



# 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., Monday, May 13, 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 February 20, 2019**
6. **Report and Motion Accepting the Treasurer's Report**  
- Michael Clipper, Treasurer
7. **Motion to Adjourn to Closed Session**

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

California Government Code Section 54956.9(d)

Anticipated litigation: one potential case

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

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

California Government Code Section 54956.9(d)

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

Tuolumne County Superior Court - Case Number CV62094

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

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

California Government Code Section 54956.9(d)

Abatti vs. Imperial Irrigation District

California Court of Appeal - Case Number D072850

- 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 – August 12, 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 20<sup>th</sup> day of February 2019, 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:

John Mensinger – 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

**PUBLIC COMMENT**

General Counsel Art Godwin reviewed why today's meeting date was rescheduled from February 11, and also thanked the commissioners for their flexibility.

Robert Frobose thanked staff for correctly posting the agenda on the SJTA website. He then reviewed his history with a previous lawsuit involving the Oakdale Irrigation District and his opposition to water being sold outside the area. He also recommended the SJTA commission hire a new law firm.

**MOTION APPROVING MINUTES**

Moved by Commissioner Frantz, seconded by Commissioner Roos, that the minutes of the meeting of October 29, 2018 be approved as presented.

Commissioner Mensinger abstained. All remaining members 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 January 2019. As of January 1, the San Joaquin Tributaries Authority had funds available in the amount of \$473,511.08. Mr. Clipper reported that expenditures for January totaled \$362,181.11, with an incoming Cash Call payment of \$1.0 million, leaving cash on hand in the amount of \$1,111,329.97.

### **MOTION ACCEPTING TREASURER'S REPORT**

Moved by Commissioner Roos, seconded by Commissioner Moran, that the Treasurer's Report through January 31, 2019, is hereby accepted as presented.

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

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

Moved by Commissioner Frantz, seconded by Commissioner Moran, 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).

Commissioner Mensinger abstained. All remaining members voted in favor with none opposed. The Chairman declared the motion carried.

### **MOTION TO ADJOURN TO CLOSED SESSION**

Moved by Commissioner Frantz, seconded by Commissioner Roos, that the Commission 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

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 May 13, 2019.

**ADJOURNMENT**

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

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

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Secretary

**MOTION APPROVING TREASURER'S REPORT**

Moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, that the Treasurer's Report through April 30, 2019, be approved as presented.

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The Chairman declared the motion \_\_\_\_\_.

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 13<sup>th</sup> day of May 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 4/1/19: \$1,147,954.77**

Receipts for the month:

0.00	Cash Call	
4,708.59	Miscellaneous - MeID	
<u>4,708.59</u>		\$4,708.59

Disbursements for the month:

15,256.56	Consultants	
78,300.00	O'Laughlin & Paris	
<u>93,556.56</u>		\$93,556.56

Bank Account Balance: \$1,059,106.80

**Balance as of 4/30/19:**

**Total Cash Balance: \$1,059,106.80**

# F&M BANK

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA

SAN JOAQUIN TRIBUTARIES AUTHORITY  
P O BOX 949  
TURLOCK CA 95381

Account Number  
XXXXX67901

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### ACCOUNT SUMMARY

ACCOUNT NUMBER	STARTING BALANCE	TOTAL NO	DEBITS AMOUNT	TOTAL NO	CREDITS AMOUNT	TOTAL CHGS	INT PD	NEW BALANCE
XXXX-XXXX	CHECKING 1,147,954.77	1	93,556.56	1	4,708.59	.00	.00	1,059,106.80

### ✓ PUBLIC FUNDS DDA

ACCOUNT	DATE	TRANSACTIONS		DEBITS	CREDITS	BALANCE
XXXX-XXXX	09-APR	CHECK (DIGITAL)	1023	93,556.56		1,054,398.21
	19-APR	DEPOSIT			4,708.59	1,059,106.80
		Average Daily Balance				1,081,230.06



# SAN JOAQUIN TRIBUTARIES AUTHORITY

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

	Month of	2019	2019	Budget
	<u>April</u>	<u>YTD Activity</u>	<u>Budget</u>	<u>Variance</u>
<b>Revenue</b>				
2019 Cash Call (TID, OID, MID, CCSF, SSJID)	0.00	1,250,000.00	1,250,000.00	0.00
2019 Advance Call (TID, OID, MID, SSJID)	0.00	200,000.00	250,000.00	(50,000.00)
Miscellaneous - MeID	4,708.59	14,346.34	30,595.92	(16,249.58)
	<u>4,708.59</u>	<u>1,464,346.34</u>	<u>1,530,595.92</u>	<u>(66,249.58)</u>
<b>Expenditures</b>				
General Legal				
O'Laughlin & Paris	78,300.00	351,637.50	1,200,000.00	(848,362.50)
Consultants				
	15,256.56	75,135.01	200,000.00	(124,864.99)
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>
<b>Total Expenditures</b>	<u>93,556.56</u>	<u>426,772.51</u>	<u>1,405,000.00</u>	<u>(978,227.49)</u>
<b>Revenue Over Expenditures</b>	<u>(88,847.97)</u>	<u>1,037,573.83</u>	<u>125,595.92</u>	<u>911,977.91</u>