

**TRI-DAM PROJECT
MINUTES OF THE JOINT BOARD
OF DIRECTORS SPECIAL MEETING**

May 17, 2023
Oakdale, California

The Joint Boards of Directors of the Oakdale Irrigation District and the South San Joaquin Irrigation District met in joint session at the office of Oakdale Irrigation District in Oakdale, California, on the above date for the purpose of conducting business of the Tri-Dam Project, pursuant to the resolution adopted by each of the respective Districts on July 29, 1955.

President Orvis called the meeting to order at 9:00 a.m.

OID DIRECTORS

SSJID DIRECTORS

DIRECTORS PRESENT:

ED TOBIAS
BRAD DeBOER
TOM ORVIS
HERMAN DOORNENBAL
LINDA SANTOS

JOHN HOLBROOK
MIKE WESTSTEYN
GLENN SPYKSMA
DAVID ROOS
DAVID KAMPER

Also Present:

Summer Nicotero, General Manager, Tri-Dam Project; Scot A. Moody, General Manager, Oakdale Irrigation District; Peter Rietkerk, General Manager, South San Joaquin Irrigation District; Sharon Cisneros, Chief Financial Officer, Oakdale Irrigation District; Susan Larson, License Compliance Coordinator, Tri-Dam Project; Genna Modrell, Finance Asst., Tri-Dam Project; Vera Whittenburg, Finance Manager, Tri-Dam Project; Mia Brown, Counsel, SSJID; Tim O’Laughlin, Counsel; Scott Lewis, Provost & Pritchard; Kim Tarantino, Provost & Pritchard

PUBLIC COMMENT

No public comment.

President Orvis announced that item 12 has been removed from the action calendar.

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of April 20, 2023.

ITEM #2 Approve the April statement of obligations.

Director Spyksma moved to approve items one and two as presented. Director Doornenbal seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ACTION CALENDAR

ITEM #3 Discussion and possible action to authorize the General Manager to sign a Professional Services Agreement with Provost & Pritchard for Design, Engineering Services, Hydraulic Modeling and Technical Support Services (Phase 2 through 6) for Tulloch Spillway Road Project, including authorization of a budget amendment.

Scott Lewis, Provost & Pritchard, along with Susan Larson provided a presentation including the project history for new Directors, explained what types of testing will be conducted and Scott and Susan responded to Director questions.

Director Spyksma moved to approve phases 2 through 6 for \$351,500 and the budget amendment of \$172,165.29 as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #4 Discussion and possible action to authorize the Board Presidents and General Manager to sign the Notice of Completion for the Tulloch Day Use Project.

Susan Larson presented the Notice of Completion and advised that a temporary certificate of occupancy had already been issued.

Director Doornenbal moved to approve as presented and include the final certificate from the county. Director Weststeyn seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #5 Discussion and possible action to set the date for the ribbon cutting ceremony for the Tulloch Day Use Area.

Susan Larson suggested the ribbon cutting coincide with the Strawberry meeting date.

Director Kamper moved to hold the ribbon cutting concurrent with the Strawberry meeting and not to exceed \$750. Director Doornenbal seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #6 Discussion and possible action to designate the date of one Tri-Dam Project regular meeting in Strawberry.

President Orvis asked if there was a preference. After a brief discussion, Director Weststeyn moved to hold the Strawberry meeting on July 20, 2023. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #7 Discussion and possible action to adopt Resolution TDP 2023-04 Designation of Bank Signatories on the California Local Agency Investment Fund (LAIF) accounts.

Summer Nicotero presented Resolution TDP 2023-04 Designation of Bank Account Signatories on the LAIF Account adding Finance Manager Vera Whittenburg and removing General Managers Peter Rietkerk and Scot Moody.

TRI-DAM PROJECT
Oakdale Irrigation District
South San Joaquin Irrigation District

RESOLUTION NO. TDP 2023-04

AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

AGENCY ADDRESS: 31885 Old Strawberry Road AGENCY PHONE NUMBER: 209-965-3996
Strawberry, CA 95375

WHEREAS, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the joint Board of Directors hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the Tri-Dam Project;

NOW THEREFORE, BE IT RESOLVED, that the joint Board of Directors hereby authorizes the deposit and withdrawal of the Tri-Dam Projects monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows:

Section 1. The following Oakdale Irrigation District, and South San Joaquin Irrigation District officers holding the title(s) specified herein below **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transaction contemplated hereby:

Summer Nicotero

(NAME)
General Manager/Secretary
Tri-Dam Project

(TITLE)

(SIGNATURE)

Vera Whittenburg

(NAME)
Finance Manager
Tri-Dam Project

(TITLE)

(SIGNATURE)

Sonya Williams

(NAME)
Finance and Administration Manager
South San Joaquin Irrigation District

(TITLE)

(SIGNATURE)

Sharon Cisneros

(NAME)
Chief Financial Officer
Oakdale Irrigation District

(TITLE)

(SIGNATURE)

Section 2. This resolution shall remain in full force and effect until rescinded by the joint Board of Directors by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

Director Spyksma moved to approve as presented. Director Doornenbal seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #8 Discussion and possible action to approve the Microwave Networks Training courses.

Summer Nicotero reminded the Board it had previously approved the system support last month and advised this training will be conducted on site to reduce the cost and will also include cyber security. Staff will investigate if there is any other agencies nearby that would like to participate.

Director Santos moved to approve as presented. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #9 Discussion and possible action to approve replacing the forklift in Strawberry.

Summer Nicotero presented the new quotes for an electric forklift and included the prior gas quotes for cost comparison. Staff recommended purchasing the new JM forklift.

Director Kamper moved to approve as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #10 Discussion and possible action to approve the 2023 represented employee wage increase.

Summer Nicotero presented the IBEW represented employee wage schedule and increase effective for the full pay period that includes June 1, 2023.

Director DeBoer moved to approve as presented. Director Roos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #11 Discussion and possible action to authorize the addition of the Maintenance and Hydro Operations Supervisor Positions.

Summer Nicotero advised she would like to offer these positions internally to promote succession, while offering a six month rotation and training. The salary for these positions will be 10% over the highest paid person in the work group they would supervise, as previously recommended in salary surveys.

Hydro Operations Supervisor	\$68.29 per hour (Operations Lead \$62.08)
Maintenance Supervisor	\$72.23 per hour (Technician Lead \$65.66)

Director Spyksma moved to approve as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #12 Review and approve JRP documents and Declaratory Relief preparation.

This item was pulled from the action calendar.

COMMUNICATIONS

ITEM #13 Staff Reports:

- A. General Manager, Summer Nicotero
 - Summer Nicotero provided a brief summary of her report.
- B. Operations and Maintenance Manager, Summer Nicotero
 - Summer Nicotero did not have anything to add to her report.
- C. License Compliance Coordinator, Susan Larson
 - Susan Larson did not have anything to add to her report.

ITEM #14 Generation Report

No report.

ITEM #15 Fisheries Studies on the Lower Stanislaus River

No report.

ITEM #16 Directors Comments

The Directors commended Summer on a great job thus far and thanked staff for their efforts.

President Orvis recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:48 a.m.

The Tri-Dam Project meeting resumed at 10:52 a.m. after the Tri-Dam Power Authority meeting adjourned.

President Orvis announced before closed session that the following items would be discussed. The Board took a brief recess at 10:53 a.m. and convened to Closed Session at 11:06 a.m.

ITEM #17 Closed Session

17. a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(d)(1)
 1. *Lee Tyler et al. v. Oakdale Irrigation; et al.*
Calaveras Superior Court Case No. 17CV42319
 2. *Tri-Dam v. Scott Frazier*
Eastern District of California No: 1:20-CV-00408-SKO
 3. *San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board*
County of Sacramento Superior Court
Case No. JCCP 5013
- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation
Government Code § 54956.9(d)(2)
One (1) case
- c. PUBLIC EMPLOYMENT
Government Code sec. 54957(b)
 1. License Compliance Coordinator
- d. REAL PROPERTY NEGOTIATIONS
Government Code § 54956.8
Property: 043-110-026 and 043-110-032
Agency Negotiator: General Manager
Negotiating Parties: Billie Jean Tichenor Trust
Under Negotiation: Price and Terms

At the hour of 12:13 p.m., the Board reconvened to open session.

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1: There were no reportable actions taken in closed session.

ADJOURNMENT

President Orvis adjourned the meeting at 12:14 p.m.

The next regular board meeting is scheduled for June 15, 2023, at the offices of South San Joaquin Irrigation District beginning at 9:00 a.m.

ATTEST:

Summer Nicotero, Secretary
Tri-Dam Project