



# Channel Islands Waterfront Homeowners Association

REPRESENTING MANDALAY BAY HOMEOWNERS

City Council Minutes pertaining to the establishment, maint

City Council Ordinances pertaining to the establishment, maintenance, and expansion of the Waterway Maintenance District

Date	Type of Document	Document #	Summary/Description
7/1/1969	CC minutes		Public Hearing to discuss annexation 69-6 95 acre Blvd., Peninsula Rd. and tract 1904. Continued to
7/22/1969	CC minutes		Continued hearing regarding annexation 69-6 for
8/5/1969	CC minutes		Continued hearing regarding annexation 69-6 for
8/12/1969	CC minutes		Continued hearing regarding annexation 69-6 for
8/19/1969	CC minutes		Continued hearing regarding annexation 69-6 for
11/12/1969	CC minutes		Discussion of Boise Cascade easement to So. Cal. Authorize Mayor and City Clerk to execute consen temporary use of Parcel A in tracts 1904-1 and 15 water.
11/18/1969	CC Minutes		Agreement with Boise Cascade for improvement c Denying Zone Variance application No. 269 by Boi
1/13/1970	CC minutes		Agreement with Boise Cascade for improvement c
4/7/1970	CC minutes		Denying Zone Variance application No. 269 by Boi
4/21/1970	CC minutes		Approve bldg. Permit w/o recordati
4/28/1970	CC minutes		Approve bldg. Permits with conditio 1 by Zurn Industries
4/28/1970	CC minutes		Receive approval for 10 mobile homes and 4 single family homes in
4/28/1970	CC minutes		Approve Special Budget Appropriation of \$10,1

Document #	Date	Type of Document	Summary/Description
595	1/27/1959	Ordinance	Annexing territory "Annexation 58-1(Mandalay sub-division, Et Al.) Establishing temporary interim zoning: providing for taxation ans withdrawing said property from Ventura county fire protection district.
695	4/14/1961	Ordinance	Changes in zoning boundaries pertaining to lots 23 trough 31, inclusive, of block 143 of Mandalay unit no. 1 (13 mr 58)
731	11/28/1961	Ordinance	Annexing "Annexation 61-10A (Southern California Edison);" establishing temporary interim zoning; and providing taxation thereof.
1005	3/22/1966	Ordinance	Amending Division 3A of Article II, Chapter 34 of the Oxnard City Code to provide R-W-1 Single family, water oriented Zone
			Annexing "Annexation 65-17A/RAI Bahia I as Brisas)" establishing interim

City Council Minutes pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District

Date	Type of Document	Document #	Summary/Description
5/1	CC minutes and Public		Public discussion regarding Boise Cascade ordinance.
3/1	9/18/1979 Commentary		Special Budget Appropriation of \$10,1
5/2	10/9/1979 CC minutes		Authorize Engagement of Moffatt & N Letter from S. Cohen Re:Tract 2264 / seawall.
6/	3/4/1980 CC minutes		Request Approval of Bid Spec. No. 78 amount \$80,000
1/1	4/29/1980 CC minutes	78-PW-11	Seawall Protective Structure Dropped Subdiv. Map of tract. 2264
1/1	5/13/1980 CC minutes		Citizens appeared regarding Dredging amount, the assessing of responsibility
2/	5/20/1980 CC minutes		director addressed these issues. Conc Security.
5/1	6/17/1980 Public Comments	78-PW-11B	City Attorney recommended agreeme and channels.
	9/23/1980 CC minutes		Approve. Special Budget Appropriatio
	11/18/1980 CC minutes		Mrs. Joanne Allen expressed concerns
	12/2/1980 Public Comments		Approve. Special budget approp. Of \$ Islands at Victoria/Contractual Service grant 1980)
	1/20/1981 CC minutes		Execute agreement w/ Moffatt & Nich
	4/7/1981 CC minutes		City Manager suggested deleting item Griswold. To perform engineering ser
	5/19/1981 CC minutes		Bids to be Opened 7-13-81, 2 P.M. fo
	5/26/1981 CC minutes		Authorizing execution of agreement v services in connection w/mandalay ba
	5/26/1981 CC minutes		Approve Proposal by LeRoy Crandal a in conjunction with Mandalay Bay rep.
	9/1/1981 CC minutes		Prepare a letter requesting immediate bld.
	11/24/1981 CC minutes		Recommend Approve. Change Order 1
	5/25/1982 CC minutes	78-PW-11B	Approve Change Order No. 4 to Spec. \$36,238.44 and time ext. of contract 1

Date	Type of Document	Document #	Summary/Description
11/9/1971	CC minutes		Request by Zurn Engineers to add easement lots 14-206 in tract. 2026-1.
4/14/1972	CC minutes		Request by Zurn Engineers to add easement lots 14-206 in tract. 2026-1.
5/9/1972	CC minutes		Approved: Issuance of building permit for bulkhead piles from Zurn Environmental Communities
9/11/1973	CC minutes	73-PW-32	Approval of Bid Spec.73-PW-32 For Reconstruction and repairs Mandalay Beach Rd @W. 5th and at Channel Way.
1/22/1974	CC Minutes		Approve Marina dredging project to O'Shaugnessy Const. Co. for \$30,1021.5
5/25/1975	CC minutes		Report from public works director concerning hazards in waterways tract 2026-3. Council moved to request property owner to implement safety measures.
8/26/1975	CC minutes		Residents appeared to address concerns regarding algae vacuuming, naming of waterways and whether or not homeowners should bear full cost of waterway maintenance.
2/3/1976	CC minutes		Retain Law Firm Of Reilly, Holzauer, Denver, McClain in waterway case.
8/24/1976	CC minutes		Residents appeared to address conduct of construction workers, supervision of landscape areas, opposition to tax increase charge for cleaning algae and whether cause of bulkhead damage might be due to improper installation.
4/18/1978	CC minutes		Approve Special Budget appropriation for Dredging From Acct. 25-241 (Estimated Revenue) (25-3291Federal Disaster Assistance Grant) to Acct. 25-241(Appropriation) (25-48800-32 Waterway Assessment District Contract Services)
4/18/1978	CC Minutes		Approve Bid Spec. No. 78-PW-11 & authorizing advertising for bids to be opened 5-15-78 for dredging of inland waterways.
5/23/1978	CC minutes		Approve Staff Comm. Recommendation Sole bid be rejected and authorize rebid.
6/20/1978	CC minutes		Special Budget Appropriation of \$10,000 From Acct. No. 1-49990-99 (Unappropriated Reserve/General fund) to acct. No. 41000-40(Special Service) For defense of City Re Fleisher Case
12/5/1978	CC Minutes		Discussion relating to alleged infractions of building regulations and request Planning Commission initiate procedures for possible adoption of Boise Master Plan.
6/26/1979	Public Comments		Citizens appeared concerning the responsibility of the city vs. the homeowners for the maintenance of the Waterways. Specifically in regards to silt buildup and source of silt. And regarding the alleged undermining of the bulkheads.
8/7/1979	CC minutes		Execute Land Lease W/ T.F. A j. McGrath for use as a settling basin for dredging

**MEMBERS HAVE BEEN ATTENDING CITY COUNCIL MEETINGS AND MEETING WITH PUBLIC WORKS FOR DECADES**

**Commonly known as Mandalay Bay**, the marina north of Channel Islands Boulevard is surrounded by approximately 730 single-family homes. Most detached homes are located on the east side of the main channel, and most zero lot-line townhomes are located on the west side. All of the homes have adjacent docks which are individually owned.

**Initial construction of single family homes and townhouses in Mandalay Bay took place between 1968 and 1973.** The project consists of 743 single family homes and 37 parcels designated as parks. The homes are protected from the water by reinforced concrete seawalls.

**Construction of the Mandalay Bay seawalls began around 1968** with the Boise wall system on the eastern side of the community. The Boise walls were constructed up to the eastern side of Peninsula Road when a new developer took over. **The new developer continued construction using the Zurn wall system and completed the seawalls by 1973.**

**Repairs have been made to the walls and yearly maintenance has taken place beginning in 1972.**

12/12/2018

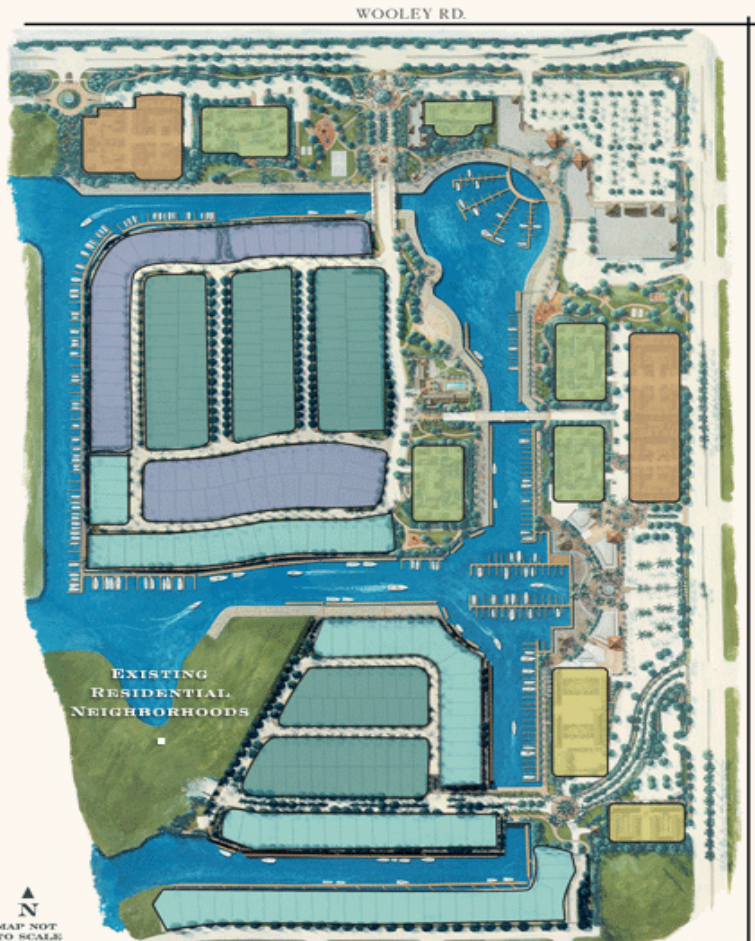


**Emergency repair to six Zurn wall foundation piles on Jamestown Way took place in August on 1992.**  
**Phase I Seawall Repairs began in February on 1993 and included pilaster repairs to 94 Boise lots.**

- Phase II Seawall Repairs began in December of 1995 and included foundation and pile repairs to nine Boise wall locations and nine Zurn wall locations.
- In February of 1998, a number of emergency seawall repairs occurred.
- In December of 1999, cutoff wall repairs took place at nine locations and slope protection repairs were conducted at four locations.
- In December on 2000, a total of 159 repairs occurred, including cutoff wall repairs, slope protection repairs, and weep hole repairs.
- In December of 2001, a total of 111 repairs took place, including cutoff wall repairs, slope protection repairs, weep hole repairs, and crack repairs.
- In December of 2002, 108 repairs were completed, including cutoff wall repairs, pilaster repairs, backfill repairs, slope protection repairs, and crack repairs.
- In April of 2003, 24 more repairs took place, including pilaster repairs, guardrail repairs, and backfill repairs.

# Water Quality

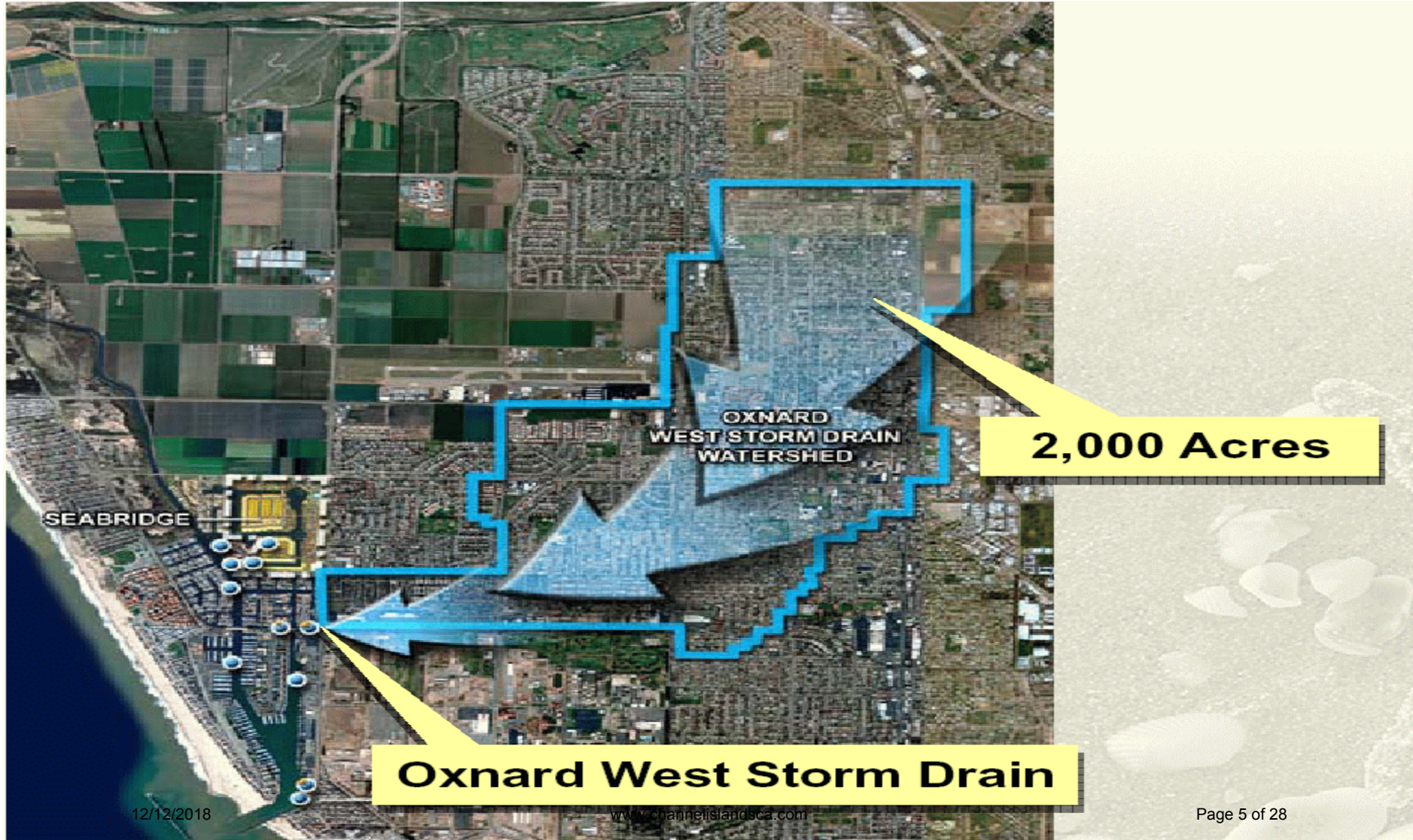
In 2006 we were assured that water quality was going to be monitored and improved



Site plan is artist's conception and subject to change.

- **Baseline Water Quality Testing**
- **Maintain Power Plant Water Flow**
- **Seabridge and Westport Developments**

# Oxnard West Drain



# Oxnard West Drain

- Oxnard West Drain Task Force- County of Ventura, City of Oxnard, City of Port Hueneme, and the Watershed Protection District
- Seeking a Reduction in collected trash
- And a Permanent Solution



# Seawall Repairs

## 2006 Presentation



- **Nobel Consultants, Inc.** **Harbor Offshore, Inc.**
- **What has been completed-** All of the most severe foundation repair items, the most severe pilaster problems, a large number of the backfill leak problems, a small number of crack and joint repairs
- Last 10 years- \$6.2 million dollars

NOTE: Engineering practices for evaluation were changing.

Replace Backfill

# Zurn Wall

Protect Foundation

Repair Wall panel Cracks

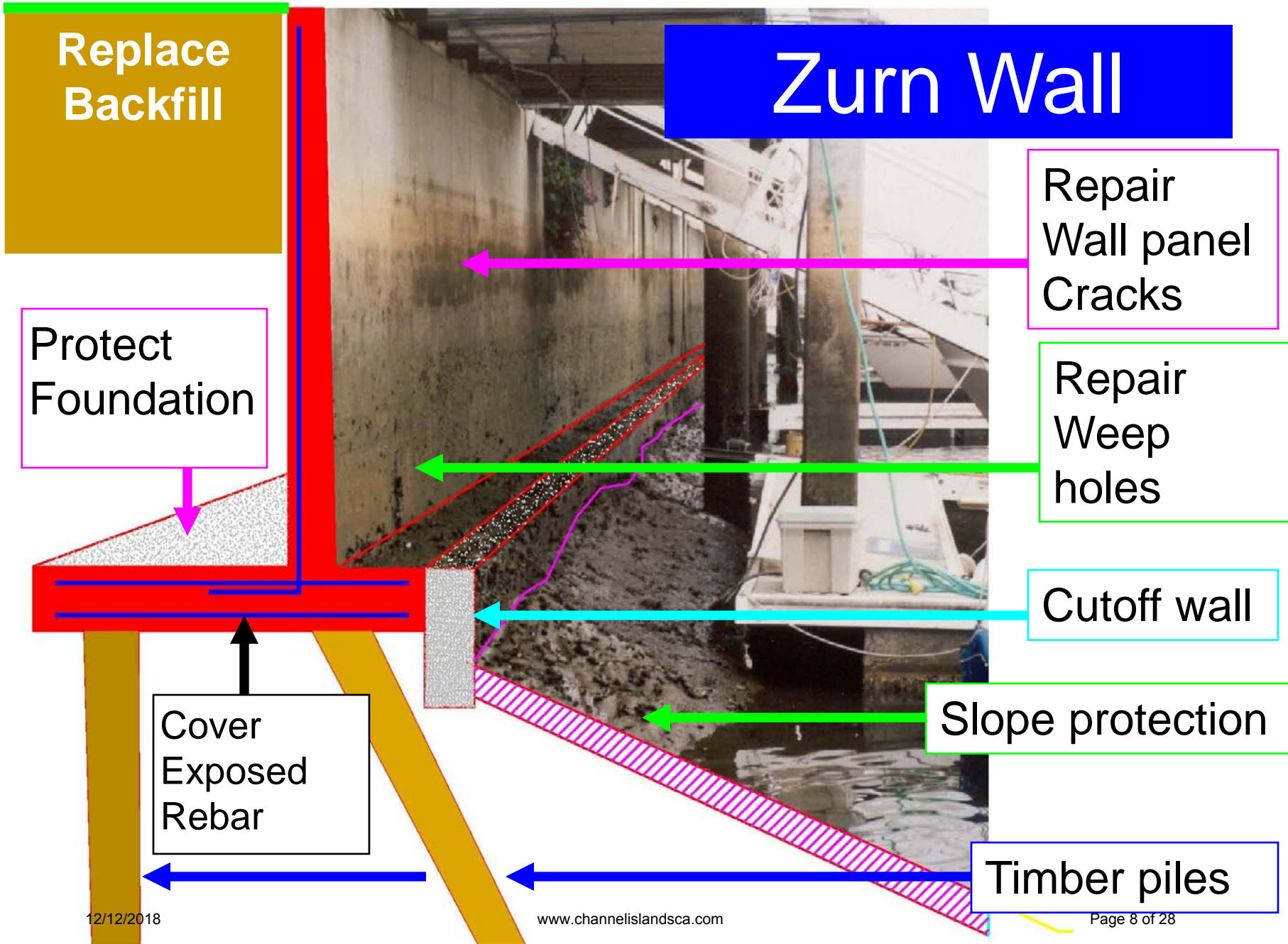
Repair Weep holes

Cutoff wall

Slope protection

Cover Exposed Rebar

Timber piles





# Seawall Repairs

- Projected Repairs Over Next 15 years
- Reinforce Remaining Pilasters
- Repair Wall Panel Cracks And Seal Wall Joints
- Repair Weep Holes
- Maintain Slope To Protect Foundation
- Fill In Sink Holes

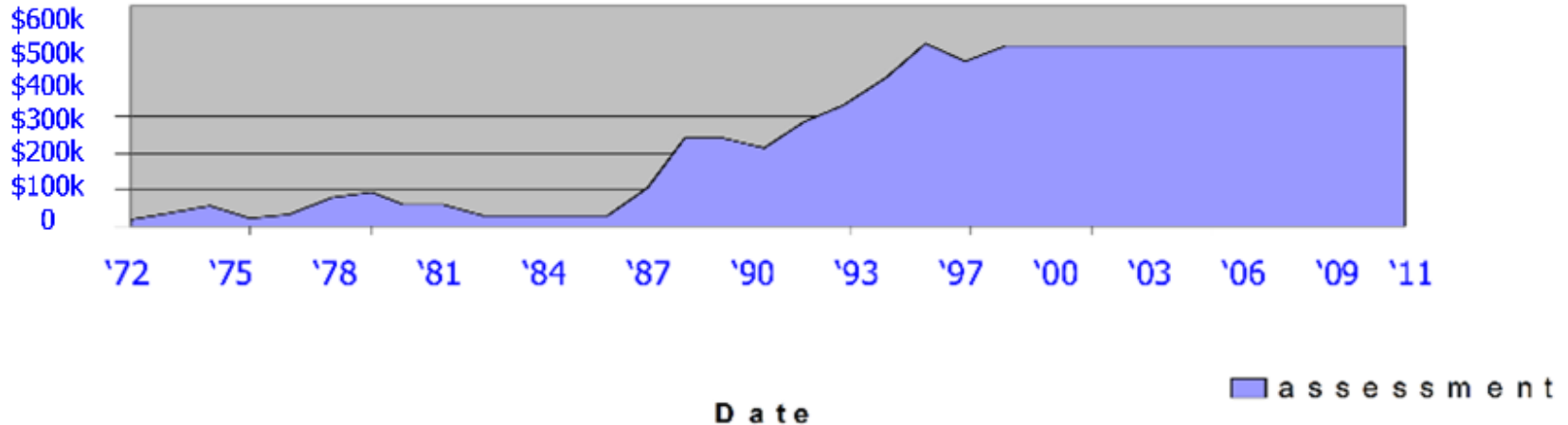


# FEB 2006 CITY presentation at CIWHA annual meeting

## Current Assessment

### W a t e r w a y M a i n t e n a n c e D i s t r i c t A s s e s s m e n t s

Revenue



- Current assessment unchanged since 1993
- Total annual assessment revenue \$501,706
- **Not adequate to cover maintenance costs at this time due to the current condition of the walls**

## Increase Current Assessment

- Current Assessment range \$453 to \$1,586  
(Average \$ 593)
- Triple the assessment to \$ 1,359 to \$ 4,758  
(Average \$ 1,779 ( Average increase \$ 1,186) )
- Total Revenue- \$ 1,350,000  
( Increase of \$ 900,000 per year)
- $(\$900,000 + \$250,000) \times 12 \text{ years} = \$ 13,800,000$
- Inflation?



# Seawall Repairs

- **Estimated cost-\$13,248,000 over next 15 years**
- **Options-**
  - **Obtain a bond to cover entire cost in today's dollars**
  - **Increase the current assessment and pay for the repairs over time**

# NOTHING HAPPENED

THERE WAS NO INCREASE IN THE ASSESSMENT  
Every year the city approves a budget known to  
be inadequate.

WHEREAS, by Resolution No. 5144, adopted June 16, 1970, the City Council formed the Waterway Maintenance District (“the District”) pursuant to the maintenance district provisions of the Improvement Act of 1911 (Streets and Highways Code Section 5820 et seq.); and

WHEREAS, the District was formed with the consent of the developer owning all of the parcels subject to assessment at the time assessments were initially imposed; and

WHEREAS, the City Council is required by Streets and Highways Code section 5830 to estimate the cost of maintaining and operating the improvements within the District, to decide whether the cost of such maintenance and operations shall be borne wholly or partially by the District, and to fix assessments within the District sufficient to raise the money to pay for such cost; and

## 2014 presentation

# High Priority Repairs - Spring 2014

- 2010-2140 Kingsbridge Way Wall Rotation **\$532K**
- Wall Rotation & Settlement Monitoring Program **\$24K**
- 125' of Undermined Foundations **\$175K**
- 240' of Cut-off Wall to Foundation Gap **\$30K**

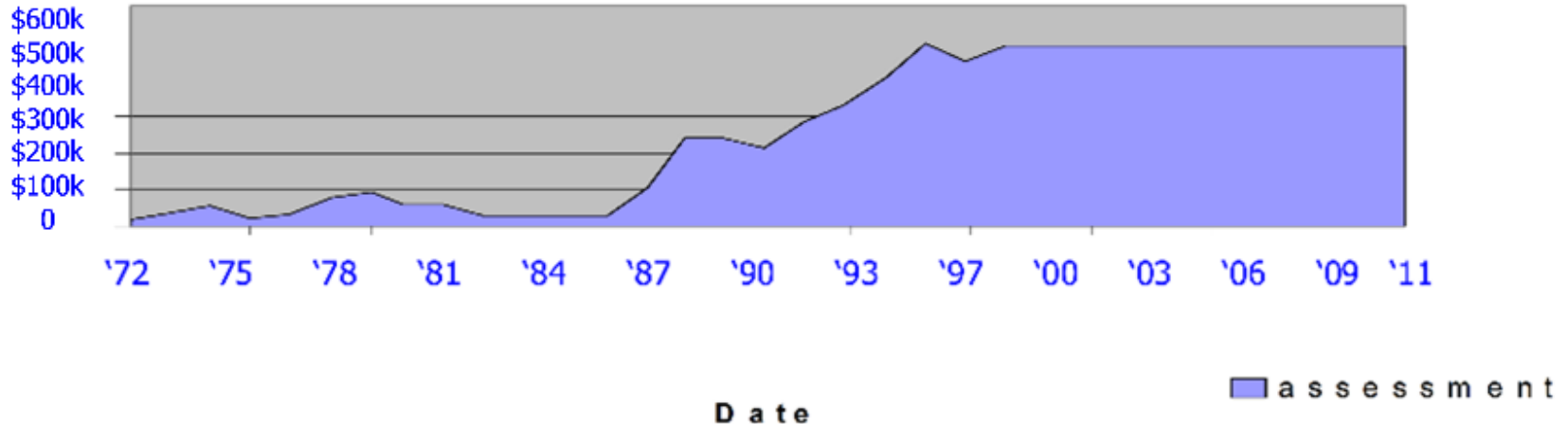
# High Priority Repairs – Fall 2014

- Concrete Jacket repairs for serious spalling on  
(42) Boise pilasters **\$200K**
- 3900-3966 West Hemlock between Napoli & Ravoli Dr. (4)  
Overstressed/Cracked Pilasters, (4)Overstressed /Cracked Wall  
Panels, (30)Deteriorating Panels **\$1,213K**

# Current Assessment

## Waterway Maintenance District Assessments

Revenue



- Current assessment unchanged since 1993
- Total annual assessment revenue \$501,706
- Not adequate to cover maintenance costs at this time due to the current condition of the walls

# Next Steps

Organize the membership and City representatives to press for an annual funding source capable of generating the budget necessary to support the Seawall Maintenance Program, prior to the start of failures or the challenge will quadruple.

Wait for a moderate earthquake to fail the majority of the weakened walls and an Emergency Repair Bond Measure for repairs a few years later.

## Seawall Repair Costs

**\$128,000,000 Replace all walls with new prior to failures**

**\$192,000,000 Replace walls on an Emergency Basis**

**\$44,000,000 Repair walls to extend their life 25-40 years**



## **2016 Repair - Pilaster Jackets**

- Repair (50) of the worst condition pilasters prior to the corrosion damage destroying the tie-back rods which then require costly “shoring” to brace the wall during repairs

## **2016 Repair - West Hemlock**

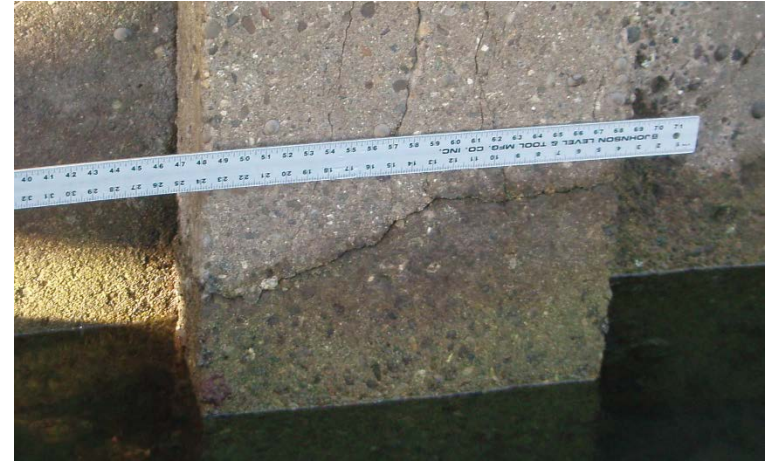
- (4) Boise Wall panels and (4) pilasters with Flexural Overstress Cracks
- These cracks provide direct access for seawater to corrode the reinforcing steel which will cause premature failures
- A Pilot Program will explore using varying repair methods to identify the “best value solution” for future use on all Boise walls.

## **2016 – Maintenance Dredging**

- Perform a Hydrographic Survey of the seafloor for the entire community in 2016 and then identify the areas in need of dredging. Work on Design & Environmental Permits for work in

# 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.

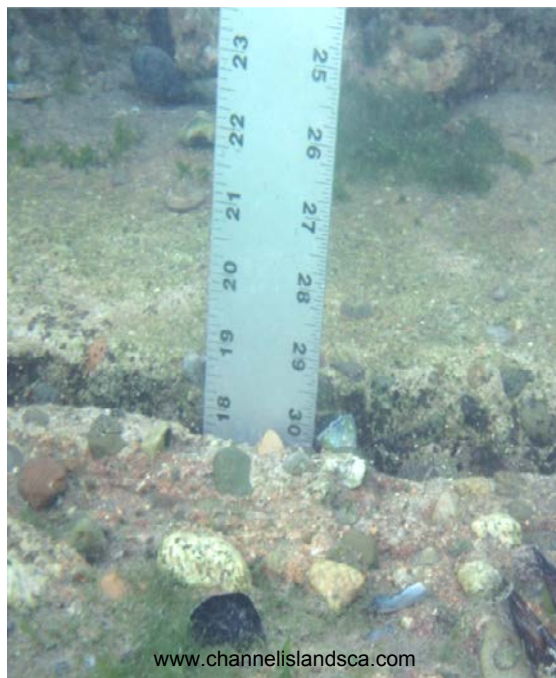


# Phase C – Project Timelines

- Fall 2017, projects planned for next 25 years with priorities, cost estimates & schedules
- City is using the conclusions to obtain funding
- **\$87 Million needed over next 25 years**
  - Last year reported \$60 Million needed
  - More conservative approach
  - Added 2 more projects for program starting in 2019
  - Previous estimates based on some incomplete data
  - Weep Hole repairs added

# Completed Projects

- 2012 Condition Assessment
- 2014 Slope Protection & Filling Footing Gaps
- 2016 Kingsbridge Way



# STATUS AS OF December 2018

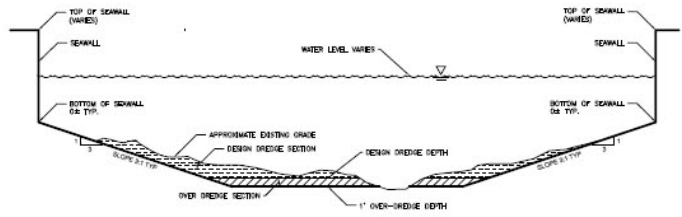
## Dredging Survey – project status ?

### LEGEND: DREDGING DEPTH COLORS

NUMBER (FT.)	MIN DEPTH (FT.)	MAX DEPTH (FT.)	COLOR
1	-2	+5	Red
2	-2	+4	Orange
3	-2	+3	Yellow
4	-2	+2	Light Green
5	-2	+1	Green
6	-2	+0	Dark Green

--- APPROXIMATE LIMIT OF MANDALAY BAY WATERWAYS

- NOTES:
- SATHYMETRIC CONTOURS ARE IN FEET AND REFERENCED TO MLW BASED ON USACE CONTROL POINT 1081-A.
  - CONTROL POINT 1081-A COORDINATES ARE NAD83 CCS ZONE 5  
U. S. SURVEY FEET  
X: 6191901.62  
Y: 1863359.16
  - HORIZONTAL AND VERTICAL POSITIONING ACHIEVED USING PPK POST-PROCESSING METHOD IN HYDRACK NAVIGATION SOFTWARE.
  - SURVEY EQUIPMENT UTILIZED DURING DATA ACQUISITION INCLUDED THE FOLLOWING SYSTEMS:  
R2SONIC 2024 MULTIBEAM SYSTEM  
APPLANK POS M/V VER-4  
NOVATEL DL-S-BASE STATION
  - HYDROGRAPHIC DATA WERE COLLECTED ON MARCH 31 - APRIL 11, 2017 ONBOARD THE M/V SHIFF.
  - ALL ELEVATIONS AREA BASED ON MEAN LOWER LOW WATER DATUM.



1 TYPICAL CHANNEL CROSS SECTION DETAIL  
NOT TO SCALE

**DREDGE DESIGN SURVEY**  
NOT TO SCALE



CITY OF OXNARD  
PUBLIC WORKS DEPARTMENT  
305 WEST THIRD STREET  
OXNARD, CA 93020



6 HUTTON CENTRE DRIVE  
SUITE 1200  
SAN ANA, CA 92707  
PHONE: (714) 708-8880

**MANDALAY BAY  
SEAWALLS  
OXNARD, CA**

**CAPITAL  
IMPROVEMENT  
PROGRAM**

FIGURE TITLE  
**CHANNEL  
MAINTENANCE  
DREDGING**

PROJECT NO.  
**A-03 & B-03**

SCALE  
**NOT TO SCALE**

DATE  
**12/8/17**

FIG. NO.  
**FIG. 2-11**

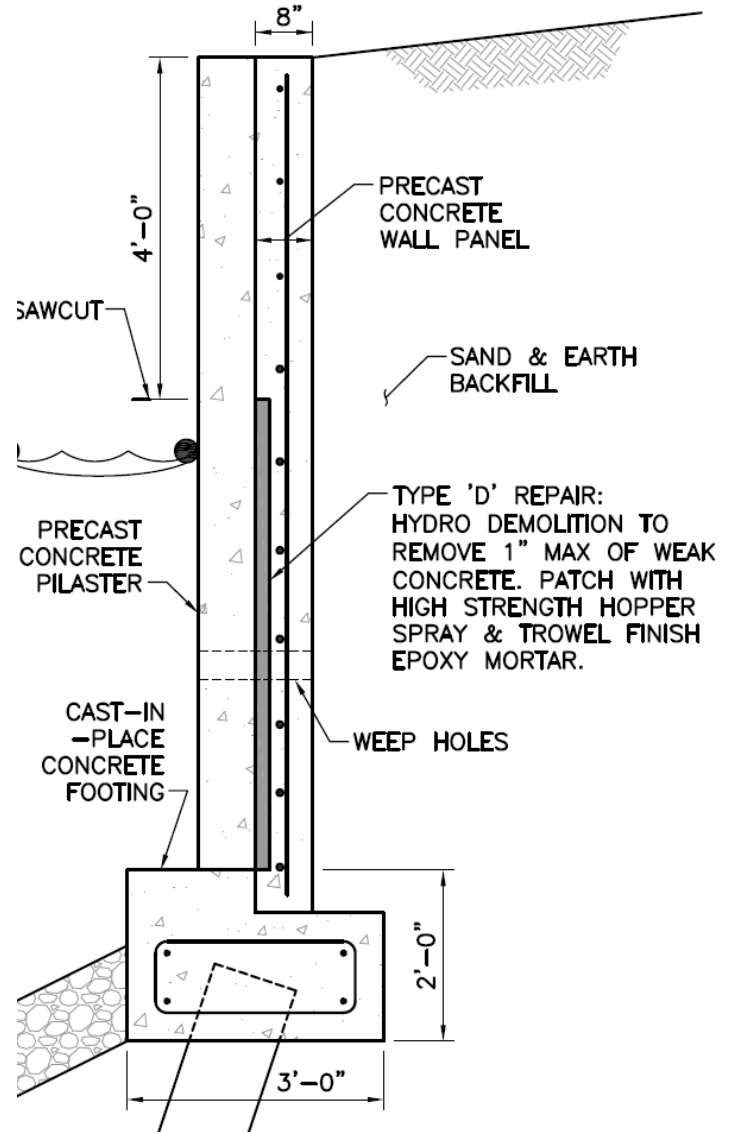
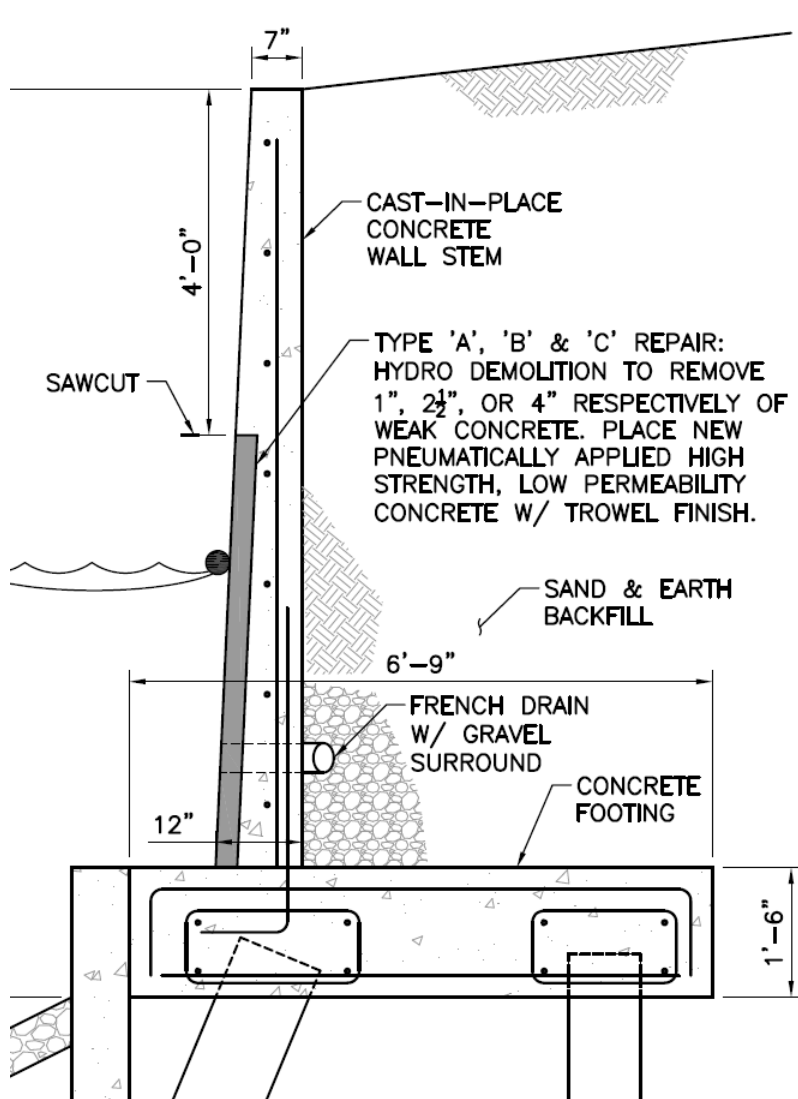
# HEMLOCK

- All environmental permits for Hemlock and Pilasters have been approved.
- STATUS – on hold for value engineering.
- Nov 2018 RFP for
  - Mandalay Bay Seawall Repair Feasibility Study and Construction Documentation for 3900-3966 West Hemlock Street
    - Phase 1 – Feasibility Study of Steel Sheet Pile Design
    - Phase 2 – Construction Documentation for 3900-3966 West Hemlock Street

See: [www.longbeach.gov/search/?searchtext=naples seawall](http://www.longbeach.gov/search/?searchtext=naples%20seawall)

*The Naples Seawall was carefully evaluated in 2009 and was found to be in a state of significant disrepair. **The seawall is public infrastructure and the responsibility of the City of Long Beach.** As required by the California Environmental Quality Act (CEQA), in 2010, Long Beach certified a Mitigated Negative Declaration for the project. As such, the City reserved \$9.2 million in Tidelands funding for the project.*

# Zurn "Repair Concepts" Boise



Representatives from our homeowners association have met repeatedly with City employees, Finance directors, Council Members, Public Works representatives, the consultants hired by the city – asking what could be done to correct this – **since the 90's.**

The City of Oxnard hired an engineering firm to perform an engineering analysis and presented the findings of studies of the condition of our Seawalls to our HOA in **2006**. It was during that presentation in 2006 that the City of Oxnard informed our homeowners that the assessment funds were grossly inadequate to cover the required restoration and repairs.

The City did agree to a 50/50 split in **2012** which eventually allowed the project on Kingsbridge Way (**completed in 2015**) but **the rest of the high priority projects have been tabled due to lack of funding.**



- **We met with Mr. Nyhoff in August of 2014** hopeful that he would recognize this as an issue that really needed attention. We were very pleased to hear an enthusiastic response from the New City Manager indicating that he would assist in our search for answers from the finance department.

That was our first meeting with Mr. Nyhoff. At subsequent meetings it became apparent that he was discovering many issues with budgets and the state of the assessment districts, however, we were assured that due to the timeframe of this issue it would be addressed *as soon as possible*. Followed by... <silence>

- We had been meeting with public works monthly for years - until 2016, Public Works had canceled those meetings and said we can contact them if we have any questions or concerns – of course they cannot answer our questions, nor can they address our concerns.
- **During the budget meetings and community meeting summer of 2015** we raised questions and concerns and by summer of 2016 we were no closer to any useful information regarding this dilemma.
- We met with and provided documentation to Mr. Ghironzi of NBS for many hours many meetings, many in this room. Followed by... <silence>
- We were nowhere on the schedule of LMD Community workshops.
- Here we are **13 years after the City recommended an assessment increase** to establish funding much needed seawall repairs before they created a disaster and the cost of recovery would be astronomical.
- **EVERY YEAR THE COSTS INCREASE – EVERY DAY THE RISK IS GREATER**

# Next steps?

- We have an annual meeting on February 9<sup>th</sup>
- We will report to the homeowners that they are getting some greenbelt improvements and they are not paying for the Harbor Water Testing.
- We still have no funding source for the Seawall repairs and maintenance.
- We have no clear reporting on the funds distributed from our assessment.
- We have no timeline for dredging.
- We have no timeline for pilaster repairs.
- We seem to go back to square one in communications with the City with every retirement; election; new hire; death; restructuring; other crisis elsewhere...

# WILL YOU WORK WITH US?

- We need to immediately fund what we can to move forward.
- We do not know that we can get a vote to pass an LMD Proposal to fund according to the projected needs.
- Can we fund shorter term projects to build trust and allow homeowners to financially adjust to increased costs?