



# Tehachapi-Cummings County Water District

*Our Water • Our Future*

## Directors:

John M. Ables  
Jonathan Hall  
Joseph B. Sasia  
Robert W. Schultz  
Rick Zanutto

## Officers:

Robert W. Schultz, *President*  
Jonathan Hall, *Vice President*  
Thomas P. Neisler, *General Manager*  
Catherine Adams, *Secretary*  
Crystal Sampson, *Treasurer*

## AGENDA

### Regular Meeting of the Board of Directors

July 17, 2024, at 3:00 PM

Location: Tehachapi-Cummings County Water District  
22901 Banducci Road, Tehachapi, CA 93561

1. Call to Order and Roll Call
2. Announcement: The meeting is being audio recorded, including all Board, Staff, and Public comments.
3. Flag Salute
4. Approval of Agenda
5. Comments by any Party on Items of Interest Within the Subject Matter Jurisdiction of the Legislative Body
  - a. Public comments may be made:
    - i. In person at location above
    - ii. Via email in advance of meeting to [cadams@tccwd.com](mailto:cadams@tccwd.com) or via US Mail at address below
6. Consent Calendar - Consent items are considered routine and are intended to be acted upon as a single item, without discussion. During this portion of the meeting, the Consent Calendar will be read aloud. Prior to approval, the President will give the Board the opportunity to remove any item from the Consent Calendar to be discussed and voted on individually. The President will also give staff and the public the opportunity to request any item be discussed individually, in which case the President will determine whether the item will be removed from the Consent Calendar. The remaining Calendar will be acted upon. Any removed items will then be heard and acted upon individually.
  - a. Approve Minutes of the Regular Board Meeting of June 19, 2024 and Special Board Meeting of July 1, 2024
  - b. Approve Financial Report and Payment of Bills
7. General Manager's Report
8. Operations Report
9. Conduct Public Hearing Regarding Adoption of Resolution 11-24, Determining Benefit Assessment for Tehachapi Watershed Project for Fiscal Year 2024-25
  - a. (Close Hearing and Return to Regular Meeting)
10. Accept Written Report and Adopt Resolution 11-24 Determining Benefit Assessment for Tehachapi Watershed Project for Fiscal Year 2024-25
11. Adopt Resolution 12-24, Determining the Minimum Amount Required to be Raised by Taxes to Make Payments Due Under Water Supply Contracts with the Kern County Water Agency for Fiscal Year 2024-25 and Fixing the Tax Rate for Such Purpose
12. Authorize Staff to Solicit Bids for Remote Mower Purchase
13. Board of Directors Comments
14. Closed Session – President to reference Closed Sessions items as presented on Agenda, then Board to adjourn to Closed Session
  - a. In Accordance with Exhibit A Attached hereto, TCCWD v. City of Tehachapi *Et al.*
  - b. In Accordance with Exhibit B Attached hereto, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds, et al.; DWR v. All Persons Interested In The Matter of the Authorization of Delta Program Revenue Bonds, et al.
  - c. In Accordance with Exhibit C Attached hereto, Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency *Et al.*

Note: A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request that the District (1) make agendas available in appropriate alternative formats, and (2) provide a disability-related modification or accommodation, including auxiliary aids or services, to participate in any public meeting of the Board of Directors. A request for modification or accommodation shall be made in person, or by telephone, facsimile or written correspondence to the General Manager at the District's office at least seven days before the public meeting for which the modification or accommodation is requested.

- d. In Accordance with Exhibit D Attached hereto, City of Tehachapi vs. TCCWD
  - e. In Accordance with Exhibit E Attached hereto, City of Tehachapi vs. TCCWD
15. Return to Open Session
- a. Report Action Taken in Closed Session
16. Adjournment



**CLOSED SESSION ITEM DESCRIPTIONS**

(Gov. Code § 54954.5)

**A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)**

Description of Property: \_\_\_\_\_  
Proposed District Negotiator: \_\_\_\_\_  
Negotiating Parties: \_\_\_\_\_  
Subject of Conference: \_\_\_\_\_

**B. CONFERENCE WITH LEGAL COUNSEL (Gov. Code § 54956.9.)**

1. Existing Litigation: County of Sacramento Superior Court Case No. Case No. 34-  
2022-80003892  
Name of Case: TCCWD v. City of Tehachapi *Et al.*

2. Anticipated Litigation: \_\_\_\_\_  
Gov. Code § 54956.9 (b): \_\_\_\_\_  
Gov. Code § 54956.9 (c): \_\_\_\_\_

**C. PUBLIC EMPLOYEES (Gov. Code § 54957.)**

1. Appointment: \_\_\_\_\_  
Title: \_\_\_\_\_  
2. Employment: \_\_\_\_\_  
Title: \_\_\_\_\_  
3. Performance Evaluation: \_\_\_\_\_  
Title: \_\_\_\_\_  
4. Discipline/Dismissal/Release: \_\_\_\_\_

**D. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6.)**

Agency Negotiator: \_\_\_\_\_  
Employee Organization: \_\_\_\_\_  
Unrepresented Employee: \_\_\_\_\_



**CLOSED SESSION ITEM DESCRIPTIONS**

(Gov. Code § 54954.5)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)

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Proposed District Negotiator: \_\_\_\_\_  
Negotiating Parties: \_\_\_\_\_  
Subject of Conference: \_\_\_\_\_

B. CONFERENCE WITH LEGAL COUNSEL (Gov. Code § 54956.9.)

1. Existing Litigation: Two Cases  
Names of Cases: DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds, et al.; DWR v. All Persons Interested In The Matter of the Authorization of Delta Program Revenue Bonds, et al.
2. Anticipated Litigation: \_\_\_\_\_  
Gov. Code § 54956.9 (b): \_\_\_\_\_  
Gov. Code § 54956.9 (c): \_\_\_\_\_

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

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Title: \_\_\_\_\_
2. Employment: \_\_\_\_\_  
Title: \_\_\_\_\_
3. Performance Evaluation: \_\_\_\_\_  
Title: \_\_\_\_\_
4. Discipline/Dismissal/Release: \_\_\_\_\_

D. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6.)

Agency Negotiator: \_\_\_\_\_  
Employee Organization: Not Applicable  
Unrepresented Employee: \_\_\_\_\_



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(Gov. Code § 54954.5)

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Description of Property: \_\_\_\_\_  
Proposed District Negotiator: \_\_\_\_\_  
Negotiating Parties: \_\_\_\_\_  
Subject of Conference: \_\_\_\_\_

B. CONFERENCE WITH LEGAL COUNSEL (Gov. Code § 54956.9.)

1. Existing Litigation: KCSC No. BCV 21100418 TSC  
Name of Case: Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency  
*Et al.*

2. Anticipated Litigation: \_\_\_\_\_  
Gov. Code § 54956.9 (b): \_\_\_\_\_  
Gov. Code § 54956.9 (c): \_\_\_\_\_

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Proposed District Negotiator: \_\_\_\_\_  
Negotiating Parties: \_\_\_\_\_  
Subject of Conference: \_\_\_\_\_

**B. CONFERENCE WITH LEGAL COUNSEL (Gov. Code § 54956.9.)**

1. Existing Litigation: KCSC Case No. BCV-23-104134  
Names of Cases: City of Tehachapi vs. Tehachapi-Cummings County Water District  
\_\_\_\_\_
2. Anticipated Litigation: \_\_\_\_\_  
Gov. Code § 54956.9 (b): \_\_\_\_\_  
Gov. Code § 54956.9 (c): \_\_\_\_\_

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Description of Property: \_\_\_\_\_  
Proposed District Negotiator: \_\_\_\_\_  
Negotiating Parties: \_\_\_\_\_  
Subject of Conference: \_\_\_\_\_

**B. CONFERENCE WITH LEGAL COUNSEL (Gov. Code § 54956.9.)**

1. Existing Litigation: KCSC Case No. BCV-24-101512  
Names of Cases: City of Tehachapi vs. Tehachapi-Cummings County Water District  
\_\_\_\_\_  
2. Anticipated Litigation: \_\_\_\_\_  
Gov. Code § 54956.9 (b): \_\_\_\_\_  
Gov. Code § 54956.9 (c): \_\_\_\_\_

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