

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

Turlock, California
12 February 2024

The Commission Meeting of the San Joaquin Tributaries Authority was called to order at 10:01 a.m. in regular session on the 12th day of February, 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.

Present were the following representatives of the member agencies:

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

PUBLIC COMMENT

There were no comments from the public.

MOTION APPROVING THE CHAIR

Commissioner Frantz spoke about the rotation of the Chair and Vice Chair, and asked Secretary Land to provide some additional information regarding the upcoming rotation. Secretary Land confirmed that the JPA Agreement and Bylaws contain language that at the very first Commission meeting, the Chair and Vice Chair shall be selected for a term of two years. In 2012, Executive Director Allen Short recommended the Commissioners establish a rotation among the six member agencies (at that time), of which that series of appointments has been followed every two years thereafter. Commissioner Spyksma spoke regarding the two year term, noting he is more than happy to serve if nominated, and asked staff to review the rotation and term. Secretary Land noted that Administrator Jennifer Persike and the member agency attorneys are in the process of reviewing the JPA and Bylaws and that perhaps this could be reviewed as part of that process. Commissioner Ajami asked for clarification regarding review of the JPA and Bylaws, of which Commissioner Spyksma indicated he would like staff to provide a recommendation regarding the rotation with current and any new members. Legal Counsel Art Godwin provided some context regarding the history of the two year rotation, noting new agencies could be added to the rotation.

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

Moved by Commissioner Frobose, seconded by Commissioner Ajami, that the South San Joaquin Irrigation District member is hereby appointed as Chair of the San Joaquin Tributaries Authority for a term of two (2) years, with an amendment that the appointment becomes effective February 13, 2024.

Upon roll call the following vote was had:

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

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

MOTION APPROVING THE VICE CHAIR

Moved by Commissioner Ajami, seconded by Commissioner Spyksma, that the Modesto Irrigation District member is hereby appointed as Vice Chair of the San Joaquin Tributaries Authority for a term of two (2) years, with an amendment that the appointment becomes effective February 13, 2024.

Upon roll call the following vote was had:

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

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

MOTION APPROVING THE TREASURER

Moved by Commissioner Ajami, seconded by Commissioner Spyksma, that Turlock Irrigation District employee Michael Clipper is hereby appointed as Treasurer of the San Joaquin Tributaries Authority for a term of two (2) years.

Upon roll call the following vote was had:

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

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

MOTION APPROVING COMMISSION MEETING MINUTES

Moved by Commissioner Spyksma, seconded by Commissioner Frobose, that the minutes of the regular meeting of November 13, 2023 are approved as presented.

Upon roll call the following vote was had:

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

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

PRESENTATION OF 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 January 2024. Mr. Clipper also provided an updated account balance after checks cleared and remaining agency payments made.

Commissioner Ajami inquired about the \$300,000 budget line item in 2023 for the Executive Director, to which the Treasurer clarified the year should reflect 2024.

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

MOTION APPROVING TREASURER'S REPORT

Moved by Commissioner Spyksma, seconded by Commissioner Ajami, that the Treasurer's Report through January 31, 2024, be approved as amended (with an update of the year from 2023 to 2024).

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

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

UPDATES ON THE STATUS OF THE SJTA EXECUTIVE DIRECTOR RECRUITMENT PROCESS AND OTHER STRATEGIC PLAN IMPLEMENTATION ITEMS

Administrator Jennifer Persike spoke regarding the detailed memo included in the agenda packet and provided updates on recent activity and progress, including the request for proposals and related processes for selecting a search firm for the Executive Director recruitment. A smaller work group of the General Managers was established to review and evaluate proposals, of which a recommendation was made to select Wendy Brown Consulting Partners (WBCP). Ms. Persike provided an overview of WBCP's experience, preliminary conversations had with the firm to negotiate terms, reference checks, the contract with WBCP will be held by Paris Kincaid Wasiewski, and noted the recruitment will be launched immediately to keep with the anticipated timeframe of Commissioner interviews in early May. Ms. Persike also reminded the Commissioners to send her any ideas for potential Executive Director candidates.

Ms. Persike also provided an update regarding efforts/meetings with the member agency attorneys to review the current JPA Agreement and Bylaws to make obvious updates and determine what additional content needs to be included. More refined documents will be presented to the General Managers and the Commissioners.

Ms. Persike also spoke about the minor refresh that was made to the SJTA website, including new content and contact information, same platform was used to save costs, expressed thanks to TID staff for their work on the website, reminded about the vision to revamp the website once a new Executive Director is on board, and also noted that a new domain specific to the SJTA has been secured.

Commissioners and Ms. Persike discussed use of the .gov extension, securing similar domain names so they aren't used by other agencies, and whether the SJTA.org or SJTA.com was considered. Further discussion included an overview of the timeline for the Executive Director position recruitment and the series of steps that will occur between now and May, as well as the desire not to rush the process but to move expeditiously.

MOTION ADJOURNING TO CLOSED SESSION

Moved by Commissioner Spyksma, seconded by Commissioner Frobose, that the Commission meeting be adjourned to closed session at approximately 10:37 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
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 6th 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 – two potential cases
Potential future State Water Board Action
- 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 10:57 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 no reportable action was taken in closed session.

MATTERS TOO LATE FOR THE AGENDA

There were none.

FUTURE MEETING

Commissioner Frantz expressed thanks to Commissioner Spyksma for his willingness to serve as chair and noted that while the organization may not be nimble, it is effective and stronger together.

The next regular meeting is scheduled for Monday, May 13, 2024 at 10:00 a.m.

ADJOURNMENT

There being no further business, moved by Commissioner Spyksma, seconded by Commissioner Frobose, that the meeting be adjourned at 10:58 a.m.

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

_____*Jennifer Land*

Secretary to the Commission of the
SAN JOAQUIN TRIBUTARIES AUTHORITY