

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
ADJOURNED REGULAR MEETING OF THE BOARD OF DIRECTORS
September 24, 2025, 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

Item 1. Call to Order and Roll Call

Directors Present: Ables, Davis, Hall, Sasia, Schultz

Legal Counsel Present: Robert Kuhs

Staff Present: Catherine 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

Director Sasia moved to approve the agenda. Director Hall seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

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

There were none.

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 August 20, 2025

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 Sasia moved to approve the Consent Calendar. Director Ables seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 7. General Manager's Report

Neisler reported on the following:

-The photo on the report is the new Staff photo which is included in the 2025 update to the Strategic Plan. He announced two new additions to Staff. The new Controls and Emissions Technician, Sam Resendez, is on board and actively participating and doing great things. Then we have the new Administrative Assistant I, Hannah McKinzie, who will be starting on October 6th. She has a Master's

Degree in History with a Minor in Political Science. She is an exciting addition to our Staff, with lots of upside potential.

-The GIS Technician, Brandon Kirby, has been signed up for an advanced, college-level GIS Certification course through UCSD. He proposed participating in the training and it is a great opportunity.

-One of the mechanics has been cross-training in emissions testing procedures and coordinated with the source testing firm this year. He did a great job and all the engines passed source testing.

-State Legislature did not include the Governor's trailer bill in the Budget they approved. So that becomes a two-year bill. The trailer bill contained streamlining provisions for the Delta Conveyance Project (DCP), and that was the reason that the bill did not go forward.

-The State Water Project (SWP) subsidence issue is rounding into shape with approximately \$4 billion needed for remediation. Metropolitan Water District, the largest participant in the SWP, is questioning who should be paying those costs as the problem is north of their district. He will keep the Board updated as things progress.

-The first estimate of the 2026 Statement of Charges was released. There was a significant increase without any of the DCP charges included. The District's DCP obligation is about \$800,000 for 2026, and about a \$1.3 million for 2027. They are also still working to figure out the issue of debt reconciliation.

-Extraction wells were shut down on August 21st and recharge operations began on September 2nd.

-There are some issues with the limited area behind Pump Plant 2 and the needed space for equipment. Staff is working with a design team to come up with ideas for shoring and piling. He will provide more information to the Board when it is available but wanted to point this out as it is going to be expensive.

-The stockpiles of dirt near the District yard will be used to build the pad for the new storage building.

-He and Director Davis spoke at the Golden Hills CSD (GHCS D) board meeting regarding the joint letter GHCS D posted with the City of Tehachapi in the newspaper opinion page. They provided comments on the letter that questioned where the water has gone. The GHCS D board was polite and receptive.

-He introduced Patrick Johnston in the audience who is a new reporter for Tehachapi News mentioning he wrote an objective article in the newspaper this week about the comments made at the GHCS D board meeting. Neisler stated he closed his comments at that meeting stating he hoped to be able to work with them on a solution for these issues.

-He spoke to the 7th grade science classes at Jacobsen Middle School about water and was impressed by their depth of knowledge and concerns. It seemed to be well received and Neisler really enjoys doing these presentations every year.

-Bear Valley CSD requested Neisler come speak at their board meeting again to discuss TCCWDs role and relation to their CSD as they have new staff and new directors. On October 8th he will be speaking on a panel to the Bear Valley Wildlife Coalition.

-He has purchased the first strip, two engines worth of natural gas for six months from the new supplier, Arm Energy. He had requested quotes from Twin Eagle and Arm, and Arm was \$0.20/mmbtu cheaper which equates to about \$100,000 in savings. Gas purchases are looking good for 2026 as he paid \$3.77/mmbtu. He discussed the current state of the nations natural gas pipeline, terminals, and storage.

-He reviewed the reservoir charts noting Lake Oroville is 111% of historical average and San Luis Reservoir is 116% of historical average. He stated he cannot publicly report on the forecasts from Weather Tools but he will be using those for planning operations for 2026. The precipitation charts are included with the water year ending September 30th. Northern California is above average, central is slightly below average and as you get further down the state it is below average rainfall.

Director Hall asked how much of the \$4 billion of subsidence work Neisler thinks is in Kern County. Neisler responded one-third to one-half of it. He clarified that there are identified spots along the aqueduct and the users who extract water in that vicinity are likely the culprits. President Schultz asked for verification of the natural gas storage amount in Aliso Canyon and Neisler confirmed it is 87 billion cubic feet.

Item 8. Operations Report

Curry reported on the following:

- As Neisler had mentioned, there is shoring and excavation work that is needed on the back side of Pump Plant 2 and Curry will provide progress and photos as that progresses. Currently the superstructure is in the structural engineering phase; 60% plans have been received and Staff has submitted comments to W.M. Lyles. Two field meetings have been held with Lyles and a trenching and shoring company to consider options.
- The long-lead time materials that were an issue for the Pump Plant 3 portion of the project have either been or will be received for the Pump Plant 2 portion prior to the system shutdown in November.
- Staff met with Southern California Edison to discuss any electrical needs for the Storage Facility project. He shared the details of the discussion and power consumption.
- The importation system is currently operating on three-engine system at 19 CFS. The Brite Lake data from September 19th is: elevation 4349.6', volume 865.8 AF, and level 23.6'. Water is being recharged into Cummings Ponds, Cummings Basin Westerly, 19 Acres, Antelope Dam and the Gravel Pit Facility.
- He provided details on the maintenance tasks and projects performed by the Pumping Systems and Pipeline Staff as listed in the Staff Report.
- The CARB Clean Truck and Emissions reporting for vehicles over 14,000 lbs is complete.
- Pay Request #11 to W.M. Lyles and Pay Request #1 to Elite Constructors have been processed.
- Hazardous Communication and Industrial Ergonomics training was conducted for Operations Staff.
- Coordination continues with the integrator for the new internet and phone system and Lumen was onsite today installing new equipment.
- As we move later into the pumping season, Staff is getting ready for capital projects and maintenance items for the off-season.
- He offered to answer any questions the Board or Public may have and there were none.

Item 9. Declare 8 Superior 2406 Engines Surplus and Authorize Staff to Solicit Bids for Sale/Disposal

Curry stated that along with the Pump Plant 2 and 3 engine projects comes the need to sell the existing Superior 2406 engines. Staff is asking for the Board to declare all eight engines surplus and authorize Staff to solicit bids for their sale or disposal. Pump Plant 3 engines were replaced in 2024 and Pump Plant 2 engines will be replaced with the next phase of the replacement project. Staff is asking the Board to declare the Pump Plant 3 engines as surplus and the Pump Plant 2 engines to become surplus at the end of the importation cycle this year. He described the service life of the engines, the emissions regulations that affect them, and the research he has done into surplus equipment companies.

Director Hall moved that the Board declare the eight Superior engines listing in the Staff Report surplus to the needs of the District and authorize District Staff to sell and/or dispose of them per District policy. President Schultz seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 10. Adjournment of Regular Meeting of Board of Directors

The Regular Meeting of the Board of Directors adjourned at 3:41 p.m. on a motion made by President Schultz, seconded by Director Hall and carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 11. Call to Order of Meeting of Tehachapi Basin Watermaster and Roll Call

Directors Present: Ables, Davis, Hall, Sasia, Schultz **Time:** 3:41 p.m.

Legal Counsel Present: Robert Kuhs

Staff Present: Catherine Adams, Jon Curry, Tom Neisler, Crystal Sampson

Item 12. Conduct a Public Hearing to Consider Bozenich Water Rights

President's Opening Remarks:

President Schultz stated this is a Hearing of the Board of Directors, in its capacity as Watermaster of the Adjudicated Tehachapi Basin for the purpose of considering the proposed Settlement Agreement between the Bozenich Family Trust/Survivor's Trust, Golden Hills CSD, and Tehachapi-Cummings County Water District. This Agreement seeks to provide a solution to the disputed 55 acre feet of Tehachapi Basin water rights.

The public hearing was declared in session at 3:41 p.m.

Staff Report:

Adams read all the summary and background information contained in the Staff Report stating this hearing is to allow the Public, including basin water rights holders, the opportunity to present any evidence, objections, or arguments regarding conflicting claims to base water rights and to consider the proposed transfer by quitclaim of 55 acre feet of base water rights by Nathaniel D. Carey, who's the Trustee of the Bozenich Family Trust/Survivor's Trust as restated December 12, 2021 and of the Bozenich Family Trust dated August 10, 1999 as amended to Golden Hills Community Services District.

Adams then introduced the exhibits to the Staff Report as follows:

Exhibit A: Trustee's Petition for Approval of Water Rights Settlement Agreement
Exhibit 1 – (Proposed) Settlement Agreement and Mutual Release

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

Exhibit C: Proof of Publication- This hearing notice was published in the Tehachapi News on September 10th and September 17th, 2025.

President Schultz asked if there were any Board, Staff or Public comments or questions and there were none.

President Schultz moved that the Board approve the Settlement Agreement and Mutual Release among Nathaniel D. Carey, Trustee of the Bozenich Family Trust/Survivor's Trust, as restated December 12, 2021, Golden Hills Community Services District, and Tehachapi-Cummings County Water District in its capacity as a county water district and Watermaster of the Tehachapi Basin. Director Ables seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

(Close Hearing and Return to Regular Meeting)

The hearing adjourned at 3:49 p.m. on a motion made by Director Sasia, seconded by Director Ables and carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 13. Call to Order (Return to Regular Board Meeting)

President Schultz called the Regular Meeting of the Board of Directors in session at 3:49 p.m.

Item 14. Board of Directors Comments

Director Ables commented that the Engine Replacement Project had a lot of lessons learned that will help during this next phase at Pump Plant 2. Curry agreed there were unforeseen circumstances and some good learning points for Staff and the contractor.

Director Sasia thanked Neisler and Curry for their really informative reports and the Staff for all their hard work.

President Schultz welcomed the new reporter, Patrick Johnston, and appreciated him coming to the meeting.

Item 15. 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, TCCWD v. City of Tehachapi
- c. In Accordance with Exhibit C 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.
- d. In Accordance with Exhibit D Attached hereto, Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency *Et al.*
- e. In Accordance with Exhibit E Attached hereto, City of Tehachapi vs. TCCWD
- f. In Accordance with Exhibit F Attached hereto, City of Tehachapi vs. TCCWD

The Board adjourned to Closed Session at 3:52 p.m.

Item 16. Return to Open Session

The Board returned to Open Session at 5:05 p.m.

Report Action Taken in Closed Session:

- a. No reportable action.
- b. No reportable action.
- c. No reportable action.
- d. No reportable action.
- e. No reportable action.
- f. No reportable action.

Item 17. Adjournment

The meeting adjourned at 5:05 p.m. on a motion made by Director Hall, seconded by President Schultz and carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. 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: TCCWD 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: _____



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): KCSC Case No. BCV-25-103013
Name of Case: _____
City of Tehachapi _____

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: 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 Gov. Code §54956.9(d)(1): 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 (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: 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 Gov. Code §54956.9(d)(1): 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 (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: _____



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): 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 (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: 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 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): _____

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: _____