



Board of Directors

Mark Kovich, John Frederick, Mary Davies, Martin George Johnson, Martin Gene Johnson
Ron Demmers – Water Operations Manager

AGENDA

WESTERN HILLS WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS

Monday, June 10th, 2024, at 6:00 p.m.

Note: per the agenda below, the WHWD will hold a public meeting at 6:00 p.m. with closed executive session starting at 4:00 pm.

Meeting Location:

**Diablo Grande Community Center - 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. 4:00 p.m. Closed Executive Session

2. Roll Call

3. Public Comments on Closed Session Items/Motion to Adjourn to Closed Session.

A. Pursuant to Government Code 54956.9 Conference with Legal Counsel – Existing and Potential Litigation:

1) City of Patterson Code v. WHWD/Stanslaus County Court Case N. CV-23-005834 (Breach of Contract; Declaratory/Injunctive Relief)

2) WHWD v. World International/Angels Crossing Conty Court Case N. CV-24-003049; FPPC Complaint No. COM-12192023-03944, and related matters (Breach of Contract and Fraud).

3) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: [Two (2) potential cases]

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

5. Reportable Actions Taken During Closed Session

6. Action Items:

A. Motion to approve the May 8th, 2024 Minutes of Public Meeting and Checks and Warrants for May 2024.

B. Motion to approve the WHWD Annual FY 2025 Proposed Budget.

C. Motion to approve Resolution 2024-06 to create a Fiscal Year starting July 1 and ending June 30 of each year for the operation and expenditures of the Community Facilities District (CFD) in maintaining and protecting the CFD properties and assets as authorized expenditures. Any expenditures outside the approved budget to be voted and approved in Public session only.

D. Motion to approve CFD budget for FY 2025.

E. DG Community Developer Coordinator Michael Oliver to update Community on development activity.

7. Public Comment on Items Not on the Agenda

Interested persons in the audience 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.*

Next Adjourned Regular Meeting: To be Announced.

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.*