

**OAKWOOD LAKE WATER DISTRICT**  
**REGULAR MEETING MINUTES OF JULY 26, 2022**  
**HELD REMOTELY VIA ZOOM**

A Regular Meeting of the Oakwood Lake Water District was held remotely, via Zoom, on Tuesday, July 26, 2022, at 7:00 p.m.

1. **CALL TO ORDER; ROLL CALL.** The meeting was brought to order at 7:02 p.m. by President Gene Oliver. Secretary Knight took roll call, and the following Directors and staff were remotely present:

Gene Oliver, President  
Steve Marino, Vice President  
Tim Smith, Director  
Nelson Bahler, Director  
Scott Anderson, Director  
Jean Knight, District Secretary  
Doug Coty, Legal Counsel  
Bert Michalczyk, District Engineer

Others Present Were:

Lynne Wichert, Valley Operators  
Casey Wichert, Valley Operators  
Sandeep Gill, Lakeview Shores, Inc.  
Harv Gill, Lakeview Shores, Inc.  
Gary Singe

Absent: None

2. **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 members of the public present.
  - b. Written correspondence received via District email – nothing received as of 5:30 p.m.
3. **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 June 28, 2022
  - b. Receive Financial Reports for June 2022
  - c. Receive Capital Projects Status Report for June 2022
  - d. Receive Fiscal Year Goals Status Report for June 2022
  - e. Receive Infrastructure Finance and Construction Agreement Status Report for June 2022

- f. Receive Time Schedule Order Status Report for June 2022
- g. Receive Manteca Wastewater Services Agreement Status Report for June 2022
- h. Reauthorize Remote Teleconference Meetings of the Legislative Bodies of the Oakwood Lake Water District for the Period from July 26, 2022 through August 26, 2022 Pursuant to Government Code section 54953(e) and approve Resolution 2022-11.
- i. Receive Quarterly Reports for Use of Spending Authority; Disposition, Acquisition or Refurbishment of Capital Assets; Administrative Adjustments to the Operating or Capital Budget and the Unplanned Replacement of Capital Assets
- j. Extend the Temporarily Suspension of Procurement Policy Requirement for Informal Solicitations for Purchases between \$10,000 and \$25,000 through December 31, 2022

Upon asking for a motion, it was requested that Consent Item 3.d. be taken separately. This will be presented after the remaining items are addressed,

It was moved/seconded (S. Anderson/S. Marino), roll call by Secretary Knight was responded to as follows: Gene Oliver; Aye; S. Marino; Aye; T. Smith; Aye; Nelson Bahler; Aye, S Anderson; Aye; and unanimously carried by the Board of Directors of the Oakwood Lake Water District that a. The Minutes for Regular Meeting of June 28, 2022, were approved, b. The Financial Reports for June 2022 were received; c. The Capital Projects Status Report for June 2022 was received; e. The Infrastructure Finance and Construction Agreement Status Report for June 2022 was received; f. The Time Schedule Order Status Report for June 2022 was accepted; g. The Manteca Wastewater Services Agreement Status Report for July 2022 was received; h. The Remote Teleconference Meetings of the Legislative Bodies of the Oakwood Lake Water District for the Period from July 26, 2022 through August 26, 2022 Pursuant to Government Code section 54953(e) and approve Resolution 2022-11 was reauthorized and approved; i. The Quarterly Reports for Use of Spending Authority; Disposition, Acquisition or Refurbishment of Capital Assets; Administrative Adjustments to the Operating or Capital Budget and the Unplanned Replacement of Capital Assets were received; and j. Extend the Temporarily Suspension of Procurement Policy Requirement for Informal Solicitations for Purchases between \$10,000 and \$25,000 through December 31, 2022 was approved to extend.

Item 3.d. Receive Fiscal Year Goals Status Report for June 2022. More details on this item (page 33 of the agenda materials) were asked for by the Board and Engineer Michalczyk reported that as of the middle of this month, Lafferty did pay the water and sewer part of the bill (which they have been doing albeit often late) so the actual delinquency is about \$7,000 less then presented in the staff report. Lafferty is now 5



months in arrears for payments that they are obligated to make under the Infrastructure Finance Agreement. The Directors expressed their collective frustrations with Lafferty. There was no further discussion. Therefore,

It was moved/seconded (S. Anderson/G. Oliver), roll call by Secretary Knight was responded to as follows: Gene Oliver; Aye; S. Marino; Aye; T. Smith; Aye; Nelson Bahler; Aye, S Anderson; Aye; and unanimously carried by the Board of Directors of the Oakwood Lake Water District that 3.d. The Fiscal Year Goals Status Report for June 2022 were received.

4. ACTION ITEMS:

- a. Approval of Planning Level Will Serve Letter for Potable Water, Wastewater and Storm Drainage Services for Proposed Commercial Development along Woodward Ave.

At this time, attorney Coty reported that Sandeep and Harv Gill were joining the meeting for the discussion of this item.

Engineer Michalczyk presented this agenda item and thanked the Gills for coming. He stated that Lakeview Shores Incorporated is the owner of the property which is between Well 3 and the Water Treatment Plant. The property is already zoned for commercial development. The property owners are submitting their application to the county. The project consists of 9,300 square feet in 2 separate buildings.

The proposed action at this meeting is the consideration of a planning letter will serve letter. This letter informs the County of San Joaquin that the District is willing and has the capability to serve (water, wastewater and storm drainage) to this property. There is currently no utility service provided. The will serve letter states the requirement that a Plan of Service be prepared by the District and paid for by the owner prior to issuance of a building permit. The Plan of Services will identify where connections are to be made to the District's existing infrastructure and will also identify capacity constraints, if any. It also provides the owner will pay for all services needed and they will be responsible for site facilities. For this project, Manteca will need to approve sewer service for the commercial development on this parcel. A blanket utility easement currently exists over the property which will require reduced to cover only the utilities which will be needed after the project is built.

Engineer Michalczyk then welcomed the owners to the meeting and asked if they wanted to make any comments. Sandeep and Harv Gill stated that they are the owners and have a couple of other partners. The Gills said they had been residents of Oakwood Shores since 2012 and said it the current subdivision is not very conveniently located for small purchases like bread and milk. In the proposed project there will be a market and they

may be selling pizza and maybe a nail salon. They said they thought it would be a beautiful project and upon asking, it was answered the location is right next to where the park ends so Oakwood Shores residents could walk from the Clubhouse and go to the café into the market. They also plan on having a coffee house and having it look similar to the Organic Neighborhood Market in Ripon.

Director Anderson asked about timelines and the Gills said they are going full force. Due to Covid, it's taken a long time to get to this point. If all goes well, within a year and a half it should be up and running. Asked what kind of restaurant they envision, they said they are still researching. They want something where a family can enjoy a meal together. Sandeep said she is the mother of 3 boys, and they would like it to have a family feeling. Their chief motivation is they have lived in the community for a long time and think this would be a nice thing for the residents of Oakwood Shores.

The Board thanked them for coming.

After a short discussion,

It was moved/seconded (G. Oliver/T. Smith), roll call by Secretary Knight was responded to as follows: Gene Oliver; Aye; S. Marino; Aye; T. Smith; Aye; Nelson Bahler; Aye, S Anderson; Aye; and unanimously carried by the Board of Directors of the Oakwood Lake Water District that the Planning Level Will Serve Letter for Potable Water, Wastewater and Storm Drainage Services for Proposed Commercial Development along Woodward Ave. be approved.

Engineer Michalczyk said the will serve letter will go out to the County of San Joaquin tomorrow, July 27, 2022, with Lakeview Shores Incorporated copied.

5. STAFF REPORTS:

- a. Director Reports – No Reports.
- b. Staff Reports (District Engineer, Legal Counsel)

District Engineer report:

- The District Engineer reminded the Board that in June a new rate schedule was adopted. As a result there will be a new format for the monthly bills which new format will first be used right after August 1.
- The District sent out a letter to those residents who are obligated to pay the Manteca capacity charge at the end of last week to give them the opportunity to pre-pay. They can do this from now until the end of September.



- A notice of the upcoming Board election will be shortly sent to all landowners in the District. Mr. Coty provided more information (see below).
- The catch basin replacement project was started this last week. One basin had catastrophically failed on Calesetta and will be the first one to be replaced. Director Oliver stated that he has observed that the contractor has started work.
- A report was given regarding the status of the RD17 slurry wall project on the levee and the issues that it has caused for the District (power supply to enable the District to continue to pump to Manteca when power lines are dropped across Walthall to allow the very tall drill rig to pass by).
- Recycled Water Storage Pond 1 currently has about 4.0 - 4.5 feet of water which is projected to be enough to maintain irrigation along Chiavari into September.
- The low lying Chiavari landscaping has gone into a dormant state and will not survive until next year. A landscape contractor has been retained to remove the dormant landscaping which work will commence shortly.
- The Notice of Completion for Pump Station Project was filed on July 7, 2022 with San Joaquin County. That filing triggers an opportunity for subcontractors, suppliers and workers to file claims against the project for non-payment.
- The one, very large customer delinquency was resolved last week when full payment of approximately \$12,000 was received on the day of the scheduled water shutoff to the property.

District Legal Counsel report:

- Mr. Coty discussed the process related to the upcoming election for the Board of Directors. Any incumbent desiring to run for their seat will need to make an appointment before they go to the Registrar of Voters to file the necessary paperwork. Incumbents must file by August 12, 2022.

At 7:37 p.m. the meeting was closed to the public for Closed Session item. Secretary Knight and Casey and Lynne Wichert left the meeting.

6. 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*)
- b. Conference with Legal Counsel – Significant Exposure to Litigation – as authorized pursuant to Paragraph 2 of Subdivision (d) of Government Code Section 54956.9: (*1 Potential Case*)
- c. Conference with Real Property Negotiator – as authorized pursuant to Government Code Section 54956.8: Property: *Pond 1 Property and Pond 2 Property as defined in Section 19(i)(ii)(1)(A) of the September 11, 2017 Infrastructure Finance and Construction Agreement between Oakwood LT Ventures II and the District (Portions of APN 241-520-010 and APN 241-510-05)*; Agency Negotiator: *District Engineer*; Negotiating Party:

*California Department of Housing and Community Development; Under Negotiation: Price and Terms of Payment*

- d. Conference with Real Property Negotiator – as authorized pursuant to Government Code Section 54956.8: Property: *Pond 1 Property and Pond 2 Property as defined in Section 19(i)(ii)(1)(A) of the September 11, 2017 Infrastructure Finance and Construction Agreement between Oakwood LT Ventures II and the District (Portions of APN 241-520-010 and APN 241-510-05)*; Agency Negotiator: *District Engineer*; Negotiating Party: *Oakwood LT Ventures II*; Under Negotiation: *Price and Terms of Payment*
- e. Conference with Real Property Negotiator – as authorized pursuant to Government Code Section 54956.8: Property: *Portions of APN 241-520-010 and APN 241-520-170*; Agency Negotiator: *District Engineer*; Negotiating Party: *Reclamation District 17*; Under Negotiation: *Price and Terms of Payment*


A closed session was held and the Board returned to Open Session at 8:19 p.m. There was no reportable action.

## 7. ADJOURN

The meeting was adjourned by President Oliver at 8:20 p.m.

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,



JEAN L. KNIGHT  
District Secretary