

OAKWOOD LAKE WATER DISTRICT

REGULAR MEETING MINUTES OF DECEMBER 28, 2021

HELD REMOTELY VIA ZOOM

A Regular Meeting of the Oakwood Lake Water District was held remotely, via Zoom, on Tuesday, December 28, 2021, at 7:00 p.m.

1. **CALL TO ORDER; ROLL CALL.** The meeting was brought to order at 7:08 p.m. by President Gene Oliver. Board President Gene Oliver took roll call, and the following Directors and staff were remotely present:

Gene Oliver, President
Steve Marino, Vice President
Nelson Bahler, Director
Doug Coty, Legal Counsel
Bert Michalczyk, District Engineer

Absent Were:

Tim Smith, Director
Scott Anderson, Director
Jean Knight, District Secretary

2. Ratify the Proclamation of a State of Emergency by Governor Newson on March 4, 2020 and Authorize Remote Teleconference Meetings of the Legislative Bodies of the Oakwood Lake Water District for the Period from December 28, 2021 through January 27, 2022 Pursuant to Government Code section 54953(e)

Attorney Coty presented this item and referenced the staff report for more details. He stated that the attached resolution is proposed in order to comply with the Brown Act as modified pursuant to Assembly Bill 361 and to extend the period during which the District may meet remotely by an additional 30-days. Since more than 30 days have elapsed since the Board last met, the resolution must be considered “fresh” rather than a mere “re-authorization” as was done in November. It was the recommendation of legal counsel that the Board, by Resolution, ratify the proclamation and therefore;

It was moved/seconded (N Bahler/S. Marino), roll call by President Oliver was responded to as follows; Gene Oliver; Aye, Nelson Bahler; Aye; Steve Marino; Aye and unanimously carried by the Board of Directors of the Oakwood Lake Water District that the Board, by Resolution, ratify the Proclamation of a State of Emergency by Governor Newson on March 4, 2020 and, by approval of the draft resolution, Re-Authorize Remote Teleconference Meetings of the Legislative Bodies of the

Oakwood Lake Water District for the Period from December 28, 2021 through January 27, 2022 Pursuant to Government Code section 54953(e).

3. PUBLIC COMMENT

- a. Audience members may address the Board on any item pertaining to Oakwood Lake Water District's jurisdiction not appearing on the agenda. Please limit each presentation to five minutes. No public comment.
- b. Written correspondence received via District email. No written correspondence.

4. CONSENT ITEMS:

The following items can be acted on in one consolidated motion as recommended or may be removed from Consent and separately considered at the request of any Director.

- a. Approve Minutes for Regular Meeting of November 23, 2021
- b. Accept Financial Reports for November 2021
- c. Receive Capital Projects Status Report for November 2021
- d. Receive Fiscal Year Goals Status Report for November 2021
- e. Receive Infrastructure Finance and Construction Agreement Status Report for November 2021
- f. Receive Time Schedule Order Status Report for November 2021
- g. Receive Manteca Wastewater Services Agreement Status Report for November 2021

After review,

It was moved/seconded (S. Marino/N. Bahler), roll call¹ by President Oliver was responded to as follows: Gene Oliver; Aye; Nelson Bahler; Aye, Steve Marino; Aye and unanimously carried by the Board of Directors of the Oakwood Lake Water District that a. The minutes for the Regular Meeting of November 23, 2021 were approved; b. The Financial Reports for November, 2021 were accepted; c. The Capital Projects Status Report for November 2021 was received; d. The Fiscal Year Goals Status Report for November 2021 was received; e. The Infrastructure Finance and Construction Agreement Status Report for November was accepted; f. The Time Schedule Order Status Report for November 2021 was accepted; and g. The Manteca Wastewater Services Agreement Status Report for November was received.

¹ All actions taken at this meeting will require a roll call vote. The Secretary (or in her absence, the Board President), will perform all roll calls.

5. ACTION/ ITEMS:

- a. Consider District Support of the Proposed Islander Mobile Home Park – Wastewater Consolidation Project being Planned by the Central Valley Regional Water Quality Control Board.

Mr. Michalczyk discussed the desire of the Central Valley Regional Water Quality Control Board to consolidate failing wastewater systems serving small and/or disadvantaged communities with larger regional wastewater facilities. He reminded the Board that the Regional Board encouraged and fostered a similar arrangement between the District and the City of Manteca. He reported that the Regional Board is now studying the possibility of consolidating wastewater service for the Islander Mobile Home Park with the City of Manteca system. To do so could likely involve the use of some District wastewater conveyance and/or pumping facilities. The Regional Board is assembling a grant application to cover the capital cost of such a project and to cover payment of capacity fees associated with the service. They are also studying ways to help with what will be increased operating costs. To support the grant application they have requested that the District consider sending a support letter. Regional Board and District staff have agreed that such a letter should include the following principles:

1. The District supports the concept of the project being planned by the RWQCB;
2. All District capital costs and capacity fees would be fully covered;
3. There would be no additional operating cost to the District or its ratepayers;
4. Any modifications needed to District infrastructure would be planned, designed and constructed by the District; and
5. The District's approval would be contingent upon the approval of San Joaquin County and the City of Manteca.

The Board asked several questions about how facilities to provide service to the Islander Mobile Home Park could be configured. They also discussed the proposed principles. As a result of that discussion the Board directed that a sixth principle be included that any infiltration and inflow into the Islander wastewater system in excess of that in the District's system on a per unit equivalent basis would not adversely affect District operations or adversely add to the cost of District operations. With no further questions or discussion,

It was moved/seconded (G. Oliver/S. Marino) and unanimously carried by the Board of Directors of the Oakwood Lake Water District that the Board supports the proposed Islander Mobile Home Park – Wastewater Consolidation Project being planned by the Central Valley Regional Water Quality Control Board (RWQCB) and authorize District staff to sign and transmit a letter of support incorporating the below principles to the RWQCB that

also includes item 6, (underlined above) as an additional principle recommended by the Board of Directors of the Oakwood Lake Water District:

6. STAFF REPORTS:

- a. Director Reports – No Director Reports
- b. Committee Report (Ad-Hoc Chiavari Landscape Replacement Water Committee) The Ad-Hoc Chiavari Landscape Replacement Water Committee will schedule a meeting in January, 2022.
- c. Staff Reports (District Engineer, Legal Counsel)
Legal Counsel – No Report
District Engineer – The District Engineer had the following to report.
 1. The California Governor's Order prohibiting water shutoffs is due to expire on December 31, 2021. If it is not extended, staff will begin actions in January to collect delinquent accounts in accordance with District policy.
 2. There was a break-in at the wastewater treatment plant overnight from December 27 to 28, 2021. It appears the target was copper because several large cables connecting the emergency generator to the motor control center were taken. An inventory is underway to see if anything else is missing. A report was filed with the San Joaquin Sheriff's department. The fence where entry to the site was made has been repaired. Alpine Security, RD-17 and Marques Construction have been notified. Once the District has an estimate on the total loss, an insurance claim will be filed.
 3. The District's wastewater ponds have received significant water in the last 30-45 days and have an estimated 25 to 30 days of storage remaining; District staff is closely monitoring the situation.
 4. On December 21, 2021 the Manteca City Council approved the environmental review documents for their storm drain project which will consist of a 66-inch storm drain in Woodward, a large pump station on RD 17 property south of Aplicella and a 48-inch force main along Aplicella and through the District's wastewater treatment plant then over the levee and into the river. As a courtesy the District will post information about the project on its website.
 5. RD17's levee improvement project is scheduled to begin construction in the spring of 2022. To support that the District will be granting RD17 three slices of property on the land side of the levee. Those conveyances may be

presented to the Board for consideration as early as the January 2022 Board meeting.

6. The California Fish and Wildlife Service nutria eradication project is still underway. Almost 2,800 nutria have been taken since the program started in 2017. The FWS' Right of Entry to District property remains in effect until December 31, 2023. The FWS projects that the eradication program may continue for several decades.
7. Regarding the Manteca Force Main / Pump Station project:
 - The project has essentially been on hold since the week before Christmas with delays partly due to weather and partly due to the contractor's failure to timely order the MHP metering manhole and to submit an application for the permit to operate the emergency generator to the Air Quality Management Board.
 - Several critical items remain incomplete or have issues including the pig receiving station has a significant leak, paving and striping cannot be completed due to low temperatures, electrical conductors need to be pulled through conduit and terminated at the loads they serve, the following key mechanical equipment remains uninstalled: Pumps, crane, odor control, MHP metering facilities.
 - It is unlikely any further work will be done until at least the middle of next week.
 - The District has very serious concerns that the work will not be completed by January 31, 2022 as required by the Time Schedule Order issued by the Regional Board.
 - Discussions with Manteca have started regarding steps needed to commission the facilities.

At 7:44 p.m., the Directors, along with Attorney Coty and Bert Michalczyk went into Closed Session.

7. CLOSED SESSION:

- a. Conference with Legal Counsel – Consider Initiation of Litigation – as authorized pursuant to Paragraph 4 of Subdivision (d) of Government Code Section 54956.9: (1 *Potential Case*)

A closed session was held, and the Board returned to Open Session at 8:04 p.m. There was no reportable action.

7. ADJOURN

The meeting was adjourned by President Oliver at 8:05 p.m. after wishing everyone Safe and Happy New Year.

The Agenda for this meeting was posted in a sign board in front of the Oakwood Shores Clubhouse, 1699 Bella Lago Way, Manteca, CA at least 72 hours preceding the meeting.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Jean L. Knight".

JEAN L. KNIGHT
District Secretary