



SAN JOAQUIN TRIBUTARIES AUTHORITY

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COMMISSION MEETING OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY

TURLOCK IRRIGATION DISTRICT
Board Room, Main Office Building
333 East Canal Drive
Turlock, CA

11:00 a.m., Wednesday, February 20, 2019

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 TAMI WALLENBURG, COMMISSION SECRETARY, IN PERSON OR BY MAIL, AT THE ABOVE ADDRESS, OR BY TELEPHONE AT (209) 883-8310, NOT LESS THAN 24 HOURS PRIOR TO THE MEETING FOR WHICH THE MODIFICATION OR ACCOMMODATION IS REQUIRED

AGENDA

1. **Call to Order**
2. **Salute to the Flag**
3. **Roll Call of Commissioners**
4. **Public Comment** (5 minutes per speaker maximum)

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 Approving Minutes of October 29, 2018**
6. **Report and Motion Accepting the Treasurer's Report**
- Michael Clipper, Treasurer
7. **Motion Approving Filing of Amicus Brief on Behalf of the San Joaquin Tributaries Authority**
- Tim O'Laughlin, Legal Counsel

8. Motion to Adjourn to Closed Session

1. Conference with Legal Counsel – Anticipated Litigation

California Government Code Section 54956.9(d)

Anticipated litigation: two potential cases

- Tim O’Laughlin, Legal Counsel
- Art Godwin, General Counsel

2. Conference with Legal Counsel – Existing Litigation

California Government Code Section 54956.9(d)

Legal Counsel Review of One (1) Existing Case:

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

Case Number CV62094, Tuolumne County Superior Court

- Tim O’Laughlin, Legal Counsel
- Art Godwin, General Counsel

9. Reconvene – Report of Any Action Taken in Closed Session

10. Matters Too Late for the Agenda

11. Next SJTA Meeting – May 13, 2019

12. Motion to Adjourn

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

The Commission of the San Joaquin Tributaries Authority met in regular session on the 29th day of October 2018, at 11:00 a.m., in the Board Room of the Turlock Irrigation District, located at 333 East Canal Drive, Turlock, California.

Present at the meeting were the following representatives of the member agencies:

Larry Byrd – Modesto Irrigation District
Michael Frantz – Turlock Irrigation District
Herman Doornenbal – Oakdale Irrigation District
Ralph Roos – South San Joaquin Irrigation District
Anson Moran – City and County of San Francisco (via teleconference)

PUBLIC COMMENT

There was none.

MOTION APPROVING MINUTES

Moved by Commissioner Byrd, seconded by Commissioner Frantz, that the minutes of the meeting of August 13, 2018 be approved as presented.

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

PRESENTATION OF TREASURER'S REPORT

Treasurer Michael Clipper presented the Statement of Cash Receipts and Disbursements, Revenue and Expenditures Budget Report and Member Cash Call through the end of September 2018. As of September 1, the San Joaquin Tributaries Authority had funds available in the amount of \$570,794.90. Mr. Clipper reported that expenditures for September totaled \$164,771.95, leaving cash on hand in the amount of \$406,022.95.

MOTION ACCEPTING TREASURER'S REPORT

Moved by Commissioner Roos, seconded by Commissioner Moran, that the Treasurer's Report through September 30, 2018, is hereby accepted as presented.

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

**MOTION ACCEPTING AUDITED FINANCIAL STATEMENTS FOR
YEARS ENDING DECEMBER 31, 2017 AND 2016**

Moved by Commissioner Frantz, seconded by Commissioner Byrd, that the audited financial statements for years ending December 31, 2017 and 2016, which were prepared by Monty B. Schultz, Certified Public Accountant for the San Joaquin Tributaries Authority, be hereby accepted.

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

RESOLUTION NO. 2018 - 1

**RESOLUTION APPROVING THE SAN JOAQUIN TRIBUTARIES AUTHORITY
MEETING SCHEDULE FOR 2019**

WHEREAS, the San Joaquin Tributaries Authority is a Joint Powers Authority under the California Government Code; and

WHEREAS, the legislature adopted additional provisions in the Government Code Section 6592.1 to require all meetings where actions regarding financing actions be held at regularly scheduled meetings of the Authority.

BE IT RESOLVED by the Commission of the San Joaquin Tributaries Authority that the attached regular meeting schedule for 2019 be established.

Moved by Commissioner Byrd, seconded by Commissioner Roos, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes:	Commissioners Byrd, Frantz, Moran (via teleconference), Roos, Doornenbal
Noes:	Commissioners - None
Absent:	Commissioners - None

The President declared the resolution adopted.

RESOLUTION NO. 2018 - 2

**RESOLUTION APPROVING THE
SAN JOAQUIN TRIBUTARIES AUTHORITY
2019 FISCAL YEAR BUDGET**

WHEREAS, a proposed budget for fiscal year 2019 totaling \$1,500,000 along with a cash call of \$300,000 from each member agency for operation of the San Joaquin Tributaries Authority

and associated business was presented to the Commission of the San Joaquin Tributaries Authority; and

WHEREAS, the San Joaquin Tributaries Authority recognizes the uncertainty associated with many of the upcoming activities but does not expect the cost to exceed that proposed in the projected budget; and

WHEREAS, the cash call from each member agency of the San Joaquin Tributaries Authority to fund the Authority's share of actions on the San Joaquin River is now projected to be \$300,000 for fiscal year 2019.

NOW THEREFORE, BE IT RESOLVED by the Commission of the San Joaquin Tributaries Authority that the proposed fiscal year 2019 budget in the amount of \$1,500,000 is hereby approved along with an initial cash call of \$50,000 from each member agency and a total cash call of \$300,000 from each member agency. Payment due date of the initial cash call shall be November 12, 2018, or an alternate date determined by the Commission. The remaining balance of the cash call of \$250,000 from each member agency shall become due on January 31, 2019 or an alternate date determined by the Commission.

Moved by Commissioner Frantz, seconded by Commissioner Doornenbal, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: Commissioners Byrd, Frantz, Moran (via teleconference), Roos,
Doornenbal
Noes: Commissioners - None
Absent: Commissioners - None

The Chairman declared the resolution adopted.

MOTION TO ADJOURN TO CLOSED SESSION

Moved by Commissioner Roos, seconded by Commissioner Frantz, that the Commission adjourn to closed session:

- 1. Conference with Legal Counsel – Anticipated Litigation**
California Government Code Section 54956.9(d)
Anticipated litigation: three potential cases
 - Tim O'Laughlin, Legal Counsel
 - Art Godwin, General Counsel

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

RECONVENE – OPEN SESSION

The commission meeting was reconvened in open session with all officers present as per the previous session.

REPORT OF ANY ACTION TAKEN IN CLOSED SESSION

The Chairman announced no reportable action was taken in closed session.

MATTERS TOO LATE FOR THE AGENDA

There was none.

FUTURE MEETING

The next regular meeting is scheduled for February 11, 2019.

ADJOURNMENT

There being no further business, the meeting was duly adjourned by Commissioner Moran, seconded by Commissioner Frantz.

All voted in favor with none opposed. The Chairman declared the meeting adjourned.

Secretary

MOTION APPROVING TREASURER'S REPORT

Moved by Commissioner , seconded by Commissioner , that the Treasurer's Report through January 31, 2019, be approved as presented.

The Chairman declared the motion carried.

I, Tami Wallenburg, Secretary of the Commission of the SAN JOAQUIN TRIBUTARIES AUTHORITY, do hereby CERTIFY that the foregoing is a full, true and correct copy of a motion duly adopted at a regular meeting of said Commission held the 11th day of February 2019.

Secretary of 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 1/1/19: \$473,511.08

Receipts for the month:

1,000,000.00	Cash Call	
0.00	Miscellaneous - MelD	
<u>1,000,000.00</u>		\$1,000,000.00

Disbursements for the month:

4,000.00	Monty B. Schultz	
32,458.61	Consultants	
325,722.50	O'Laughlin & Paris	
<u>362,181.11</u>		\$362,181.11

Bank Account Balance: \$1,111,329.97

Balance as of 1/31/19: Total Cash Balance: \$1,111,329.97

F&M BANK

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA

SAN JOAQUIN TRIBUTARIES AUTHORITY
P O BOX 949
TURLOCK CA 95381

Account Number Page
XXXXX67901 1

ACCOUNT SUMMARY

ACCOUNT NUMBER	STARTING BALANCE	TOTAL NO	DEBITS AMOUNT	TOTAL NO	CREDITS AMOUNT	TOTAL CHGS	INT PD	NEW BALANCE
XXXXX67901	CHECKING 473,511.08	4	362,181.11	4	1,000,000.00	.00	.00	1,111,329.97

✓ PUBLIC FUNDS DDA

ACCOUNT	DATE	TRANSACTIONS	DEBITS	CREDITS	BALANCE
XXXXX67901	03-JAN	DEPOSIT		250,000.00	723,511.08
	03-JAN	CHECK (DIGITAL)	1017 141,903.00		581,608.08
	03-JAN	CHECK (DIGITAL)	1018 4,000.00		577,608.08
	03-JAN	CHECK (DIGITAL)	1019 106,075.11		471,532.97
	08-JAN	DEPOSIT		250,000.00	721,532.97
	15-JAN	CHECK (DIGITAL)	1020 110,203.00		611,329.97
	18-JAN	DEPOSIT		250,000.00	861,329.97
	22-JAN	DEPOSIT		250,000.00	1,111,329.97
		Average Daily Balance			798,323.46



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San Joaquin Tributaries Authority Comparison of Revenue and Expenditures to Budget Year-to-Date January 2019

	Month of <u>January</u>	2019 <u>YTD Activity</u>	2019 <u>Budget</u>	Budget <u>Variance</u>
Revenue				
2019 Cash Call (TID, OID, MID, CCSF)	1,000,000.00	1,000,000.00	1,250,000.00	(250,000.00)
2019 Advance Call (TID, OID, MID, SSJID)	200,000.00	200,000.00	250,000.00	(50,000.00)
Miscellaneous - MelD	0.00	0.00	30,595.92	(30,595.92)
	<u>1,200,000.00</u>	<u>1,200,000.00</u>	<u>1,530,595.92</u>	<u>(330,595.92)</u>
Expenditures				
General Legal				
O'Laughlin & Paris	91,880.00	91,880.00	1,200,000.00	(1,108,120.00)
Consultants				
	18,323.00	18,323.00	200,000.00	(181,677.00)
Miscellaneous				
Monty B. Schultz CPA	0.00	0.00	4,500.00	(4,500.00)
Bank Account Analysis Charges	0.00	0.00	500.00	(500.00)
	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>
Total Expenditures	<u>110,203.00</u>	<u>110,203.00</u>	<u>1,405,000.00</u>	<u>(1,294,797.00)</u>
Revenue Over Expenditures	<u>1,089,797.00</u>	<u>1,089,797.00</u>	<u>125,595.92</u>	<u>964,201.08</u>

**MOTION APPROVING THE FILING OF THE AMICUS BRIEF ON BEHALF
OF THE SAN JOAQUIN TRIBUTARIES AUTHORITY**

Moved by Commissioner _____, seconded by Commissioner _____, that the Law Offices of O’Laughlin and Paris are hereby authorized to file the Amicus Brief on behalf of the San Joaquin Tributaries Authority (Abatti v. Imperial Irrigation District, Fourth District Court of Appeal).

The Chairman declared the motion _____.

CERTIFICATE OF SECRETARY

I, Tami Wallenburg, Secretary of the Commission of the SAN JOAQUIN TRIBUTARIES AUTHORITY, do hereby CERTIFY that the foregoing is a full, true and correct copy of a motion duly adopted at a regular meeting of said Commission held the 11th day of February 2019.

Secretary of the Commission of the
San Joaquin Tributaries Authority