

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

December 17, 2020

1. Call to Order

The meeting of the Board of Directors of the Western Hills Water District was called to order in special session by M. Manning. at 12:04pm. Meeting was held via Zoom 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. Kearney & Director Z. Manning, Director G. Marrero, Director J. Davis; also present was General Counsel David Hobbs. Approximately 30 members of the public participated in the meeting.

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

Motion to adjourn to closed session/convened at 12:06pm. Reconvene open session at 1:01pm

4. Reportable Actions Taken During Closed Session:

Pres. Manning announced the resignation of Directors G Marrero and C Kearney, effective immediately. The board authorized initiation of litigation and related matters concerning the 2020 Assignment, Assumption and Release Agreement.

5. Consent Calendar:

The Minutes for the November 2020 meeting and the Checks & Warrants for the month of November 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. Approval of Resolution No. 2020-13, Resolution of the WHWD re Approval of Expenditure of Approximately \$50,000.00 of Diablo Grande Community Facilities District No. 1 Mello Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses. After consideration a motion was made by Director M. Manning and seconded by Director J. Davis, will all directors voting in favor.
- b. Approval of Resolution No. 2020-14, a Resolution to Appoint new WHWD Treasurer/Assessor/Tax Collector. After consideration of Richard Mowery for the appointment, a motion was made by Director M. Manning and seconded by Director J. Davis, will all directors voting in favor, to be sworn in at a later date.
- c. A motion to authorize staff to request proposals from qualified firms interested in providing special counsel services to WHWD for Diablo Grande Community Facilities District No. 1 Mello Roos litigation was made by President M. Manning and seconded by Director Z. Manning, with all directors voting 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

None.

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.*

- R. Lucas stated that a petition for special election had been submitted to the WHWD that morning. General Counsel D Hobbs advised the WHWD would review and respond accordingly.

11. Motion to Adjourn.

Meeting adjourned by motion made by M. Manning and seconded by Z. Manning. All board members were in favor.

Next Adjourned Regular Meeting: Wednesday, January 13, 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.*

Respectfully submitted:

Secretary of the Board

Approved:

Matthew Manning, President