

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
September 16, 2022, 3:00 P.M.  
22901 Banducci Road, Tehachapi, CA 93561

CALIFORNIA DPH RECOMMENDS ALL PERSONS CONTINUE WEARING MASKS INDOORS IN PUBLIC SETTINGS

**Item 1. Call to Order and Roll Call**

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

**Legal Counsel:** Robert Kuhs

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

**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 Cassil requested Item 7.c. be removed from the Consent Calendar and placed on the Agenda after Item 7.

Director Cassil moved to approve the agenda as amended. 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. Motion passed.

**Item 5. Announcement**

President Schultz announced this Special Meeting is being held to conduct the business affairs for the District for the month of September. The Regular Board Meeting scheduled for September 21, 2022 will not be conducted due to the anticipated lack of a quorum. The September 21, 2022 Regular Board Meeting will be adjourned to the next Regular Board Meeting on October 19, 2022.

**Item 6. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body**

There were none.

**Item 7. 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 August 17, 2022
- 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, and there were none.

Director Pack moved to approve Items a. and b. of the Consent Calendar. 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. Motion passed.

**Item 7.c. Authorize President to Sign Agreement to Purchase Supplemental Water with Green Rich Farms**

Director Cassil stated she asked that this item be considered separately because it appears this is the first time a customer has purchased supplemental water and asked if that is correct. Mr. Neisler answered this is the third solicitation offered this year and this is the first client to enter into an Agreement to Purchase. He briefly described the terms of the agreement and stated this item is for the Board to authorize the President to sign the agreement. Director Cassil sought better understanding of who Green Rich Farms is and Mr. Neisler and Ms. Adams provided background information. Director Cassil stated she felt this was an important item to consider on its own so the details could be discussed, and votes could be cast for this item separately.

Director Cassil moved that the Board authorize the Board President to execute the agreement with Green Rich Farms as included in Attachment A. 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. Motion passed.

Director Zanutto mentioned that items on the Consent Calendar can be removed from the Calendar and acted upon individually, without changing the agenda.

**Item 8. General Manager's Report**

Mr. Neisler reported on the following:

- The picture on the Staff Report shows the new 5-strand barbed wire fence being installed around the District property. The project is going according to plan, is on schedule, and the contractor is doing a good job. The contractor reports excellent cooperation with the campground guests.
- The hurricane resulted in scattered rain throughout Tehachapi, and we received 0.4" of rain at the office. Conditions indicate that this will be the third year in a row we will experience La Nina weather. There's no indication that the drought is easing.
- In July, statewide water conservation averaged 11% which is the best month-to-date but still falls short of the Governor's requested 15% reduction.
- As people work their way through the EIR for the Delta Conveyance Project (DCP), comments are begin developed and the plan is to collate the comments and submit one set, jointly. ACWA and the State Water Contractors are leading that effort. KCWA actively works in both of those groups as well. An interesting topic he read in the EIR in the climate change section is it discusses precipitation, and the models indicate that the change is not going to yield less precipitation but will yield less snowfall. Hopefully projects such as reservoir storage can take advantage of the heavier runoff from rain.
- Brite Lake levels are decreasing, however the level is higher than projected for this time of year, so this coupled with customer cooperation has allowed the District's extraction wells to remain offline. It is anticipated we will not need to extract the full 3,000 AF from TCCWD banked supplies.
- Through the record heat and ongoing Flex Alerts, we took proactive steps at the District by voluntarily taking the office off line power and switched over to generator power.
- He reviewed the lake and reservoir charts. The lake chart shows the peak later in the year because we did not start importation until July 1<sup>st</sup> this year and only ran the system for 6 weeks. Lake Oroville is at 36% capacity and San Luis Reservoir is at 27% capacity.

Director Zanutto asked what the source of water is for the newer Diamond Valley reservoir. Mr. Neisler explained that Metropolitan Water District (MWD) reservoirs have two sources: the Colorado River and the State Water Project. MWD is the largest customer of the State Water Project, owning 50% of the

rights, and after Imperial Irrigation District, they are the second largest customer in California for Colorado River water.

**Item 9. Operation Manager's Report**

In Mr. Curry's absence, Mr. Neisler reported on the following:

-Things are going well with the longer off season as crews are doing piping replacement projects at the Pump Plants. The Pipeline Staff is finishing up mowing projects with the new skid steer equipped with a mow deck. The summer interns are done for the year.

-The final two generators have been delivered. There is an agenda item to accept a bid to do the engineering drawings to connect the generators to the facilities that will use them. For the portable generators, there will be transfer switches and receptacles, and the permanent generators at Plant 5 and the office will have pads, electrical panels and be plumbed in.

President Schultz commented he has seen some of the mowing activities and the crews are doing a great job.

**Item 10. Adopt Resolution No. 10-22 Biennial Update of Conflict-of-Interest Code**

Ms. Adams stated it is required that agencies review their Conflict of Interest Code every two years and make any changes or required updates to rules and regulations. There were no substantive changes this year; the only change was to make the policy gender neutral. Attachment B shows the redline changes to the policy and Attachment C is the final policy with a resolution to make the updated changes and accept this policy as our new Conflict of Interest Code.

Director Cassil asked Mr. Kuhs questions regarding the Investment section on page A-3 of the policy and potential conflicts. Mr. Kuhs explained that Directors can ask for a legal opinion as to whether a section applies, or they can make a determination themselves. If it does apply, the Director can abstain from the vote and generally, this does not preclude them from discussing as a member of the public. This policy is to ensure Board members abstain from voting on Board actions in which they have a financial interest.

Director Cassil moved to approve Resolution 10-22 amending the District's Conflict of Interest Code. Director Pack seconded the motion, and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None. Motion passed.

**Item 11. Adopt Resolution No. 11-22 Establishing Minimum Balances for TCCWD Banked Water Reserve Accounts**

Mr. Neisler stated at the August 17<sup>th</sup> RBM, the Board conducted a discussion about this item and directed Staff to prepare a resolution to establish minimum banked water reserve balances for TCCWD accounts in Cummings and Tehachapi Basins per the terms discussed. The key points of this resolution include, establishing minimum balances of 3,750 AF in Tehachapi Basin and 6,750 AF in Cummings Basin, flexibility for the Board to adjust these minimums in the event of an emergency, balances set for an initial five-year period, re-evaluate after five years, and acknowledgment that these banked supplies are comprised of only return flow or artificial recharge of imported water supplies.

Director Cassil commented that the Resolution does not lay out the purpose as clearly as it is in the Attachment A Staff Report which states these minimum supplies will be maintained to meet health and safety requirements in the event of a catastrophic event and goes on to say they will be maintained for emergency use only. Mr. Neisler stated the language was made more general based on discussions that took place at the last meeting, but he is happy to revise it.

President Schultz discussed the role of the District as the Watermaster, whether this item is backed by science or emotion, and reviewed some scientific data referenced in the 2009 Fugro Reports stating that both basins are healthy, and he questioned what this banking will do to the rate of outflows in the basins. He feels a policy such as this is setting us up for an economic disaster out of precaution and would rather we make our decisions based on science than emotions we feel during a drought.

Director Zanutto challenged the claim that the basins are healthy and pointed out the Cummings Basin judgment had to be amended because the basin was in overdraft and that was based on science. He added that if the basins are so healthy, why do we require Term M&I customers bank water? He does not think this banked water will cause spillover of the basin. President Schultz agreed that the Cummings Basin was in deficit and further explained his concern is if the basin was healthy, and more customers started banking water, such as agricultural customers, there's only so much room in the basin.

Director Pack disagreed with Cummings Basin being healthy at this juncture and agreed with Director Zanutto. He has seen signs of decreased water levels in Stallion Springs and the adjudication is anticipated to help but it is definitely in a drought. He does not feel that spillage is something that needs to be addressed at this time and it is more important to maintain a minimum balance.

Mr. Jay Schlosser, City of Tehachapi, stated this was an interesting debate and that in the last two years, TCCWD has extracted 3,000 AF of banked water each year to serve, mainly agricultural customers in Cummings Basin. He understands why that was done but he feels Director Zanutto's position about consistency is important; it's intelligent planning to expect cities and M&I customers to maintain water reserves for catastrophes but questioned agricultural customers looking to the District for water to be used in drought years.

Ms. Susan Wells, GHCSO, stated that if there's a claim that the basin is healthy, she would prefer to see a more current report than the Fugro Report from 2009 and if we are at risk of the basins leaking from being too full, then perhaps it's time to revisit the Native Safe Yield. All of this comes into play with a long term solution she has been requesting.

Mr. Matt Vickery, Grimmway, appreciated the discussion and stated that he is not in favor of setting minimum balances and feels this scenario is being too cautious. He stated that Fugro Study looks at a situation with an earthquake that prevents surface water being pumped up the hill for a 3 year period, and it shows in that 19 year model timeframe, Tehachapi Basin does replenish by the end of that time period. If we are setting aside an additional minimum amount of water, there is a potential that it will limit the beneficial use of the water. He commented that when you look at other basins in the state that are subject to SGMA, it allows basins to set minimum thresholds for groundwater levels, and it lets GSA's go below the threshold for a certain amount of time because it recognizes that the climate has variation. He feels if we set a minimum groundwater level here, that we cannot go below, it will prevent allowance for the natural variation that occurs. He addressed agriculture having reserves and explained in one years' time, they would need 3 lakes full of water and questioned whether the basin can even handle banking that much water. In addition, how could that water then be extracted; they would have to drill more wells.

Director Cassil pointed out that the Staff Report contains current storage charts for both basins which show total basin storage has decreased. The Annual Watermaster Reports also contain useful information on water levels and extractions. Current data shows us the drought has affected our basins and they are not overflowing at this time, so she feels it is important to plan for an emergency such as an earthquake.

Mr. Neisler commented that much of this discussion has conflated native and imported water supplies. This policy is to manage artificial, imported water. He reviewed the attached storage charts and clarified this stored water is what the policy would be managing. Talking about basin capacities and spillage; there are two identified basins in DWR Bulletin 118 in Tehachapi, it says distinction without a difference. Both basins, when they fill, drain to the East down Tehachapi Creek. This is hydrologic data, and the distinctions are based on the summit. The combined capacity of both basins, according to DWR, is 365,000 AF. The current balance, according to the latest data verified in 2019 by the study that the City, GHCSO, and TCCWD jointly undertook, is about 250,000-260,000 AF. If we are talking about spilling, we have at least a 100,000 AF buffer before that would come into play. As for native extractions, those are managed by the adjudication and those numbers are proofed twice a year by sounding wells. We have 60 years of data on most of those wells that tell us what is happening to the basin. GSI Consultants verified there is no justification to adjust the Tehachapi Basin Native Safe Yield (NSY) of 5,500 AF, and current extractions are less than that amount (2019-2020 data). Cummings Basin has a capacity of 150,000 AF and currently has about 90,000 AF in it and this policy is to manage 10,000 AF of that. The Cummings Basin model was updated around 2015 to justify the Amended and Restated Judgment. As for agricultural water banking, the District has had a voluntary water banking agreement available to customers since 2016 and have only had one participant who has banked 2,000 AF for their exclusive use. With respect to SGMA, our basins are exempt from SGMA, and this policy is not about minimum levels, it is about this artificial banked supply we manage. He stated he wanted to try to clear up some of the points that have been raised and apologized for the lengthy discussion. Staff followed direction from the Board and prepared the requested resolution and he is happy to make any changes the Board sees fit.

President Schultz feels that the TCCWD banked water is part of what is needed for our operations and if those limits are put in place, it significantly limits the usable water. Director Zanutto pointed out that this policy is going to be re-evaluated in five years and new reports will be done in that time, so everything will be looked at and can be changed if needed. Ms. Wells commented she thinks it is a responsible move to create a bank of surface water when we know how unreliable that supply is and encouraged the Board to establish those banks.

Director Cassil moved that the Board adopt Resolution 11-22 Establish Minimum Balances for TCCWD Banked Water Reserve Accounts for the purpose of maintaining health and safety standards in the event of a catastrophic event and to amend the resolution accordingly. Director Zanutto seconded the motion, and it was carried on the following vote: Ayes: Cassil, Pack, Zanutto; Noes: Schultz; Abstain: None; Absent: Hall. Motion passed.

Mr. Neisler requested a 5 minute break in the meeting, and it was granted.

**Item 12. Discuss TVRPD Brite Lake Recreation Area Agreement**

Vice President Pack reconvened the meeting and stated President Schultz is stepping down for this agenda item. President Schultz left the dais and joined the Public in the audience.

Mr. Neisler stated in July of 2021, TVRPD and TCCWD entered into a new agreement (Attachment A) for the operation of the Brite Lake Recreational Facility. The new agreement replaced the 1974 agreement that was amended in 1999 and was out of date. The 2021 agreement set limits to the land area included in the agreement at the direction of the Board based on concerns expressed by adjacent property owner, Schultz Enterprises, Inc. At the time the Board was considering the new agreement, Schultz Enterprises, Inc. submitted a letter describing problems pertaining to campground guests disturbing their property, so the new agreement limited the area available to recreation area users to keep them away from the boundaries. A term of the agreement requires that TVRPD submit a special event application to TCCWD for approval at least 60 days prior to events.

Historically, a dirt road south and west of the campground area has been used by the Tehachapi High School (THS) cross country team as a component of the course for cross country meets. This road is used to serve the TCCWD water storage tanks that serve the campground and office complex. On August 30, an incident occurred that prompted the cancellation of the THS cross country meet scheduled for the following day and he described the details as outlined in the Staff Report. In summary, there was an oversight by TVRPD, and a special event application had not been timely submitted. Upon submission, it was discovered the course falls outside the use area in the agreement and it was too late to reroute the course, so the meet was cancelled. Mr. Neisler was copied on an email from Robert Schultz, TCCWD President, to the Tehachapi Warrior Booster Club supporting the historical route and stating he would ask Mr. Neisler to do the same. Mr. Neisler approved a request for a rescheduled event on September 21<sup>st</sup> with the traditional route.

Mr. Neisler asked the Board for direction on considering approval of uses outside the Recreation Area Use Agreement, insurance coverage outside the boundary, and whether the Board wishes to approve continued use of the traditional cross country route. If the Board desires to support the event in the future, it may consider revising the agreement to reflect a use area that includes the dirt road used for this event.

Director Cassil asked what insurance coverage we carry that provides protection for this and Mr. Neisler described adequate liability insurance coverage for all District facilities but pointed out that the District should not insure recreational events. She suggested the Board require TVRPD carry insurance that will cover the entire event area, so it includes the portion that falls outside the agreement use area.

Director Zanutto recapped the situation and sought better understanding of whether the event will be held within the boundaries in the future. Mr. Neisler stated Mr. Corey Torres, TVRPD GM, is here and can speak to that but he wanted to clarify that Staff has no objections to the historical route, he was just trying to follow the terms of the agreement. Director Zanutto commented that he understands the intent was to try to resolve the situation so the event did not get cancelled but he feels this should have been a Board decision and not just the General Manager and President.

Director Pack asked how long this meet has been taking place here and Mr. Torres answered that the route has been the same for over 20 years and it is known for that challenging mountain area because all the other districts have relatively flat courses. This application was an oversight on the part of TVRPD and the school district was not aware of the terms of the new agreement and the timeliness of getting them the information. They understand the use area terms and why the application had to be denied.

Director Zanutto stated he knows there was a past concern from Schultz Enterprises, Inc., and asked if that is resolved now and whether TVRPD wanted to use the historical course in the future or if this will be a one-time exception. Mr. Kuhs suggested a middle ground would be approving the use of that roadway specifically for cross country, track, and field events and no other purpose. Mr. Robert Schultz stated the historical problem was trespassing and vandalism. Schultz Enterprises, Inc. has always supported youth events such as this and they do not pose those risks mentioned. Personally, he would fully support an event like this.

Director Cassil moved that the Board supports the General Manager's decision to issue the Special Use Permit for the September 21<sup>st</sup> cross country meet. As a condition of the approval, TVRPD will provide an insurance endorsement covering the portion outside of the recreation area agreement. Additionally, I move that the Board direct Staff to amend the agreement to allow particular uses outside of the lease area, subject to insurance coverage and liability waivers as contained in said agreement. Director Pack seconded the motion, and it was carried on the following vote: Ayes: Cassil, Pack, Zanutto; Noes: None; Abstain: Schultz; Absent: Hall. Motion passed.

**Item 13. Approve Engineering Contract with Electrical Power Systems, Inc. for Site Electrical Design for the CalOES Generator Project**

Mr. Neisler will present this item in Mr. Curry's absence. He stated you may recall that the District received a \$300,000 grant from CalOES for Community Power Resiliency Allocation for the purchase of four emergency generators. After about 37 weeks, we have finally received the two portable and two stationary generators. The stationary generators will be installed at Pump Plant 5 and the office location, and the two portable generators will provide emergency power at multiple extraction well and booster locations. Staff reached out to multiple electrical engineering firms and proposals from Electrical Power Systems, Inc. and A-C Electric Company were received. Staff has verified that the proposal costs are still valid with the consultants.

Electrical Power Systems, Inc.'s proposal is Task Order based on a not to exceed (NTE) amount of \$36,152 and A-C Electric's proposal is \$41,450.00. The scope of services for both bidders is shown in Attachment A. The project scope will produce construction drawings, specifications, and plan check requirements from Southern California Edison (SCE). Once the plan is developed and approved, it will be used to provide a bid package to electrical contractors to prepare bids for installation of the generators. This project will be funded by the CalOES grant funds and approximately \$260,000 has been spent to date, so this \$36,152 will virtually exhaust the Grant funds and the deadline to expend the funds is December 31, 2022. The installation will be the District's contribution amount that was mentioned at the time of presenting this project originally and is in the budget under the Equipment Replacement Fund.

Director Pack moved that the Board accept the proposal from Electrical Power Systems, Inc. in the NTE amount of \$36,152.00 and authorize the General Manager to execute contracts for same. President Schultz seconded the motion, and it was carried on the following vote: Ayes: Cassil, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Hall. Motion passed.

**Item 14. Approve Directors Attendance at Fall 2022 ACWA Conference and Region 6/7 Annual Event**

Mr. Neisler stated the ACWA Fall Conference will be held in Indian Wells, CA on November 29 – December 1, 2022. He and Mr. Curry will be attending this year and Directors are invited to attend as well. Reimbursement of Director's travel expenses has to be approved in advance. Director Hall is the District's representative for the JPIA Board of Directors and is approved to attend the JPIA Meeting/Conference on Monday and Tuesday.

The second item is the ACWA Regions 6 & 7 Annual Event in Visalia held on October 13-14, 2022. It will be a two-day event with a tour on Thursday, a reception that night, and the Water Forum on Friday. Staff will check with Director Hall to see if he is available and suggested that the Board approve his attendance for both events so if he available, reservations can be made and not have to wait until the next meeting. The Board members discussed the meetings and the schedule.

President Schultz moved that Director Hall be approved to attend the 2022 Fall ACWA Conference and Directors Zanutto and Hall be approved to attend the ACWA Regions 6 & 7 Annual Event subject to Director Hall agreeing to that schedule, with the ability to decline, before we commit. Director Cassil seconded the motion, and it was carried on the following vote: Ayes: Cassil, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Hall. Motion passed.

**Item 15. Board of Directors Comments**

There were no comments.

**Item 16. 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, 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; 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.*

The Board went into Closed Session at 5:20 p.m.

**Item 17. Return to Open Session**

The Board returned to Open Session at 6:11 p.m.

**Report Action Taken in Closed Session:**

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

**Item 18. Adjournment**

The meeting was adjourned at 6:12 p.m. on a motion made by Director Pack, seconded by Director Cassil, and carried on the following vote: Ayes: Cassil, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Hall. Motion passed.

  
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Robert W. Schultz, Board President

  
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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: KCSC No. BCV-21-102184 KCT  
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.)

Description of Property: \_\_\_\_\_  
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.)

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: Not Applicable  
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: 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): \_\_\_\_\_

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: \_\_\_\_\_