*



Harbor & Beach  
Community Alliance

Make Checks to: Western Alliance for Nature

Memo line: Channel Islands Harbor

Mail to: 3600 S. Harbor Blvd. #488, Oxnard, CA 93035



# Ways to Support

- Spread the word to neighbors & friends
- Donate

**100% of all donations will pay for Legal Fees and Experts.**

**All Donations are 100% Tax Deductible.**

*Western Alliance for Nature, an established non-profit, has generously allowed us to raise funds under their organization.  
There are no administrative fees.*



**Harbor & Beach  
Community Alliance**

**Make Checks to: Western Alliance for Nature**

**Memo line: Channel Islands Harbor**

**Mail to: 3600 S. Harbor Blvd. #488, Oxnard, CA 93035**

PM 2:40 JAN/29/2017



# THANK YOU

## Q & A

**100% of all donations will pay for Legal Fees and Experts.**

**All Donations are 100% Tax Deductible.**

***Western Alliance for Nature, an established non-profit, has generously allowed us to raise funds under their organization.***

***There are no administrative fees.***

**Make Checks to: Western Alliance for Nature**

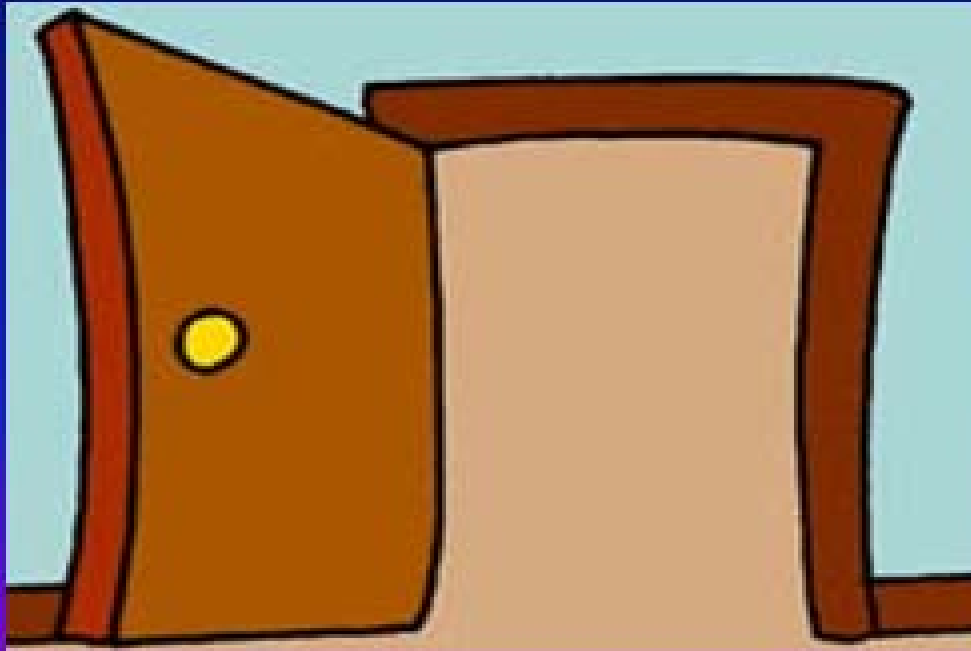
**Memo line: Channel Islands Harbor**

**Mail to: 3600 S. Harbor Blvd. #488, Oxnard, CA 93035**

PM 2:46 JAN/29/2017



# Closed Session for Homeowners Only



# 2016 Board of Directors

President- Bill Clark

Vice President- Bob Freeland

Treasurer- Matthew Steinorth

Secretary- Tom Shideler

Landscape Chair- Keith Beckwith

Seawalls/Website- Debbie Mitchell

Waterways- Lee Hilbert



# Business Meeting- Consent Agenda

- 2016 Annual Meeting Minutes
- 2016 Treasurer's Report
- 2017 Proposed Budget



# Election of New Officers

- Bill Clark
- Matthew Steinorth
- Bob Freeland
- Lee Hilbert





# Seawall Update

The Board's role on behalf of the owners  
and residents of Mandalay Bay is to:

**Monitor Maintenance and Advocate for the  
Timely Repair and Maintenance of the  
Mandalay Bay Seawalls and Channels.**

# Seawall Service Life

- Our seawalls were not built with the engineering and concerns for strength and longevity that today's permitting standards would require.
- All reinforce concrete structures have a finite service life.
- For this class of steel reinforced structure it is somewhere between late 30 and early 40 years.



# Seawall Service Life

- The movement, spalling and microcracking observed and monitored in our walls at this time are of grave concerns.
- The combination of a percentage of sloppy construction lack of competent inspection at the original build site, left us with a huge variation of quality to begin with.
- Original construction combined with an expiring lifespan brings us to an immediate need.

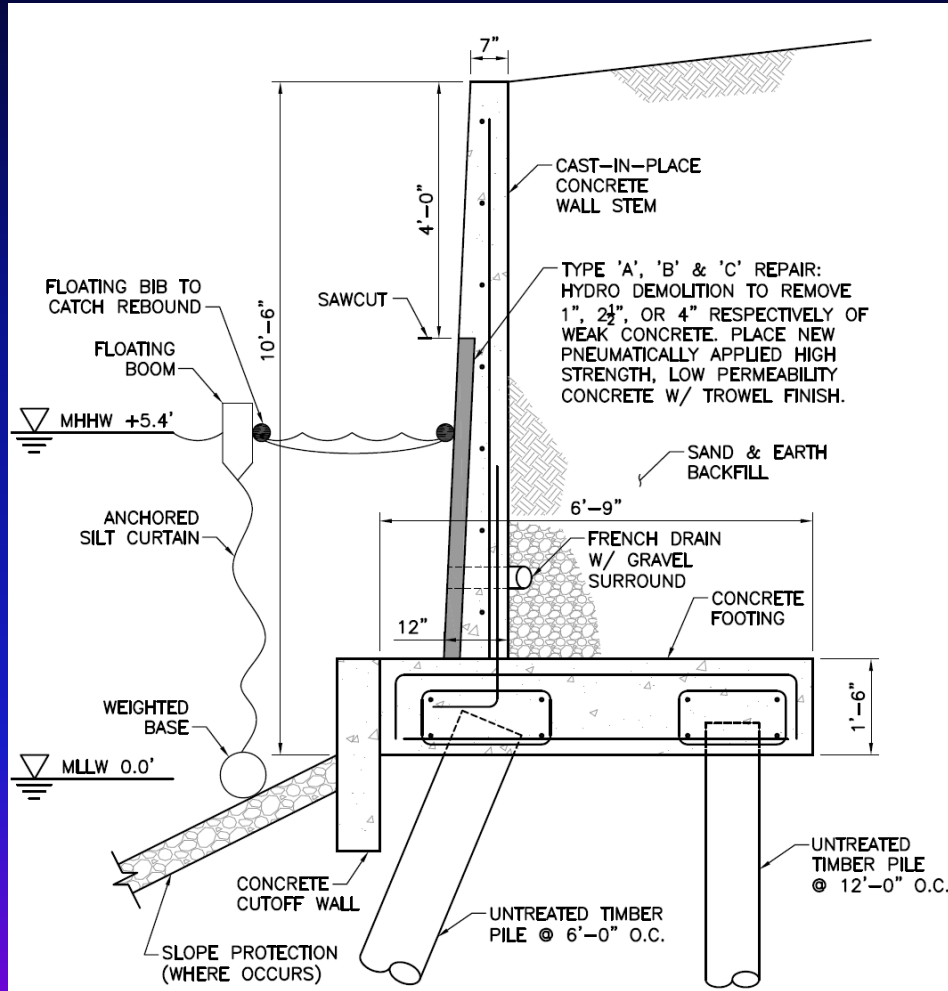
# Seawall Service Life

We are at the end of the service life of  
the seawalls.



# Zurn and Boise Seawalls

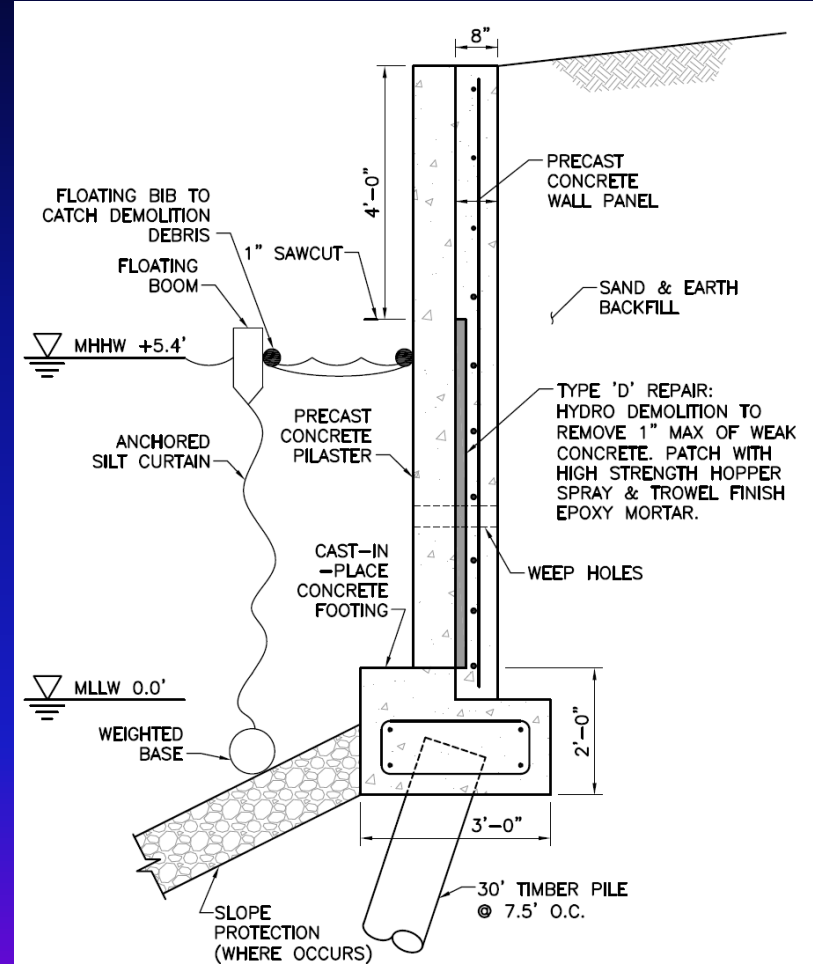
(West of Peninsula Road)



EXAMPLE TYPE 'A', 'B' & 'C' TYPICAL "ZURN" WALL REPAIR SECTION

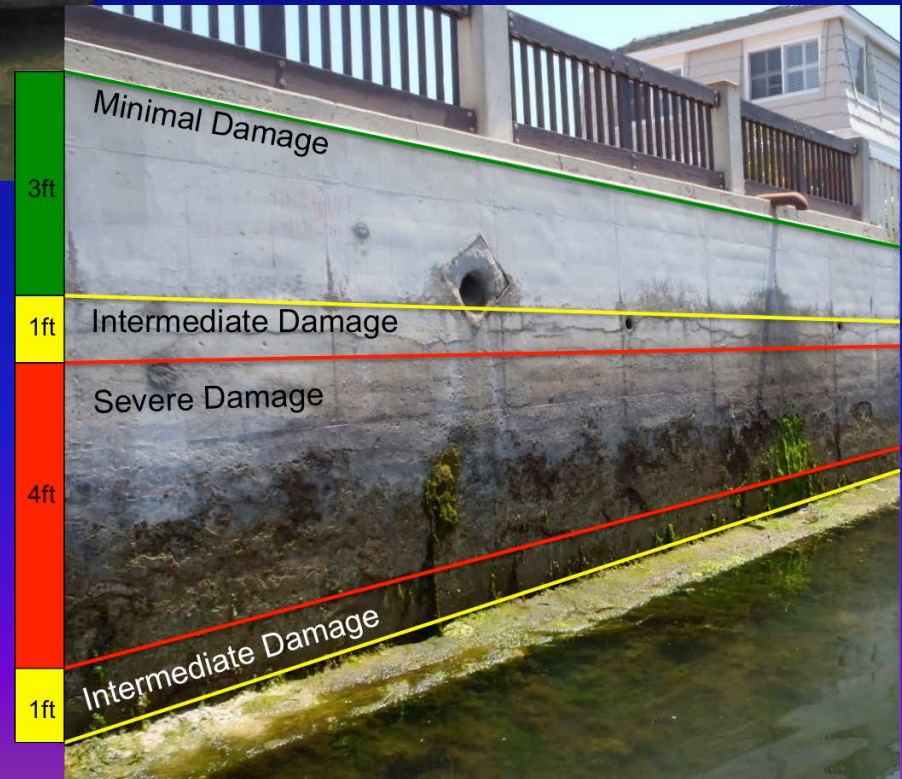
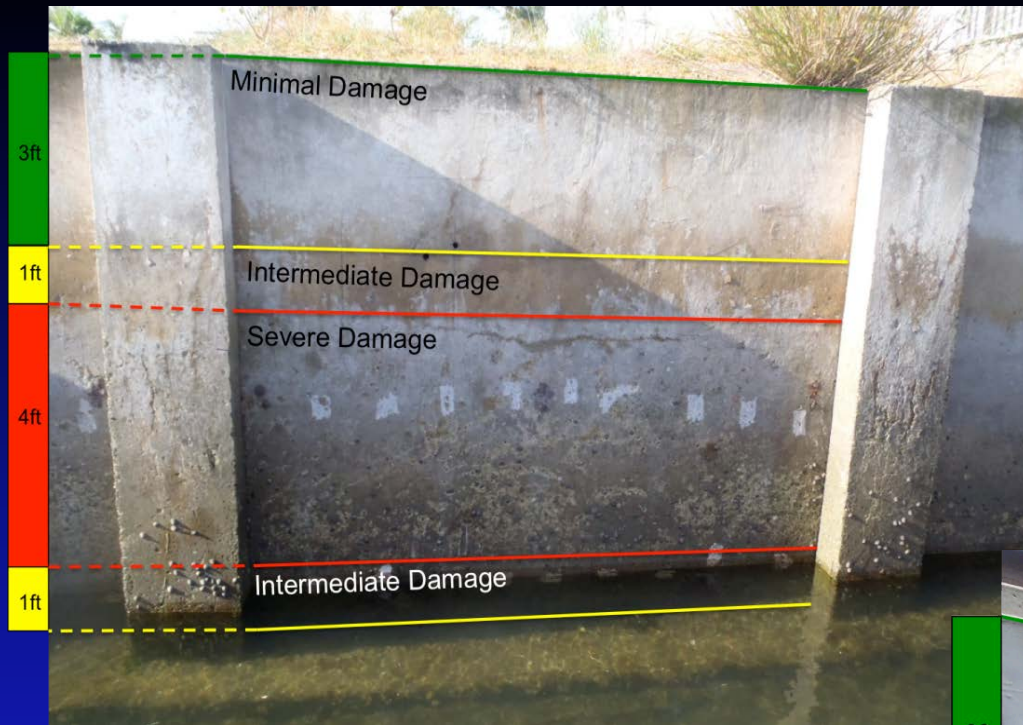
SCALE:  $\frac{1}{2}$ " = 1'-0"

(East of Peninsula Road)



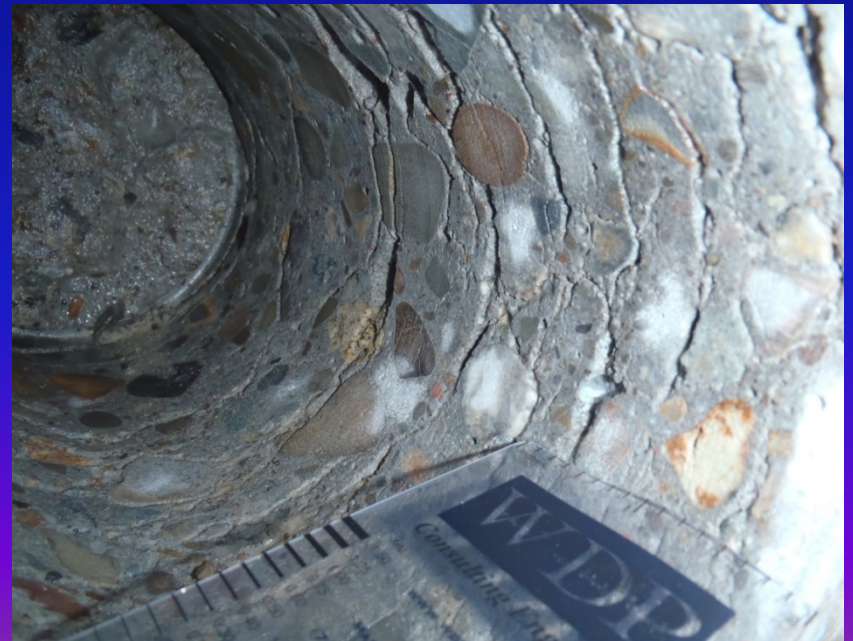
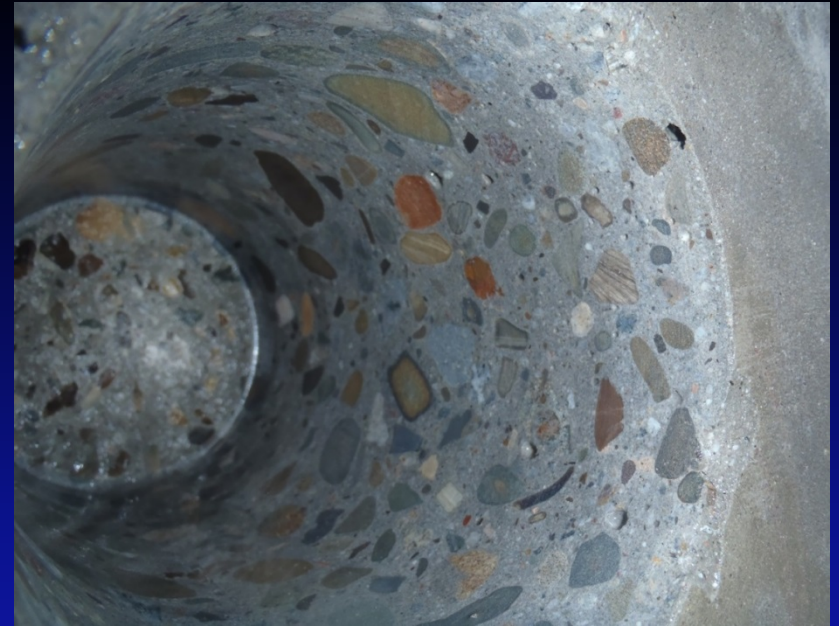
EXAMPLE TYPE 'D' TYPICAL "BOISE" WALL REPAIR SECTION

SCALE:  $\frac{1}{2}$ " = 1'-0"





# Scaling/Erosion



# Completed High Priority Repairs 2016

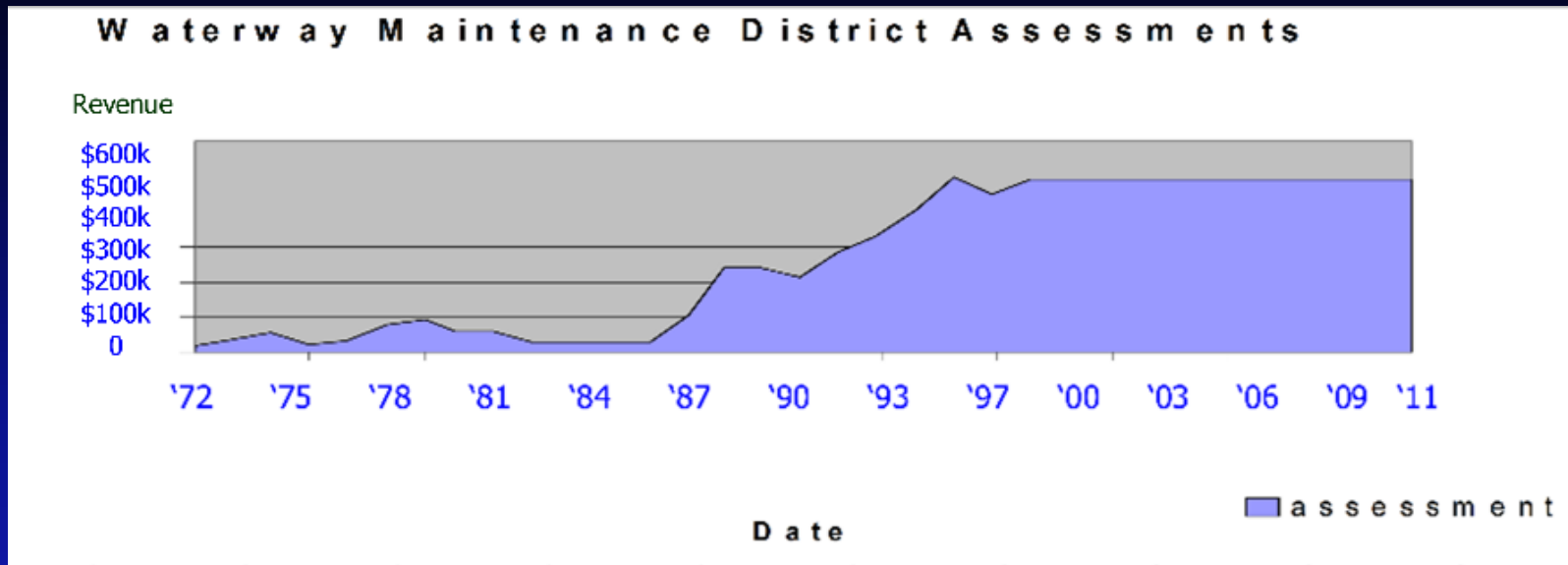
- Stabilization of seawall along Kingsbridge Way - \$995,000
- Slope protection of seawalls - \$210,000



# Waterway Capital Improvement Program

- TransSystems has prepared a 25 year timeline of work for the entire community. This involves grouping city blocks of repair work into contract sizes which allow the work to be performed efficiently and matched to the available funding.
- **Program Value**
  - \$128,000,000 asset replacement cost vs.
  - \$192,000,000 replacement on emergency basis vs.
  - \$55,000,000 program repair cost to extend life 25-40 years.
  - Purpose is to eliminate unanticipated wall failures and lengthen the lifespan of the seawalls

# Current Assessment



- Current assessment unchanged since 1993
- Total annual assessment revenue \$501,706
- Not adequate to cover maintenance costs
- Cost sharing plan with the City



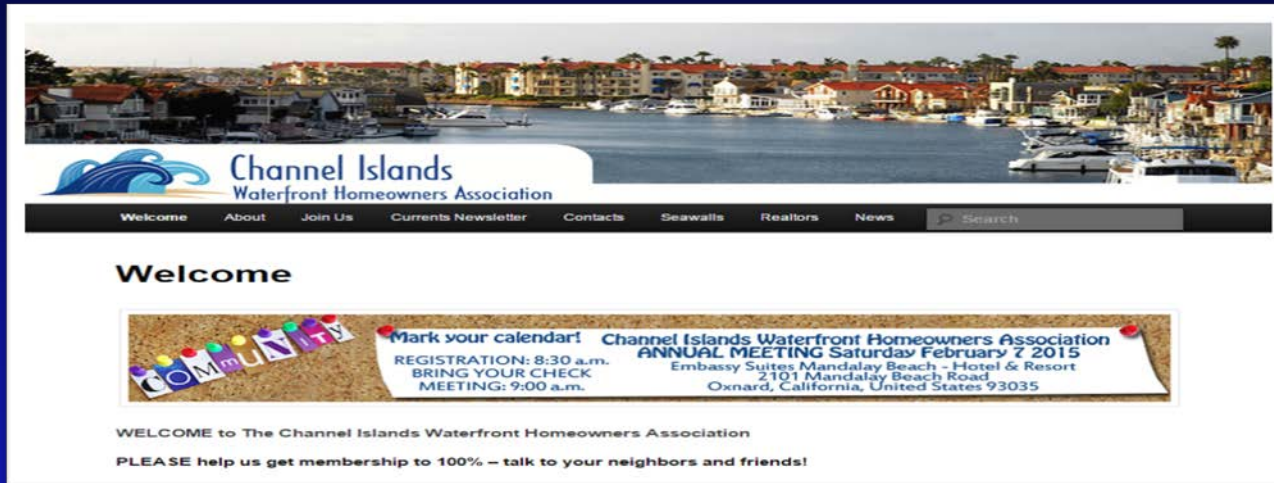
# Landscape Update

- For questions, please call-

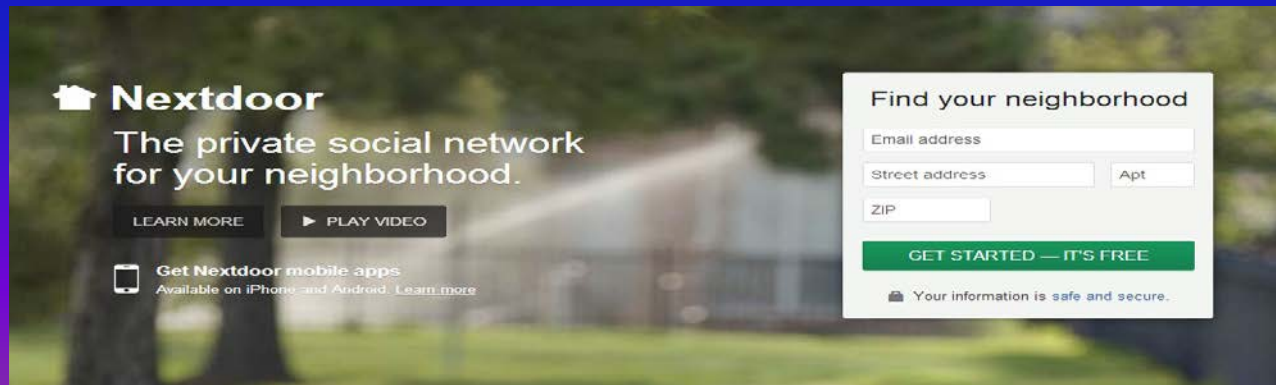
Keith Beckwith      (805) 338-4466

# Stay Connected

- CIWHOA Website ([www.channelislandsca.com](http://www.channelislandsca.com))



- Next Door ([www.nextdoor.com](http://www.nextdoor.com))





# Questions and Answers



# Thank You

