Western Hills Water District

August 16th, 2025

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

1. Roll Call of Closed Session 10:00 a.m. adjourned at 11:15 a.m.
   M. Kovich, M. Oliver, and J. Frederick. M. George Johnson. M. Davies in attendance virtually due to illness. In Attendance by teleconference were District Counsel Lemmo and Special Counsel Pearce

2. Motion to approve published agenda
   Unanimously approved by Board members in attendance

3. Public Comments on Closed Session Items/Motion to adjourn to Closed Session
   No public comments. No attendees from Public.

4. Closed session ended
   Closed session items 4 (A), (B), and (C)discussed and concluded

5. Reconvened Open Session 12:00 p.m.
   Roll call was taken M. Kovich, M. Oliver, J. Frederick, M. George Johnson. Mary Davies in attendance virtually due to illness. WHWD Board unanimously approved. Approximately 35 in person attendees. Approximately 25 virtual attendees.

6. Reportable Actions Taken During Closed Session
   None

7. Consent Calendar
   A. Motion to approve minutes of the July 26th, 2025 special meeting.
      Motioned by M. Kovich. 2nd by M. Oliver. Unanimously approved

8. Public Comment on Agenda Items
   Doug Moore commented about test well drilling

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9. Agenda Items

A. Director Kovich and Director Oliver gave a brief presentation on the following
   a. Kern County Water Agency – Attorney Pearce had commented
   b. County of Stanislaus pending property tax sale
   c. Status of test well drilling

B. Consider making $948K interest payment due September 1, 2025, to CFD Bondholders. M. Kovich motioned to withhold payment. M. Oliver 2nd. Unanimously approved to withhold.

C. Publication of vacancy for DG Coordinator volunteer position. Motioned by M. Kovich. 2nd by J. Frederick. Unanimously approved.

D. Consider renting clubhouse for 1 day only to Anthea Hansen on October 14th for $900 + $500 deposit. Motioned by M. Kovich. 2nd by M. Oliver. Unanimously approved.

E. Consider spending apx $90K of CFD funds for two (2) test wells on CFD property. Motioned by M. Kovich. 2nd by M. Oliver. Unanimously approved.

F. Overview of new Board advisory committees (Clubhouse and Bylaws). Both Director Kovich and District Counsel Lemmo presented legal requirements of how the committees will operate, adhere to the Brown Act, and file CA Form 700's. M. Kovich motioned to have Director Davies as the interface between the WHWD Board and Committees. M. Oliver 2nd. Unanimously approved.

Public Comment on Items Not on the Agenda

- Claudia McGuire when test wells are drilled who owns the water rights?
- Lydia Stewart questioned when WHWD will start paying KCWA and will our water be shut off by KCWA by December 31, 2025. Director Kovich could not give a definitive answer.
- John Alvarez inquired about the potential property tax sale. Director Kovich explained and elaborated on the situation.
- An unidentified member of the public claimed that Open AI says the District needs to get a court injunction to stop KCWA from potentially suspending water to KCWA. Director Kovich disagreed.

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At 12:59 p.m. Director M. George Johnson motioned to adjourn the public meeting. M. Kovich 2nd, Unanimously approved.

Respectfully summitted:

Lori Lawson, Secretary of the Board

Mark Kovich, Board President

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WESTERN HILLS WATER DISTRICT
MINUTES OF THE MEETINGOF THE
BOARD OF DIRECTORS

March 10, 2021

1. Call to Order

The meeting of the Board of Directors of the Western Hills Water District was called to order in regular by M. Manning. at 4:02 pm. Meeting was held via Zoom pursuant to the Governor's Stay at Home Executive Order N-33-20.

2. Roll Call

Present Directors were: President M. Manning, Director Z. Manning, Director J. Davis, Director L. Kuipers and Director C. Blessing, Director J. Davis; also present was Treasurer M. Kovich and General Counsel David Hobbs. Approximately 50 members of the public participated in the meeting.

3. Public comments on Closed Session Items/Motion to adjourn to Closed Session.

Motion to adjourn to closed session/convened at 4:50 p.m. Reconvened open session at 5:03 p.m.

4. Reportable Actions Taken During Closed Session:

No reportable action taken.

5. Motion Approving Consent Calendar.

a. Motion to Approve the February 2021 Checks and Warrants; minutes for special meeting January 22, 2021 made by Director M. Manning and seconded by Director C. Blessing, with all board members voting in favor

6. Action Items:

b. Approval of the minutes for special meeting January 22, 2021; regular meeting February 10, 2021; and special meeting February 25, 2021. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the minutes.

c. Motion to approve Resolution No. 2021-04, Resolution of the WHWD re Approval of Expenditure of Approximately $76,655.50 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the motion.

d. Motion to rescind Resolution No. 2021-04, Resolution of the WHWD re Approval of Expenditure of Approximately $76,655.50 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses in order to remove one of the invoices for further discussion. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the motion.

e. Motion to amend and approve Resolution No. 2021-04, Resolution of the WHWD re Approval of Expenditure of from Approximately $76,655.50 to Approximately $69,155.50 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses in order to remove one of the invoices for further discussion. Upon motion duly made by Director L. Kuipers and seconded by Director M. Manning, the directors unanimously approved the motion.

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f. Approval for Treasurer and two directors to investigate District fleet usage, specifically to gasoline charges on statements. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the motion.

6. **Reports of Board Members**

a. Director M. Kovich gave his report about his walk-through with EZ Net Systems to evaluate the District's current communications system. He will provide more information once he receives the final report.

b. Director L. Kuipers reported on her participation in the walk-through with EZ Net Systems and meeting other facility employees. She plans to present a report on the District's facilities team and the work they do for the District.

c. Directors C. Blessing and Z. Manning reported on the continued work on the District's website construction.

d. Consultants Rick Simonson and Gabe Sasser of HF&H Consultants, LLC were introduced and presented their Revised Proposition 218 Water Rate Study.

e. The meeting was opened up to the public to ask questions or make comments about the presentation. Comments and questions were made concerning the rate study presented.

7. **Questioned Received by WHWD Customers via Social Media, email, or directly**
Approximately four questions which were submitted to WHWD via social media were read and answers were provided by various Directors and General Counsel.

8. **Public Comments on Items not on the Agenda**
No comments.

9. **Motion to Adjourn**

Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, all Directors unanimously adjourned the meeting at 7:33 p.m.

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.*

Respectfully submitted:

Secretary of the Board

Approved:

Matthew Manning, President

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WESTERN HILLS WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS

September 9, 2020

1. **Call to Order**

The meeting of the Board of Directors of the Western Hills Water District was called to order in regular session by M. Manning. at 4:31pm. Meeting was held via telephone pursuant to the Governor's Stay at Home Executive Order N-33-20. Secretary Tracy Taylor requested to add item to agenda (d) Designation of Officers Re. Board President, Motion to add item was made by C. Kearney and seconded by Z. Manning, all board members were in favor.

2. **Roll Call**

Present Directors on the call were: Director M. Manning, Treasurer C. Kearny & Director Z. Manning, also present was Secretary Tracy Taylor and General Counsel David Hobbs. It is unknown how many members of the public called in.

3. **Public comments on Closed Session Items/Motion to adjourn to Closed Session.**

Motion to adjourn to closed session/convened at 4.33pm. Reconvene open session at 5:01pm

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

None.

5. **Consent Calendar**

The Minutes for the August 12, 2020 and August 18, 2020 meetings and the Checks & Warrants for the month of August 2020 were reviewed and unanimously approved upon motion by Director M. Manning and seconded by Director C. Kearney, with all board members voting in favor.

6. **Written Communications:**

Resignation from Director Barry Ivy

7. **Action Items:**

a. Consider Adoption of Resolution No. 2020-08 a Resolution to Initiate Process to Appoint Director Due to Vacancy. Resolution not yet approved, tabled for next meeting in October.

b. Approval of resolution 2020-09, Resolution of the WHWD re Approval of Expenditure of Approximately $50,000 of Diablo Grande Community Facilities District No. 1 Mello Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses. Motion to approve Resolution 2020-09 made by Director M. Manning and Seconded by Z. Manning, all board members were in favor.

c. Approval of resolution 2020-10, Resolution of the WHWD re Approval of Expenditure of Approximately $2,000 of Diablo Grande Community Facilities District No. 1 Mello Roos bond Refinance Proceeds for the Payment to BNY Mellon for Trustee Admin Fees for series 14 invoice #252-2312059. Motion to approve resolution 2020-10 made by Director M. Manning and Seconded

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by Z. Manning, all board members were in favor.

d. (item added at beginning of meeting) Designation of Officers re Board President; a motion to designate Director M. Manning as WHWD Board President. Motion was made by Director Z. Manning and seconded by C. Kearney, all board members were in favor.

8. Reports By District Staff:

None

9. Reports of Board Members

Members of the Board may give verbal reports on activities or request that future matters be placed upon a Board agenda

Ad hoc committee will be meeting soon hope to have progress at the next meeting in October.

Director Kearney asked if a meeting was held in regards to irrigation issues with HOA/COA, will try to set one up as soon as GM Phillips returns from leave.

10. Public Comment on Items Not on the Agenda

Interested persons in the audience or by teleconference 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.

- Mike Bolt, asked questions regarding the Master Agreement assignment; wanted to know if the WHWD board did their due diligence in regards to Angel's Crossing LLC and obligations to World Re mater agreement assignment and assumption agreement; what information was provided and to what extent did World International threaten to file bankruptcy? Did bank review document? Was the value of World International assets known and could those assets be used to satisfy debt?

- Jim Miller, requested to not delay the appointment of a new director, asked for board to call emergency meeting to appoint new director, requested to be invited to the next ad hoc committee meeting

- Mike Oliver, wanted to know why Guillermo Marrero is still on board since he is not a landowner, wanted to know why we were delaying the appointment of the new director. WHWD explained that World still has property in DG, he wanted to know what property was owned by World,

- Julie Shaver asked whether there was reason why the board did not take action to foreclose and make World International pay?

- Doug Moore, requested confirmation of World International's authorization of representatives on the WHWD Board, requested to add to next agenda for confirmation and update form 700

11. Motion to Adjourn.

Meeting adjourned at 6:33 pm by motion made by M. Manning and seconded by C. Kearney. All board members were in favor.

Next Adjourned Regular Meeting: Wednesday, October 14, 2020.

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CERTIFICATE OF SERVICE. Case No: 25-26635-A-9

I certify that on October 9, 2026 I sent all of the following 2 documents to the email addresses listed below.

1. Bond Holder Koshi Padnani's motion to extend time to file objection to Diablo Grande Community facilities District number ones chapter 9 petition including all Exhibits.

2.Objection to Diablo Grande communities facilities District number ones chapter 9 petition including all its Exhibits.

The email addresses of the recipients are as follows:

1. Joseph Buchman: jbuchman@bwslaw.com Attorney for Diablo Grande Community.

2.Rubin Cruse: rcruse@publiclawgroup.com Attorney for Stanislaus County Tax collection.

3.Jason Blumberg: jason.blumberg@usdoj.gov Office of the US Trustee.

4, Jean Volz: jvolz@commoninterest.com Diablo Grande Residential Association.

5.Martin Kosla: mkosla@bwslaw.com representing Diablo Grande Community.

Signed Date October 9, 2026.

Koshi Padnani.