REVISED 11/13/15

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 November 17, 2015 at 1:00 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.

AGENDA

1. **Approval of the Minutes of the Special Board Meeting of October 7, 2015 and Regular Board Meeting of October 20, 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. Sustainable Groundwater Management Act Update

8. **Finance & Administration Committee (Enos)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:

   a. 2015-2016 Revised Water Rates and Charges

WESTLANDS WATER DISTRICT

November 17, 2015 1:00 p.m.

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b. Budget Transfers and Augmentations
c. Accounts Payable Reports
d. Investment and Financial Reports

9. **Adoption of Policy for Not Audibly Recording Meetings of the Board of Directors or Board Committees of Westlands Water District (Williams)**

10. **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.

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 - PENDING LITIGATION
(Pursuant to Cal. Gov. Code section 54956.9(d)(1))
1) *Westlands v. United States* (Drainage)
2) *Firebaugh Canal Water District v. United States* (Drainage)
3) *SLDMWA, et al. v. Natural Resources Defense Council* (2008 Delta Smelt BiOp)
4) *SLDMWA, et al. v. Locke* (2009 Salmon BiOp)
5) *Pacific Coast Federation of Fishermen's Assoc., et al., v. US Department of Interior, et al.* (NEPA Interim Renewal Contract)
6) *SLDMWA, et al. v. Dept. of Interior* (COA)
7) *SLDMWA, et al. v. Jewell* (Trinity River 2014 Releases)
8) *Harrington v. Westlands* (Employment)
9) *Westlands v. Mireles* (Breach of Contract)
10) *Delta Stewardship Council Cases* (Delta Reform Act; CEQA)
11) *Modesto Irrigation District, et al, v. Woods Irrigation Company* (Water Rights Enforcement)
12) *California Farm Bureau, et al, v. State Water Resources Control Board* (Water Rights Fees)
13) *California Sportfishing Alliance, et al, v. United State Bureau of Reclamation* (TUCP)
14) *SLDMWA, et al, v. United States Bureau of Reclamation* (Trinity River 2015 Releases)
15) *Echeveste, et al, v. Anaya, et al* (Eviction)

b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Pursuant to Cal. Gov. Code section 54956.9(d)(2), (3), or (4)
Number of Potential Cases: Three (3)

c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

WESTLANDS WATER DISTRICT
November 17, 2015 1:00 p.m.

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(Pursuant to Cal. Gov. Code section 54956.8)

1) Property: S ½ of Section 14, T14S, R14E; 314.6 acres
   Agency Negotiator: General Manager/General Counsel or delagatee
   Negotiating Parties: First Solar Development, LLC
   Under negotiation: Price and terms of payment
2) Property: APN 028-101-77, lots 7 & 8; 40 acres
   Agency Negotiator: General Manager/General Counsel or delagatee
   Negotiating Parties: Gridtide Development, LLC
   Under negotiation: Price and terms of payment
3) Property: All or portions of Sections 19, 20, 21, 22, 27, 28, 29, and 30, T15S, R15E; approximately 3,950 acres
   Agency Negotiator: General Manager/General Counsel or delagatee
   Negotiating Parties: Recurrent Energy
   Under negotiation: Price and terms of payment
4) Property: Portions of Sections 23, 24, 25 and 26, T15S, R14E; approximately 1,224 acres
   Agency Negotiator: General Manager/General Counsel or delagatee
   Negotiating Parties: Sun Power
   Under negotiation: Price and terms of payment
5) Property: Portion of Section 33, T17S, R16E; approximately 2.7 acres
   Agency Negotiator: General Manager/General Counsel or delagatee
   Negotiating Parties: Clenera
   Under negotiation: Price

e. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
   (Pursuant to Ca. Gov. Code section 54957(b)(1)
   Title: General Manager/General Counsel

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.