

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

August 25, 2022  
Strawberry, 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 Tri-Dam Project in Strawberry, 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 9:05 a.m.

***DIRECTORS PRESENT:***

**OID DIRECTORS**

BRAD DeBOER  
HERMAN DOORNENBAL  
ED TOBIAS

**SSJID DIRECTORS**

BOB HOLMES  
GLENN SPYKSMA  
MIKE WESTSTEYN

***Also Present:***

Jeff Shields, Interim General Manager, Tri-Dam Project; Scot A. Moody, General Manager, OID; Peter Rietkerk, General Manager, SSJID; Sharon Cisneros, Chief Financial Officer, OID; Sonya Williams, Finance and Administration Manager, SSJID; Mia Brown, General Counsel, SSJID; Susan Larson, License Compliance Coordinator, Tri-Dam Project; Chris Tuggle, Operations and Maintenance Manager, Tri-Dam Project.

***PUBLIC COMMENT***

None.

***CONSENT CALENDAR***

**ITEM #1 Approve the regular board meeting minutes of July 21, 2022.**

**ITEM #2 Approve adoption of Resolution TDP 2022-12 to implement teleconferencing requirements during a proclaimed state of emergency.**

TRI-DAM PROJECT RESOLUTION No. TDP 2022-12  
RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS  
DURING A PROCLAIMED STATE OF EMERGENCY

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the Board of Directors of the Tri-Dam Project hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
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.

Director Doornenbal noted that a correction was need in the July 21, 2022 minutes. Director DeBoer arrived at 9:19, not Director Doornenbal.

Director DeBoer moved to approve the consent calendar with the noted correction. Director Spyksma seconded the motion.

The motion passes by the following roll call vote:

AYES: Holmes, Spyksma, Weststeyn, DeBoer, Doornenbal, Tobias

NOES: None

ABSTAINING: None

ABSENT: Holbrook, Kamper, Orvis, Santos

### ***ACTION CALENDAR***

#### **ITEM #3 Review and Take Possible Action to Adopt Resolution TDP 2022-13 for Designation of Bank Account Signatories on the Oak Valley Community Bank and the US Bank accounts.**

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

The motion passes by the following roll call vote:

AYES: Holmes, Spyksma, Weststeyn, DeBoer, Doornenbal, Tobias

NOES: None

ABSTAINING: None

ABSENT: Holbrook, Kamper, Orvis, Santos

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

RESOLUTION NO. TDP 2022-13

### **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:

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  
Jeffrey K. Shields, Interim General Manager, Tri-Dam Project

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

**ITEM #4 Review and Take Possible Action to Adopt Resolution TDP 2022-14 for Designation of Bank Account Signatories on the California Local Agency Investment Fund (LAIF) accounts.**

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

The motion passes by the following roll call vote:

AYES: Holmes, Spyksma, Weststeyn, DeBoer, Doornenbal, Tobias

NOES: None

ABSTAINING: None

ABSENT: Holbrook, Kamper, Orvis, Santos

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

RESOLUTION NO. TDP 2022-14

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.

**ITEM #5 Review and Take Possible Action to Approve 2022 Annual FERC Administrative Fees.**

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

The motion passes by the following roll call vote:

AYES: Holmes, Spyksma, Weststeyn, DeBoer, Doornenbal, Tobias

NOES: None

ABSTAINING: None

ABSENT: Holbrook, Kamper, Orvis, Santos

**ITEM #6 Discussion and update on the Status of the 2021 Audited Financial Report and other Finance Activities.**

Jeff Shields gave an update on the current situation. He stated that staff has been very helpful. The 2021 Audited Financial Report has been finalized and will be presented to the Board by the auditors at a later date. Sharon Cisneros stated that the Financial Statements would be presented at the next meeting.

## **COMMUNICATIONS**

### **ITEM #7 Staff Reports**

#### A. Interim General Manager, Jeff Shields

- Mr. Shields stated that Tri-Dam staff has reached a safety milestone. As of August 9, 2022, they have reached 1,000 consecutive days without a lost time injury.
- Mr. Shields recently had a conference call with the Z Global representatives regarding their services related to power marketing for the expiring SVP Power Purchase Agreement.
- He is redrafting the Finance and Administration job description.
- He is currently reviewing security and safety issues concerning the Tri-Dam facilities.
- Mr. Shields discussed PG&E's request to release more water in September.

#### b. Operations and Maintenance Manager, Chris Tuggle

- Mr. Tuggle stated that they recently had trespassers at Tulloch Dam.
- Recently had an inspection of the Beardsley Tunnel.
- Mr. Tuggle recently attended the monthly operations coordination meeting with PG&E.
- Mr. Tuggle gave an update on the current and future maintenance projects. He stated that he would be bringing several projects to the Board for approval.
- A relieve valve at Beardsley was inoperable and, thanks to the Tri-Dam staff, it has been repaired.

#### c. License Compliance Coordinator, Susan Larson

- Day use site is close to being done and the security is functional.
- Road that was damaged from floods is being rebuilt. Provost & Pritchard are preparing a design that is wider and decreases the steepness.
- Ms. Larson stated that they are moving forward with proposals for the Tulloch spillway road.

### **ITEM #8 GENERATION REPORT**

No Discussion

### **ITEM #9 FISHERIES STUDIES ON LOWER STANISLAUS RIVER**

No Discussion

### **ITEM #10 DIRECTOR'S COMMENTS**

Director Tobias thanked the staff and appreciates them keeping things moving. All Directors also thanked them.

## **Recess to Tri-Dam Power Authority**

Director Doornenbal recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:09 a.m.

The Tri-Dam Project meeting resumed at 10:12 a.m. after the Tri-Dam Power Authority meeting adjourned.

Director Holmes announced before closed session that the following items would be discussed.

### **ITEM #11 CLOSED SESSION**

11. a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Government Code § 54956.9(d)(1)
  1. *Tri-Dam v. MWH Americas, Inc., et al.*  
Tuolumne County Superior Court, Case No. CV61638
  2. *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. PUBLIC EMPLOYMENT Government Code sec. 54957(b)
  1. General Manager
  2. Finance & Administrative Manager

At the hour of 12:21 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**

Director Holmes adjourned the meeting at 12:21 p.m.

The next regular board meeting is scheduled for September 15, 2022, at the offices of Oakdale Irrigation District beginning at 9:00 a.m.

ATTEST

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Jeff Shields  
Interim Secretary  
Tri-Dam Project