

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

APRIL 3, 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 special board meeting held on March 6, 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. PRECISION ENGINEERING INVOICE. Review and take action to approve payment of an invoice from Precision Engineering.
7. CONSULTING SERVICES AGREEMENT. Review and take action to hire a consultant on a project basis.
8. STAFF REPORT. Update on District activities. The Board may take action on any of the following items:
 - (a) Update on Annexation

- i. MSR Review Status
 - (b) Water Supply Projects/Opportunities
 - i. 2019 Water Supply
 - (c) Update on Eastside Bypass Water Rights Application
 - (d) 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 Monday, May 1, 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
March 6, 2019

1. Call to Order:

The board meeting for Clayton Water District was called to order at 11:12 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, Lisa Baker, and George Park.

2. Public Comment:

George Park commented that Lone tree Mutual Water Company is interested to find ways to recharge in partnership with CLWD, and would like to investigate sharing costs. He is interested in injection wells and advocates for looking at the shallow and deep aquifer separately.

3. Minutes:

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

4. Treasurer's Report:

Connley Clayton reported that the beginning balance on February 1, 2019 was \$8,500.06, and on February 28, 2019 was \$8,138.98. Two expenses were paid February in the amounts of \$861.02 and \$361.08.

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

Director R. Clayton made a motion to adopt the proposed budget for FY 2019-2020, seconded by Director Connley Clayton, and the motion passed unanimously.

5. Committee Reports:

The committee gave a recommendation to the Board not to pay additional costs associated with the Municipal Services Review (MSR). And recommended that the projects discussed at the January Public Workshop be qualified and selected as appropriate for the Chowchilla Subbasin Groundwater Sustainability Plan projects list.

6. Staff Report:

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

The Board discussed the proposal from Precision Engineering for additional payment due to additional time spent on the Municipal Services Review (MSR). The Board gave

direction to staff to ask Precision to present the costs associated with (1) writing legal descriptions; (2) surveying (if applicable).

Secondly, the Board directed staff to look into the Triangle T Sphere of influence as it may overlap to landowners annexing into the CLWD.

(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. We are in uncontrolled season currently. Case Vlot, Scott Menefee and Larkin Harman are doing rotational pumping.

ii. Merced Regional Advisory Committee (RAC) Meeting February 26, 2019
- Grant Funding Round 1 & 2, Merced Integrated Regional Water Management Plan

Staff reported that a meeting occurred on February 26, 2019 where a project was presented on behalf of CLWD for a feasibility study and construction of Conveyance facilities to connect CLWD to Westside and Merced Irrigation District water supplies, to be funded by the Merced Integrated Regional Water Management Plan Proposition 1 grant funding. Funds will require a match from the District, potentially at a 50% level match.

(c) Eastside Bypass Water Rights Application:

Chris White organized a meeting with USBR. Fish screens will be required of every diverter. There may be an opportunity to negotiate the phasing of fish screens, based on flow. USBR has offered to help look for federal grant money to help with the cost and will try to manipulate flow rate requirements with fish screens, i.e. higher flow rates may not require screens. Lower flow rates could be required to have screens first, higher flow rates later, potentially. Sarah Woolf indicated that another meeting will occur in March.

(d) Staff reported that the Madera County Flood Management Agency is planning a Proposition 218 election to fund flood management projects and activities.

7. Legal Counsel Report:

Counselor Layne reported that the fertilizer tax (mill tax) from the 2018 legislative session is back again in 2019. ACWA has introduced the concept of a trust fund for funding this from the General Fund. Senator Manning has introduced similar language through SB 200. Mathis has a spot bill on SGMA with no language: AB 336 is a placeholder at this time. AB 441 (Eggman) declares underground storage as a reasonable and beneficial use of water.

Laurel Firestone has been appointed to the State Water Resources Control Board, taking Felicia Marcus's position.

8. Agenda for Next Board Meeting:

The next meeting is scheduled for April 3, 2019.

9. Adjournment:

Director Robin Connley made a motion to adjourn the meeting, seconded by Connley Clayton, and passed unanimously. The meeting was adjourned at 12:37 PM.

Connley Clayton, District Secretary

Precision Civil Engineering (PCE)

PO Box 1789
Fresno, CA 93717
(559) 449-4500

Clayton Water District
c/o Lauren Layne
5260 N. Palm Avenue, Suite 421
Fresno, CA 93704

Invoice number 22808
Date 03/21/2019

Project **17-038 MUNICIPAL SERVICES REVIEW REPORT**

The scope of work consists of preparing a Municipal Services Review (MSR) Report for the Clayton Water District, located in the western edge of Madera County and encompasses approximately 1,200 acres. In 2007, an initial MSR was performed, which recommended future re-evaluation. As part of this evaluation, the District would like to review the potential for expansion and/or consolidation. Any proposed changes to the District's existing boundaries and sphere of influence requires LAFCo's review and approval.

	<u>Amount</u>	
Basic Services		
Contract Amount	12,000.00	
Percent Complete	100.00	
Prior Billed	12,000.00	
Total Billed	12,000.00	
	Current Billed	<u>0.00</u>
	Total	<u>0.00</u>

	<u>Hours</u>	<u>Rate</u>	<u>Billed Amount</u>
Extra Work			
Professional Licensed Surveyor			
5365 Legal Description	12.00	145.00	1,740.00
<i>Legal Description</i>			
Project Surveyor/LSIT			
5365 Legal Description	18.00	120.00	2,160.00
<i>Legal Description</i>			
	<u>subtotal</u>		<u>3,900.00</u>
	Phase subtotal		3,900.00
	Invoice total		3,900.00

Aging Summary							
Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
22808	03/21/2019	3,900.00	3,900.00				
	Total	3,900.00	3,900.00	0.00	0.00	0.00	0.00

Terms:

Payable upon receipt of invoice. A financial charge of 1.5% per month (18% annually) on accounts over 30 days.