



**BOARD OF DIRECTORS:**

**Matthew Manning**, President

**Guillermo Marrero**, Director

**Carmen Kearney**, Treasurer/Collector/Assessor

**Zechariah Manning**, Director

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*Jerry Phillips, General Manger*

**AGENDA**

WESTERN HILLS WATER DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
**Wednesday, November 18, 2020 at 4:00 p.m.**

**[Note: as aenized below, the WHWD will hold a closed session meeting commencing at 4:00 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.

Topic: WHWD Board Meeting November 18, 2020  
Time: Nov 18, 2020 04:00 PM Pacific Time (US and Canada)

Join Zoom Meeting  
<https://zoom.us/j/94920683178?pwd=Y1NVUkpLekZkOUJFUXNzUnhTOWEzUT09>

Meeting ID: 949 2068 3178  
Passcode: 875213  
One tap mobile  
+16699009128,,94920683178#,,,,,0#,,875213# US (San Jose)  
+12532158782,,94920683178#,,,,,0#,,875213# US (Tacoma)

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 (4:00 p.m.)**
2. **Roll Call**
3. **Public Comments on Closed Session Items/Motion to Adjourn to Closed Session.**

**a. Conference with Legal Counsel – Anticipated Litigation**  
**California Government Code Section 54956.9(d)(4)**  
**Anticipated litigation: one potential case**

**b. Public Employee Performance Evaluation**  
**California Government Code section 54957(b)(1)**  
**Title: General Manager**

**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 October Check and Warrants.
- b. Approval of minutes for regular meeting October 14, 2020

**6. Written Communications**

**7. Action Items**

- a. Review and interview valid applicants to appoint director to Board vacancy; consider motion to appoint valid applicants to Board vacancy.

Note: the format for interview and possible appointment shall be as follows:

1. The Board shall introduce a candidate and allow them to introduce themselves and provide any opening statement, if any.
2. The Board shall ask questions of the candidate and the candidate shall be allowed the opportunity to respond.
3. After the conclusion of the interview process, a member of the public may provide comments to the Board on the matter. The comment period must be limited to two minutes. Public comments shall be respectful and not be derogatory or disruptive.
4. At the conclusion of public comments, if any, the Board shall move to appoint a candidate for the vacancy.

- b. Approval of resolution 2020-11, 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 2020-12, 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
- d. Consider appointment of Ashley Wilkins to position of Board Secretary.
- e. Consider Motion to cancel December 9, 2020 WHWD Board meeting.

## **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, 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.*