

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

April 20, 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
TOM ORVIS
HERMAN DOORNENBAL
LINDA SANTOS

JOHN HOLBROOK
MIKE WESTSTEYN
GLENN SPYKSMA
DAVID ROOS
DAVID KAMPER

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; Vera Whittenburg, Finance Manager, Tri-Dam Project; Chris Tuggle, Operations and Maintenance Manager, Tri-Dam Project; Mia Brown, Counsel, SSJID

PUBLIC COMMENT

No public comment.

CONSENT CALENDAR

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

ITEM #2 Approve the March statement of obligations.

Director DeBoer 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, Doornenbal, Orvis, Santos, Tobias, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ACTION CALENDAR

ITEM #3 Discussion and possible action to adopt Resolution TDP 2023-03 Authorization for Maintenance of Deposit Accounts.

President Weststeyn presented Resolution TDP 2023-03 Authorizing Maintenance of Bank Deposit Accounts adding Finance Manager Vera Whittenburg.

Director Santos moved to approve as presented. Director Holbrook 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 #4 Discussion and possible action to approve moving the May Board meeting date.

Summer Nicotero advised the Board of upcoming meetings and scheduling concerns and requested moving the Board meeting to May 17.

Director Santos moved to approve as presented. Director Roos 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 #5 Discussion and possible action to authorize the General Manager to sign a letter of support for AB1594.

Summer Nicotero presented the draft letter for review in support of amending the Zero Emission Vehicle code.

Director DeBoer moved to approve as presented. Director Holbrook 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 #6 Discussion and possible action to approve the Department of Water Resources annual dam fees.

Summer presented the annual dam fees for Fiscal Year 2023/2024.

Director Santos moved to approve as presented. Director Kamper 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 Discussion and possible action to approve the purchase of an emergency generator for Donnell's Dam.

Chris Tuggle presented the quote for a 50kW generator and responded to Director questions.

Director Santos 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, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #8 Discussion and possible action to approve replacing the roof on the Beardsley raw water tank.

Summer Nicotero stated the roof on the Beardsley Powerhouse raw water tank has been identified by insurance as needing repairs to ensure the integrity of the raw water tank.

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, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #9 Discussion and possible action to approve replacing the forklift in Strawberry.

Chris Tuggle presented the forklift quotes and responded to Director questions.

Director Orvis moved to table this item until May 17, 2023 to allow exploration of an electric forklift. Director Spyksma seconded the motion.

ITEM #10 Discussion and possible action to approve the purchase of 2023 International Dump Truck.

Chris Tuggle presented the quotes and explained how the current vehicle is listed under the CARB "Low Mileage Exemption" and responded to Director questions.

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

The motion passed by the following roll call vote:

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

NOES: DeBoer, Doornenbal, Roos

ABSTAINING: None

ABSENT: None

ITEM #11 Discussion and possible action to approve Microwave Networks Support Services Program.

Chris Tuggle presented the quote and explained the radios cover six critical links that carry our security, control and business networks. This support contract covers return and repair warranty in the event of a component defect, phone support for diagnosing radio link outages or issues.

Director Spyksma 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, Holbrook, Kamper, Roos, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: None

ITEM #12 Discussion and possible action to approve the purchase of a new milling machine.

Chris Tuggle presented the quotes for a new milling machine and responded to Directors questions.

Director Kamper moved to approve as presented not to exceed \$28,575. Director Santos seconded the motion.

The motion failed by the following roll call vote:

AYES: Santos, Tobias, Holbrook, Kamper, Roos

NOES: DeBoer, Doornenbal, Orvis, Spyksma, Weststeyn

ABSTAINING: None

ABSENT: None

Director Spyksma moved to approve not to exceed \$15,000 for a similar used machine. Director Doornenbal 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 #13 Discussion and possible action to authorize the General Manager to sign the Professional Services Agreement with Archer Energy Solution, LLC.

Summer advised the Board of a pending cyber security audit in August and added some of the items are already complete, but requests the full amount, although anticipates not spending it.

Director Tobias moved to approve not to exceed \$67,600 as presented. Director Spyksma 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 #14 Discussion and possible action to approve the purchase of a SF6 Gas Scale.

Chris Tuggle presented the quote and explained this scale will enable staff to track and inventory the cylinders on hand.

Director Santos moved to approve as presented. Director Roos 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

COMMUNICATIONS

ITEM #15 Staff Reports:

- A. General Manager, Summer Nicotero
 - Summer Nicotero provided a brief summary of her report.
- B. Operations and Maintenance Manager, Chris Tuggle
 - Chris Tuggle did not have anything to add to his report.
- C. License Compliance Coordinator, Susan Larson
 - Susan Larson did not have anything to add to her report.

ITEM #16 Generation Report

No report.

ITEM #17 Fisheries Studies on the Lower Stanislaus River

No report.

ITEM #18 Directors Comments

None.

President Weststeyn recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:44 a.m.

The Tri-Dam Project meeting resumed at 11:01 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 11:02 a.m. and convened to Closed Session at 11:16 a.m.

ITEM #19 Closed Session

- 19. a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(d)(1)
 - 1. *San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board*
County of Sacramento Superior Court
Case No. JCCP 5013
 - 2. *San Joaquin Tributaries Authority v. California State Water Resources Control Board*
(2021 Curtailment Case)
County of Fresno Superior Court
Case No. 21CECG02632
 - 3. *Lee Tyler et al. v. Oakdale Irrigation; et al.*
Calaveras Superior Court Case No. 17CV42319
 - 4. *Tri-Dam v. Scott Frazier*
Eastern District of California No: 1:20-CV-00408-SKO
- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation

Government Code § 54956.9(d)(2)
One (1) case

c. REAL PROPERTY NEGOTIATIONS

Property: Water

Negotiating Parties: Oakdale Irrigation District, Chicken Ranch Rancheria Band of Me-Wuk Indians, Stockton East Water District, South Delta Water

Agency, Banta Carbona Irrigation District, and other potential unknown parties

District Negotiator: General Manager

Under Negotiation: Price and terms of payment of sale

d. REAL PROPERTY NEGOTIATIONS

Government Code § 54956.8

Property: 043-110-026 and 043-110-032

Agency Negotiator: General Manager

Negotiating Parties: Billie Jean Tichenor Trust

Under Negotiation: Price and Terms

e. REAL PROPERTY NEGOTIATIONS

Government Code § 54956.8

Property: 061-057-001

Agency Negotiator: General Manager

Negotiating Parties: REA Properties, LLC

Under Negotiation: Price and Terms

At the hour of 1:26 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 1:27 p.m.

The next regular board meeting is scheduled for May 17, 2023, at the offices of Oakdale Irrigation District beginning at 9:00 a.m.

ATTEST:

Summer Nicotero, Secretary
Tri-Dam Project