

# 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 July 19, 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. **Hearing on Proposed Revised Land-Based Charge (Dahl)** – The Board will hear comments and consider Resolution No. 113-11, Adopting A Revised Land-Based Charge for Drainage Service Area.

### AGENDA

1. **Approval of the Minutes of the Regular Board Meeting of June 21, 2011 and Special Board Meeting of June 24, 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. Resolution No. 114-11, Approving the Filing of Statutory and Categorical Exemption Under California Environmental Quality Act (CEQA) for Approval of the Interim Renewal Contract Between the United States of America and Westlands Water District Providing for Project Water Service
8. **Finance & Administration Committee (Sheely)** - The Board will act upon the recommendations of the Committee, if any, regarding the following items:

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- a. Amendment of District Rules and Regulations, Article 13. Conflict of Interest Code
- b. Budget Transfers and Augmentations
- c. Accounts Payable Reports
- d. Investment and Financial Reports

**9. Sitting as the Board of Directors of Distribution District No. 1** – The Board will act upon the recommendations, if any, regarding the following items:

- a. Approval of the Minutes of the Regular Board Meeting of February 15, 2011
- b. Resolution Nos. 105-11, 106-11, 107-11 and 108-11, Approving the Filing of Statutory and Categorical Exemption under California Environmental Quality Act for Approval of the Interim Renewal Contract Between the United States of America and Westlands Water District Distribution District No. 1 Providing for Project Water Service
- c. Public Comment – Any member of the public may address the Board concerning any matter not on the Agenda within the Board’s jurisdiction.
- d. Closed Session – The Board will meet in closed session pursuant to the Government Code Sections noted to discuss the following:  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
1) Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9;  
two potential cases

**10. Sitting as the Board of Directors of Distribution District No. 2** – The Board will act upon the recommendations, if any, regarding the following items:

- a. Approval of the Minutes of the Regular Board Meeting of February 15, 2011
- b. Resolution No. 102-11, Approving the Filing of Statutory and Categorical Exemption Under California Environmental Quality Act for Approval of the Interim Renewal Contract Between the United States of America and Westlands Water District Distribution District No. 2 Providing for Project Water Service
- c. Public Comment – Any member of the public may address the Board concerning any matter not on the Agenda within the Board’s jurisdiction.
- d. Closed Session – The Board will meet in closed session pursuant to the Government Code Sections noted to discuss the following:

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.

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## CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

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

**12. 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

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