



September 2009

SURFSIDE III NEWSLETTER

Daniel Kessner - Editor



FROM THE BOARD OF DIRECTORS

Labor Day BBQ and Entertainment

Starting at 2:00 PM on Sunday, September 6th, there will be an open party for all residents of Surfside III in the Lighthouse Way Park. There will be music. A live band, consisting of Terry and Mary will be there. Bring your food and beverages and a dish to share. The BBQs will be set up for your use. (Thanks to the Ortiz's and Perry's for organizing this event.)

Special Assessment Repairs Update

The Board has approved a new general contractor for the drain line re-pipe in the remaining buildings (1, 4, and 8). Contract negotiations are going well and we expect to start construction early September.

Capital Repairs

The association has finalized and signed the contract for a construction manager to begin the process of defining the scope of work and obtaining bids for building envelope repairs to Buildings 7 and 12. This process will take several months. Construction work will not start until later this year in October-November.

Financial Condition and 2008 Audit

As a reminder the financial reports are posted on the web site each month. The association is running a surplus so far this year.

Clubhouse Security

Special monitoring of the clubhouse begins every night at 7:00 PM. As you approach the clubhouse from the guest parking lot, only the left hand entrance is operational beginning at 7:00 PM each evening. You will find an attendant at this entrance.

J Street Drain Project

Please watch the website for posting of the Environmental Impact Statement for the J Street Drain Project. Once that is posted, we will have only 45 days to coordinate a response. It is requested that all responses be forwarded to ira.green@surfsideiii.com and Ira will collect and forward those responses to the Ventura County Watershed Protection District. A letter faxed to Supervisor Long is attached at the end of this newsletter.

Trials

A previous newsletter contained comments regarding legal action taken against the association and the effect this has on obtaining loans and specifically in re-financing. One trial did start on August 10th and may take as much as 3 to 4 weeks to conclude. Ira Green is the Surfside III representative at this trial. This has occupied him to such an extent that he has to send his apologies because his response to homeowner communications will be slower than usual.

FROM THE ON-SITE OFFICE STAFF

SS III has purchased four green waste containers for the use of Seabreeze Landscape. Two of the containers are located near the on-site maintenance shed at Seawind Way/Ebbtide Circle, one is between Buildings 3 and 4 near the common area parking lot, and the fourth is located behind Building 7, near the J Street Canal. These containers will be used for grass clippings, tree, shrub, hedge and garden trimmings. They will be kept locked for the exclusive use of the landscapers.

COMMITTEE BRIEFS

For more committee information visit <http://www.surfsideiii.com/docs/committee/committee.htm>
Please contact the committee chair to volunteer.

Neighborhood Watch Committee – Val Lameka; 805-986-2855; v.lameka@yahoo.com

Most of the meeting was devoted to crime reports. There were two resolved theft reports, several code violations, and some false alarms from the clubhouse. The new cameras will be operational shortly, which should help reduce any vandalism. Please report suspicious activity, skateboarding, etc., to the office. Give the date and time, and we hope to be able to identify those who do not follow our community rules for safety and peaceful enjoyment of our homes.

The next Neighborhood Watch meeting will be Thursday, September 3, at 7pm in the clubhouse. Any reports or questions: call Valerie Lameka.

THIS MONTH'S RIDDLE

Please send your answer to ira.green@surfsideiii.com. Let Ira know that if you have the correct answer, he can include your name in the newsletter as one of the people that solved the riddle.

A man points at a portrait, and then says: "Brothers and sisters have I none, but that man's father is my father's son". At whose picture is the man looking?

CONTACT INFORMATION

MAINTENANCE/RESIDENT SUPPORT (PHONE NUMBERS AND E-MAILS BELOW):

Contact Lordon Management, Jennifer Critchfield; for e-mails always copy Donalea Bauer

Include your phone number(s) and/or e-mail for response before end of next business day. If you get her voice mail, but would like to speak with her directly, hit zero and talk to the operator.

If more urgent, call Donalea Bauer.

Surfside III On-site Property Manager's Office: 600 Sunfish Way, Port Hueneme, CA 93041

Phone: 805-488-8484

Please note that calls regarding maintenance or billing should be directed to Lordon Management.

Surfside III Direct Contact:

Surfside III COA
600 Sunfish Way
Port Hueneme, CA 93041
<http://www.surfsideiii.com>
manager@surfsideiii.com
Phone: 805-488-8484

Scott Walker, On-site Property Manager
Carol Short, Assistant On-site Property Manager

Lordon Management Company:
Lordon Property Management
75 Center Court Drive
Port Hueneme, CA 91724
Phone: 800-729-5673
For after-hours emergencies, dial 5

Donalea Bauer, Vice President, community manager

Email: donaleabauer@lordonmanagement.com
Phone: 800-729-5673 x 3342

Jennifer M. Critchfield, assistant community manager

Email: jcritchfield@lordonmanagement.com
Phone: 800-729-5673 x 3380

Our Board:

Bill Betts - President bill.betts@surfsideiii.com
Ira Green - Vice-president ira.green@surfsidediii.com
Skip Perry - Treasurer skip.perry@surfsideiii.com
Michael Madrigal - Secretary michael.madrigal@surfsideiii.com
Inna Giler - Director inna.giler@surfsideiii.com

LORDON MANAGEMENT: OTHER DEPARTMENT EXTENSIONS

All escrow issues: Chelia, ext. 3339; crubalcava@lordonmanagement.com
All insurance, lien, and other legal matters: Patty, ext. 3337; pbarrios@lordonmanagement.com
Your account, billing address, etc: Liz, ext. 3319; llopez@lordonmanagement.com

August, 2009

TO: KATHY LONG
COUNTY SUPERVISOR, District 3

ATTN: Lauren Bianchi
FAX: 654 - 2226

RE: J STREET DRAIN PROJECT
Surfside III Community Concerns

Dear Supervisor Long

We are contacting you to request your support for the 309 property-owners and approximately 1000 residents of the Surfside III residential complex in Port Hueneme who have been denied the ability to participate in public meetings regarding the VCWPD's J Street Drain project – which significantly impacts our community.

As the VCPD failed to notify us about the meetings held from January 16 – 30, 2008, we missed the opportunity to ask questions; discuss alternatives; make informed decisions; and present opposition to the current plan in a public process that was intended to allow stakeholders to participate in the planning phase of the project.

Since our first contact with him in early July, 2009, Mr. Kirk Norman [VCWPD] has been very helpful and responsive to our concerns about the canal plan. However, his efforts have been restricted to providing detailed information regarding the current plan because, as Project Manager, he has a mandate to complete the project.

We, as taxpayers and homeowners/residents are interested in the following issues:

- responsible and accountable use of public resources;
- presenting environmental concerns not addressed in the preliminary studies; and
- mitigating the damage to our community.

The specific actions that we are requesting include:

- * RECONSIDERATION of justification for the project;
- * RE-EVALUATION of alternative-design plans;
- * ALTERATION of construction plans that have already been designed.

We are asking for your help in remedying our inability to oppose the current plan at the public meetings and submit our input before the deadline, last year during the planning phase. We request redress in the form of your support for delaying the DEIR pending review of our concerns about this project, by the Board of Supervisors.

This request is based on critical issues for all Ventura County taxpayers - as well as the owners and residents of Surfside III:

1) JUSTIFICATION: At this time when the State is bankrupt; the County is curtailing vital public services; and we are experiencing a continuing severe drought.

*** Why are millions of dollars of public funds being allocated to a 100-Year Flood Prevention Project in an area that has never suffered significant flood damage?**

*** As the project has been justified on the basis of flooding along J Street, how much money has actually been paid out in reparation for flood damage in this area?**

2) COST/BENEFIT RATIO: The cost/benefit ratio for the project estimated in 2005 was determined to be 2.45 based on the estimated project cost of \$22.8 million and the 100 year flood damage (benefit) of \$55.7 million based on real-estate values at that time. The current cost estimate is \$26,710,800 - and property-values have declined significantly.

An article in the Ventura Star dated May 6, 2009 states that: "The final draft of a federal flood map for Oxnard has reduced the number of homes required to obtain flood insurance to 1,761, less than a third of what was previously thought."

*** Has the Cost/Benefit Ratio been recalculated to reflect these new conditions?**

*** Even assuming that recalculation still results in at least a 2-to-1 ratio, how can spending almost 27 million dollars to save a potential liability of less than twice that amount on a project designed to protect against a highly-unlikely flood event, be prudent management of public funds?**

3) WATER-CONTAINMENT: Construction plans for the canal-expansion at the downstream end, indicate an additional four-foot depth below the existing channel invert as well as additional increase in water capacity. While this may provide more water- carrying capacity in a 100 Year Flood, the proposed alterations will result in a far-greater volume of stagnant water at all times in the downstream end of the canal - until the water from a major flood reaches the 7.5 to 8 foot elevation required to breach the existing sand berm which blocks outlet to the ocean.

This plan contradicts the VCWPD Improvement Study and Preliminary Design documents which state: "To minimize the lagoon backwater effect, it is necessary to maintain an ocean passage for the J Street Drain Channel flood runoff." The residents of Surfside III who live in homes adjacent to the downstream end of the canal have already noted a significant increase in the number and size of mosquitoes since the reconstruction of the Pump Station. The canal-expansion will only exacerbate this condition. Yet, the VCWPD website documentation states : "the proposed project is expected to have less than significant impact on public health and will not be discussed in the EIR."

*** Why has the matter of increased standing-water containment – and resulting mosquito infestation [and related infectious diseases] as a result of canal expansion – not been addressed in any VCWPD documents?**

*** Why isn't this Public Health problem going to be discussed in the EIR?**

THE HALACO CONNECTION: Since 1977, when SSIII was built, residents have been exposed to the air-borne contaminants emanating from what has been known for many years as a major toxic-waste dump – now listed by the EPA as a Superfund Site. EPA analysis in June, 2006 indicates water flows past the Halaco facility into a tidal lagoon and carries runoff directly to the ocean outfall at the J Street Drain.

*** Why hasn't the matter of increasing the depth of the canal to the extent that only a water-level of 7 to 8 feet will allow breaching to the ocean – thereby maintaining a permanent surface-water connection to the contamination of the Halaco “slag heap” [now officially designated as a “toxic waste pile”] – been addressed?**

It has come to our attention that no comprehensive on-site-inspection of our property was done during the four or more years that the preliminary studies, designs, and plans for this project were being made. And worse, since we were NOT notified of the public meetings in January - or of the deadline for input in May, last year – no one from our Board, nor any of the 80 owners of SSIII properties adjacent to the canal, or our 309 owners and approximately 1000 residents, had an opportunity to participate in the creation of a plan that will have significant negative effects on the environmental, structural, and financial status of our community.

The following record summarizes what has transpired to date:

- * We are a large residential community who were not informed of a major Public Works Project that has been in the planning stages for over four years.
- * None of the firms or agencies involved in the Planning and Design phases of the project conducted an on-site inspection of our property.
- * No one at SSIII was notified of the public meetings in January, 2008.
- * Deadline for written comments was May 9, 2008 – long before we were aware of the project.
- * The failure to notify us, resulted in our inability to participate in the public process intended to allow interested parties to review, discuss, question, and oppose initial designs and plans.
- * We only became aware of the project as the result of accidental discovery in June, 2009.
- * We had no official contact with VCWPD until the July 24th meeting that we requested;
- * The VCWPD written response letter dated July 30, dismisses the failure to notify us; and does not discuss the possibility of an Easement Agreement.
- * The above response-letter informs us that “the draft EIR will be out for public review in mid-to-late August” – with a following 45-day review and comment period.

We have only been aware of the project for two months – and of the extremely adverse effects on our community, for less than four weeks! During this time, we have been requesting information about aspects of the project which we need to assess impact and damage. Without that information, we can't prepare critical documentation in time for the Public Review deadline.

The VCWPD had over four years to plan this project without any input from us. Now, there are only weeks until the start of the 45-day Public Review period. So, we have only a very limited time to inform approximately 1000 owners/residents about this situation, to collect and tabulate the responses; and – most important, to get all the supporting information required to submit a complete and informed response to the DEIR!

This pattern of disinterest in collaboration and accommodation with a major stakeholder, is certainly NOT consistent with the goals of VCWPD – nor is it responsible or fair public policy.

Therefore, we are asking for your help in postponing the completion of the DEIR until our issues have been reviewed by the Board of Supervisors.

Thank you for your time and consideration.

Respectfully yours, Marion Kelemen, Chair, SSIII JSDP Committee

Phone/Fax: (805) 986-0303 Email: lighthousecrew@verizon.net