

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

February 15, 2024  
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  
TOM ORVIS  
BRAD DEBOER  
LINDA SANTOS

JOHN HOLBROOK  
DAVE KAMPER  
GLENN SPYKSMA  
MIKE WESTSTEYN

***DIRECTORS ABSENT:***

DOORNENBAL

ROOS

Director Holbrook requested to attend and participate in the meeting remotely via the Zoom platform under Government Code section 54953(f)(2)(A)(ii) – Emergency Circumstance. Director Holbrook was unable to attend in person due to a medical necessity. A motion was made by Director DeBoer, seconded by Director Kamper, to approve Director Holbrook’s remote attendance.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: Holbrook

ABSENT: Doornenbal, Roos

**Also Present:**

Summer Nicotero, General Manager, Tri-Dam Project; Genna Modrell, Finance Asst., Tri-Dam Project; Scot Moody, General Manager, OID; Sharon Cisneros, Chief Financial Officer, OID; Peter Rietkerk, General Manager, SSJID; Mia Brown, Counsel, SSJID

**PUBLIC COMMENT**

No public comment.

**CONSENT CALENDAR**

**ITEM #1 Approve the regular board meeting minutes of January 18, 2024.**

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

Director Orvis moved to approve items one and two as presented. Director Spyksma seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Doornenbal, Roos

## **ACTION CALENDAR**

### **ITEM #3 Discuss and consider adoption of Resolution TDP 2024-02 Semi-Annual Distribution.**

Summer Nicotero presented the funds available for distribution as of December 31, 2023, in accordance with TDP Resolution 2022-04. Funds available to be distributed totaled \$21,768,000.

Director Kamper moved to approve Resolution TDP 2024-02 and the distribution as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Doornenbal, Roos

TRI-DAM PROJECT  
RESOLUTION NO. TDP 2024-02  
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 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 \$21,768,000 are available for distribution to the Districts;
3. Directs that such distribution shall be made no later than February 29, 2024.

4. Directs the Tri-Dam Project General Manager and Interim Finance Manager to make such distribution, one-half 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 15th day of February 2024.

**ITEM #4 Discuss and consider approval of 2024 Investment Policy.**

Summer Nicotero presented the investment 2024 policy.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Doornenbal, Roos

**ITEM #5 Discuss and consider approval of contract with Rogers, Anderson, Malody, and Scott, LLP and authorize the General Manager to execute the 2024 Professional Services Agreement 2024-PSA-TDP-07. This item will be taken after closed session.**

Director Spyksma moved to approve a contract with Rogers, Anderson, Malody, and Scott for accounting services not to exceed \$77,000 as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Doornenbal, Roos

**ITEM #6 Discuss and consider approval regarding annual compensation of General Manager. This item will be taken after closed session.**

Director Spyksma moved to approve a \$7,500 increase, setting the General Manager's annual salary at \$222,500, effective February 11, 2024. Director DeBoer seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Doornenbal, Roos

**COMMUNICATIONS**

**ITEM #7 Staff Reports:**

A. General Manager, Summer Nicotero

- Summer did not add to her written report and advised the B120 Water Supply Forecast is included behind her report.

B. Operations Report, Brett Gordon

- No discussion.

C. Maintenance Report, Daniel Hogue

- No discussion.

D. Compliance Report, Justin Calbert

- No discussion.

**ITEM #8 Generation Report**

No discussion.

**ITEM #9 Fisheries Studies on the Lower Stanislaus River**

No discussion.

**ITEM #10 Directors Comments**

The Board was thankful for the rain and thanked Summer and staff for a job well done. Also, Directors DeBoer and Orvis commented on the new office building not added to the agenda.

*President Weststeyn recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 9:25 a.m.*

*The Tri-Dam Project meeting resumed at 9:30 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 9:31 a.m. and convened to Closed Session at 9:42 a.m.

**ITEM #11 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 Estanislau, 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
- e. PUBLIC EMPLOYMENT  
Government Code § 54957(b)
  - 1. Finance Manager
- f. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Government Code § 54957(b)(1)  
Title: General Manager

At the hour of 12:18 p.m., the Board reconvened to open session.

**ADJOURNMENT**

President Weststeyn adjourned the meeting at 12:24 p.m.

The next regular board meeting is scheduled for March 21, 2024, at the offices of Oakdale Irrigation District beginning at 9:00 a.m.

ATTEST:

\_\_\_\_\_  
Summer Nicotero, Secretary  
Tri-Dam Project