



**RIVERPARK  
RECLAMATION & RECHARGE  
JOINT POWERS AUTHORITY**



UNITED WATER CONSERVATION DISTRICT

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**Minutes of Regular Meeting of April 20, 2016**

The Board of Directors of the RiverPark Reclamation and Recharge Joint Powers Authority (JPA) convened its Regular Meeting on Wednesday, April 20, 2016, at 5:10 p.m. at the Oxnard Main Library, 215 South A Street, Oxnard, California.

**Board Members Present:** Sheldon Berger, Chair, Bert Perello, Vice Chair, Tim Flynn, Director

**Board Members Absent:** Daniel Naumann, Director

**Counsel Present:** Stephen Fischer, General Counsel, RiverPark JPA, City Attorney, City of Oxnard

**Others Present:** Mauricio Guardado, Jr., General Manager, United Water Conservation District (UWCD), Scott Whitney, Assistant City Manager, City of Oxnard, Anthony Trembley, District Counsel, UWCD, John VanderVelde, RiverPark Legacy LLC (RiverPark), Tony Talamante, RiverPark, Daniel Rydberg, Interim Public Works Director, City of Oxnard, Anthony Emmert, Deputy General Manager, UWCD, James Grisham, Engineering Manager, UWCD, Robert Hearne, Senior Engineer, City of Oxnard, Omar Castro, Water Manager, City of Oxnard, Badaoui Mouderrres, Technical Services Manager, City of Oxnard, Loree Berry, Senior Engineer, Fugro Consultants, Inc., John Hecht, President, Sespe Consulting, Inc. (Sespe), Scott Moors, Vice President, NV5 West, Inc., Doug Mason, Sespe, Rosa Solis, City of Oxnard, Steve Nash, Oxnard Resident.

Chair Berger called the meeting to order at 5:10 p.m.

**A. Roll Call.**

**B. Approval of Minutes.** On motion by Vice Chair Perello, seconded by Director Flynn, the Board approved the minutes of the meetings of June 15, 2011, October 28, 2015, November 10, 2015, and December 16, 2015.

**C. Public Comments.** Steve Nash, Oxnard resident, posed the following questions to the JPA Board: 1) Where is the RiverPark Fund being held?, 2) Should one of the RiverPark basins' slopes fail, who would pay for the necessary repairs?, 3) Have RiverPark residents received information regarding the basins?, 4) Does the RiverPark Community Facilities District (CFD) budget include a line item specifically for maintenance and repairs to the stormwater quality system?, and 5) Does the CFD's property tax assessment include a built-in inflationary factor?

**D. Authority Business.**

**1. Reclamation Status Report.**

- a. Geotechnical Improvements Summary.** Loree Berry, Senior Engineer, with Fugro Consultants, Inc. (Fugro), the firm that provided geotechnical engineering, and Scott Moors, Vice President, with NV5 West, Inc., the firm that is providing geotechnical oversight on behalf of the City of Oxnard, provided the Board with a recapitulation of their December 16, 2015 presentation on the history of the gravel mining operations of the RiverPark site, the geotechnical challenges encountered with the project, the process of designing modifications to both the cut slopes and fill slopes to achieve long-term stability, as represented by the 2002 slope mitigation plan, the challenges to achieving and maintaining long-term surficial/erosional stability, the steps that have been taken to achieve surficial stability/erosion mitigation, and the 2015 reclaimed slopes. Ms. Berry and Mr. Moors answered questions from the JPA Board and members of the public. Vice Chair Perello asked how long the geogrid material used in the engineered slopes lasts. Ms. Berry stated that the geogrid material is designed to last at least 75 years. She stated that a good reference project using geogrid is the Spanish Hills project in nearby Camarillo, which was one of the largest geogrid projects in history and is performing well. Vice Chair

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*City of Oxnard*  
Tim Flynn  
Bert Perello

*General Counsel: Stephen Fischer, 805.385.7483*

*United Water Conservation District*  
Sheldon Berger  
Daniel Naumann

*Administration: Anthony Emmert, 805.525.4431*

Perello asked why the piles included in the original geotechnical design were omitted. Ms. Berry stated that analysis showed that the desired stability (1.5:1) would be achieved without using piles, and that the final design therefore did not include them. Vice Chair Perello asked if the rock rip-rap material changes the overall slope stability. Mr. Moors stated that the unit weight of the rip-rap material is essentially the same as soil and therefore does not influence the overall slope stability. He stated that it is simply to protect the slopes from the wind-driven wave erosion that was observed in the years following initial construction when water levels were high. In answer to Mr. Nash's question regarding who would be responsible should one of the basin slopes fail, Mr. Talamante, project director with RiverPark Legacy LLC, responded that RiverPark Legacy LLC, the current owner of the basins, is responsible for repairs to the slopes now, and that the JPA will be responsible when it takes receipt of the basins.

- b. Storm Drainage Improvements Summary.** Mr. Talamante provided a recapitulation of the December 16, 2015 presentation given by Marc Haslinger, Vice President, with Huit-Zollars, Inc., providing an overview of the design of the RiverPark Project storm drainage system and its design features to mitigate the water quality challenges that existed prior to the project, and provided answers to questions asked by JPA Directors and members of the public. Vice Chair Perello asked who assumes responsibility for the RiverPark stormwater system. Robert Hearne, Senior Engineer with the City of Oxnard, stated that the City has already assumed responsibility for the stormwater system, including the water quality facilities. Vice Chair Perello noted that in the past a vehicle driving on Vineyard Avenue lost control and crashed into the Small Wolsey Basin and leaked fluids, and that it would be prudent for the JPA to prepare an emergency response plan to address potential water quality problems that could be caused by such an incident. Anthony Emmert, Deputy General Manager with United Water Conservation District, stated that the JPA staff could incorporate such an emergency response plan into its overall management plan for the basins. In answer to Mr. Nash's question regarding funding for the storm drainage system, including its water quality features, Mr. Talamante stated that the RiverPark CFD includes funding for ongoing maintenance for these facilities. He also stated that the CFD's assessment includes an inflationary factor. Mr. Hearne stated that the City's wastewater collection and storm drainage team is responsible for their routine inspection and maintenance.
- c. Environmental Assessments Summary.** John Hecht, President of Sespe Consultants, Inc., provided an overview of the RiverPark Project's original environmental setting and environmental assessments, and answered questions from the JPA Board and members of the public. He stated that the initial analysis focused upon potential impacts to on-site sediments from historic storm water run-on from adjacent industrial and agricultural areas, with the work plan gaining approval in 2004 and work being completed in 2010. Vice Chair Perello asked if noted benzene contamination was associated with the Poole Oil leaking underground fuel tank adjacent to the Small Woolsey basin. Mr. Hecht responded that there were not positives for petroleum chemicals on the RiverPark parcels in the vicinity of the Poole Oil site. He stated that, although the Poole Oil parcel contamination did not lead to contamination of the RiverPark parcels, that run-on from other adjacent industrial parcels was the apparent cause of the areas of contamination on the RiverPark parcels. Mr. Hecht stated that levels found were generally low. Mr. Hecht stated that the final report was transmitted to the City and UWCD in 2010.
- d. Revised Erosion Control and Maintenance Guidelines Review and Cost Estimate.** Mr. Talamante provided an overview of the Basins Erosion Control and Maintenance Guidelines (Guidelines) and a projected 50-year maintenance budget, based upon RiverPark's actual expenditures over the past several years. He pointed out that the Four Party Agreement (Agreement), Section 6E, requires that the JPA Board adopt the Guidelines document and that the Agreement also requires RiverPark Legacy LLC to provide \$705,000 to the JPA at the time of property transfer for maintenance of the slopes. Mr. Talamante's projected total cost for maintenance of the slopes over the 50-year period was \$1,355,000, or an average annual expenditure of \$27,200, and includes slope vegetation maintenance (ongoing invasive weeds removal and 4 hydro seeding events over the period), rodent control, periodic repairs of slopes (2 regrading events over the period), biological oversight, geotechnical oversight, administration, prevailing wages, and an annual escalation factor of 1%. Director Flynn asked how the estimate was made. Mr. Talamante responded that RiverPark Legacy has over 10 years of experience maintaining the slopes, through periods of high and low water levels, and used the actual expenditures over that

period to project future costs. Vice Chair Perello asked who specified the plant palette used for the slopes. Mr. Talamante responded that the City specified the plant palette. Director Flynn urged staff to develop an independent cost estimate for future maintenance costs. Daniel Rydberg, Interim Public Works Director, stated that the Public Works Department would develop an independent cost estimate for future slopes maintenance.

- E. Next Meeting.** The next regular meeting will be May 18, 2016, at 5:00 p.m., in the City of Oxnard Main Library, Room B.
- F. Adjournment.** Chair Berger adjourned the meeting at approximately 6:44 p.m.