

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

August 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
HERMAN DOORNENBAL

MIKE WESTSTEYN
DAVE KAMPER
JOHN HOLBROOK
GLEN SPYKSMA

Also Present:

Summer Nicotero, General Manager, Tri-Dam Project; Genna Modrell, Executive Asst., Tri-Dam Project; Scot Moody, General Manager, OID; Peter Rietkerk, General Manager, SSJID; Sonya Williams, Finance & Admin. Manager, SSJID; Katie Patterson, Public & Govt. Relations, SSJID; Tara Maloli, CV Strategies; Forrest Killingsworth, Engineering Manager, SSJID; Mia Brown, Legal Counsel, SSJID; Matt Weber, Counsel, Downey Brand; Andrea Fuller, FishBio; Matt Peterson, FishBio

PUBLIC COMMENT

None.

CONSENT CALENDAR

ITEM #1 Approve the special board meeting minutes of July 16, 2024.

ITEM #2 Approve the July statement of obligations

Director Weststeyn requested Mia Brown and Peter Rietkerk be added in attendance when they joined for closed session and requested clarification on item 7 related to “big change” and how it’s defined.

Director Spyksma moved to approve items one and two with the amendment. Director Tobias seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Roos

ACTION CALENDAR

ITEM #3 Receive presentation from staff and consultant on proposed community outreach strategy and timeline for the Canyon Tunnel Project and provide additional staff direction for consideration in plan development

The Canyon Tunnel Project is nearing completion of design for construction of a 2-mile segment of tunnel that would convey OID and SSJID diverted water, moving away from the use of the upper supply canal, and opting to convey water through a newly constructed tunnel to avoid a hazardous stretch of canal. Katie Patterson along with Tara Maloli, CVStrategies, presented a community outreach strategy to enhance communication with community members about the construction and timeframe of this project, and to help prepare the community for what to expect from the related activities.

ITEM #4 Stanislaus-San Joaquin Native Fish Studies Presentation by FishBio

Andrea Fuller and Matt Peterson presented the findings of the predation study combined with other studies and discovered a large number of clipped steelhead from the Mokelumne River Hatchery and a high level of findings on consumption, where predation occurs between McHenry and Ripon. The first draft report on predation should be out in December for review. Andrea added FishBio's final report is due at the end of 2025 plus two reports from National Marine Fisheries Service. Matt added he would be presenting this data at the fall ACWA conference.

ITEM #5 Consider Approval of Annual/Multi-Year SCADA System Licensing and Support Agreement

Summer Nicotero presented the 2-year SCADA licensing and support renewal and responded to Director questions.

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, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: Roos

ITEM #6 Consider Adoption of TDP Resolution 2024-06 Surplus Property

TRI-DAM PROJECT RESOLUTION NO. TDP 2024-06
OAKDALE IRRIGATION DISTRICT
SOUTH SAN JOAQUIN IRRIGATION DISTRICT

RESOLUTION AUTHORIZING
SALE OF SURPLUS PROPERTY

BE IT RESOLVED, that the Board of Directors of the Oakdale Irrigation District and the South San Joaquin Irrigation District meeting as the Joint Board of Directors of the Tri-Dam Project adopt this Resolution.

WHEREAS, the Tri-Dam Project, hereinafter referred to as the "Project" may, under the provisions of Section 22500 of the Water Code, dispose of property of the PROJECT which it finds no longer necessary for PROJECT purposes; and

- #1 (14-1) 2014 Ford F250 4x4 (License 1437591) - 145,662 miles
- #2 (16-1) 2016 Ford F150 4x4 (License 1474746) - 150,510 miles and,

WHEREAS, the Tri-Dam staff has previously successfully disposed of vehicles through public auction.

NOW THEREFORE BE IT RESOLVED that the Joint Board of Directors

1. Authorizes Tri-Dam Project staff to dispose of said surplus and salvage property by public auction to the highest qualifying bidder;
2. Authorizes Tri-Dam Project staff to dispose of, by any reasonable and appropriate means, any said property not sold by public auction.

Director Kamper moved to adopt resolution TDP 2024-06 Surplus Property as presented. Director Doornenbal seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Roos

ITEM #7 Consider Authorizing the General Manager to Contract with an Information Technology Services Provider – to be hand carried

Summer Nicotero stated we are at the end of life on our equipment, presented the estimates, responded to Directors questions, and confirmed this is for business services only and would also be able to assist with the move to the Sonora office.

Director Tobias moved to approve authorizing the General Manager to contract with VC3 for a term of three years excluding the Rapid Recovery option. Director Spyksma seconded the motion.

The motion passed by the following roll call vote:

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

NOES: None

ABSTAINING: None

ABSENT: Roos

ITEM #8 Consider Approval of the 2024 Unrepresented Employee Cost of Living Adjustment and Approval of the 2024 Unrepresented Employee Pay Schedule

Summer Nicotero stated the schedule represented 3.96% cost of living increase, April 2023 to April 2024. Summer explained the previous salary schedule was 7 steps and the difference between steps and positions was inconsistent. She consolidated down to a typical 5 step schedule, 5% between steps, and aligned it with what the market was showing a typical rate for the positions. It's actually a 2.75% increase due to the shifting of the steps.

Director Spyksma requested the methodology. Summer explained she tried different approaches such as taking away the first 2 steps and using steps 3 thru 7; or taking away steps 1 and 7. In the end, she kept it so no one took a loss, but some positions (O&M Mgr.) were below market so step 3 became step 1, some of the other positions made more sense to take away steps 1 and 7.

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, Spyksma, Weststeyn

NOES: None

ABSTAINING: None

ABSENT: Roos

COMMUNICATIONS

ITEM #9 Staff Reports:

A. General Manager, Summer Nicotero

- In addition to her report, Summer added she is in the process of hiring an Operations and Maintenance Manager, who is a civil engineer with dam safety experience.

B. Operations Report, Brett Gordon

- No discussion.

C. Maintenance Report, Daniel Hogue

- No discussion.

D. Compliance Report, Tracey McKnight

- Tracey highlighted a litigation matter had been closed from 2022.

ITEM #10 Generation Report

Summer Nicotero responded to Director questions.

ITEM #11 Fisheries Studies on the Lower Stanislaus River

No discussion.

ITEM #12 Directors Comments

None.

President Weststeyn recessed to the Tri-Dam Power Authority Board of Commissioners meeting at 10:59 a.m.

The Tri-Dam Project meeting resumed at 11:04 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 11:04 a.m. and convened to Closed Session at 11:20 a.m.

ITEM #13 Closed Session

13. 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

- 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

At the hour of 1:00 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 1:01 p.m.

The next regular board meeting is scheduled for September 19, 2024, at the offices of Oakdale Irrigation District beginning at 9:00 a.m.

ATTEST:

Summer Nicotero, Secretary
Tri-Dam Project