



BOARD OF DIRECTORS:

Matthew Manning, President
Linda Kuipers, Director
Chris Blessing, Director

Zechariah Manning, Director
Julie Davis, Director

Ron Demmers, Water Operations Manager

AGENDA

WESTERN HILLS WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
November 10 at 5:30 p.m.

[Note: as akenized below, the WHWD will hold a closed session meeting commencing at 5:30 p.m., with the regular meeting reconvening at 6:30 p.m.]

Meeting Locations: **NONE**

NOTICE: MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING AND ADDRESS THE BOARD VIA TELEPHONE ONLY. THIS MEETING WILL NOT INCLUDE IN PERSON PUBLIC ATTENDANCE.

This meeting will be held in accordance with the Governor’s Stay at Home Executive Order N-33-20 and will not include in person public attendance. Members of the public may participate in the meeting and provide comments to the Board via telephone as described below.

Join Zoom Meeting

<https://us06web.zoom.us/j/84999754888?pwd=Q1BUeFISRGcxZ3ljbFNBcDcrTnQ5UT09>

Meeting ID: 849 9975 4888

Passcode: 980983

One tap mobile

+17207072699,,84999754888#,,,,*980983# US (Denver)

+12532158782,,84999754888#,,,,*980983# US (Tacoma)

Dial by your location

+1 720 707 2699 US (Denver)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Note: if you wish to address the WHWD Board during public comments or on any matter on the agenda please identify yourself. Specific questions may be emailed to Ashley Wilkins at awilkins@whwdist.com, prior to the meeting.

ALTERNATE FORMATS OF THIS AGENDA WILL BE MADE AVAILABLE TO QUALIFIED INDIVIDUALS WITH DISABILITIES UPON ADVANCE REQUEST. APPROPRIATE INTERPRETIVE SERVICES FOR THIS MEETING WILL BE PROVIDED IF FEASIBLE TO QUALIFIED INDIVIDUALS WITH DISABILITIES UPON ADVANCE REQUEST. If you are a qualified individual with disabilities and need assistance, please contact the District

Secretary at (209) 895-9493, 48 hours prior to the meeting to enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Any and all of the following agenda items are subject to action being taken by the Board of Directors by motion, resolution, or ordinance. Members of the public may address the Board of Directors concerning any agenda item during the Board's consideration of that item.

- 1. Call meeting to order (5:30 p.m.)**
- 2. Roll Call**
- 3. Public Comments on Closed Session Items/Motion to Adjourn to Closed Session.**

A. Pursuant to Government Code 54956.9 Conference with Legal Counsel – Existing Litigation:

- 1) WHWD/Diablo Grande CFD No. 1 v. World International, LLC, et al./Stanislaus County Superior Court Case No. CV-21-002840 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**
- 2) WHWD/Diablo Grande CFD No. 1 v. Angel's Crossing, LLC, et al./Stanislaus County Superior Court Case No. CV-21-003177 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**
- 3) WHWD/Diablo Grande CFD No. 1 v. Angel's Crossing, LLC, et al./Stanislaus County Superior Court Case No. CV-21-003252 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**

B. Pursuant to Government Code 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation: one potential case.

**WESTERN HILLS WATER DISTRICT - MEETING OF THE BOARD OF DIRECTORS
Wednesday, November 10, 2021 at 6:30 p.m.**

6:30 p.m. – Reconvene Open Session

- 4. Reportable Actions Taken During Closed Session**
- 5. Motion approving Consent Calendar**

All matters listed hereunder shall be acted upon by a single vote of the Board. There will be no individual discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate agenda item.

- a. Approval of the October 2021 Checks and Warrants.
- b. Approval of minutes for regular meeting October 13, 2021 and special meeting November 3, 2021.

6. Action Items

- a. Consideration and Approval of Resolution No. 2021-19, Resolution of the WHWD re Approval of Expenditure of Approximately \$50,000 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses.
- b. Consideration and Approval of Resolution No. 2021-20, Resolution of the WHWD Making Findings in Accordance with AB 361 and Government Code Section 54953(e) Authorizing

Remote Meetings

- c. Consideration and Approval of Resolution No. 2021-21, Resolution of the WHWD Approving Stanislaus County Election Cost Estimate and Requesting Stanislaus County to Set Date for District Election
- d. Consideration and Approval of Resolution No. 2021-22, Resolution of the WHWD Considering Approval of HF&H Water Rate Study, Proposition 218 Public Notice and Setting Date, Time and Location for Public Hearings for Proposed Increase in Water Rates

7. Reports

- a. Other Board member reports

8. Public Comment on Items Not on the Agenda

Interested persons in the audience or by teleconference are welcome to introduce any topic within the District's jurisdiction. Matters presented under this agenda item may be discussed, but no action can be taken by the Board at this meeting except as follows:

- a. *Briefly respond to statements made or questions raised.*
- b. *Ask a question for clarification.*
- c. *Provide a reference to staff or other resources for factual information.*
- d. *Request staff to report back at a subsequent meeting.*
- e. *A Board member or the Board itself may take action to direct staff to place a matter of business on a future agenda.*

9. Motion to Adjourn.

Next Adjourned Regular Meeting: Wednesday, December 8, 2021.

Matter Too Late for the Agenda: *Action items may be added to the agenda upon determination by a majority vote of the Board that an emergency exists, as defined by state law, or by a 2/3 vote of the Board that (1) there is a need to take immediate action; and (2) that the need for action came to the District's attention after the agenda was posted.*