

WESTLANDS WATER DISTRICT

NOTICE OF REGULAR MEETING AND AGENDA

NOTICE

Notice is hereby given that a regular meeting of the Board of Directors of Westlands Water District will be held on December 20, 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.

AGENDA

1. **Approval of the Minutes of the Adjourned Board Meeting of November 15, 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 the operations and 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. 121-11, Approving the Filing of Statutory and Categorical Exemptions Under the California Environmental Quality Act for Approval of the Interim Renewal Contract Between the United States of America and Westlands Water District Providing for Project Water Service, and Authorizing the Execution Thereof
 - b. Resolution No. 122-11, Authorizing Execution of a Contract for Temporary Water Service Between the United States and Westlands Water District, and Related Actions
 - c. Irrigation System Management Program
8. **Finance & Administration Committee (Enos)** - The Board will act upon the recommendations of the Committee, if any, regarding the following items:
 - a. Budget Transfers and Augmentations
 - c. Accounts Payable Reports
 - d. Investment and Financial Reports

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9. **Appeal of Finance & Administration Committee Decision Regarding Waiver of Rules and Regulations, Article 2, Regulations for the Allocation and Use of Agricultural Water Within Westlands Water District, by Department of the Navy, Naval Air Station Lemoore (Ciapponi)**
10. **Board of Directors Appointments (Birmingham)**
11. **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 July 19, 2011
 - b. Resolution Nos. 109-11, 110-11, 111-11 and 112-11, Approving the Filing of Statutory and Categorical Exemptions Under the 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, and Authorizing the Execution Thereof
 - c. Resolution No. 113-11, Authorizing Execution of a Contract for Temporary Water Service Between the United States and Westlands Water District Distribution District No. 1, and Related Actions
 - e. Public Comment – Any member of the public may address the Board concerning any matter not on the Agenda within the Board’s jurisdiction.
 - f. 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
12. **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 July 19, 2011
 - b. Resolution No. 103-11, Approving the Filing of Statutory and Categorical Exemptions Under the 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, and Authorizing the Execution Thereof

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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- c. Resolution No. 104-11, Authorizing Execution of a Contract for Temporary Water Service Between the United States and Westlands Water District Distribution District No. 2, and Related Actions
 - d. Public Comment – Any member of the public may address the Board concerning any matter not on the Agenda within the Board’s jurisdiction.
 - e. 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
- 13. Public Comment** - Any member of the public may address the Board concerning any matter not on the Agenda within the Board's jurisdiction.
- 14. 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

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Negotiating Parties: Unknown

Under negotiation: Instruction to negotiator will concern price and terms of payment

d. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

1) Section 54957

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