

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
July 21, 2021 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

THIS MEETING WILL BE CONDUCTED IN-PERSON
STATE MANDATED COVID-19 PRECAUTIONS WILL BE ENFORCED

Item 1. Call to Order and Roll Call

Directors Present: Cassil, Hall, Pack, Schultz, Zanutto

Legal Counsel: Robert Kuhs (phone)

Staff in Attendance: Catherine Adams, Jon Curry, LaMinda Madenwald, Tom Neisler

Item 2. Announcement

President Schultz announced this meeting is being audio recorded, including all Board, Staff, and Public comments.

Item 3. Flag Salute

The Pledge of Allegiance was led by President Schultz.

Item 4. Approval of Agenda

Director Hall moved to approve the agenda. Director Zanutto seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 5. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body

Mr. Neisler requested that a Special Board meeting be scheduled and the meeting date was set for August 6th at 12:00 pm.

Ms. Adams announced a letter was received at 1:53pm this afternoon from Schultz Enterprises and copies were distributed to the Board as well as provided on the counter for the Public. The letter was regarding agenda item no. 9.

Item 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 16, 2021, and Special Board Meeting of July 9, 2021
- b. Approve Financial Report and Payment of Bills

President Schultz asked if there were any items the Board, Staff or Public would like to remove for discussion. Director Hall requested Item a. be removed and President Schultz removed Item b.

Director Hall requested to amend the Minutes of RBM June 16, 2021. In Item 13, at the end of the third paragraph, which read his statement was "population size could potentially affect the size of the pool that

candidates are coming from in each division” but did not mention his statement about quality so it was amended to add “and thus the quality of the candidates.”

Director Hall moved to approve Item a. Minutes of the Regular Board Meeting of June 16, 2021 as amended and Special Board Meeting of July 9, 2021. Director Zanutto seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item b.- President Schultz inquired about the income statement and referenced there is 8% of the year left and there are a few areas where the budget and YTD Actual are not very close. He asked about the \$900.00 under Non-Operating Revenue: Capital Contributions for the One Month Actual. Ms. Madenwald explained that amount is an estimate for new pipeline connections (\$450 each).

President Schultz moved to approve Item b. Approve Financial Report and Payment of Bills. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 7. General Manager’s Report

Mr. Neisler reported on the following matters:

- The picture from DWR shows the progression of the drought declaration throughout California. The only area in the western half of the country that is not in a declared drought area is east of the Rockies in Colorado. The reservoir chart was displayed and he highlighted he has never seen conditions this bad. Lake Oroville is at 28% of capacity and there are additional impacts of these low levels. A significant portion of power is generated via hydroelectric means which will cease when levels are too low. This will further exacerbate the PSPS situation later in the year. The Governor has not implemented any mandatory conservation measures in the state. He is asking for voluntary measures.
- Lake Oroville did not reach its lowest level in history as predicted for this month so hopefully there has been a decrease in demand.
- The District continues to perform according to the forecast. The lake level is lower than anticipated, however demand is beginning to diminish so Staff feels it will be ok for the rest of the year.
- Mr. Curry will report on some issues experienced at Dennison Well.
- At the Tehachapi Regional Water Group meeting, members supported the idea for a regional conservation effort. There’s an item later in the agenda to discuss that.
- The City Planning Commission recommended that the Council certify the EIR for the Sage Ranch Project. Mr. Neisler still has significant concerns about the Water Supply Assessment that were not addressed at that meeting. We will continue to work to resolve those. The City Council Hearing to certify the EIR and the Water Supply Assessment is scheduled for August 2nd.
- The Flood MAR project is the utilization of fallowed agricultural fields to capture stormwater and he attached a comprehensive article on it.
- The Safety Picnic is coming up on August 6th and the Pump Plant Tour on October 21st.
- Mr. Neisler has been re-elected to the ACWA Region 7 Board and appointed to the Chair position for the 2022-24 term. He will continue to serve on the ACWA Board of Directors and Executive Committee.
- He referred to the attached charts. The level in the reservoir is dropping quickly as we are in the peak demand period so it should slow down soon.

President Schultz asked about the lake elevation graph and it was discussed that it would take an upgrade to the SCADA system to produce a better chart. Mr. Neisler stated he will prepare a better graph in the meantime.

Item 8. Operation Manager's Report

Mr. Curry reported on the following matters:

- During pumping season Staff is in constant communication with Ag and M&I customers to discuss where they are and where they will be as the season progresses. We appreciate the coordination.
- The goal is to maximize the use of the water in the lake and there are some operational limitations. There are certain peak demand times in the system where Staff has to have customers decrease their use during that time to avoid a system shutdown.
- Staff has updated the Safety Data Sheets (SDS). Curtis Hilliker, Operations Assistant, put a lot of time into this project and did a great job. Binders have been made for each location and electronic versions have been created for more efficient reference and future updating.
- The Front Office Reconfiguration Project is wrapping up. The new reception countertop, hallway painting and installation of the enclosed bulletin has been completed. The new monitor for the GIS display and new water bottle filling station will be installed soon.
- The system continues to operate with two engines at 14 CFS. The Benz, Nunes, Pump Plant 5, and Dennison Wells are running along with the City's Snyder Well. The Dennison Well is running intermittently as there are some power issues. This is the District's best producing well so it's important to keep up and running. There is an imbalance issue at Ashtown Well and Staff is work with Edison to fix that. Staff has talked to the City of Tehachapi about running the Snyder Well on a 24/7 basis and paying the difference on the electrical consumption. Recharge areas are shut down.
- Brite Lake data on July 16th was elevation 4353.6', depth was 27.6', and volume was 1099 AF.
- The vibration and noise issues at Pump Plant 3, Engine 3 have been resolved. The viscous damper that came with the engine from Sinor was not correct so it was causing vibration and there were gear mesh issues on the front end of the engine for the accessory drive. Both parts have been replaced and it is operating as a lead engine now.
- Pumping Systems Staff have been busy with valve and rocker arm adjustments, oil/spark plug changes, and emissions testing/adjustments and turbo replacements.
- Termites were discovered in the door frame at the Cogen Building so the frame and door were replaced with steel components and sub-terranean termite remediation was done.
- Pipeline Staff completed a cleanout of the spillway at JC Jacobsen Dam and installed concrete blocks for the bulk material storage area in the District yard. Weed and brush removal was done in the east/west channel adjacent to Antelope Dam, and installation of additional drinking water sampling stations and safety bollards were completed at multiple locations.
- Work continues with the development of the Computerized Maintenance Management System (CMMS). A spreadsheet was submitted to CALCAD with a list of Waukesha 5794 engine components, and they made some recommendations and coordinated with Waukesha-Pearce to make modules for component grouping to make a more manageable list. The first pilot has been made and is available through the internal GIS program.
- He attended a webinar through ACWA yesterday on new California Air Resources Board (CARB) Advanced Clean Fleet Rule. The State is looking to move into rule implementation around the first of the year. There are still a lot of hurdles to overcome but Staff is following this topic and investigating programs and options for the District.

President Schultz asked some questions on how the vegetation clean up in the channel was performed and Mr. Curry answered them.

Item 9. Approve 2021 Agreement for Use of Brite Valley Aquatic Recreation Area

President Schultz turned the meeting over to Vice-President Pack and recused himself and left the dais. Mr. Neisler stated the Board considered this item at the May 19th RBM and tabled it at that time. The

Board expressed concerns about trespassing on adjacent properties, vandalism, and campground guest behavior. Staff and legal counsel from TVRPD and TCCWD have worked to address those concerns in the agreement by making revisions which are presented in the redline version of the attached agreement. Staff sent the draft to Vice-President Pack for his review (President recused himself) and his comment was incorporated into this version. Mr. Torres presented this agreement to the TVRPD Board last night and it was approved. The main revision to the agreement was adding an Exhibit that contains some minimal rules and regulations that TVRPD will require of their campers and the enforcement capability. This allows for TCCWD to reference these if problems continue to occur.

Both Staffs are hopeful the Board's concerns have been addressed. Before the meeting today, a letter was received from Schultz Enterprises, who owns the property immediately to the west of the facility. Staff has not had time to thoroughly review the letter but at a cursory view, it seems to indicate they are not in support of the agreement.

Director Zanutto thanked Staff from both agencies for their work on the revised agreement and he feels the problems have been addressed and the agreement is ready for approval. Director Hall inquired about the letter received. Mr. Robert Schultz addressed the Board and stated the letter was not from him but from Schultz Enterprises and it points out issues and stated there are issues beyond the agreement itself. He stated he believes the District has until 2025 before the agreement expires, so this could probably be postponed until next month to review the letter. Director Cassil commented that on a cursory review, there are some issues that need discussed, particularly the fence. Director Zanutto stated he does not feel that this agreement needs to be put off as the concerns have been addressed and there are already plans to fix the fencing. In the letter, they expressed they are not happy with a recreational facility being there in the first place, but there's nothing that can be done about that now. He brought up the example of Lake Isabella Dam; when it was built it benefitted a lot of people and unfortunately negatively affected others. Eminent domain is in place for progress and to have the Brite Lake facility available for people who are paying taxes is a wonderful thing. If there are problems in the future, hopefully these neighbors will not hesitate to come to the District and we, as well as TVRPD, will be happy to work on them. Director Pack agreed with Director Zanutto and stated the issues in the letter are all things that have been discussed before.

Director Zanutto moved that the Board approve the 2021 Agreement for Use of Brite Valley Aquatic Recreation Area. Director Pack seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Zanutto; Noes: None; Abstain: None; Absent: None, Recused: Schultz.

Item 10. Conduct Public Hearing Regarding Adoption of Resolution 08-21, Determining Benefit Assessment for Tehachapi Watershed Project for Fiscal Year 2021-22

President's Opening Remarks:

President Schultz stated this is a Regular Meeting of the Board of Directors for the purpose of considering Resolution 08-21. This Resolution asks for a Benefit Assessment in the amount of \$106,000 for the maintenance, operation and installation of the Tehachapi Watershed Project in Fiscal Year 2021-2022. The public hearing was declared in session at 3:39 p.m.

Staff Report:

Ms. Adams, Board Secretary, stated that to obtain Federal funds for construction of the Tehachapi Watershed Project, the District had to assume full responsibility for the operation, maintenance, repair and replacement of all structural measures for the project pursuant to the maintenance agreement. Therefore, Staff is proposing this Benefit Assessment to raise the \$106,000 to fulfill those responsibilities

for the flood control facilities. Staff has reviewed all the zoning changes, parcel splits, changes of ownership, new construction and assessed values in Zone 1 to update the land use categories and factors for each parcel. In addition, a questionnaire was sent to each utility company to determine any changes in value to each utility owned property.

Ms. Adams then introduced the exhibits as follows:

Exhibit A: Declaration of Posting Notice- This notice was posted at Tehachapi City Hall, Golden Hills Community Services District, and Tehachapi-Cummings County Water District.

Exhibit B: Proof of Publication- This notice was published in two consecutive issues (July 7th and July 14th) of the Tehachapi News.

Exhibit C: Written Report of Proposed Benefit Assessment for Tehachapi Watershed Project Fiscal Year 2021-2022. This report includes the calculation for each parcel as well as the proposed assessment for utility companies and property owners. She stated this full report has been available for review on the website in the Board Package, and also on the Front Office counter for public viewing. She asked if there were any questions from the Board or the Public.

Director Hall asked if it would be fair to say this is substantially the same as it has been since the creation of the dam. Ms. Adams stated the assessment amounts are very similar; most assessments changed by less than \$1.00 from last year. Mr. Neisler clarified that the original total assessment value, \$106,000, remains unchanged.

a. (Close Hearing and Return to Regular Meeting)

There being no further comments, President Schultz declared the hearing closed 3:42 p.m. and returned to the Regular Board Meeting.

Item 11. Accept Written Report and Adopt Resolution 08-21 Determining Benefit Assessment for Tehachapi Watershed Project for Fiscal Year 2021-22

President Schultz moved that the Board adopt the Written Report of Proposed Benefit Assessment for the Tehachapi Watershed Project for Fiscal Year 2021-22 and Adopt Resolution No. 08-21 Determining Benefit Assessment to Finance Maintenance, Operation and Installation of the Tehachapi Watershed Project in Fiscal Year 2021-22. Director Cassil seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 12. Adopt Resolution 09-21 Determining the Amount of Tax Required for Water Supply Contracts for Fiscal Year 2021-22 and Establishing the Tax Rate

Ms. Madenwald stated this Ad-Valorem tax rate is an annual requirement that is provided to Kern County. This tax assessment covers the actual costs to the District for the amounts from DWR passed through the Kern County Water Agency for the water supply from the State Water Project. The calculation is included as Exhibit A to the Resolution. The effect of this year's tax rate will be an increase of approximately \$7.00/year on a \$200,000 assessed value home in this area. She offered to answer any questions and there were none.

President Schultz moved that the Board adopt Resolution 09-21 Setting the Fiscal Year 2021-22 Tax rate for State Water Project Payments. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Zanutto, Schultz; Noes: Pack; Abstain: None; Absent: None.

Item 13. Approve Updates to the District Strategic Plan

Mr. Neisler stated the Strategic Plan was adopted by the Board in July of 2019. The document has been used extensively since then and was intended to be reviewed on a biennial basis. On July 9th, a Special Board Meeting was held to conduct the Strategic Plan Workshop for the 2021 review and update. The outline narrative of the document was used to track changes and is attached to the Staff Report. These revisions will be included in the final graphic Strategic Plan document. The most significant changes to the plan are in the Capital Improvements Element as projects were completed in the last two years and new projects are planned. Attachment D shows the revised Capital Improvement Plan (CIP) with a total value of about \$2 million. The target for CIP projects in a given year is \$1.2-\$1.5 million. Mr. Neisler described the Cogen Plant upgrade project and reviewed the lists of projects and completed projects list.

The intention is that once the Board approves the changes in the redline version, Staff will have the graphic document updated, produce that document for the Board's final approval and then make copies for distribution.

Director Zanutto asked if it has been determined what section of the pipeline will be inspected next. Mr. Neisler responded that conditions will dictate that. At this point there is no indication that another inspection needs to be done but it needs to be in the plan because it is a very significant expense. Staff has found that the lower pressure sections of the pipeline are where failures have been experienced. The first 7 miles of the line, the gravity section has already been inspected. Since 2019, there have been no mainline failures. The pipeline itself is in excellent condition and that was reflected in the analysis. The failures have been either storm event damage in the creeks, or improper installation.

Mr. Don Marsh, with the City of Tehachapi, commented that he did not see any plans for additional extraction wells for Tehachapi Basin. Mr. Neisler stated there is an extraction well planned for Cummings Basin but there are no wells planned for Tehachapi Basin. Mr. Marsh stated that it is the City's long-term plan to turn the Snyder Well back into City service and Mr. Neisler indicated TCCWD is aware of that plan.

President Schultz moved that the updated Strategic Plan narrative and Capital Improvement Element be approved, and new graphic copies prepared. Director Zanutto seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 14. Discuss Method of Electing Directors and Review of Director's Division Boundaries

Mr. Neisler stated this item has been placed on the agenda at the request of a Director. The exhibit that was not able to be utilized at last month's meeting has been properly provided as Attachment A. Director Cassil had a question concerning the areas of the existing divisions and that information has been included on the Staff Report as well. Note that the total adds up to 246,000 acres not the 266,000 acres contained in the District. The reason for that is the consultant who prepared this list tallied the total of the privately owned lots so that does not include the rights-of-way for streets, causing the difference. Staff does not have a position or anything to report on this item; it is for discussion and Board direction for Staff if so desired.

Director Cassil stated that currently Boards all across California are waiting for the census figures to be published so they can have further information before they decide if they wish to move forward with any change. Her understanding is that census information that will be useful for this Board will not be available until September. She suggested the Board wait for those numbers before the Board work any further on this topic.

Director Pack asked if any other Directors are interested in making any changes. President Schultz stated this Board has operated from divisions for 50 years and he does not see any reason to change that. At this point he doesn't see the population differences to be enough to be a problem. He feels there is

enough population in each division to get quality candidates and the divisions appropriately recognize the areas while still offering the vote to all people from all divisions. He has no interest in taking it further.

Director Pack asked if the census numbers are broken down by district and what benefit will come from those numbers. Director Cassil stated the census numbers will give information by community and she thinks there will be potential for some communities to have multiple directors represent them. President Schultz pointed out that by redrawing the lines, the most active population will be the City of Tehachapi as the other communities have a limited number of lots. By rationale of the proposed method, all five divisions could converge in the City unlike now, communities like Stallion Springs and Bear Valley have a say regardless and he feels that is important.

President Schultz stated this item can be revisited when there is more information available and asked Director Cassil to please keep the Board abreast of the situation.

Ms. Susan Wells of GHCSO thanked Director Cassil for bringing this to the Board's attention. She commented that she is concerned on behalf of the M&I users that no change to the Ordinance on the elections process has been made in 50 years. She stated that in 50 years, the demographics have changed significantly and she thinks the population data will reflect that. She would like to see a more direct election of a population in the divisions. She stated the questions she will be presenting at the next consideration of this topic. President Schultz sought clarification and her intention is to see election "by divisions" rather than "from divisions".

Director Zanutto asked if the Board did want to change the election process to "by divisions", would the public get to vote on that or would it be a Board decision. Mr. Neisler stated it is a Board decision.

Item 15. Approve Participation in the Fish Friendly Diversions Demonstration Project

Mr. Neisler stated in 2015, this Board acted to join the South Valley Water Resources Authority (SVWRA) which is a Joint Powers Agency as a general member. The purpose of the SVWRA is to develop projects, facilities and programs to enhance water supplies of its general members. TCCWD has participated on the Board of Directors of the SVWRA through our representatives John Martin and then Mr. Neisler and Director Hall is the Alternate. The agency's initial project was called the Fish Friendly Diversion Proposal which is intended to minimize the fish takes in the Delta. The way the Delta operates now is via large pumps at the south end of the Delta that are claimed to suck fish into the pumps which kills them.

The current Delta Conveyance Project (DCP) and its predecessor, the California WaterFix, propose less disruption of the Delta by moving the intakes for the system up north of the Delta into lower reaches of the Sacramento River. Then it conveys the captured flow via one pipeline in the DCP, past the Delta by going under it, to expanded pumping facilities at the south end of the Delta. The Fish Friendly project proposed a different way of capturing water into the facility by providing a glorified French Drain across huge acreages that would allow the water to be captured in large flat areas that are lined with permeable material that would slowly capture the water in underground containment pipes and eventually get to the pumps at the south end of the Delta. It's a great idea in theory, however in practice, as these studies have developed, the spacing on those collection pipes is around 8' on center. The area would need to be hundreds of acres to be able to provide the kind of capture that would be needed to make a significant impact on the amount of water that would be available in the State Water Project and the Central Valley Project.

TCCWD has been an active participant both financially and in planning exercises in this project. To-date, this District has provided \$24,125.00 of funding towards this organization. Since the initial Fish Friendly Diversion project, the authority has investigated other projects that our Board has not participated in. The last cash call was in 2017 and the District has not provided any funds since then. They anticipate a

cash call coming up in 2022 and the amount is based on the District's Table A Allocation; \$0.80/AF of allocation which will be about \$15,000.00. Thus far, there has been a significant amount of study and engineering completed on the project, however, it is not incorporated into the Delta Conveyance Project. The only people who have been exposed to this project are the general members who are all Kern County Member Units. The probability of this project moving forward has about a 50/50 chance as the state is dramatically split, north to south, about what happens in the Delta. The next step in the process will be to build a functioning demonstration project. The SVWRA is looking to know whether general members are interested in moving forward or not. Mr. Neisler provided several options for the Board to consider in the Staff Report with how to proceed and described them in detail.

Mr. Neisler believes the project has merit, it's a very passive way to collect water, the velocities are less than 1 CF/second in the percolation areas, the studies seem to indicate it won't disturb the fish, the coordination with the DCP is problematic, and he is concerned that the Metropolitan Water District and Westlands may come in and muscle this District out of the position they are in now. Those are the caveats he can present to the Board to consider and he is looking for direction on how the Board would like to proceed.

President Schultz asked Mr. Neisler what he thinks is the probability of this project providing the 6,000 AFY of Table A Allocation to the District as discussed in the Staff Report. Mr. Neisler stated the projections are all over the map and are optimistic at this point. President Schultz noted we still have not found a place to store the District's water down in Bakersfield. Director Pack agrees this project has merit. Director Zanutto asked for clarification on some of the details of this project. Mr. Neisler explained that the DCP takes the water off the river, north of the Delta, and the water taken by the project never sees the Delta. This Fish Friendly project allows water to come through the Delta and then percolate down through the bottom of the Delta. Director Zanutto asked if this would cause the two projects to be competing for the water and Mr. Neisler answered he does not believe so because it would be a deal killer for this project. The idea is to take water for non-environmental uses during high flow years. Director Cassil stated she is taking a conservative position on this as it seems we are getting more dry years and during the dry years, the District will get no benefit from this project and she would prefer to discontinue participation.

Director Pack moved that the District continue to participate in funding the SVWRA and the Fish Friendly Diversions Demonstration Project in accordance with Option 3 of the Staff Report. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Hall, Pack, Schultz, Zanutto; Noes: Cassil; Abstain: None; Absent: None.

Item 16. Provide Update on Regional Water Conservation Effort

Mr. Neisler stated the Greater Tehachapi Regional Water Group had a meeting in which the City and GHCS D attended; SSCSD and BVCS D were unable to attend. The participants would like to move forward with the regional conservation effort. Mr. Neisler has been looking at the materials that are available from ACWA, CSDA, AWWA and other organizations trying to form a plan of what that campaign would look like.

The next steps in the process will be to solicit SSCSD and BVCS D as well as other groups such as Mountain Meadows, CCI, etc. After that, a meeting can be scheduled for anyone who is interested to talk about what they think the scope will be and then get an idea of cost. Once that is determined, an outline of those costs would be presented to the Board. Mr. Neisler is seeking direction from the Board to continue these efforts.

Mr. Curry described some discussions from the meeting and how the Group would like to make this a program that goes beyond this year. They are looking for ways to get the message out that may be different for each agency yet get the message out as a united front.

Ms. Susan Wells thanked Mr. Neisler and Mr. Curry for putting this effort together and stated GHCSO will support this collective effort in whatever ways they can. Mr. Neisler thanked her for her comments and noted Director Cassil deserves the credit as she brought up this idea.

President Schultz appreciates the concerted effort across all districts and feels that something needs to be done at a faster pace and asked Mr. Neisler that since he has authority to take on some costs without Board approval, if he could move forward on getting some signs out and getting the message out now. Mr. Neisler stated there is a Water Conservation budget account so Staff can absolutely move forward with some signs. He thinks it makes sense to dovetail into the statewide effort. He mentioned the slogan, "Save Our Water" because it ties into the ongoing approach that Mr. Curry stated. Mr. Neisler received sufficient direction to proceed.

Item 17. Board of Director's Comments

Director Pack reiterated his opposition to the Delta Conveyance Project and stated most of the tax increase that the Board just put into effect was due to the \$120,000 to the DCP.

Director Hall commented that when it comes to great Public Works projects he has always been interested in the disasters and the worst ones that have been out there. He has watched shows and read books in which a municipality, a state, or even a country is wasting money on some great public work. The record of gigantic failures, while there are some, they are not so much in the water world so he has confidence this is going to bring great value to the citizens of Tehachapi and the environs. President Schultz agreed.

Item 18. Adjourn to Closed Session

President to reference Closed Session items as presented on Agenda, then Board to adjourn to Closed Session.

- a. In Accordance with Exhibit A Attached Hereto, Potential Litigation
- b. In Accordance with Exhibit B Attached Hereto, Rosedale-Rio Bravo Water Storage District et. al. v. Kern County Water Agency et al., Kern County Superior Court

The Board went into Closed Session at 4:54 p.m.

Item 19. Return to Open Session

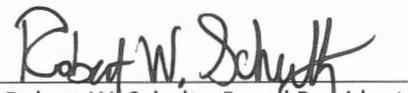
The Board returned to Open Session at 6:20 p.m.

Report Action Taken in Closed Session:

- a. No reportable action.
- b. No reportable action.

Item 20. Adjournment

The meeting was adjourned at 6:20 p.m. on a motion made by Director Hall, seconded by Director Cassil, and carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.


Robert W. Schultz, Board President


Catherine Adams, Board Secretary



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: _____
 Name of Case: _____

2. Anticipated Litigation: _____
 Gov. Code § 54956.9 (b): 1 case
 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.)

Description of Property: _____
 Proposed District Negotiator: _____
 Negotiating Parties: _____
 Subject of Conference: _____

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

1. Existing Litigation: 1 case
 Name of Case: Rosedale-Rio Bravo Water Storage District et. al., v. Kern
 County Water Agency et al., Kern County Sup. Ct.

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: _____