



# SAN JOAQUIN TRIBUTARIES AUTHORITY

[www.SanJoaquinTributariesAuthority.org](http://www.SanJoaquinTributariesAuthority.org)

## COMMISSION MEETING OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY

**MONDAY, AUGUST 12, 2024 – 10:00 A.M.  
REGULAR MEETING AGENDA**

**TURLOCK IRRIGATION DISTRICT  
BOARD ROOM 105  
333 E. CANAL DRIVE  
TURLOCK, CA 95380**

ALTERNATE FORMATS OF THIS AGENDA WILL BE MADE AVAILABLE UPON REQUEST TO QUALIFIED INDIVIDUALS WITH DISABILITIES. PERSONS WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, SHOULD CONTACT JENNIFER LAND, COMMISSION SECRETARY, IN PERSON OR BY MAIL, AT THE ABOVE (TID) ADDRESS, OR BY TELEPHONE AT (209) 883-8353, NOT LESS THAN 24 HOURS PRIOR TO THE MEETING FOR WHICH THE MODIFICATION OR ACCOMMODATION IS REQUIRED.

### **1. CALL TO ORDER**

Members of the public will have the opportunity to provide public input in-person or via the webinar or phone features. If you wish to speak, click on the “Raise Hand” button via Zoom, or press \*9 if using a phone, and wait until your name (or other identifying information) is called by the Commission Secretary.

#### **To join the meeting:**

- [Click here to join the video meeting](#)
- Or to join by phone, please dial 669-900-9128 or 346-248-7799;  
Meeting ID: 935 1044 2310

### **2. SALUTE TO THE FLAG**

### **3. ROLL CALL OF COMMISSIONERS**

### **4. PUBLIC COMMENT PERIOD (5 minutes per speaker)**

This time is provided for the public to address the Commissioners of the Authority on matters of concern that fall within the jurisdiction of the Authority that are not on the agenda. Speakers are encouraged to consult Member Management or Directors prior to agenda preparation regarding any Authority operation or responsibility as no action will be taken on non-agenda issues.

### **5. MOTION TO APPROVE MINUTES OF THE REGULAR MEETING OF MAY 13, 2024, MINUTES OF THE SPECIAL MEETING OF MAY 20, 2024, AND MINUTES OF THE SPECIAL MEETING OF JULY 11, 2024**

**6. MOTION TO APPROVE THE TREASURER'S REPORT**

Presentation and acceptance of the Treasurer's Report through July 31, 2024.

- Michael Clipper, Treasurer

**7. PRESENTATION ON THE DISSOLVED OXYGEN AERATION FACILITY**

Report on the Dissolved Oxygen Aeration Facility.

- Mike Wingfield, Environmental Compliance Manager, ICF (on behalf of the Port of Stockton)

- Jeff Wingfield, Deputy Port Director, Port of Stockton

**8. MOTION TO ADJOURN TO CLOSED SESSION**

**A. Conference with Legal Counsel – Existing Litigation**

California Government Code Section 54956.9

San Joaquin Tributaries Authority, et al vs. California State Water Resources Control Board

Tuolumne County Superior Court – Case Number CV62094

Judicial Council Coordinated Proceeding No.5013

- Valerie Kincaid, Legal Counsel

**B. Conference with Legal Counsel – Existing Litigation**

California Government Code Section 54956.9

San Joaquin Tributaries Authority vs. California State Water Resources Control Board

Fresno County Superior Court – Case No. 21CECG02632

- Valerie Kincaid, Legal Counsel

**C. Conference with Legal Counsel – Existing Litigation**

California Government Code Section 54956.9

San Joaquin Tributaries Authority, et al vs. California State Water Resources Control Board

Court of Appeals 6<sup>th</sup> District – Case No. H047270

Consideration of Settlement Proposal

- Valerie Kincaid, Legal Counsel

**D. Conference with Legal Counsel – Existing Litigation**

California Government Code Section 54956.9

San Joaquin Tributaries Authority, et al vs. California State Water Resources Control Board

Fresno County Superior Court – Case No. 23CECG04201

- Valerie Kincaid, Legal Counsel

**E. Conference with Legal Counsel – Anticipated Litigation**

California Government Code Section 54956.9(d)(2)-(3)

Anticipated Litigation – one potential case

Potential future State Water Board Action

- Valerie Kincaid, Legal Counsel

**F. Public Employee Appointment**

California Government Code Section 54957(b)(1)

Title: Executive Director

- Valerie Kincaid, Legal Counsel

- Art Godwin, Legal Counsel

9. RECONVENE - REPORT OF ANY ACTION TAKEN IN CLOSED SESSION
10. MATTERS TOO LATE FOR THE AGENDA
11. NEXT REGULAR MEETING DATE - MONDAY, NOVEMBER 4, 2024 AT 10:00 A.M.
12. MOTION TO ADJOURN

**MINUTES OF THE REGULAR COMMISSION MEETING  
OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY**

Turlock, California  
13 May 2024

The Commission Meeting of the San Joaquin Tributaries Authority was called to order at 10:00 a.m. in regular session on the 13<sup>th</sup> day of May, 2024, conducted in-person from the Turlock Irrigation District located at 333 E. Canal Drive, Turlock, CA, via Zoom Webinar, and the remote teleconference locations as described on the agenda.

*Due to technical difficulties, roll call was conducted at approximately 10:12 a.m.*

Present were the following representatives of the member agencies:

Michael Frantz – Turlock Irrigation District (*remote teleconference*)  
Newsha Ajami – City and County of San Francisco (*remote teleconference*)  
Robert Frobose – Modesto Irrigation District, Vice Chair  
Glenn Spyksma – South San Joaquin Irrigation District, Chair

**PUBLIC COMMENT**

There were no comments from the public.

**MOTION APPROVING COMMISSION MEETING MINUTES**

Moved by Commissioner Ajami, seconded by Commissioner Frantz, that the minutes of the regular meeting of February 12, 2024, special meeting of February 29, 2024, and special meeting of May 2, 2024, be approved as presented.

Upon roll call the following vote was had:

Ayes:	Commissioners Frantz, Ajami, Frobose, and Spyksma
Noes:	None
Absent:	None

All voted in favor with none opposed. The Chair declared the motion carried.

**MOTION APPROVING TREASURER'S REPORT**

SJTA Treasurer Michael Clipper presented the cash reconciliation, bank statement activity, and year-to date comparison of revenue and expenditures to budget through the end of April 2024.

Commissioner Spyksma inquired about comments made at a previous meeting regarding the possibility of moving to a different type of account and Commissioner Ajami inquired about details of the legal budget. Staff responded that \$1 million has been moved to an interest bearing account and that the 2024 legal budget and summary of billings will be shared with Commissioners. Hearing no further comments, the Commission took the following action:

Moved by Commissioner Frantz, seconded by Commissioner Frobose, that the Treasurer's Report through April 30, 2024, be approved as presented.

Ayes: Commissioners Frantz, Ajami, Frobose, and Spyksma  
Noes: None  
Absent: None

All voted in favor with none opposed. The Chair declared the motion carried.

### **MOTION TO APPROVE THE EXECUTION OF THE AGREEMENT FOR FUNDING & OPERATION OF DISSOLVED OXYGEN AERATION FACILITY**

Legal Counsel Valerie Kincaid provided an overview of this item, noting the updated agreement and memorandum (background) from 2023 were included in the packet, the new agreement covers the period of 2024-2027, water quality reports are provided annually, and that all other participants have signed the new agreement and are awaiting for SJTA to make a decision.

Commissioners and legal counsel discussed circulation of the water quality reports, what would happen if the SJTA does not approve the new agreement, and the possibility of reviewing reports before approving agreements.

Commissioner Frobose made a motion to approve the agreement today with the condition that an updated report be provided at the next SJTA meeting. Commissioner Spyksma commented that he would also like someone to make a presentation at the next meeting. Legal Counsel Art Godwin provided some background on this matter, including history of the agreement and regional approach. Commissioner Frantz noted he shares the sentiments of Commissioners Ajami and Frobose and asked if the report can be provided before the conclusion of the meeting so it can be reviewed before voted on. Commissioner Ajami clarified she does not want to stop the agreement from moving forward but would like to develop a better process for future efforts.

Hearing no further comments, the Commission took the following action:

Moved by Commissioner Frobose, seconded by Commissioner Frantz, that execution of the Agreement for Funding & Operation of Dissolved Oxygen Aeration Facility be approved as presented and that an updated report be provided at the next SJTA meeting.

Ayes: Commissioners Frantz, Ajami, Frobose, and Spyksma  
Noes: None  
Absent: None

### **MOTION ADJOURNING TO CLOSED SESSION**

Moved by Commissioner Frobose, seconded by Commissioner Ajami, that the Commission meeting be adjourned to closed session at approximately 10:32 a.m.:

**A. Conference with Legal Counsel – Existing Litigation**

California Government Code Section 54956.9

San Joaquin Tributaries Authority, et al vs. California State Water Resources Control Board

Fresno County Superior Court – Case Number 21CECG02632

- Valerie Kincaid, Legal Counsel

**B. Public Employee Appointment**

California Government Code Section 54957(b)(1)

Title: Executive Director

- Valerie Kincaid, Legal Counsel

- Art Godwin, Legal Counsel

All voted in favor with none opposed. The Chair declared the motion carried.

**RECONVENE – OPEN SESSION**

The Commission meeting was reconvened at 4:07 p.m. in open session with all Commissioners present as per the previous open session.

**REPORT OF ANY ACTION TAKEN IN CLOSED SESSION**

The Chair announced there were no actionable items to report and that staff was given direction in closed session.

**MATTERS TOO LATE FOR THE AGENDA**

There were none.

**FUTURE MEETING**

The next regular meeting is scheduled for Monday, August 12, 2024 at 10:00 a.m., and that a special meeting may be called before then and will be noticed accordingly.

**ADJOURNMENT**

There being no further business, moved by Commissioner Frobose, seconded by Commissioner Ajami, that the meeting be adjourned at 4:08 p.m.

All voted in favor with none opposed. The motion was carried.

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Secretary to the Commission of the  
SAN JOAQUIN TRIBUTARIES AUTHORITY

**MINUTES OF THE SPECIAL COMMISSION MEETING  
OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY**

Turlock, California  
20 May 2024

The Commission Meeting of the San Joaquin Tributaries Authority was called to order at 11:03 a.m. in special session on the 20<sup>th</sup> day of May, 2024. The meeting was conducted in-person from the Turlock Irrigation District located at 333 E. Canal Drive, Turlock, CA, via Zoom Webinar, and the remote teleconference locations as described on the agenda.

Present were the following representatives of the member agencies:

Michael Frantz – Turlock Irrigation District (*remote teleconference*)  
Newsha Ajami – City and County of San Francisco (*remote teleconference*)  
Robert Frobose – Modesto Irrigation District, Vice Chair (*remote teleconference*)  
Glenn Spyksma – South San Joaquin Irrigation District, Chair (*remote teleconference*)

**PUBLIC COMMENT**

There were no comments from the public.

**MOTION ADJOURNING TO CLOSED SESSION**

Moved by Commissioner Frobose, seconded by Commissioner Ajami, that the Commission meeting be adjourned to closed session at approximately 11:02 .a.m.:

**A. Public Employee Appointment**

California Government Code Section 54957(b)(1)

Title: Executive Director

- Valerie Kincaid, Legal Counsel

All voted in favor with none opposed. The Chair declared the motion carried.

**RECONVENE – OPEN SESSION**

The Commission meeting was reconvened at 12:15 p.m. in open session with all Commissioners present as per the previous open session.

**REPORT OF ANY ACTION TAKEN IN CLOSED SESSION**

The Chair announced that no reportable action was taken in closed session.

**MATTERS TOO LATE FOR THE AGENDA**

There were none.

## **FUTURE MEETING**

The next regular meeting is scheduled for Monday, August 12, 2024 at 10:00 a.m.

## **ADJOURNMENT**

There being no further business, moved by Commissioner Frobose, seconded by Commissioner Ajami, that the meeting be adjourned at 12:16 p.m.

All voted in favor with none opposed. The motion was carried.

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Secretary to the Commission of the  
SAN JOAQUIN TRIBUTARIES AUTHORITY

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**MINUTES OF THE SPECIAL COMMISSION MEETING  
OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY**

Turlock, California  
11 July 2024

The Commission Meeting of the San Joaquin Tributaries Authority was called to order at 9:02 a.m. in special session on the 11<sup>th</sup> day of July, 2024. The meeting was conducted in-person from the Turlock Irrigation District located at 333 E. Canal Drive, Turlock, CA, via Zoom Webinar, and the remote teleconference locations as described on the agenda.

Present were the following representatives of the member agencies:

Michael Frantz – Turlock Irrigation District (*remote teleconference*)  
Newsha Ajami – City and County of San Francisco (*remote teleconference*)  
Robert Frobose – Modesto Irrigation District, Vice Chair (*remote teleconference*)  
Glenn Spyksma – South San Joaquin Irrigation District, Chair (*remote teleconference*)

**PUBLIC COMMENT**

There were no comments from the public.

**RESOLUTION NO. 2024-1**

**RESOLUTION APPROVING A REALLOCATION OF FUNDS  
FOR THE FISCAL YEAR 2024 BUDGET**

SJTA Treasurer Michael Clipper presented information regarding a reallocation of funds for the Fiscal Year 2024 from the executive director portion of the budget for administrator and recruitment related services.

Commissioner Frantz noted that it makes sense to fund these services in the interim until there is an Executive Director. Hearing no further comments, the Commission took the following action:

Moved by Commissioner Frantz, seconded by Commissioner Ajami, that the resolution approving a reallocation of funds for the 2024 Revised Fiscal Year budget is hereby adopted.

Ayes: Commissioners Frantz, Ajami, Frobose, and Spyksma  
Noes: None  
Absent: None

All voted in favor with none opposed. The Chair declared the motion carried.

## **MOTION ADJOURNING TO CLOSED SESSION**

Moved by Commissioner Ajami, seconded by Commissioner Frantz, that the Commission meeting be adjourned to closed session at approximately 9:06 a.m.:

### **A. Public Employee Appointment**

California Government Code Section 54957(b)(1)

Title: Executive Director

- Valerie Kincaid, Legal Counsel

All voted in favor with none opposed. The Chair declared the motion carried.

## **RECONVENE – OPEN SESSION**

The Commission meeting was reconvened at 10:17 a.m. in open session with all Commissioners present as per the previous open session.

## **REPORT OF ANY ACTION TAKEN IN CLOSED SESSION**

The Chair announced that no reportable action was taken in closed session.

## **MATTERS TOO LATE FOR THE AGENDA**

There were none.

## **FUTURE MEETING**

The next regular meeting is scheduled for Monday, August 12, 2024 at 10:00 a.m.

## **ADJOURNMENT**

There being no further business, moved by Commissioner Frantz, seconded by Commissioner Ajami, that the meeting be adjourned at 10:17 a.m.

All voted in favor with none opposed. The motion was carried.

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Secretary to the Commission of the  
SAN JOAQUIN TRIBUTARIES AUTHORITY

**SAN JOAQUIN TRIBUTARIES AUTHORITY**

**MOTION APPROVING TREASURER'S REPORT**

Moved by Commissioner , seconded by Commissioner , that the Treasurer's Report through July 31, 2024, be approved as presented.

Upon roll call the following vote was had:

Ayes:

Noes:

Absent:

The Chair declared the motion \_\_\_\_\_.

I, Jennifer Land, Secretary of the Commission of the SAN JOAQUIN TRIBUTARIES AUTHORITY, a California joint powers agency, hereby certify that the foregoing is a full, true, and correct copy of a motion duly adopted at a regular meeting of said Commission thereof duly called and held at the Turlock Irrigation District office on the 12<sup>th</sup> day of August, 2024

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Secretary to the Commission of the  
SAN JOAQUIN TRIBUTARIES AUTHORITY



# SAN JOAQUIN TRIBUTARIES AUTHORITY

P.O. Box 949  
Turlock, CA 95381-0949  
(209) 883-8293

## San Joaquin Tributaries Authority Cash Reconciliation

Balance as of 7/1/24: **\$76,271.11**

Receipts for the month:

0.00	Cash Call ()	
150,000.00	Transfer	
<u>150,000.00</u>		\$150,000.00

Disbursements for the month:

9,977.31	Wendy Brown	
<u>9,977.31</u>		\$9,977.31

Bank Account Balance: **\$216,293.80**

Balance as of 7/31/24: **Total Cash Balance: \$216,293.80**

6 36FDP 8397BX.002 FMCC: 0017532



Account Number  
662967901 Page  
1

### ACCOUNT SUMMARY

ACCOUNT NUMBER	STARTING BALANCE	TOTAL NO	DEBITS AMOUNT	TOTAL NO	CREDITS AMOUNT	TOTAL CHGS	INT PD	NEW BALANCE
CHECKING	76,271.11	1	9,977.31	1	150,000.00	.00	.00	216,293.80

### ✓ PUBLIC FUNDS DDA

ACCOUNT	DATE	TRANSACTIONS	DEBITS	CREDITS	BALANCE
	26-JUL	Transfer from x7702 to x7901		150,000.00	226,271.11
	31-JUL	CHECK (DIGITAL) 1108	9,977.31		216,293.80
		Average Daily Balance			104,981.51

P.O. Box 949  
Turlock, CA 95381-0949  
(209) 883-8293

## San Joaquin Tributaries Authority

### Cash Reconciliation

Balance as of 7/1/24: **\$1,014,819.34**

Receipts for the month:

0.00	Cash Call ()	
2,504.87	Interest	
<u>2,504.87</u>		\$2,504.87

Disbursements for the month:

150,000.00	Transfer	
<u>150,000.00</u>		\$150,000.00

Bank Account Balance: **\$867,324.21**

Balance as of 7/31/24: **Total Cash Balance: \$867,324.21**

6 36FDP 18457AX.004 FMCC: 0005228



Account Number  
667507702 Page  
1

#### ACCOUNT SUMMARY

ACCOUNT NUMBER	STARTING BALANCE	TOTAL NO	DEBITS AMOUNT	TOTAL NO	CREDITS AMOUNT	TOTAL CHGS	INT PD	NEW BALANCE
CHECKING	1,014,819.34	1	150,000.00	0	.00	.00	2,504.87	867,324.21

#### ✓ MONEY MARKET

ACCOUNT	DATE	TRANSACTIONS	DEBITS	CREDITS	BALANCE
	26-JUL	Transfer from x7702 to x7901	150,000.00		864,819.34
	31-JUL	INTEREST DEPOSIT		2,504.87	867,324.21
		Average Daily Balance			985,787.08



## San Joaquin Tributaries Authority

### Comparison of Revenue and Expenditures to Budget

#### Year-to-Date July 2024

	Month of <u>July</u>	2024 <u>YTD Activity</u>	2024 <u>Budget</u>	Budget <u>Variance</u>
<b>Revenue</b>				
2024 Cash Call	0.00	1,516,852.00	1,516,852.00	0.00
Carryover	0.00	(35,957.04)	(35,957.04)	0.00
	<u>0.00</u>	<u>1,480,894.96</u>	<u>1,480,894.96</u>	<u>0.00</u>
<b>Expenditures</b>				
Administration	23,977.31	154,781.90	282,850.00	(128,068.10)
General Legal				
Paris Kincaid	47,576.00	402,724.76	1,061,000.00	(658,275.24)
Strategic Visioning Plan	0.00	0.00	0.00	0.00
Executive Director	0.00	0.00	173,000.00	(173,000.00)
<b>Total Expenditures</b>	<u>71,553.31</u>	<u>557,506.66</u>	<u>1,516,850.00</u>	<u>(959,343.34)</u>
<b>Revenue Over Expenditures</b>	(71,553.31)	923,388.30	(35,955.04)	959,343.34