

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

January 20, 2022
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 offices of Oakdale Irrigation District located in Oakdale, California and 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 Orvis called the meeting to order at 9:00 a.m.

OID DIRECTORS

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DIRECTORS PRESENT:

TOM ORVIS
ED TOBIAS
LINDA SANTOS
HERMAN DOORNENBAL

BOB HOLMES
GLENN SPYKSMA
MIKE WESTSTEYN
DAVE KAMPER
JOHN HOLBROOK

DIRECTORS ABSENT:

BRAD DeBOER

Also, Present:

Jarom Zimmerman, General Manager, Tri-Dam Project; Brian Jaruszewski, Admin. & Finance Manager, Tri-Dam Project; Genna Modrell, Admin. & Finance Asst., Tri-Dam Project; Susan Larson, Compliance Coordinator, Tri-Dam Project; Peter Rietkerk, General Manager, SSJID; Steve Knell, General Manager, OID; Mia Brown, General Counsel, SSJID; Tim Wasiewski, Counsel; Tim O'Laughlin, Counsel

PUBLIC COMMENT

None.

President Orvis presented a closed session item to be added:

**13d. 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

Director Doornenbal moved to add item 13d to the agenda. Director Spyksma seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

CONSENT CALENDAR

ITEM #1 Approve the regular board meeting minutes of December 16, 2021.

Director Doornenbal moved to approve the consent calendar as presented. Director Weststeyn seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ACTION CALENDAR

ITEM #2 Discuss and consider adoption of Resolution TDP 2022-01 to implement teleconferencing requirements during a proclaimed state of emergency.

Director Weststeyn moved to approve as presented. Director Tobias seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #3 Discussion and possible action to approve 4th quarter financial statements and December 2021 statement of obligations.

Brian Jaruszewski presented the fiscal year 2021 4th quarter financial statements and December 2021 statement of obligations, and responded to Director questions.

Director Tobias moved to approve the 4th quarter financial statements and the December statement of obligations as presented. Director Spyksma seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #4 Discussion and possible action to approve 2022 Investment Policy.

Brian Jaruszewski presented Tri-Dam Project's draft investment policy for 2022.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #5 Review and consider approval Resolution TDP 2022-02 District Distribution.

Brian Jaruszewski presented the funds available for distribution as of December 31, 2021, in accordance with TDP Resolution 2013-01. Funds available to be distributed totaled \$8 million.

Director Kamper moved to approve Resolution TDP 2022-02 and the distribution of \$8 million in total, with each District receiving \$4 million. Director Doornenbal seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #6 Discuss and consider approval of the Associated California Water Agencies Annual 2022 Membership Dues.

Jarom Zimmerman reported that ACWA dues are based on the prior year operations and maintenance (O&M) expenses for individual public agency members, which vary from year to year. Staff recommends paying the dues in the amount of \$20,230.00.

Director Weststeyn moved to approve as presented. Director Tobias seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #7 Discussion and possible action to approve an annual donation to the California Cooperative Snow Surveys Program.

Jarom Zimmerman reported that California Cooperative Snow Survey Program dues are based upon the anticipated operating costs of the three stations on the Stanislaus River. Staff recommends contributing the amount of \$3,000.00.

Director Holmes moved to approve as presented. Director Tobias seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

ITEM #8 Discussion and possible action to approve the Part 12D Independent Consultant contract with McMillen Jacobs Associates.

Jarom Zimmerman reported that the FERC Part 12D inspections are due in 2022 and Tri-Dam will need to engage an Independent Consultant to conduct the inspections, and to document and report any findings, along with any additional recommendations to improve dam safety.

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

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: DeBoer

COMMUNICATIONS

ITEM #9 Staff Reports

Jarom Zimmerman presented the staff reports, inquired about the feasibility of providing only electronic board packets, and responded to Director questions.

ITEM #10 Generation Report

No discussion.

ITEM #11 Fisheries Studies on the Lower Stanislaus River

No discussion.

ITEM #12 Directors Comments

Director Holbrook appreciated the hard copy packet and the completeness of reports. Directors Holmes and Tobias thanked staff for last year's work.

Recess to Tri-Dam Power Authority

President Orvis recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:00 a.m.

The Tri-Dam Project meeting resumed at 10:11 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 10:25 a.m. and convened to Closed Session at 10:35 a.m.

ITEM #14 Closed Session

- 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
 - 2. *SJTA v. State Water Resources Control Board*
Fresno County Superior Court, Case No. 21CECG02632

- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Possible Initiation of Litigation
Government Code § 54956.9(d)(4)
Three (3) cases

- c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation
Government Code § 54956.9(d)(2)
Two (2) cases

- d. 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

At the hour of 10:52 a.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 10:52 a.m.

The next regular board meeting is scheduled for February 17, 2022, at the offices of South San Joaquin Irrigation District, Manteca, California beginning at 9:00 a.m.

ATTEST:

Jarom Zimmerman
Secretary, Tri-Dam Project