



**BOARD OF DIRECTORS:**

- Mary Davies, Director
- Martin Gene Johnson, Director
- Martin George Johnson, Director
- John Frederick, Director
- Mark Kovich, Director

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*Ron Demmers, Water Operations Manager*

**WESTERN HILLS  
WATER DISTRICT**

**SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**November 3, 2023, at 4:00 p.m.**

**Note: as agenzed below, the WHWD will hold a closed session meeting commencing at 4:00 p.m., with the Regular meeting reconvening at 6:00 p.m.**

**Meeting Location:**

**Diablo Grande Clubhouse- 9521 Morton Davis Drive, Patterson, California  
(Diablo Grande)**

**This Meeting Will Be In-Person Only at the Above-Location**

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 Ashley Wilkins at awilkins@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. Pursuant to Government Code 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation: one potential case.
  - B. Pursuant to Government Code 54956.9 Conference with Legal Counsel – Existing Litigation:
    - 1) City of Patterson v. WHWD/Stanslaus County Superior Court Case No. CV-23-005834 (Breach of Contract; Declaratory/Injunctive Relief)

#### 4. 6:00 p.m. – Reconvene Open Session

#### 5. Reportable Actions Taken During Closed Session

#### 6. Public Comment

*Pursuant to California Government Code Section 54954.3(a), this is the time set aside for members of the public to directly address the WHWD Board on any item of interest to the public that is within the subject matter jurisdiction of the WHWD and to address the Board on any item on tonight's agenda. You will be allowed five (5) minutes for your comments. Pursuant to California Government Code Section 54954.2(a)(3), no action or discussion may be undertaken on any item not appearing on the posted agenda, except that the WHWD Board, or its staff, may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.*

#### 7. Motion to Adjourn

Next Adjourned Regular Meeting: Wednesday, November 8, 2023.

**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.*