

# WESTLANDS WATER DISTRICT

## NOTICE OF HEARING AND 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 February 20, 2018 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.

### HEARING

1. **Hearing on Proposed Water Rates, Charges and Land-Based Charges (Ormonde)** - The Board will hear comments and consider Resolution No. 107-18, adopting water rates, charges and land-based charges, to be effective March 1, 2018.

### AGENDA

1. **Approval of the Minutes of the Regular Board Meeting of January 16, 2018 and Special Board Meeting of January 22, 2018**
2. **General Manager's Report (Birmingham)**
  - a. Water supply, drainage, energy, California WaterFix, COA, and other resources activities
  - b. Federal affairs
  - c. Review of Emergency Curtailment Response
  - d. 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 the following item:
  - a. Modifications to Duties and Responsibilities for Personnel Classification – General Counsel
  - b. Approve Recommended Salary Increase for General Counsel
5. **Operations & Maintenance Committee (Coelho)** - The Board will act upon recommendations of the Committee, if any, regarding District O&M issues.
6. **Personnel Committee (Enos)** - The Board will act upon recommendations of the Committee, if any, regarding District personnel issues.

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7. **Water Policy Committee (Errotabere)** - The Board will act upon recommendations of the Committee, if any, regarding the following items:
  - a. Consider Withdrawal from the State and Federal Water Contractors Agency
  - b. Review/Consider Participation in Preconstruction Activities Related to the Temperance Flat Reservoir Project
  - c. Request to Secretary of Interior for the Potential Sharing of Costs of Enlarging Shasta Dam and Reservoir
  - d. Resolution No. 108-18, Supporting the Application for Grant Funding from the United States Bureau of Reclamation for Projects Related to Drought Resiliency
  - e. Ratify Grant of Easement to Pacific Gas and Electric Company
  - f. 2017-18 Quarterly Groundwater Use Update
  - g. 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. Membership Dues for the San Luis & Delta-Mendota Water Authority
  - b. 2018-2019 Recommended Budget, Water Rates and Charges, Estimate of Obligations and Revenues, and Salary Schedule
  - c. Resolution No. 109-18, Objecting to the Sale of Kings County Tax-Defaulted Properties
  - d. Budget Transfers and Augmentations
  - e. Accounts Payable Reports
  - f. 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 REAL PROPERTY NEGOTIATORS  
(Pursuant to Cal. Gov. Code section 54956.8)
    - 1) Property: Land and Water Supply  
Agency Negotiator: General Manager or delagatee  
Negotiating Parties: To be Determined  
Under Negotiation: Purchase price and terms of payment

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2) Property: Approximately 3,450 acres of land, consisting of: W ½ of Section 16, 230 Ac in E ½ Section 17, W ½ Section 18, Sections 19 and 20, 269 Ac. in N ½ Section 21, N ½ Section 29, and Section 30, in T.6N., R.3E., M.D.B.&M.

Agency Negotiator: General Manager or delagatee

Negotiating Parties: David E. Wood

Under Negotiation: Lease(s) and terms of payment

### b. CONFERENCE WITH LEGAL COUNSEL – EXISTING 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) *Turk Station, LLC v. Westlands Water District* (Equal Protection)
- 4) *Delta Stewardship Council Cases* (Delta Reform Act; CEQA)
- 5) *SLDMWA & Westlands v. United States Bureau of Reclamation* (Trinity River 2014 and 2015 Releases)
- 6) *California Sportfishing Protection Alliance, et al, v. State Water Resources Control Board; Westlands, Intervenors* (2015 TUCP Orders)
- 7) *SLDMWA & Westlands v. U.S. Dept. of Interior* (OCAP EIS)
- 8) *Natural Resources Defense Council v. Environmental Protection Agency; Westlands, Intervenors* (Clean Water Act and TUCPs)
- 9) *North Coast Rivers Alliance, et al, v. U.S. Dept. of Interior; Westlands, Intervenors* (2016-2018 Interim Renewal Contract EA)
- 10) *In re DWR and Bureau of Reclamation Change Petition for California WaterFix*
- 11) *In re Wastewater Change Petition WW0092 of the Sacramento Regional County Sanitation District*
- 12) *California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of California WaterFix Revenue Bonds*

### c. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

- 1) Significant Exposure to Litigation  
(Pursuant to Cal. Gov. Code section 54956.9(d)(2) or (3))  
Number of Potential Cases: Three (3)
- 2) Initiation of Litigation  
(Pursuant to Cal. Gov. Code section 54956.9(d)(4))  
Number of Potential Cases: One (1)

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- d. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Pursuant to Cal. Gov. Code section 54957(b))  
Position: General Counsel

I, *Bolivia Ormonde* declare that the foregoing agenda for the February 20, 2018 regular meeting of the Westlands Water District Board of Directors was posted on February 15, 2018, at the District's Fresno Office, 3130 N. Fresno Street, Fresno, CA 93703, at the District's Five Points Field Office, 23050 W. Mt. Whitney Avenue, Five Points, CA 93624, and on the District's website, at <http://wwd.ca.gov/news-and-reports/meeting-information/> and was available for public inspection.

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.