

**WESTERN HILLS WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS**

October 14, 2020

1. Call to Order

The meeting of the Board of Directors of the Western Hills Water District was called to order in regular session by M. Manning. at 4:31pm. Meeting was held via telephone pursuant to the Governor's Stay at Home Executive Order N-33-20.

2. Roll Call

Present Directors on the call were: President M. Manning, Treasurer C. Kearny & Director Z. Manning, Director G. Marrero (at 4:51pm) also present was Secretary Tracy Taylor and General Counsel David Hobbs. It is unknown how many members of the public called in.

3. Public comments on Closed Session Items/Motion to adjourn to Closed Session.

Motion to adjourn to closed session/convened at 4.33pm. Reconvene open session at 5:01pm

4. Reportable Actions Taken During Closed Session:

None.

5. Consent Calendar

The Minutes for the September 9, 2020 meeting and the Checks & Warrants for the month of September 2020 were reviewed and unanimously approved upon motion by Director M. Manning and seconded by Director Z. Manning, with all board members voting in favor.

6. Written Communications:

None

7. Action Items:

- a. Consider Adoption of Resolution No. 2020-08 a Resolution to Initiate Process to Appoint Director Due to Vacancy. President M. Manning offered to the board to resign from his position as a board of Director if Angels Crossing was willing to put in an escrow account the \$16 million they owe the WHWD and give them his seat on the board. After much discussion a motion was made of proceed with the appointment of the open seat with a call of candidates, the motion was seconded by Director G. Marrero with Ayes from director C. Kearney and director Z. Manning
- b. Approval of resolution 2020-11, Resolution of the WHWD re Approval of Expenditure of Approximately \$5,797.50 of Diablo Grande Community Facilities District No. 1 Mello Roos bond Refinance Proceeds for the Payment to Goodwin Consulting Group for Bond Admin Services Invoice #10919 Motion to pay invoice was made by Director G Marreo and seconded by Director C. Kearney, all board members were in favor

- c. Approval of resolution 2020-12, Resolution of the WHWD re Approval of Expenditure of Approximately \$3,215.91 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 #252-2312014 & #D20259P00007. Amount was corrected by Secretary to \$2,400.00. A motion was made by C Kearney to pay invoice and seconded by Z. Manning, all board members were in favor.

8. Reports By District Staff:

None

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

Director Z. Manning gave update about the water rate study and the ad hoc committee. He stated that the members had gotten of track with the study and that they will be meeting soon hope to have a model to present to the board at the next meeting in November.

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.*

- Questions were asked about the water rate study and the future cost of water for the residents in DG. Director G. Marrero stated that all options are being looked at and the developer may need to be phased in so the entire costs would not be a burden of the entire community, he also gave an explanation and process of prop 218

- Jim Miller, request to be invited to the next ad hoc committee meeting or rate study discussion and requesting for Director C. Kearney to be present at the meeting instead of D. M. Manning.

- Seth Scott, flawed representation of the prev entitled to do

- Two options either no motion available or pick up adoption (this is regards to action item a)

- Julie Davis spoke about the 16m debt to World, about 1 Million a year, 8% rate hike subsidy, developer never added customers, upset that we have to raise rates by thousands with no contribution from the developer

- Jaime Lister , Concerned about Kern County water not being paid and if the water is going to be turned off, is anyone intending to pay it? Agreeing that the contract is the worse water deal ever and can it be changed

- Mike Mike, proposed purchaser, Questioning Seth Scotts background and the ability of AC to perform what they are proposing to the community, stated they are in breach of contract and upset about the lack of due diligence by the WHWD board of directors.

- Daniel Lapin- Wanted to know status of golf course as it is drying out, will AC keep the golf course in tact and will they be planning on installing a whole new golf course

- Regina Scotland, asked M. Manning to handle the meetings more professionally

- Carol Grace, asked that the WHWD board of directors please keep AC off the board
- Debra, wanted to thank the board for beginning to fill the occupancy and stated she would like to see an AC rep on the board.

Many other residents spoke about their concerns with both the WHWD board and the fact that AC has not paid their liabilities

Motion to Adjourn.

Meeting adjourned at 6:58 pm by motion made by M. Manning and seconded by Z. Manning. All board members were in favor.

Next Adjourned Regular Meeting: Wednesday, November 11, 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.*

Respectfully submitted:

Secretary of the Board

Approved:

Matthew Manning, President