

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

Turlock, California  
12 August 2024

The Commission Meeting of the San Joaquin Tributaries Authority was called to order at 10:00 a.m. in regular session on the 12<sup>th</sup> day of August, 2024, conducted in-person from the Turlock Irrigation District located at 333 E. Canal Drive, Turlock, CA and via Zoom Webinar.

Present were the following representatives of the member agencies:

Michael Frantz – Turlock Irrigation District  
Newsha Ajami – City and County of San Francisco  
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 Frobose, that the minutes of the regular meeting of May 13, 2024, special meeting of May 20, 2024, and special meeting of July 11, 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 informed Commissioners that pursuant to their request, the accounts have been split into checking and savings accounts, and presented the cash reconciliation, bank statement activity, and year-to date comparison of revenue and expenditures to budget through the end of July 2024.

Commissioners and staff discussed year to date interest. Hearing no further comments, the Commission took the following action:

Moved by Commissioner Frantz, seconded by Commissioner Ajami, that the Treasurer's Report through July 31, 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.

## **REPORT ON THE DISSOLVED OXYGEN AERATION FACILITY**

Michael Wingfield, ICF Environmental Compliance Manager introduced himself and presented an overview of the Port of Stockton Dissolved Oxygen (DO) Aeration Facility, including background and water quality objectives, studies to identify causes, projects and efforts to address low dissolved oxygen, design/construction and location of the aeration facility, agreement for funding and operation of the facility, dissolved oxygen monitoring, aerator operations, oxygen inputs, facility maintenance and repairs, annual reporting, and annual days of operation (yearly average is 36 days). Mr. Jeff Wingfield, Deputy Port Director for the Port of Stockton was also present to provide information and answer questions.

Commissioners expressed thanks to Mr. Wingfield for the presentation and inquired about any potential impacts to facility operations based on the time of year (climate change, fish presence, and algal blooms), water quality benefits, annual O&M budget and number of contributing sponsors, noticeable environmental benefits near points of discharge, if historical data is available, and oversight of facility benefits to determine longevity/next steps. Legal Counsel Valerie Kincaid reminded Commissioners that the purpose of the DO Aeration Facility is to meet state water quality objectives.

## **MOTION ADJOURNING TO CLOSED SESSION**

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

*Commissioner Spyksma recessed the meeting (for a short break) at 11:02 a.m.*

*Commissioner Spyksma reconvened the meeting at 11:12 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 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

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

### **RECONVENE – OPEN SESSION**

The Commission meeting was reconvened at 12:10 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 reportable action items to report from closed session.

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

There were none.

### **FUTURE MEETING**

The next regular meeting is scheduled for Monday, November 4, 2024 at 10:00 a.m.

## ADJOURNMENT

There being no further business, moved by Commissioner Frobose, seconded by Commissioner Frantz, that the meeting be adjourned at 12:11 p.m.

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

Jennifer Land

Secretary to the Commission of the  
SAN JOAQUIN TRIBUTARIES AUTHORITY