

**Resolution No. 2023-11**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
WESTERN HILLS WATER DISTRICT AUTHORIZING USE OF DIABLO  
GRANDE COMMUNITY FACILITIES DISTRICT NO. 1 SPECIAL TAXES FOR  
TO MAINTAIN AND PROTECT CFD-OWNED REAL PROPERTIES**

WHEREAS, the Western Hills Water District, an agency of the State of California (“WHWD”), has conducted proceedings resulting in the formation of the Community Facilities District No. 1 (“CFD”) and the issuance and sale of bonds or debt pursuant to the Mello-Roos Community Facilities Act of 1982 (Cal. Gov. Code §53311, et seq.; the “Act); and

WHEREAS, on August 23, 2023 the WHWD Board of Directors duly adopted WHWD Resolution No. 2023-06, which among other things, identified parcels of CFD-owned real property (the “CFD Properties”) and authorized WHWD to use Community Facilities District No. 1 Special Tax Revenues received by WHWD for “administrative expenses to maintain and protect the CFD Properties;”

WHEREAS, WHWD received several bids from qualified contractors to repair significant structural damage to the Diablo Grande Clubhouse located on CFD Properties (the “DG Clubhouse Structural Repairs”); and

WHEREAS, WHWD has determined that the DG Clubhouse Structural Repairs are necessary for the protection and maintenance of the CFD Properties; and

WHEREAS, WHWD desires to accept the bid from Dave Silveira Construction (DSC) and authorize the expenditure of approximately \$36,650.00 on behalf of the CFD Properties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the WHWD acting as the Legislative Body of its CFD No. 1 that:

1. The expenditure of approximately \$36,650.00 of Community Facilities District No. 1 Special Tax Revenues received by WHWD is authorized in order to perform the DG Clubhouse Structural Repairs.
2. The contract dated December 4, 2023 between Dave Silveira Construction and WHWD CFD is approved.
3. The expenditures identified herein are necessary in order to maintain and protect the CFD Properties.
4. This Resolution shall be effective immediately, and the Secretary and Treasurer shall be authorized to undertake all actions necessary to enforce the terms of this Resolution.

Moved by Director, Mark Kovich, second by Director, Mary Davies, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: Directors, M. Kovich, M. Davies, J. Frederick, Marty Gene Johnson, Marty  
George Johnson

Noes:

Abstain:

Absent:

I, Mary Davies, Secretary of the Board of Directors of the Western Hills Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a special meeting of the said Board of Directors held the 13<sup>th</sup> day of December, 2023.

A handwritten signature in blue ink, appearing to read "Mary Davies", is written over a horizontal line.