

**Resolution No. 2022 – 21**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN HILLS WATER DISTRICT**

WHEREAS, on July 14, 2021, the WHWD Board of Directors adopted Resolution No. 2021-12 (the “Resolution”), as required by Water Code §35052, and a certified copy of the Resolution was provided to the Stanislaus County Registrar of Voters and published in the Patterson Irrigator as required by Water Code §35053; and

WHEREAS, Water Code §35054 provides that upon adoption of the Resolution “...all elections within the district for elective offices, bonds, or other purposes shall be conducted under laws relating to resident voting districts and all provisions of this article shall prevail over any contrary provisions in this division relating to landowner voting districts.”; and

WHEREAS, because WHWD is no longer a landowner voting district by operation of law (and therefore WHWD cannot conduct a landowner voting election) the obligation to conduct the resident election falls on Stanislaus County, in accordance with Stanislaus County’s laws, regulations and other requirements; and

WHEREAS, Stanislaus County has informed WHWD that it will hold the WHWD election with the California General Election on November 8 2022; and

WHEREAS, all five (5) director positions will be up for election on November 8, 2022 as follows: three (3) director positions will be for terms expiring in 2026; one (1) director position will be for a term expiring in 2024; and one (1) director position will be for a term expiring in 2023 (the “2023 Expiring Term”); and

WHEREAS, unless WHWD requests that Stanislaus County extend the term of the 2023 Expiring Term to 2024, WHWD will have to pay for Stanislaus County to hold a special election for this position in 2023; and

WHEREAS, in order to avoid that expense and provide for the orderly governance of WHWD, the WHWD Board requests that Stanislaus County extend the 2023 Expiring Term so that it expires in 2024.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The above recitals are true and correct and are incorporated into this Resolution by this reference.
2. Based upon the foregoing, the WHWD Board requests that Stanislaus County extend the term of the director position which is set to currently expire in 2023 by one year, so that it will expire in 2024.


3. WHWD staff is authorized to work with and coordinate with Stanislaus County and the various county offices to carry out the provisions of this resolution and in conducting future district elections.

Moved by Director, Mark Kovich, second by Director Julie Davis, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: 4  
Noes: 0  
Abstain: 0  
Absent: 1

I, Mary Davies, Secretary of the Board of Directors of the Western Hills Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a duly noticed special meeting of the said Board of Directors held the 1<sup>st</sup> day of July 2022.

  
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Mary Davies, District Secretary