

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

April 21, 2022
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 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 Holmes called the meeting to order at 9:00 a.m.

OID DIRECTORS

SSJID DIRECTORS

DIRECTORS PRESENT:

TOM ORVIS
ED TOBIAS
LINDA SANTOS
BRAD DeBOER
HERMAN DOORNENBAL

BOB HOLMES
GLENN SPYKSMA
MIKE WESTSTEYN
DAVE KAMPER
JOHN HOLBROOK

DIRECTORS ABSENT:

Also, Present:

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

PUBLIC COMMENT

Gail Altieri indicated that she is pleased to be here and wished everyone a beautiful day.

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of March 17, 2022.

Director Santos moved to approve the consent calendar. Director Holbrook seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

2. The Board of Directors ("Board") of the Tri-Dam Project ("TDP") finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency; and
 - b. State or local officials have imposed or recommended measures to promote social distancing.
3. TDP staff is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
4. That this Resolution shall take effect immediately and shall remain in effect for thirty (30) days thereafter, provided the conditions set forth in Section 2 remain.

ITEM #3 Discussion and possible action to approve 1st quarter 2022 financial statements and March 2022 statement of obligations.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #4 Discussion and affirm the internal policy guidance provisions to "grandfathering" of otherwise permitted facilities on Tulloch Reservoir.

Susan Larson presented the Shoreline Management Plan (SMP), Internal Guidance Memorandum – Grandfathered Facilities, Section 4.1.4 and advised that Staff has consistently implemented the SMP in accordance with FERC directives. The proposed Internal Guidance Memorandum will implement the SMP, but not alter the SMP in any manner. Mia Brown suggested adding the following language after the first sentence under item b: "Such permit for accessory facilities shall not constitute a new dock permit or disturb a dock's otherwise 'grandfathered' status."

Director Kamper moved to reaffirm with the added language. Director DeBoer seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #5 Discussion and possible action to approve the Division of Safety of Dams (DSOD) annual dam fee for Fiscal Year 2022/2023.

Jarom Zimmerman presented the annual dam fee invoice and noted that fees have returned to pre-Covid levels, with inflationary adjustments.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #6 Discussion and possible action to approve the annual headwater benefits.

Jarom Zimmerman presented the annual headwater benefit invoice, and responded to Director questions.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #7 Discussion and possible action to approve refurbishment of the Pressure Relief Valve at Beardsley.

Jarom Zimmerman presented the funding recommendation to refurbish the pressure relief valve at Beardsley, and responded to Director questions. It is anticipated that the repair will be made during annual maintenance in October and November of 2022.

Director Holbrook moved to approve award of the contract Unico Mechanical for \$647,630 plus tax. Director Orvis seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #8 Discuss COVID-19 related protocol for future Tri-Dam meetings.

Mia Brown asked the Board to consider COVID-19 meeting protocols and if they wish to make any changes for future meetings.

COMMUNICATIONS

ITEM #9 Staff Reports

Jarom Zimmerman presented the staff reports and responded to Director questions. Susan Larson advised that the Tulloch Recreation Site will likely not be completed by the deadline.

ITEM #10 Generation Report

No discussion.

ITEM #11 Fisheries Studies on the Lower Stanislaus River

No discussion.

ITEM #12 Directors Comments

The Directors thanked Jarom, Brian, Susan, Genna, and staff for another great board packet. Director Weststeyn requested the Strawberry meeting date selection be placed on the May agenda.

Director Orvis thanked everyone for attending the Ag Scholarship Luncheon last month.

Recess to Tri-Dam Power Authority

President Holmes recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:31 a.m.

The Tri-Dam Project meeting resumed at 10:41 a.m. after the Tri-Dam Power Authority meeting adjourned.

Director Orvis announced that Steve Knell will be retiring at the end of May and his successor will be Scott Moody from Stockton East Water District.

President Holmes announced before closed session that the following items would be discussed. The Board took a brief recess at 10:42 a.m. and convened to Closed Session at 10:50 a.m.

ITEM #13 Closed Session

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(d)(1)
 1. *Tri-Dam v. Scott Frazier*
Eastern District of California No: 1:20-cv-00408-SKO
 2. *Tri-Dam v. MWH Americas, Inc., et al.*
Tuolumne County Superior Court, Case No. CV61638
 3. *SJTA v. State Water Resources Control Board*

Judicial Council Coordination Proceeding 5013

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

- c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation
Government Code § 54956.9(d)(2)
Two (2) cases

- d. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code § 54956.8
Negotiating Parties: Oakdale Irrigation District, South San Joaquin Irrigation District, and San Joaquin Tributaries Authority and Stockton East Water District
Property: Water
Agency Negotiators: OID & SSJID General Manager and Water Counsel
Under Negotiations: Price and Terms of payment of sale

At the hour of 12:15 p.m., the Board reconvened to open session.

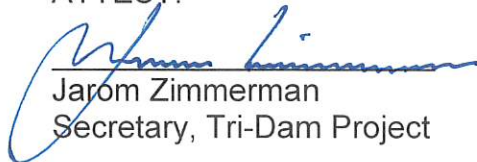
Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1: There were no reportable actions taken in closed session.

ADJOURNMENT

President Holmes adjourned the meeting at 12:15 p.m.

The next regular board meeting is scheduled for May 19, 2022, at the offices of Oakdale Irrigation District, Oakdale, California beginning at 9:00 a.m.

ATTEST:


Jarom Zimmerman
Secretary, Tri-Dam Project