



BOARD OF DIRECTORS:

Guillermo Marrero, President
Carmen Kearney, Treasurer/Collector/Assessor
Tracy Taylor, Secretary to Board

Matthew Manning, Director
Zechariah Manning, Director
Barry Ivy, Director

Jerry Phillips, General Manger

AGENDA

WESTERN HILLS WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday, September 9, 2020 at 4:30 p.m.

[Note: as aenized below, the WHWD will hold a closed session meeting commencing at 4:30 p.m., with the regular meeting reconvening at 5:00 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.

Dial **844-219-5837** and enter **PIN#54795802**. Follow the instructions as prompted.

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 Tracy Taylor at ttaylor@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 (4:30 p.m.)**
- 2. Roll Call**
- 3. Public Comments on Closed Session Items/Motion to Adjourn to Closed Session.**

**1. Conference with Legal Counsel – Anticipated Litigation
California Government Code Section 54956.9(d)
Anticipated litigation: one potential case**

5:00 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 August Check and Warrants.
- b. Approval of minutes for regular meeting August 12, 2020
- c. Approval of minutes for special meeting August 18, 2020.

6. Written Communications

Resignation from Director Barry Ivy

7. Action Items

- a. Consider Adoption of Resolution No. 2020-08 a Resolution to Initiate Process to Appoint Director Due to Vacancy.
- b. Approval of resolution 2020-09, 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
- c. Approval of resolution 2020-10, Resolution of the WHWD re Approval of Expenditure of Approximately \$2,000 of Diablo Grande Community Facilities District No. 1 Mello Roos bond Refinance Proceeds for the Payment to BNY Mellon for Trustee Admin Fees for series 14 invoice #252-2312059

8. Reports by District Staff

9. Reports of Board Members

Members of the Board may give verbal reports on activities or request that future matters be placed upon a Board agenda

10. 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.*

11. Motion to Adjourn.

Next Adjourned Regular Meeting: Wednesday, October 14, 2020.

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.*