

MINUTES

**TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS
June 5, 2026, 11:00 A.M.
22901 Banducci Road, Tehachapi, CA 93561**

- Item 1. Call to Order and Roll Call:** Meeting called to order at 11:20 a.m.
Directors Present: Ables, Hall, Schultz **Absent:** Davis
Legal Counsel Present: Counsel joined via Zoom for Closed Session
Staff Present: Cat Adams, Jon Curry, Tom Neisler, Crystal Sampson
- 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**
 Neisler stated that he made an oversight and neglected to include an item for Return to Open Session and Report on Action Taken. He stated without a four-fifths majority vote an item cannot be added to the Agenda. It was agreed that the Board will still report on any action taken in Closed Session as is the normal procedure.
- Director Hall moved to approve the agenda as advised. President Schultz seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.
- Item 5. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body**
 None
- Item 6. Approve Check Register**
 Neisler stated this process is a little different than usual being that there is no Consent Calendar. He described the three checks that were on the register for approval.
- Director Ables moved to approve the Check Register. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.
- Item 7. Approve Method to Fill Board Vacancy**
 Neisler stated that Director Sasia resigned his Board position via email on May 15, 2026. At the May 20, 2026, Regular Board Meeting, the Board of Directors formally accepted his resignation. Government Code 1780, which is included as Attachment A, outlines the methods to fill such a vacancy. The Notice of Vacancy that was sent to the Kern County Clerk is included as Attachment B. The remaining Board members may choose to fill the vacancy by appointment or by calling a Special Election. The vacancy must be filled within 60 days, which is July 14, 2026, in this case. The District must post the Notice of Vacancy in three conspicuous places in the District at least 15 days before appointment. A notice will be published in the local newspaper and a preliminary draft with recommended dates is Attachment D. This

same notice will be posted at the District office, Golden Hills CSD and the City of Tehachapi to meet the requirement of 3 conspicuous places. The notice will also be posted on social media outlets.

When the Directors decide on filling the vacancy, Neisler will notify the Kern County Elections officials. Regardless of the appointment, the Division 1 seat will be part of the General Election in November 2026. If the Board does not fill the vacancy within 60 days, the County Board of Supervisor's may fill the vacancy.

If the Board decides to appoint a replacement, Neisler recommends the Board direct Staff to post a solicitation for interested candidates with a deadline for submittals of July 2nd since the office is closed July 3rd in observance of the holiday. Then set a date for a Special Board Meeting to select a candidate. At this meeting, candidates can attend and address the Board and the Board can select a candidate to appoint. Once a candidate is appointed to the Board, that appointee can apply to run for the full four-year term in the November Election and the deadline to file an application is August 7, 2026. Attachment C is a map that shows the Division 1 boundaries that candidates must live within to apply for this seat. They can contact the office and Staff will help to determine whether or not they are eligible.

Discussion took place on situations that may occur such as if the Board does not receive any interested candidates by the deadline to fill the vacancy, the County's role in this process, and the General Election.

President Schultz moved that the Board choose to appoint the replacement (for Division 1) and direct Staff to solicit interested candidates with a deadline to apply of July 2, 2026, set the date for the meeting to select a candidate prior to July 14, 2026, with a Special Board Meeting set for July 10, 2026. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.

Item 8. Board of Directors Comments
None

Item 9. 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, City of Tehachapi vs. TCCWD
- c. In Accordance with Exhibit C Attached hereto, City of Tehachapi vs. TCCWD

The Board adjourned to Closed Session at 11:38 a.m.

Return to Open Session

The Board returned to Open Session at 11:57 a.m.

Report Action Taken in Closed Session:

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

Item 10. Adjournment

The meeting adjourned at 11:57 a.m. on a motion made by Director Hall, seconded by Director Ables and carried on the following vote: Ayes: Ables, Hall, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.


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 Gov. Code §54956.9(d)(1): County of Sacramento Superior Court Case No. 34-2022-80003892
Name of Case: Tehachapi-Cummings County Water District v. City of Tehachapi *Et al.*

2. Anticipated Litigation: _____
Gov. Code § 54956.9 (d)(2): _____
Gov. Code § 54956.9(d) (4): _____

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: _____



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

1. Existing Litigation Gov. Code §54956.9(d)(1): KCSC Case No. BCV-23-104134
Names of Cases: City of Tehachapi v. Tehachapi-Cummings County
Water District

2. Anticipated Litigation: _____
Gov. Code § 54956.9 (d)(2): _____
Gov. Code § 54956.9 (d)(4): _____

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

- 1. Existing Litigation Gov. Code §54956.9(d)(1): 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 (d)(2): _____
Gov. Code § 54956.9 (d)(4): _____

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