

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

August 17, 2023
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 Weststeyn called the meeting to order at 9:00 a.m.

OID DIRECTORS

SSJID DIRECTORS

DIRECTORS PRESENT:

ED TOBIAS
LINDA SANTOS
TOM ORVIS
BRAD DEBOER
HERMAN DOORNENBAL

GLENN SPYKSMA
MIKE WESTSTEYN
DAVID KAMPER
DAVID ROOS

Also Present:

Summer Nicotero, General Manager, Tri-Dam Project; Scot A. Moody, General Manager, Oakdale Irrigation District; Sharon Cisneros, Chief Financial Officer, Oakdale Irrigation District; Genna Modrell, Finance Asst., Tri-Dam Project; Daniel Hogue, Interim Maintenance Supervisor, Tri-Dam Project; Brett Gordon, Interim Operations Supervisor, Tri-Dam Project; Justin Calbert, License Compliance, Tri-Dam Project; Mia Brown, Counsel, SSJID; Brandon Nakagawa, Water Resources Coordinator, SSJID; Sonya Williams, Finance & Admin. Manager, SSJID

PUBLIC COMMENT

No public comment.

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of July 20, 2023.

ITEM #2 Approve the July statement of obligations.

Director Tobias moved to approve items one and two as presented. Director Roos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Holbrook

ACTION CALENDAR

ITEM #3 Discussion and possible action regarding District Distribution and Maintenance Fund transfer pursuant Tri-Dam Project Resolution #2013-01.

TRI-DAM PROJECT
RESOLUTION NO. TDP 2023-08
RESOLUTION AUTHORIZING SEMI-ANNUAL
FUND DISTRIBUTIONS

BE IT RESOLVED, that the Board of Directors of the Oakdale Irrigation District and the South San Joaquin Irrigation District (“Joint Boards” and “Districts”) meeting as the Joint Boards of Directors of the Tri-Dam Project (Project) adopt this Resolution.

WHEREAS, the Joint Boards have adopted Tri-Dam Project Resolution 2022-04, dated February 17, 2022 rescinding and superseding all previous resolutions and,

WHEREAS, the Joint Boards have received and reviewed written information pertaining to the amount of current financial reserves of Tri-Dam Project and,

WHEREAS, the Joint Boards finds that the requirements of Resolution 2022-04 have been met and,

WHEREAS, the Joint Boards finds that funds are being held by Tri-Dam Project that are in excess of the Project’s current and near-term business needs and,

WHEREAS, the Joint Boards finds that such excess funds may be more beneficially applied to District needs and requirements.

NOW THEREFORE, the Joint Boards of Directors 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. Determines that funds in the total amount of \$15,980,000 are available for distribution to the Districts;
3. Directs that such distribution shall be made no later than August 31, 2023.
4. Directs the Tri-Dam Project General Manager and Interim Finance Manager to make such distribution, one-half (\$7,990,000) to each District, in a time and manner as is reasonably practical pursuant to the terms of this Resolution.

PASSED AND ADOPTED by the Joint Board of Directors of the OAKDALE IRRIGATION DISTRICT and of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT for the TRI-DAM PROJECT this 17th day of August, 2023, by the following vote:

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Holbrook

ITEM #4 Discussion and possible action to approve the United States Geological Survey (USGS) Streamgaging agreement for fiscal year 2023.

Summer Nicotero presented the US Geological Survey Streamgaging agreement for operation and maintenance of reservoir level data for Donnells, Beardsley and Tulloch for FY 2024 including an amount not to exceed \$60,470.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Holbrook

ITEM #5 Discussion and possible action to approve 2023 Annual FERC Administrative Fees.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Holbrook

ITEM #6 Discussion and possible action to authorize the General Manager to execute Professional Services Agreement with Land and Structure to prepare documents for Sonora office remodel.

Summer Nicotero reminded the Board that phase 1 was previously approved. Phases 2 and 3 will have additional work that will be required to prepare for public bid. Director DeBoer suggested designing the front half so that it could be leased out while Director Tobias suggested maintaining plenty of space for future growth. Finally, Director Weststeyn suggested putting together a design committee.

Director Santos moved to approve as presented including a capital budget amendment not to exceed \$125,000. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Holbrook

COMMUNICATIONS

ITEM #7 Staff Reports:

A. General Manager, Summer Nicotero

- Summer Nicotero added an update regarding recent FERC site inspections with only one notation.

B. Interim Maintenance Supervisor, Daniel Hogue

- Nothing to add.

C. Interim Operations Supervisor, Brett Gordon

- Nothing to add.

- D. Interim License Compliance Coordinator, Justin Calbert
- Nothing to add.

ITEM #8 Generation Report

No report.

ITEM #9 Fisheries Studies on the Lower Stanislaus River

No report.

ITEM #10 Directors Comments

The Directors thanked Summer for her efforts.

President Weststeyn recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 9:39 a.m.

The Tri-Dam Project meeting resumed at 9:43 a.m. after the Tri-Dam Power Authority meeting adjourned.

President Weststeyn announced before closed session that the following items would be discussed. The Board took a brief recess at 9:43 a.m. and convened to Closed Session at 10:16 a.m.

ITEM #11 Closed Session

11. 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. *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 LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation
Government Code § 54956.9(d)(4)
- d. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code § 54957(b)(1)
General Manager

At the hour of 12:57 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 Weststeyn adjourned the meeting at 12:58 p.m.

The next regular board meeting is scheduled for September 21, 2023, at the offices of Oakdale Irrigation District beginning at 9:00 a.m.

ATTEST:

Summer Nicotero, Secretary
Tri-Dam Project