

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

March 21, 2024  
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 9:02 a.m.

**OID DIRECTORS**

**SSJID DIRECTORS**

***DIRECTORS PRESENT:***

ED TOBIAS  
TOM ORVIS  
HERMAN DOORNENBAL  
LINDA SANTOS

DAVID ROOS  
DAVE KAMPER  
GLENN SPYKSMA  
MIKE WESTSTEYN

***DIRECTORS ABSENT:***

BRAD DEBOER

JOHN HOLBROOK

**Also Present:**

Summer Nicotero, General Manager, Tri-Dam Project; Genna Modrell, Finance Asst., Tri-Dam Project; Justin Calbert, Compliance Coordinator, Tri-Dam Project; Scot Moody, General Manager, OID; Sharon Cisneros, Chief Financial Officer, OID; Peter Rietkerk, General Manager, SSJID; Mia Brown, Counsel, SSJID; Tim O'Laughlin, Counsel; Tim Wasiewski, Paris Kincaid Wasiewski, Counsel; Scott Lewis and Kim Tarantino, Provost & Pritchard; John Cloward

**PUBLIC COMMENT**

A member of the public addressed the Azolla (Mosquito Fern) growth below Tulloch dam.

**CONSENT CALENDAR**

**ITEM #1    Approve the regular board meeting minutes of February 15, 2024.**

**ITEM #2    Approve the February statement of obligations.**

**ITEM #3    Approve 2024 Annual FERC Land Use Fees.**

Director Weststeyn noted to correct the motion in the minutes as he did not make the motion to approve on item #3 Adoption of Resolution TDP 2024-02 Semi-Annual Distribution.

Director Spyksma moved to approve item 1 with the noted correction and items two and three as presented. Director Tobias seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer, Holbrook

## **ACTION CALENDAR**

*Summer Nicotero requested to take item #11 after item #4.*

### **ITEM #4 Discuss and consider approval of insurance renewal – presentation by Alliant.**

Aidan Heisey and Cindy Fee, Alliant Insurance Services, presented the JPRIMA casualty insurance renewal and explained the changes from the prior year policy and the 17.87% blended premium increase and responded to Directors questions.

Director Spyksma moved to authorize the General Manager to execute the new policy not to exceed \$305,000. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer, Holbrook

### **ITEM #11 Discuss and consider approval of Tulloch Spillway Road, Option 1 – Provost & Pritchard Presentation.**

Scott Lewis, Provost & Pritchard, presented the results and recommendations of the hydraulic modeling findings conducted in 2023. There was a lengthy discussion concerning options 1 and 2. Summer Nicotero expressed the importance of having regular access to the third generating unit as well as emergency repair access. Staff will need to provide a FERC submittal for approval.

Director Santos moved to approve option 1 – replacement of the concrete spillway road as presented. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

AYES: Doornenbal, Orvis, Santos, Kamper, Roos, Spyksma

NOES: Tobias, Weststeyn

ABSTAINING: None

ABSENT: DeBoer, Holbrook

*The Board took a brief recess at 10:40 a.m. and convened at 10:53 a.m.*

### **ITEM #5 Discuss and consider approval regarding Tulloch Encroachment Permit Application #2023-33, Variance Request for the Shoreline Management Plan for a private facility to extend beyond the 40 ft. maximum distance from the 510' elevation contour. Property is located within the Peninsula Estates Subdivision at 39 Sanguinetti Ct., Copperopolis, CA 95228, APN 061-055-002.**

John Cloward presented a revised plan and responded to Director questions.

Director Doornenbal moved to approve the requested variance allowing the outermost portion of the SW finger to extend 48' from the 510' elevation contour, and the SE finger to extend 44' from the 510' elevation contour. Director Roos seconded the motion.

The motion passed by the following roll call vote:

AYES: Doornenbal, Orvis, Santos, Kamper, Roos, Spyksma, Weststeyn

NOES: Tobias

ABSTAINING: None

ABSENT: DeBoer, Holbrook

**ITEM #6 Discuss and consider adoption of Resolution TDP 2024-03 Authorization for Maintenance of Deposit Accounts.**

Director Kamper moved to approve Resolution TDP 2024-03 as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer, Holbrook

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

RESOLUTION NO. TDP 2024-03

DESIGNATION OF BANK ACCOUNTS AND SIGNATORIES

WHEREAS, the Joint Board of Directors of said Tri-Dam Project desires that specific persons be authorized to deposit funds in and withdraw funds from said accounts, with the full power to endorse and sign documents required to accomplish such purposes.

NOW THEREFORE, BE IT RESOLVED, that the specific accounts referred to and the persons designated to sign on each of said accounts together with their respective official titles, are as follows:

BANK: Oak Valley Community Bank (All accounts)  
US Bank (All accounts)

CHECK SIGNATORIES:

Summer Nicotero, General Manager, Tri-Dam Project  
Peter M. Rietkerk, General Manager, South San Joaquin Irrigation District  
Scot A. Moody, General Manager, Oakdale Irrigation District  
Sharon Cisneros, Chief Financial Officer, Oakdale Irrigation District  
Sonya Williams, Finance and Administration Manager, South San Joaquin Irrigation District

BE IT FURTHER RESOLVED, that two signatures from the "CHECK SIGNATORIES" listed above are required on checks.

PASSED AND ADOPTED, this 21st day of March 2024 by the following vote.

**ITEM #7 Discuss and consider approval to reclassify the Administrative and Finance Assistant position to the Executive Assistant / Clerk of the Board.**

Summer explained with the implementation of a CPA firm handling much of the finance and payroll functions, it is necessary to reassign work within the office to better balance the workload and better support the General Manager.

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

The motion passed by the following roll call vote:

AYES: Doornenbal, Orvis, Santos, Tobias, Kamper, Roos, Spyksma, Weststeyn  
NOES: None  
ABSTAINING: None  
ABSENT: DeBoer, Holbrook

**ITEM #8 Discuss and consider approval of Microwave Network Inc. proposal to confirm radio path feasibility and secure licensed frequencies with the Federal Communications Commission.**

Summer Nicotero presented the MNI proposal as a sole source, as they are the equipment manufacturer for all previously upgraded links, advised the plan to update the remaining microwave equipment this year and move from analog to digital. The proposal also includes necessary work to be completed at the new headquarters in Sonora.

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

The motion passed by the following roll call vote:

AYES: Doornenbal, Orvis, Santos, Tobias, Kamper, Roos, Spyksma, Weststeyn  
NOES: None  
ABSTAINING: None  
ABSENT: DeBoer, Holbrook

**ITEM #9 Discuss and consider approval of agreement for legal services with Day, Carter, Murphy, LLP.**

Summer Nicotero advised that Tri-Dam has encountered several issues related to our electric interconnection and related agreements. Staff plans to leverage their expertise and experience.

Director Spyksma moved to authorize the General Manager to accept the proposal as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

AYES: Doornenbal, Orvis, Santos, Tobias, Kamper, Roos, Spyksma, Weststeyn  
NOES: None  
ABSTAINING: None  
ABSENT: DeBoer, Holbrook

**ITEM #10 Discuss and consider approval to purchase two (2) Operator Trucks.**

Summer Nicotero presented the proposals and explained staff had explored many different dealers and availability on the lots and responded to Director questions.

Director Santos moved to approve the purchase of two operator trucks as presented. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

AYES: Orvis, Santos, Tobias, Kamper, Roos, Spyksma, Weststeyn  
NOES: Doornenbal  
ABSTAINING: None  
ABSENT: DeBoer, Holbrook

**ITEM #12 Discuss and consider approval of Sonora Office Design.**

Summer Nicotero presented the draft design plan for the new Sonora office which included the concept requested for a separate space in the front of the building, but Summer did express the need for a conference room not currently shown in the draft.

Director Spyksma moved to approve the design plan as presented and to include a closer look at air conditioning, conference/break room, and a temporary wall. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer, Holbrook

## **COMMUNICATIONS**

### **ITEM #13 Staff Reports:**

A. General Manager, Summer Nicotero

- Summer added to her written report that we received a request from US Bureau of Reclamation to lower the water levels at Tulloch to enable them to make an emergency repair.

B. Operations Report, Brett Gordon

- No discussion.

C. Maintenance Report, Daniel Hogue

- No discussion.

D. Compliance Report, Justin Calbert

- No discussion.

### **ITEM #14 Generation Report**

No discussion.

### **ITEM #15 Fisheries Studies on the Lower Stanislaus River**

No discussion.

### **ITEM #16 Directors Comments**

Director Weststeyn mentioned he attended the TuCARE dinner and enjoyed the evening.

Director Santos mentioned she attended the TuCARE and enjoyed the evening and the amount of local support, irrigation is at minimal use, and looking forward to a good year.

Director Tobias stated he's looking forward to the weather coming and good snow pack.

Director Doornenbal states the USFS refuses to manage the forest which equals higher fire risk and higher rates.

Director Orvis – Senator Alvarado-Gil has a bill on wildfire prevention and thanked staff for their efforts.

*President Orvis recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 11:57 a.m.*

*The Tri-Dam Project meeting resumed at 12:00 p.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 12:03 p.m. and convened to Closed Session at 12:10 p.m.

### **ITEM #17 Closed Session**

11. 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. *Vera Whittenburg v. Tri-Dam Project, Oakdale Irrigation District, South San Joaquin Irrigation District*  
County of San Joaquin Superior Court  
Case No. STK-CV-UWT-2023-0013574
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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code §54656.8  
Property: Canyon Tunnel  
Agency Negotiator: SSJID General Manager  
Negotiating Parties: Mangante, Rancheria Del Rio Estanislus, LLC  
Under Negotiation: Price and Terms of Payment of Sale

d. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Section § 54957.6  
Agency Negotiator: General Manager  
Employee Organization: IBEW 1245

At the hour of 1:31 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 1:32 p.m.

The next regular board meeting is scheduled for April 18, 2024, at the offices of South San Joaquin Irrigation District beginning at 9:00 a.m.

ATTEST:

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Summer Nicotero, Secretary  
Tri-Dam Project