



Board of Directors

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

**AGENDA**

WESTERN HILLS WATER DISTRICT  
REGULAR MEETING OF BOARD DIRECTORS

**Thursday, December 12<sup>th</sup> is cancelled and replaced with**

**SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**Saturday, December 14<sup>th</sup>, 2024, at 12:00 p.m.**

**Note: per the agenda below, the WHWD will hold a public meeting at 12:00 p.m. with closed executive session starting at 10:30 a.m.**

**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**

**And Virtual via Zoom**

==

<https://us02web.zoom.us/j/87375197114>

---

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](mailto: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. Roll Call**

**2. Motion to approve published agenda**

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

**4. 10:30 a.m. Closed Executive Session**

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

B. Conference with Legal Counsel—Existing Litigation Pursuant to Gov. Code s. 54956.9(d)(1): *Western Hills Water District v. World International, LLC et al.*; SCSC Case no. CV-24-003049, -003155; FPPC Complaint No. COM-12192023-03944, Guillermo Marrero; 2024-00585, Carmen Millan Kearney, Douglas Kearney

C. Conference with Real Property Negotiator. Agency Negotiator: M. Kovich. Under Negotiation: Price and Terms

**5. 12:00 p.m. Reconvene Open Session**

**6. Reportable Actions Taken During Closed Session:**

**7. Consent Calendar**

A. Motion to approve minutes of the September 11, 2024, and September 27, 2024, Special Meetings

B. Motion to approve Checks & Warrants for September 2024, October 2024, and November 2024

**8. Public Comments on Agenda items**

**9. Action Items:**

A. Motion to acknowledge new WHWD Board member Michael Oliver and the re-appointment of WHWD Board member/secretary Mary Davies.

B. Motion to nominate and approve WHWD Board Vice President.

C. Presentation by resident Kevin Halverson proposing opening Diablo Grande Clubhouse/Community Center.

D. Motion to approve Kier+Wright to assist in Kern Water County Agency contract re-negotiations.

E. Motion to approve charging Diablo Grande ROA \$1200 per month for use of the overflow parking lot and payment to be applied as a credit against outstanding ROA dues of CFD.

- F. Resident Sandra Adams to request utilization of the Community Center for a special event
- G. Weed mitigation proposals on CFD properties:
  - 1. Green belt area development around the homes that currently had the golf course surrounding them.
  - 2. Contract with CP Landscape to hire employees.
  - 3. Carmona Group LLC to conduct required weed mitigation of CFD properties and to approve purchase sales agreement on barter basis of custom lots. Terminate all current 1099 contract labor. Action item "M" of August 15, 2024, meeting authorizing \$10,000 expenditure to be cancelled to the extent of what has already be spent.
- H. Review estimates to clean out culvert near round about. Possible motion to approve.
- I. Resolution 2024-9 imposing trespassing fines up to \$1500 on CFD property.
- J. Review security alarm proposal and possible motion to approve.
- K. Motion to approve Bank of New York for annual service fee of \$2,000 from CFD
- L. Motion to approve Goodwin Consulting for service fee of \$3476.25 from CFD
- M. Motion to approve adding a lien in the amount of \$2,266,879 on property owned by World International per Water Code Section 36729 and Resolution 2023-09 for non-payment of loan subsidy per Master Agreement to Provide Water, Sewer, and Storm Drain Service.

## 10. 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.*

## 11. Reconvene to Closed Session

- A. Interview Leah Castella of Burke, Williams & Sorensen as WHWD District Counsel