

# WESTLANDS WATER DISTRICT

## NOTICE OF HEARING, REGULAR MEETING AND AGENDA

### NOTICE

Notice is hereby given that a hearing and regular meeting of the Board of Directors of Westlands Water District will be held on May 17, 2011 at 1:30 p.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.

### HEARING

1. **Equalization Hearing for the District's 2011 Repayment Contract Benefit Assessment (Dahl)** - The Board, sitting as a Board of Equalization, will consider the adoption of Resolution No. 108-11, equalizing the 2011 Assessment Book and setting the assessment rate.

### AGENDA

1. **Approval of the Minutes of the Regular Board Meeting of April 19, 2011 and Special Board Meeting of April 20, 2011**
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 and SFWCA, 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 District personnel issues.
7. **Water Policy Committee (Errotabere)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
  - a. Request for Easement across District Land in Section 18, T14S, R15E, MDB&M
8. **Finance & Administration Committee (Sheely)** - The Board will act upon the recommendations of the Committee, if any, regarding the following items:
  - a. Resolution No. 109-11, Adding Unpaid Charges to the 2011 Repayment Contract Benefit Assessments
  - b. 2011-2012 Budget Transfer and Augmentation for Water Supply and Revisions to 2011-2012 Water Rates and Charges

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- c. Other Budget Transfers and Augmentations
  - d. Accounts Payable Reports
  - e. Investment and Financial Reports
9. **Public Comment** - Any member of the public may address the Board concerning any matter not on the Agenda within the Board's jurisdiction.
10. **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
      - 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.