

**AGENDA  
BOARD OF DIRECTORS  
REGULAR MEETING  
CLAYTON WATER DISTRICT**

Per Executive Order N-29-20, which allows local and state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, this Special Meeting of the Board of Directors of the Clayton Water District

will be held via telephone conference call on

**Wednesday, November 4, 2020**

**11:00 a.m.**

and can be accessed as follows:

**Teleconference Number 1 (800) 511-7985**

**Access code: 705-7062**

The public may participate in the meeting as otherwise permitted under the Brown Act by calling into this telephone number.

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 October 7, 2020.

4. TREASURER'S REPORT. Review and take action to accept the monthly financial report.

5. STAFF REPORT.

- (a) Landowner Meetings October 29, 2020
- (b) Madera County GSA Call for Recharge Projects
- (c) Revisions to Landowner Agreement – review and take action

6. OLD BUSINESS. The Board may take action on any of the following items:

- (a) Review and consider action to hire a consultant to prepare an Engineer's Report for a Proposition 218 election for purposes of imposing a land-based assessment.

7. BOARD MEMBER REPORTS. The Board may take action on any of the following items:

- (a) Merced and Madera County GSAs
- (b) CV Salts
- (c) Other Items/meetings as needed

8. AGENDA FOR NEXT BOARD MEETING. Review and take action to include items on agenda of next Board meeting on December 2, 2020.

9. 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  
October 7, 2020

1. Call to Order:

The board meeting for Clayton Water District was called to order at 11:02 a.m. via conference call by President Larkin Harman. Board members present were Larkin Harman, Lisa Baker, Eddie Gomes, Scott Menefee and Connley Clayton. Members of the public included: Lauren Layne of Baker Manock and Jensen, Julia Berry, Calvin Monreal, Sarah Woolf and Kristi Robinson.

2. Public Comment:

There was no public comment.

3. Minutes:

Director Clayton made a motion, seconded by Director Baker to approve the minutes of the September 2, 2020 Board of Directors meeting. The motion carried.

4. Treasurer's Report:

Director Clayton reported a current bank balance of \$204,389.20 as of September 30, 2020. The following expenses were paid in the month of September: consulting \$2,135.00; engineering \$3,840.60; legal \$999.90.

Director Harman made a motion to accept the Treasurer's report, seconded by Director Baker and the motion carried.

5. Staff Report:

The non-tax sharing agreement with Merced County has been executed on September 15, 2020.

A district wide well survey will be conducted in October to record groundwater levels. It was discussed that perhaps data could be shared with Madera County GSA, and the conversation recognized that Clayton Water District has agreed to collect groundwater data and submit to the County GSA via a legal agreement with the County.

Staff reported that one landowner has not signed the Landowner Agreement, nor paid assessments invoiced by the District. The Board of Directors may choose to conduct a Proposition 218 election to collect assessments from landowners via the County tax bills, instead of through invoices issued by the District. The Prop 218 election includes the drafting of an engineers report, which is reviewed and approved by the CLWD Board of Directors, ballots are issued to landowners, outreach meeting is conducted and then a final meeting is held to conclude the process. At the final meeting, ballots may be presented to be counted. The whole process consumes 4-6 months and costs \$35,000-\$50,000. These costs include expenses for the engineer's report, legal, administrative

services, and public meetings. The assessments identified in the engineer's report can be increased over time by 3% at a time. The engineers report (or "fee study") can set forth a land-based flat rate maximum, which can be set annually by the CLWD Board of Directors (the amount can be reduced as needed to cover actual costs). For the election to be successful, 51% + of voters must vote positively. Without a Proposition 218 election, the Board of Directors has authority to assess a maximum of \$3.00/acre. Staff was directed to schedule outreach meetings for CLWD landowners to educate on the Proposition 218 elections for the week of October 19<sup>th</sup> or October 26<sup>th</sup>.

Staff was given general direction to continue scheduling meetings via conference call and to forgo Zoom calls.

Staff contacted Jarrett Martin, CCID and Stephanie Anagnoson with Madera County Water and Natural Resources Department to inquire regarding any regional coordination meetings on SGMA, subsidence or Disadvantaged Communities. There are no meetings scheduled at this time.

6. New Business:

- (a) Director Harman made a motion, seconded by Director Clayton to enter into a contract for services with Julia Berry Consulting, Inc., and to terminate a contract with Julia Berry, as an individual. The motion carried.
- (b) Director Harman made a motion, seconded by Director Baker to elect Connley Clayton as District Treasurer. The motion carried.
- (c) No action was taken. Staff was directed to circulate a copy of the Merced County GSA Proposition 218 Fee Study to the Board of Directors.

7. Board Member Reports:

Merced County GSA will conduct a meeting on October 8, 2020.

Director Harman reported that the Madera County GSA is dividing groundwater into two classes: (1) sustainable water; (2) transitional water. Discussions regarding water allocations will continue. Director Harman did not attend the San Joaquin Valley Blueprint meeting.

Sarah Woolf reported that the CV Salts program has hired Luhdorff and Scalmanini to write an early action plan for Priority One - Pathway B dischargers. Self Help will contribute to the effort with access to funding from a domestic well testing grant. There is a meeting scheduled via Zoom on October 16, 2020 at 3:30 p.m. to discuss the Nitrate Management Plan.

8. Agenda for Next Board Meeting:

The next meeting is scheduled for Wednesday, November 4, 2020 at 11:00 a.m.

9. Adjournment:

Director Harman made a motion to adjourn the meeting, seconded by Director Menefee, and passed unanimously. The meeting was adjourned at 11:52 a.m.

---

Connley Clayton, District Secretary

DRAFT