

WESTLANDS WATER DISTRICT

NOTICE OF HEARING AND REGULAR MEETING AND AGENDA

NOTICE

Notice is hereby given that a hearing and a regular meeting of the Board of Directors of Westlands Water District will be held on May 19, 2015 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. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

HEARING

1. **Equalization Hearing for the District's 2015 Repayment Contract Benefit Assessment (Ormonde)** - The Board, sitting as a Board of Equalization, will consider the adoption of Resolution No. 109-15, equalizing the 2015 Assessment Book and setting the assessment rate.

AGENDA

1. **Approval of the Minutes of the Regular Board Meeting of April 21, 2015 and Special Board Meeting of April 30, 2015**
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 SFCWA, etc.) will be presented.
4. **Legal Affairs Committee (Coelho)** - 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 maintenance issues.
6. **Personnel Committee (Sano)** - 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. Memorandum of Agreement for the Westlands Water Quality Coalition to Join a Group Management Practices Evaluation Program Pursuant to the Central Valley Regional Water Quality Control Board Waste Discharge Requirements General Order R5-2014-0001

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8. **Finance & Administration Committee (Enos)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
 - a. Resolution No. 110-15, Adding Unpaid Charges to the 2015 Repayment Contract Benefit Assessments
 - b. Amendment of District Rules and Regulation, Article 13. Conflict of Interest Code for Westlands Water District
 - c. 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. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

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
(Pursuant to Cal. Gov. Code section 54956.9(d)(1))
 - 1) *Westlands v. United States* (Drainage) (US Ct. of Fed. Claims)
 - 2) *SLDMWA, et al. v. Natural Resources Defense Council* (2008 Delta Smelt BiOp) (Cert. Denied by USSC)
 - 3) *SLDMWA, et al. v. Locke* (2009 Salmon BiOp) (US Court of Appeals, 9th Cir.)
 - 4) *Pacific Coast Federation of Fishermen's Assoc., et al., v. US Department of Interior, et al.* (NEPA Interim Renewal Contract) (Ninth Circuit Court of Appeals)
 - 5) *SLDMWA, et al. v. Dept. of Interior* (COA) (E.D. California)
 - 6) *SLDMWA, et al. v. Jewell* (Trinity River) (Ninth Circuit)
 - 7) *Harrington v. Westlands* (Employment) (Fresno County Superior Court)
 - 8) *Westlands v. Mireles* (Breach of Contract) (Kings County Superior Court)
 - 9) *Delta Stewardship Council Cases* (Delta Reform Act; CEQA) (Sacramento County Superior Court)
 - 10) *Modesto Irrigation District, et. al. v. Woods Irrigation Company* (Water Rights Enforcement) (Sacramento County Superior Court)
 - 11) *Sills v. Westlands* (Negligence) (Fresno County Superior Court)

 - b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Pursuant to Cal. Gov. Code section 54956.9(d)(2) or (3))

 - c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Cal. Gov. Code section 54956.8)

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Property: TBA

Agency Negotiator: General Manager or delagatee

Negotiating Parties: TBA

Under negotiation: 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.