



December 14, 2024

Western Hills Water District
Minutes of the Special Meeting of
The Board of Directors

1. Roll Call of Closed Session 10:30 a.m. adjourned at 11:50 p.m.
M. Kovich, M. Oliver, M. Davies, J. Frederick. M. George Johnson in attendance via Zoom and was not present in person due to personal emergency. The Board made findings and took action pursuant to AB2449 for “just cause” remote participation. In attendance by virtual Zoom was Special Counsel Neasham and District Counsel Lemmo.
2. Motion to approve published agenda
Unanimously approved
3. Public Comments on Closed Session Items/Motion to adjourn to Closed Session
No public comments. Unanimously motioned to adjourn closed session
4. Closed session ended
Closed session items 4 (A), (B), and (C) discussed on concluded
5. Reconvened Open Session 12:00 p.m.
Roll call was taken M. Kovich, M. Davies, M. George Johnson, J. Frederick. M. George Johnson in attendance via Zoom and was not present live due to personal emergency. In virtual attendance Special Counsel Neasham and District Counsel Lemmo. Approximately 20 persons of the public in person attendance. Approximately 12 virtual attendees of the public.
6. Reportable Actions Taken During Closed Session
None reported

7. Consent Calendar

- A. Motion to approve special meeting minutes of the September 11, 2024, and September 27, 2024, special meeting minutes. M. Kovich Motioned. M. George Johnson 2nd. Unanimously approved.
- B. Motion to approve Checks and Warrants for September 2024, October 2024, and November 2024. M. Kovich Motioned. J. Frederick 2nd. Unanimously approved.

8. Public Comments on Agenda Items

None

9. Agenda Items

- A. Motion to approve acknowledgement of the appointment of Michael Oliver and the re-appointed of Mary Davies to the 4-year term as Board Directors of WHWD. Motioned by M. Kovich, M. George Johnson 2nd, Unanimously approved.
- B. Motion to Nominate and Approve the WHWD Board Vice President. M. Kovich nominated M. George Johnson. M. Davies 2nd. Unanimously approved.
- C. Homeowner/Resident Kevin Halverson presented his desire to open the DG Clubhouse/Community Center. Members of the Community asked questions. Halverson responded. It was suggested Halverson come back and present his detailed business plan. Board will consider.
- D. Motion to Approve Kier+Wright to assist in the Kern Water County Agency contract re-negotiations. Approximate cost \$3500. Motioned by M. Oliver. M. Kovich 2nd. Unanimously approved.
- E. Motion to approve charging the 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 the CFD. M. Kovich Motioned. J. Frederick 2nd. Unanimously approved.
- F. Resident Sandra Adams to request utilization of the Community Center for a special event. It was suggested by the Board and Public that Ms. Adams conduct the event in the middle of January 2025. The Board and Public were both supportive. M. Davies motioned to authorize the event in mid-January. M. Kovich 2nd. Unanimously approved.

- G. Weed mitigation proposal on CFD properties. Retain Carmona Group based on proposed contract and property first right of refusal purchase. Terminate all current 1099 contract workers currently working weed abatement. Terminate Action item "M" of the August 15, 2024, meeting authorizing \$10,000 expenditures to be cancelled to the extent of what has already been spent. Motioned by M. Oliver. J. Frederick 2nd. Unanimously approved.
- H. Review estimates to clean out culvert near roundabout. 3 different bids were provided. It was recommended by Director Oliver we retain Westside Landscape to clean out culvert per the daily rate basis. Motioned by M. Oliver. M. Kovich 2nd. Unanimously approved.
- I. Resolution 2024-9 imposing trespassing fines up to \$1500 on CFD property. It was suggested by M. Kovich to create the resolution to allow walking on the Ranch Course paved cart paths, motorized vehicles prohibited, liability waiver to be signed. Final approval and draft be District Counsel approved. Matter to be put on Agenda for next Board meeting. Motioned by M. Davies. M. Kovich 2nd. Unanimously approved.
- J. Review security alarm proposal and possible motion to approve. M. Kovich motioned to table. Discussion was dropped and Board moved onto Item K.
- K. Motion to approve Bank of New York for annual service fee of \$2000 from CFD. Motioned by M. Kovich. J. Frederick 2nd. Unanimously approved.
- L. Motion to approve Goodwin Consulting for services fee of \$3476.25 from CFD. Motioned by M. Kovich. J. Frederick 2nd. Unanimously approved.
- 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. Motioned by M. Kovich. J. Frederick 2nd. Unanimously approved.

10. Public Comment on Items Not on the Agenda

Resident/Homeowner David Silveira requested the WHWD put out some public trash cans around the Community. Resident/Homeowner Shane Maguire expressed concerns about CFD expenditures that were authorized by Director J. Frederick. Board President M. Kovich stated for the record comments from both residents were noted and possible consideration of further discussion may be taken up by the Board.

11. Reconvene to Closed Session

A motion was made by M. Kovich adjourn the public meeting. J. Frederick 2nd. Unanimously approved. The WHWD Board reconvened to closed session to interviewed Attorney Leah Castella of Burke, Williams & Sorensen the position of WHWD District Counsel.

Respectfully submitted:



Mary Davies, Secretary of the Board



Mark Kovich, Board President