

AGENDA
BOARD OF DIRECTORS MEETING
CLAYTON WATER DISTRICT

AUGUST 7, 2019
11:00 a.m.

OFFICES OF BAKER, MANOCK & JENSEN, PC
5260 NORTH PALM AVENUE, SUITE 421
FRESNO, CALIFORNIA 93704

1. CALL TO ORDER.
2. PUBLIC COMMENT.
The Board of Directors welcomes participation in Board meetings. The public may address matters under the jurisdiction of the Board that have not been posted in the Agenda. However, California Law prohibits the Board from taking action on any matter that is not on the posted Agenda unless the Board determines that it is an emergency or one of the other situations specified in Government Code section 54954.2. The public will be given the opportunity to address the Board on any item not on the Agenda at this time or before the Board's consideration of that item. If members of the public desire to address the Board relative to a particular Agenda item at the time it is to be considered, they should so notify the President of the Board at this time. The President may limit the total amount of time allocated for public testimony on particular issues for each individual speaker.
3. MINUTES.
 - (a) Review and take action to approve the minutes of the board meeting held on April 3, 2019.
4. TREASURER'S REPORT. Review and take action to accept the monthly financial report.
5. COMMITTEE REPORTS. The Board may take action on any of the following items.
 - (a) Ad hoc Committee
6. CONSULTING SERVICES AGREEMENT. Review and consider action to amend contract with Provost and Pritchard Consulting Services.
7. RESOLUTION SUPPORTING IRWM GRANT APPLICATION. Consider taking action to adopt resolutions supporting the Merced and Madera IRWM Groups' grant applications for Round 1 of IRWM Grant Funding under Proposition 1.
 - (a) Resolution Supporting Merced IRWM Group's Grant Application – Review and take action
 - (b) Resolution Supporting Madera IRWM Group's Grant Application – Review

and take action

8. STAFF REPORT. Update on District activities. The Board may take action on any of the following items:
 - (a) Update on Annexation
 - i. Merced LAFCO Hearing July 18, 2019
 - ii. Madera LAFCO Hearing August 28, 2019 6:00PM
 - (b) Chowchilla Subbasin GSP
 - (c) Merced Subbasin GSP
 - (d) Update on Eastside Bypass Water Rights Application
 - (e) Other items as needed

9. LEGAL COUNSEL REPORT. The Board may take action on any of the following items:
 - (a) Legislation.
 - (b) Report on other legal matters affecting the District.

10. AGENDA FOR NEXT BOARD MEETING. Review and take action to include items on agenda of next Board meeting, which is scheduled for Wednesday, September 4, 2019, at 11:00 a.m.

11. ADJOURNMENT.

- ❖ Items on the Agenda may be taken in any order.
- ❖ Action may be taken on any item listed on the Agenda.
- ❖ Writings relating to open session: Agenda items that are distributed to members of the Board of Directors will be available for inspection at the District office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.

Americans with Disabilities Act of 1990: Under this act, a qualifying person may request that the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for assistance shall be made in person, via telephone, or in written form to the Clayton Water District at P.O. Box 35, El Nido, CA 95317 or at (559) 432-5400, attention Lauren Layne. Requests must be received at least 48 hours prior to a scheduled public meeting.

Minutes of the Meeting of the Board of Directors
Clayton Water District
held on
April 3, 2019

1. Call to Order:

The board meeting for Clayton Water District was called to order at 11:04 a.m. at the office of Baker Manock and Jensen by President Larkin Harman. Board members present were Larkin Harman, Connley Clayton and Robin Clayton. Members of the public included: Lauren Layne of Baker Manock and Jensen, Julia Berry, Sarah Woolf, and Lisa Baker.

2. Public Comment:

There was no public comment.

3. Minutes:

Robin Clayton made a motion to approve the minutes from the March 6, 2019 board meeting. The motion was seconded by Connley Clayton and it passed unanimously.

4. Treasurer's Report:

Connley Clayton reported that the beginning balance on March 1, 2019 was \$8,138.98, and the ending balance was \$9,884.25. Total expenses in March totaled \$5,965.96, and deposits were in the amount of \$7,711.23. Total reimbursable expenses are currently at a rate of \$7.98/acre when the district completes annexation and encompasses 10,600 acres.

Director R. Clayton made a motion to accept the report, seconded by Director Harman, and the motion passed unanimously.

5. Committee Reports:

There was no report given, as there have not been any ad hoc meetings.

6. Precision Engineering Invoice:

Director R. Clayton made a motion to pay Precision Engineering \$3900.00 for additional time spent on the Municipal Services Review (MSR), seconded by Director C. Clayton, and the motion passed unanimously.

7. Consulting Services Agreement:

Director R. Clayton made a motion to renew a contract with Julia Berry to provide consulting services on a project basis, seconded by Director C. Clayton, and the motion passed unanimously.

8. Staff Report:

- (a) Update on Annexation
 - i. MSR Review Status

Staff agreed to coordinate with Sarah Woolf to match the boundaries as a final precaution to avoid overlap of CLWD Sphere of Influence and Triangle T Water District's boundary. Counselor Layne commented that properties in the Clayton Sphere of Influence which may be annexed in the future to the Triangle T Water District can be addressed easily by CLWD in the Triangle T Water District annexation process.

- (b) Water Supply Projects/Opportunities
 - i. 2019 Water Supply

Water is running in the Fresno River and some landowners are diverting water from the Eastside Bypass Uncontrolled Season waters. Lisa Baker and Antonio Brasil are diverting from the Bypass.

- (c) Eastside Bypass Water Rights Application:

Sarah Woolf reported that the Eastside Bypass water rights application is temporarily on hold while we understand what is expected by studying the response to the application submitted by Aliso Water District, and conducting meetings with agency staff.

- (d) Staff reported that the Merced Subbasin GSA is conducting a Proposition 218 election to infrastructure projects, monitoring and administration. A presentation was given by Provost and Pritchard, a consultant working on part of the election, at the March 22, 2019 Special Meeting.

The following individuals were appointed to the Merced Subbasin Coordinating Committee: Bob Kelley, Nick Marchini, Mike Gallo, George Park (alternate). The Coordinating Committee is currently discussing how to allocate water (what quantities) to grazing lands that have not exercised their right and no decision has been made as of yet. Secondly, the Committee is exploring the idea of asking for a recharge permit from the state to launch a programmatic recharge program. It was mentioned that this is a long and expensive process.

9. Legal Counsel Report:

Counselor Layne reported that the fertilizer tax (mill tax) has been turned into a budget trailer bill. ACWA has introduced the concept of a trust fund for funding this from the General Fund. SB 669 seeks to achieve a similar goal by creating a trust fund, and Senator Monning has introduced similar language through SB 200. AB 336 (Mathis) is a cleanup bill for SGMA. HR 1764 (Garamendi) diverts money originally intended for High Speed Rail to local infrastructure projects.

10. Agenda for Next Board Meeting:

The next meeting is scheduled for May 1, 2019.

11. Adjournment:

Director Harman made a motion to adjourn the meeting, seconded by Robin Connley, and passed unanimously. The meeting was adjourned at 11:37 PM.

Connley Clayton, District Secretary

RESOLUTION NO. 19-01

**A RESOLUTION OF THE CLAYTON WATER DISTRICT SUPPORTING THE
MERCED INTEGRATED REGIONAL WATER MANAGEMENT GROUP'S
APPLICATION FOR PROPOSITION 1 GRANT FUNDING**

WHEREAS, Clayton Water District (the "District") is a California water district that is currently annexing 7,006 acres of land in Merced County and an additional 3,595 acres of land in Madera County; and

WHEREAS, the California Department of Water Resources ("DWR") is soliciting applications for and administering an Integrated Regional Water Management ("IRWM") Implementation Grant that will be funded by the Water Quality, Supply and Infrastructure Improvement Act of 2014 ("Proposition 1"); and

WHEREAS, the District is a local agency whose projects may be included in the application for Round 1 of the IRWM Implementation Grant Program funding; and

WHEREAS, the District does not intend to apply for the IRWM Implementation Grant Program funding in Round 1, but is considering projects to be funded by Round 2 of the IRWM Implementation Grant Program; and

WHEREAS, the District desires to express its support for the projects listed in the grant application of the Merced IRWM Group for Round 1 of the IRWM Implementation Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Clayton Water District:

1. The above Recitals are true and correct and are incorporated herein by this reference.
2. The District supports the application of the Merced IRWM Group for Round 1 of the IRWM Implementation Grant Program and requests that DWR fund the projects identified in said application.

Passed and adopted by the Board of Directors of the Clayton Water District at a regular meeting thereof held on the 7th day of August, 2019, by the following vote:

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

Larkin Harman, President

Connley Clayton, Secretary

RESOLUTION NO. 19-02

**A RESOLUTION OF THE CLAYTON WATER DISTRICT SUPPORTING THE
MADERA INTEGRATED REGIONAL WATER MANAGEMENT GROUP'S
APPLICATION FOR PROPOSITION 1 GRANT FUNDING**

WHEREAS, Clayton Water District (the "District") is a California water district that is currently annexing 7,006 acres of land in Merced County and an additional 3,595 acres of land in Madera County; and

WHEREAS, the California Department of Water Resources ("DWR") is soliciting applications for and administering an Integrated Regional Water Management ("IRWM") Implementation Grant that will be funded by the Water Quality, Supply and Infrastructure Improvement Act of 2014 ("Proposition 1"); and

WHEREAS, the District is a local agency whose projects may be included in the application for Round 1 of the IRWM Implementation Grant Program funding; and

WHEREAS, the District does not intend to apply for the IRWM Implementation Grant Program funding in Round 1, but is considering projects to be funded by Round 2 of the IRWM Implementation Grant Program; and

WHEREAS, the District desires to express its support for the projects listed in the grant application of the Madera IRWM Group for Round 1 of the IRWM Implementation Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Clayton Water District:

1. The above Recitals are true and correct and are incorporated herein by this reference.
2. The District supports the application of the Madera IRWM Group for Round 1 of the IRWM Implementation Grant Program and requests that DWR fund the projects identified in said application.

Passed and adopted by the Board of Directors of the Clayton Water District at a regular meeting thereof held on the 7th day of August, 2019, by the following vote:

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

Larkin Harman, President

Connley Clayton, Secretary