

## REVISED AGENDA 03/11/16

### NOTE DIFFERENT START TIME & LOCATION

### 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 March 15, 2016 at 11:00 a.m. at the District's Five Points Office, 23050 W. Mt. Whitney, Five Points, California 93624.

**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 Regular Board Meeting of February 16, 2016**
2. **President's Report (Peracchi)**
3. **General Manager's Report (Birmingham)**
  - a. Water supply, drainage, energy and other resources activities
  - b. Federal affairs
  - c. Other District activities
4. **Outside Agency Activities (Board)** - Reports on activities of outside agencies (FFA, SLDMWA and SFCWA, etc.) will be presented.
5. **Legal Affairs Committee (Coelho)** - The Board will act upon recommendations of the Committee, if any, regarding District legal issues.
6. **Operations & Maintenance Committee (Coelho)** - The Board will act upon recommendations of the Committee, if any, regarding District maintenance issues.
7. **Personnel Committee (Enos)** - The Board will act upon recommendations of the Committee, if any, regarding District personnel issues.
8. **Water Policy Committee (Errotabere)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
  - a. Resolution No. 107-16, Certifying a Mitigated Negative Declaration Pursuant to the California Environmental Quality Act for Westlands Water District Groundwater Pumping and Conveyance Project

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- b. Resolution No. 108 -16, Resolution No. 108-16, Authorizing Execution of Warren Act Contracts and Exchange Agreements with the United States Bureau of Reclamation for Conveyance and Storage of Non-Project Water in Federally-Owned Facilities, and Related Actions
  - c. Sustainable Groundwater Management Act Update
9. **Finance & Administration Committee (Enos)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
- a. Budget Transfers and Augmentations
  - b. Accounts Payable Reports
  - c. Investment and Financial Reports
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) *Westlands v. Mireles* (Breach of Contract)
    - 9) *Delta Stewardship Council Cases* (Delta Reform Act; CEQA)
    - 10) *Modesto Irrigation District, et al, v. Woods Irrigation Company* (Water Rights Enforcement)
    - 11) *California Farm Bureau, et al, v. State Water Resources Control Board* (Water Rights Fees)
    - 12) *SLDMWA, et al, v. United States Bureau of Reclamation* (Trinity River 2015 Releases)
    - 13) *California Sportfishing Protection Alliance, et al, v. State Water Resources Control Board, Westlands Water District, et al.* (2015 TUCP Orders)

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- 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  
(Pursuant to Cal. Gov. Code section 54956.8)
  - 1) Property: Approximately 12.1 acres in Section 30, T15S, R15E  
Agency Negotiator: General Manager/General Counsel or delagatee  
Negotiating Parties: Recurrent Energy  
Under negotiation: Easement price and terms of performance
  - 2) Property: About 1,650 acres on APNs 33-280-02, 33-270-01, 33-270-03, 33-370-01, 33-370-02, 33-390-01, 33-390-05, 33-380-03, 33-380-02, and 33-380-07  
Agency Negotiator: General Manager or Delagatee  
Negotiating Parties: Hallmark and CA Dept. of Water Resources  
Under Negotiation: Price and terms of performance

### RECESS

1:30 p.m.

- 12. **Annual Water Users' Workshop** – District staff will provide information on various matters for the 2016-2017 water year.

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.