

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

January 19, 2023
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 9:00 a.m.

OID DIRECTORS

SSJID DIRECTORS

DIRECTORS PRESENT:

ED TOBIAS
BRAD DeBOER
TOM ORVIS
HERMAN DOORNENBAL
LINDA SANTOS

DAVE KAMPER
MIKE WESTSTEYN
GLENN SPYKSMA
DAVID ROOS
JOHN HOLBROOK

Also, Present:

Summer Nicotero, General Manager, Tri-Dam Project; Scot A. Moody, General Manager, Oakdale Irrigation District; Peter Rietkerk, General Manager, South San Joaquin Irrigation District; Sharon Cisneros, Chief Financial Officer, Oakdale Irrigation District; Susan Larson, License Compliance Coordinator, Tri-Dam Project; Genna Modrell, Finance Asst., Tri-Dam Project; Chris Tuggle, Operations and Maintenance Manager, Tri-Dam Project; Steve Magney, Equipment Operator, Tri-Dam Project; Mia Brown, Counsel, SSJID; Tim O'Laughlin, Counsel; Andrea Fuller, FishBio; Mike Coffee, ZGlobal

PUBLIC COMMENT

No public comment.

CONSENT CALENDAR

- ITEM #1 Approve the regular board meeting minutes of December 15, 2022.**
- ITEM #2 Approve the December statement of obligations.**
- ITEM #3 Approve the Financial Statements for the eleven months ending November 30, 2022.**

Director Tobias corrected the first vote on item 4 stating he did not abstain from voting. Director Tobias moved to approve items one through three with the correction. Director Weststeyn seconded the motion.

The motion passed by the following roll call vote:

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

ACTION CALENDAR

ITEM #4 Discussion and possible action approve the funding for 2023 to contract with FishBio, Inc. and authorize the General Manager to execute contract.

Sharon Cisneros presented the amended contract responded to Directors questions.

Andrea Fuller reminded the Board they previously approved the Stock Recruit for \$165,000 in December 2022.

Director Santos moved to approve table 1 to complete the fifth year and include O.mykiss for \$600,000. The total 2023 contract approval is \$765,000. Director Holbrook seconded the motion.

The motion passed by the following roll call vote:

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

NOES: Doornenbal

ABSTAINING: None

ABSENT: None

ITEM #5 Discussion and possible action to approve cost estimate to remove rockslide on USFS Road 4N88 (Peeled Onion Road)

Chris Tuggle and Steve Magney presented pictures of rockslide and estimated 3000-4500 cubic yards of material and responded to Director questions.

Director Spyksma moved to authorize the General Manager to conduct a site study to ascertain what is needed. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

Director Holbrook moved to authorize the Advisory committee to provide oversight and approve or bring to the whole Board if necessary.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #6 Discussion and possible action to approve the Joint Powers Insurance Authority Member / Alternate.

Director Holbrook moved to appoint Directors Orvis or Spyksma as the member with Summer Nicotero as the alternate. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #7 Consider adoption of Resolution TDP 2023-01 Authorization for Maintenance of Bank Accounts.

President Orvis presented Resolution TDP 2023-01 Authorizing Maintenance of Bank Deposit Accounts adding General Manager Summer Nicotero and removing Jeff Shields.

Director Holbrook moved to approve items. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #8 Consider adoption of Resolution TDP 2023-02 Semi-Annual District Distribution.

Sharon Cisneros presented the funds available for distribution as of December 31, 2022, in accordance with TDP Resolution 2013-01. Funds available to be distributed totaled \$8,760,000.

Director Weststeyn moved to approve Resolution TDP 2023-02 and the distribution as presented. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: None

DISCUSSION

ITEM #9 Discussion and possible action to authorize the General Manager to execute a Power Purchase Agreement with the City of Santa Clara.

After a brief discussion, Director Kamper moved to approve authorizing the General Manager to execute the Power Purchase Agreement with the City of Santa Clara and to update the records to reflect the correct contact information. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: DeBoer

ABSTAINING: None

ABSENT: None

ITEM #10 Discussion and/or possible action to reinstate Director Santos for eligibility to serve on Tri-Dam Project committees.

Director Orvis moved to approve the reinstatement of Director Santos to serve on committees. Director Holbrook seconded the motion.

The motion passed by the following roll call vote:

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

NOES: Kamper

ABSTAINING: None

ABSENT: None

COMMUNICATIONS

ITEM #10 Staff Reports:

- A. General Manager, Summer Nicotero
 - Summer provided a brief summary of her report.
- B. Operations and Maintenance Manager, Chris Tuggle
 - Chris advised the governor projects were complete and they have moved to the Tulloch outage and responded to Director questions.
- C. License Compliance Coordinator, Susan Larson
 - Susan provided a brief summary of her report.

ITEM #11 Generation Report

No report.

ITEM #12 Fisheries Studies on the Lower Stanislaus River

No report.

ITEM #13 Directors Comments

The Directors thanked Jeff Shields for stepping in as Interim General Manager, welcomed Summer Nicotero as the new General Manager, and thanked staff.

President Orvis recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:48 a.m.

The Tri-Dam Project meeting resumed at 11:03 a.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 11:04 a.m. and convened to Closed Session at 11:18 a.m.

ITEM #14 Closed Session

- 18. a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(d)(1)
 - 1. *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. Finance & Administrative Manager

At the hour of 12:19 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 12:20 p.m.

The next regular board meeting is scheduled for January 19, 2023, at the offices of South San Joaquin Irrigation District beginning at 9:00 a.m.

ATTEST:

Summer Nicotero, Secretary
Tri-Dam Project