

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

June 18, 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:

TOM ORVIS
HERMAN DOORNENBAL
GAIL ALTIERI
BRAD DeBOER
LINDA SANTOS

DAVE KAMPER
RALPH ROOS
JOHN HOLBROOK
MIKE WESTSTEYN
BOB HOLMES

DIRECTORS ABSENT:

Also, Present:

Jarom Zimmerman, General Manager, Tri-Dam Project; Genna Modrell, Finance Assistant, Tri-Dam Project; Susan Larson, License Compliance, Tri-Dam Project; Mia Brown, Counsel, SSJID; Steve Knell, General Manager, OID

PUBLIC COMMENT

None.

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of May 21, 2020.

ITEM #2 Approve May 2020 financial statements and statement of obligations.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ACTION CALENDAR

ITEM #3 Discussion and possible action regarding Variance Request 2020-01 seeking a variance from the Shoreline Management Plan dock placement standard of 40' from 510' contour elevation to 82' total, or 26' maximum from the lower deck area. Property is located within Lake Tulloch Shores at 446 Thomson Lane, Copperopolis, CA 95228. APN: 064-033-009.

Director Kamper recused himself from this item due to a business lease interest. Director Holmes presided over the meeting in his absence.

Susan Larson presented an overview of the variance request, and the legal parameters governing variances. Discussion and questions from Board members regarding the existence of a hardship, and whether or not the threshold for granting of a variance had been met. Ms. Larson provided an overview of all the options that had been evaluated by the applicant, and how the dock had been reduced in size and relocated such that it floats immediately adjacent to the lower deck. The dock as proposed by the applicants has been reduced in size, moved closer to the shoreline such that it also ensures access to not only the subject property but improves navigability within the cove.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: Kamper (SSJID)

ABSENT: None

ITEM #4 Discussion and possible award of contract for the Beardsley A-bay Phase II maintenance repair project, authorizing the General Manager to sign the contract, and associated documents, including change orders, if deemed necessary.

Susan Larson advised that two bids had been received from 1) Sierra Mountain Construction Inc. and 2) KW Emerson in accordance with established deadlines and both bids were very close to the Engineer's Construction Estimate. The estimate is in line with the 2020 budget amount.

Staff recommended award of contract for the Beardsley A-Bay maintenance repair project (Phase II) to Sierra Mountain Construction Inc., and that General Manager, Jarom Zimmerman be authorized to sign the contract, and associated documents including any required change orders.

Director DeBoer moved to award the project to Sierra Mountain Construction, Inc. and authorize GM Zimmerman to sign the contract and associated documents including any necessary change orders. Director Holbrook seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #5 Discussion and possible action regarding Condor's proposal to provide construction management, inspection and post construction services for the Beardsley A-bay Phase II maintenance project, authorizing the General Manager to sign the Professional Services Agreement.

Susan Larson presented the proposal from Condor Earth for construction management, inspection and post construction services related to Phase II of the Beardsley A-Bay maintenance repair project, and requested authorization of General Manager, Jarom Zimmerman to sign the professional services agreement. The proposal is in line with the 2020 budget amount.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #6 Discussion and possible action to approve the Dept. of Water Resources Annual Dam Fees.

Jarom Zimmerman presented the invoice and advised this is an annual required fee to the Department of Water Resources to maintain the Division of Safety of Dams (DSOD).

Director Orvis moved to approve as presented. Director Holmes seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #7 Discussion and possible action to approve combining the Operations Supervisor and the Maintenance Supervisor Position into one position – the Operations and Maintenance Manager – including discussion and possible approval of corresponding wage scale.

Jarom Zimmerman presented the possibility of combining the Operations and Maintenance Supervisor positions explaining this will be a management role with 80% office and 20% field work. This position would combine and assume the Maintenance responsibilities when the Maintenance Supervisor retires in December 2020.

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

The motion passed by the following roll call vote:

AYES: Altieri, DeBoer, Doornenbal, Orvis, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)
NOES: None
ABSTAINING: None
ABSENT: None

ITEM #8 Discussion and possible action to approve unrepresented wage schedule as a result of the most recent salary survey.

Jarom Zimmerman presented the proposed wage schedule and explained that the median minimum salary of all comparators was used to establish our lowest step on the wage schedule and the median maximum salary was used to establish our top step on the wage schedule, and noted that Tri-Dam non-represented employee salaries were very comparable to the neighboring agencies that were used as comparators. There were so many inconsistencies in benefits that ultimately the base wage alone was used for a better comparison, rather than Koff & Associates' recommendation to use total compensation. Jarom recommended leaving each position at their current wage if their corresponding salary range was lower but they will still receive any future CPI salary schedule increases.

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

The motion passed by the following roll call vote:

AYES: Altieri, DeBoer, Doornenbal, Orvis, Santos (OID); Holbrook, Holmes, Kamper, Roos, Weststeyn (SSJID)
NOES: None
ABSTAINING: None
ABSENT: None

DISCUSSION

ITEM #9 Stanislaus River Basin Plan

Steve Knell provided an update regarding a recent meeting and the modeling that needs to be conducted.

ITEM #10 Staff Reports

In addition to the other written staff reports, GM Zimmerman complimented Rick Dodge on his dedication and contributions to Tri-Dam, and announced Brian Jaruszewski will be the new Finance and Administrative Manager starting July 6, 2020. The Request for Proposal regarding the recreation site at Tulloch has been sent to nine firms and the Owners Dam Safety Program Audit and corrective actions have been completed.

ITEM #11 Generation Report

Jarom Zimmerman updated the Board on the plan to lower the reservoir level at Beardsley so we can generate at Donnells during the A-bay repair.

ITEM #12 Fisheries Studies on the Lower Stanislaus River

Steve Knell advised we have the longest operating screw trap in the state and asked if we should continue with the rotary screw tap when Caswell is not monitoring at the same time.

ITEM #13 Directors Comments

None.

Recess to Tri-Dam Power Authority

President Kamper recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:19 a.m.

The Tri-Dam Project meeting resumed at 10:21 a.m. after the Tri-Dam Power Authority meeting adjourned.

ITEM #18 Closed Session

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

- a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Potential Litigation
Government Code § 54956.9(d)(2)
One (1) case

- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Possible Initiation of Litigation
Government Code § 54956.9(d)(4)
One (1) case

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

Tri-Dam v. Scott Frazier
Eastern District of California Case No. 1:20-cv-00408-NONE-SKO

Tri-Dam v. The Lakes
Eastern District of California Case No. 19-cv-01536-DAD-EPG

Tri-Dam v. Preeshl
Eastern District of California Case No. 1:20-cv-00571

California Natural Resources Agency, et al. v. Ross, et al.
Eastern District of California Case No. 1:20-cv-426-DAD-EPG

Pacific Coast Federation of Fisherman’s Association, et al. v. Ross, et al.
Eastern District of California Case No. 1:20-cv-431-DAD-EPG

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

PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
Government Code Section 54957(b)(1)
Position: General Manager

The Board then convened in closed session at 10:30 a.m.

At the hour of 12:28 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 Kamper adjourned the meeting at 12:28 p.m.

The next regular board meeting is scheduled for July 16, 2020, at the offices of Tri-Dam Project, Strawberry, California beginning at 9:00 a.m.

ATTEST:

Jarom Zimmerman
Secretary, Tri-Dam Project