

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

December 21, 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  
BRAD DEBOER  
HERMAN DOORNENBAL  
LINDA SANTOS

GLENN SPYKSMA  
MIKE WESTSTEYN  
DAVID ROOS  
JOHN HOLBROOK  
DAVE KAMPER

**Also Present:**

Summer Nicotero, General Manager, Tri-Dam Project; Scot Moody, General Manager, OID; Sharon Cisneros, Chief Financial Officer, OID; Genna Modrell, Finance Asst., Tri-Dam Project; Peter Rietkerk, General Manager, SSJID; Sonya Williams, Finance and Administration Manager, SSJID; Mia Brown, Counsel, SSJID; Matt Weber, Downey Brand; John Cloward

**PUBLIC COMMENT**

No public comment.

**CONSENT CALENDAR**

**ITEM #1 Approve the regular board meeting minutes of November 16, 2023.**

**ITEM #2 Approve the November 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, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ACTION CALENDAR**

**ITEM #3 Discussion and possible action 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.**

Summer Nicotero presented the variance to the Board, recommended disallowing the request as a hardship does not exist. John Cloward (property owner) spoke in favor of the request and provided additional pictures. After a lengthy discussion, the Board advised staff and John to consult further and bring this item back to a future meeting.

**ITEM #4 Discussion and possible action to approve the Associated California Water Agencies Annual 2024 Membership Dues.**

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #5 Discussion and possible action to approve and adopt 2024 Budget.**

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #6 Discussion and possible action to award the Tulloch Shoreline Erosion Project.**

Director Doornenbal moved to approve Ford Construction as presented, authorize the General Manager to execute a contract and any associated documents related to the completion of this work. Director Spyksma seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #7 Discussion and possible action to authorize the General Manager to execute a Professional Services Agreement for Cultural Resource Monitoring.**

Director Santos moved to approve PAR Environmental and authorize the General Manager to execute a contract. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #8 Discussion and possible action to authorize the General Manager to execute a Professional Services Agreement for spill gate inspections – all locations.**

Director Spyksma moved to approve Gannett Fleming providing they meet the timeline, otherwise HDR is selected as the second choice and authorize the General Manager to execute a contract. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #9 Discussion and possible action to authorize the General Manager to execute a Professional Services Agreement for Chief Dam Safety Engineer.**

Director Santos moved to approve Gannett Fleming as Chief Dam Safety Engineer and authorize the General Manager to execute a contract not to exceed \$300,000. Director Roos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #10 Discussion and possible action to create and designate members for New Headquarters Ad Hoc Committee.**

Director DeBoer moved to authorize District Presidents to assign members. Director Kamper seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**ITEM #11 Discussion and possible action to approve the funding for 2024 contract with FishBio, Inc. and authorize the General Manager to execute the 2024 Professional Services Agreement 2024-PSA-TDP-01.**

Director Spyksma moved to approve \$215,000 and authorize the General Manager to execute an agreement as presented. Director Santos seconded the motion.

Director Spyksma invited FishBio to return in January to discuss the rotary screw trap for \$90,000 and review the work performed in 2023.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis

**COMMUNICATIONS**

**ITEM #14 Staff Reports:**

A. General Manager, Summer Nicotero

- Summer reported that Njirich & Sons has cleared the rock fall; SMCI has begun the road repairs; annual maintenance for Sandbar, Beardsley and Donnels is complete; Finance Manager interviews were held in late November; Tulloch drawdown has progressed at a faster rate than previously planned due to USBR tunnel maintenance at Melones; the islanding agreement with PG&E expires at the end of 2023 and IBEW 1245 negotiations kicked off on December 12.

B. Operations Report, Brett Gordon

- No discussion.

C. Maintenance Report, Daniel Hogue

- No discussion.

D. Compliance Report, Justin Calbert

- No discussion.

**ITEM #15 Generation Report**

No discussion.

**ITEM #16 Fisheries Studies on the Lower Stanislaus River**

No discussion.

**ITEM #17 Directors Comments**

The Board thanked Summer and staff and wished everyone a Merry Christmas and Happy New Year.

*President Weststeyn recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:30 a.m.*

*The Tri-Dam Project meeting resumed at 10:40 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 10:46 a.m. and convened to Closed Session at 10:58 a.m.

**ITEM #18 Closed Session**

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. *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  
Initiation of Litigation  
Government Code §54956.9(d)(4)  
One (1) case

c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation  
Government Code §54956.9(d)(2)  
One (1) case

- d. 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
  
- e. REAL PROPERTY NEGOTIATIONS  
Government Code § 54956.8  
Property: 063-100-007  
Agency Negotiator: General Manager  
Negotiating Parties: Unknown  
Under Negotiation: Price and Terms
  
- f. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Government Code § 54957(b)(1)  
Title: General Manager

At the hour of 12:39 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.

**ITEM #12 Discussion and possible action to authorize the General Manager to execute an amendment to the agreement for Doug's Dockworks.** *This item will be taken after closed session.*

Director Spyksma moved to approve the amendment effective December 1, 2023, for a maximum of six (6) calendar months. Director Santos seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Orvis, DeBoer

**ITEM #13 Discussion and possible action to authorize the General to execute a Lease Agreement for Tulloch South Shore.** *This item will be taken after closed session.*

This item was tabled.

### **ADJOURNMENT**

President Weststeyn adjourned the meeting at 12:41 p.m.

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

ATTEST:

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Summer Nicotero, Secretary  
Tri-Dam Project