

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

August 20, 2020
Manteca, 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 South San Joaquin Irrigation District located in Manteca, 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 Kamper called the meeting to order at 9:00 a.m.

OID DIRECTORS

SSJID DIRECTORS

DIRECTORS PRESENT:

BRAD DeBOER
HERMAN DOORNENBAL
LINDA SANTOS

DAVE KAMPER
RALPH ROOS
JOHN HOLBROOK
MIKE WESTSTEYN
BOB HOLMES

DIRECTORS ABSENT:
GAIL ALTIERI, TOM ORVIS

Also, Present:

Jarom Zimmerman, General Manager, Tri-Dam Project; Brian Jaruszewski, Finance and Administrative Manager, Tri-Dam Project; Genna Modrell, Admin. and Finance Assistant, Tri-Dam Project; Susan Larson, Compliance Coordinator, Tri-Dam Project; Steve Knell, General Manager, OID; Mia Brown, Counsel, SSJID; Peter Rietkerk, General Manager, SSJID; Tim Wasiewski, Counsel

PUBLIC COMMENT

None.

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of July 16, 2020.

ITEM #2 Approve the special board meeting minutes of July 16, 2020.

ITEM #3 Approve July 2020 financial statements and statement of obligations.

Director Roos moved to approve the regular board meeting minutes after correcting a duplicate closed session ending time and moved to approve items 2 and 3 as presented. Director DeBoer seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None
ABSTAINING: None
ABSENT: Altieri, Orvis

ACTION CALENDAR

ITEM #4 Discussion and possible action regarding Variance Request 2020-02 from Shoreline Management Plan dock placement standard 40' from 510' contour elevation to 58.02' total, or 31.2' maximum from the lower deck area. Property is located within the Lake Tulloch Shores Subdivision at 193 Millie Court, Copperopolis, CA 95228. APN 098-016-001.

Susan Larson presented plans that would bring the dock as close to the shoreline as possible, abutting the lower deck area, reducing the size of the dock to 440 square feet plus two personal watercraft ports, and installing a boat lift within the slip area. Options for orientation of the dock in different directions have been evaluated, however, those would create conflicts with the neighboring docks, and thus the orientation as proposed is the preferred alternative.

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

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None

ABSTAINING: None

ABSENT: Altieri, Orvis

ITEM #5 Discussion and possible action to approve United States Geological Survey Streamgaging Agreement for FY2021.

GM Zimmerman presented the US Geological Survey Streamgaging agreement for operation and maintenance of reservoir level data for Donnells, Beardsley and Tulloch for FY 2021 including an amount not to exceed \$58,420.

Director Holbrook moved to approve the agreement as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None

ABSTAINING: None

ABSENT: Altieri, Orvis

ITEM #6 Discussion and possible action to award the contract for Timber Harvest Services to Leslie Heavy Haul, LLC in an amount not to exceed \$25,176.00, and authorize the General Manager to execute the agreement.

GM Zimmerman presented two of the three bids solicited including cost net of the proceeds from the sale of merchantable timber and recommended Leslie Heavy Haul, LLC with a bid of \$25,176.00.

Director Weststeyn moved to award as presented. Director DeBoer seconded the motion.

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None

ABSTAINING: None

ABSENT: Altieri, Orvis

ITEM #7 Discussion and possible action to award the contract for Cascade Creek Road Repair and Paving Project to Peterson Excavation, Inc. in an amount not to exceed \$33,886.00, and authorize the General Manager to execute the agreement.

GM Zimmerman presented the three bids received and explained this should be a cost sharing project with the US Forest Service per the road maintenance agreement. Jarom will continue working to secure a meeting with USFS on this matter.

Jarom recommended contracting with Peterson Excavation not to exceed \$33,886.00.

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

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None

ABSTAINING: None

ABSENT: Altieri, Orvis

ITEM #8 Discussion and possible action to approve upgrading the computerized load management system on the 1999 National Boom Truck mobile crane.

GM Zimmerman explained the current LMI circuit board is in need of repair. The parts are out of date and unavailable. Without the LMI system in operation, the crane will not function. Staff recommends purchasing the updated LMI and installation from Western Pacific Crane for \$14,013.33 plus tax as they are the closest National Brand dealer.

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

The motion passed by the following roll call vote:

AYES: DeBoer, Doornenbal, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)

NOES: None

ABSTAINING: None
ABSENT: Altieri, Orvis

DISCUSSION

ITEM #9 Staff Reports

In addition to the other written staff reports, GM Zimmerman responded to Director questions.

ITEM #10 Generation Report

No discussion.

ITEM #11 Fisheries Studies on the Lower Stanislaus River

GM Rietkerk is planning to present an updated budget in September.

ITEM #12 Directors Comments

No discussion.

Recess to Tri-Dam Power Authority

President Kamper recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 9:44 a.m.

The Tri-Dam Project meeting resumed at 9:45 a.m. after the Tri-Dam Power Authority meeting adjourned.

ITEM #13 Closed Session

President Kamper announced before closed session that the following items would be discussed:

- a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Potential Initiation of Litigation
Government Code § 54956.9(d)(4)
Two (2) cases

- b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(d)(1)

SJTA v. State Water Resources Control Board
Judicial Council Coordination Proceeding 5013

Genna Modrell, Susan Larson v. Oakdale Mutual Water Company LLC, South San Joaquin Irrigation District, Tri-Dam Project
(19-CIV-07604) San Mateo Superior Court

- c. *Tri-Dam et al. v. Linda Santos*
(CV-20-002349) Superior Court of Stanislaus County

The Board then convened in closed session at 9:47 a.m.

At the hour of 10:38 a.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 on Items 13(a) and (b). Item 13(c) the parties have entered into a Settlement Agreement, which is a public record and available upon request.

ADJOURNMENT

President Kamper adjourned the meeting at 10:39 a.m.

The next regular board meeting is scheduled for September 17, 2020, at the offices of Oakdale Irrigation District, Oakdale, California beginning at 9:00 a.m.

ATTEST:

Jarom Zimmerman
Secretary, Tri-Dam Project