

**REVISED 09/14/09**

**WESTLANDS WATER DISTRICT**

**NOTICE OF ADJOURNED REGULAR MEETING AND AGENDA**

**NOTICE**

Notice is hereby given that an adjourned regular meeting of the Board of Directors of Westlands Water District will be held on September 15, 2009 at 8:30 a.m., at the District's Fresno Office, 3130 N. Fresno Street, Fresno, California 93703.

**Public Comment** - Any member of the public may address the Board concerning any matter on the agenda before or during its consideration of that matter.

**AGENDA**

- 1. Approval of the Minutes of the Adjourned Regular Board Meeting of August 13, 2009**
- 2. General Manager's Report (Birmingham)**
  - a. Water supply, drainage, energy and other resources activities
  - b. Federal affairs
  - c. Other District activities
- 3. Outside Agency Activities (Board)** - Reports on activities of outside agencies (FFA, SLDMWA, ACWA and SJVDA, etc.) will be presented.
- 4. Legal Affairs Committee (Devine)** - The Board will act upon recommendations of the Committee, if any, regarding District legal issues.
- 5. Operations & Maintenance Committee (Coelho)** - The Board will act upon recommendations of the Committee, if any, regarding District operations & maintenance issues.
- 6. Personnel Committee (Devine)** - The Board will act upon recommendations of the Committee, if any, regarding the following item:
  - a. Appointment to Fill Vacancy on the Board of Directors
- 7. Water Policy Committee (Errotabere)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
  - a. Land Use and Asset Management Plan
  - b. Agreement to Pursue Drainage Treatment Pilot Project
  - c. Proposal to Refine and Develop the Delta Smelt Ecosystem Diagnosis and Treatment (EDT) Model
  - d. Proposal to Manage the Bollibokka Fishing Club
- 8. Finance & Administration Committee (Sheely)** - The Board will act upon the recommendations of the Committee, if any, regarding the following items:
  - a. Allocation of District Cushion and System Gain
  - b. Budget Transfers and Augmentations

# WESTLANDS WATER DISTRICT

September 15, 2009 8:30 a.m.

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- c. Accounts Payable Reports
- d. Investment and Financial Reports

## 9. Declaration of Results for 2009 General District Election (Dahl)

10. **Public Comment** - Any member of the public may address the Board concerning any matter not on the Agenda within the Board's jurisdiction.

11. **Closed Session** - The Board will meet in closed session pursuant to the Government Code sections noted to discuss the following:

### a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- 1) Subdivision (a) of Section 54956.9; Westlands v. U.S.
- 2) Subdivision (a) of Section 54956.9; Westlands v. State Water Resources Control Board (D-1641)
- 3) Subdivision (a) of Section 54956.9; Application to Appropriate Water from San Joaquin River
- 4) Subdivision (a) of Section 54956.9; Firebaugh & CCID v. U.S.
- 5) Subdivision (a) of Section 54956.9; San Luis & Delta-Mendota Water Authority v. Salazar
- 6) Subdivision (a) of Section 54956.9; San Luis & Delta-Mendota Water Authority v. Locke

### b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

- 1) Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; two potential cases

### c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

- 1) Section 54956.8  
Property: Land and/or water entitlement  
Agency Negotiator: Thomas W. Birmingham, General Manager/General Counsel  
Negotiating Parties: Unknown  
Under negotiation: Instruction to negotiator will concern price and terms of payment

Written materials related to an item on this agenda to be considered in open session that are public records and that are distributed less than 72 hours prior to the meeting will be made available for public inspection, (1) when distributed if said materials were prepared by the District or a member of the Board of Directors or (2) after the meeting if said materials were prepared by others, at the District's Fresno office, 3130 N. Fresno St., Fresno, California during normal business hours.

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to the District office, at least 48 hours before a public District meeting.