

**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 13th 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.

_____*Jennifer Land*

Secretary to the Commission of the
SAN JOAQUIN TRIBUTARIES AUTHORITY