

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
April 15, 2026, 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

Item 1. Call to Order and Roll Call

Directors Present: Ables, Hall, Sasia, Schultz **Absent:** Davis
Legal Counsel Present: Legal Counsel joined Closed Session via Zoom
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, Hall, Sasia, 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

Director Hall commented on the current weather.

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 March 18, 2026, Special Board Meeting of March 27, 2026, Special Board Meeting of April 1, 2026, and Special Board Meeting of April 8, 2026
- 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 Hall seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.

Item 7. General Manager's Report

Neisler reported on the following:

- Weather reports are predicting a Super El Nino year and there has only been five since 1950. He discussed the forecast photo in the Staff Report.

- The Table A Allocation remains at 30% and the latest DWR studies show that it is not likely to increase much. The snowpack is almost completely melted. The average maximum snowpack in the northern Sierra is around April 1st and this year, the DWR snow survey at Phillips Snow Station recorded zero inches of snowfall.
- He shared the reservoir charts pointing out that Lake Oroville is 124% of average and 93% of capacity. San Luis Reservoir is 103% of average and 88% of total capacity and these totals combine SWP and CVP water. He shared a chart showing the SWP Share of San Luis Storage and described where the SWP share encroached into the CVP share. Now that people are taking deliveries, the levels have decreased and the concern has passed.
- Exports into the SWP system are limited to 600 CFS due to environmental constraints, turbidity and temperature, in the Delta. The maximum delivery capacity is 4,200 CFS.
- He shared the snowpack chart noting the statewide average is 14% of normal for this date.
- Senate Bill 872 continues its path through legislature on the Delta levees and Canal Subsidence Fund. ACWA, State Water Contractors and CSDA have all become active in supporting this bill. As mentioned previously, the bill will provide \$300 million a year for 20 years for subsidence and levee reinforcement and needed improvements. The state is trying to step up and take responsibility for some of these statewide benefits. The bill was immediately opposed by those who do not have State Water Project facilities but have CVP facilities. The CVP was not included in this bill. Since then, the Federal United States Bureau of Reclamation (USBR), has stepped up and provided a more or less partner bill to provide some funds for CVP. Contractors are hopeful that will diminish the opposition to this bill.
- Last month, Staff reported that golden mussels were detected at Plant 3 and samples were sent to the Department of Fish and Wildlife for genetic tracking. They confirmed that these are in fact golden mussels. When the Pump Plant 2 tank was opened for washout and inspection, there were a few golden mussels around the hatch. KCWA found a golden mussel infestation in one of the pools of the CVC that goes from the aqueduct to the current water bank, so they dewatered the facility to remediate the mussels. They recommended period is 30 days before they can refill it. This is not a method that can be used for other facilities so there is a lot of effort being made to find suitable treatment options for this problem. Curry has been in contact with the District's engineering contractor as they have information on some treatments being developed such as UV light treatments.
- The importation system is operating at 14 CFS which is according to planned operations. The engine project is virtually complete except for a few punch list items. This is a result of a tremendous effort by Curry and his staff.
- Curry researched and found an auction website and listed the 1955 D4 dozer and it sold for \$26,500. That is far beyond expectations. The surplus engines are listed on the website now.
- The Pipeline Department had two team members resign this last month; one planned and one unplanned. There was a mainline break in Cummings Valley and even being shorthanded, they managed to get the waterline repaired within the estimated time frame and poured 23 yards of concrete.
- The Pumping Systems team have been working very hard and the District has received many compliments from W.M. Lyles about the cooperation and assistance the team has provided. There were two incidents last night and they responded and maintained flow through the entire event.
- Tomorrow and Friday are the Pump Plant tours and both are full so that is wonderful people are so interested in these tours. The ACWA Spring Conference is May 4th through 7th. Neisler will be attending the JPIA portion on the 4th and 5th and then ACWA on the 5th through 7th. Director Ables will be attending the ACWA conference as well and Neisler will be representing the District on the Region 7 Board of Directors.
- He offered to answer any questions the Board or Public may have and there were none.

Item 8. Operations Report

Curry reported on the following:

- The testing and commissioning went well on the Engine Project and they were able to start up the system on April 13th, running at 14 CFS. The reworked gearboxes are performing very well. Philadelphia Gear has stepped up to the plate and stood behind their product so with these reworked gearboxes, the vibration is very low. Everything is holding alignment well also.
- W.M. Lyles has submitted a preliminary punch list. Staff will be adding some things to the punch list and these will get completed before W.M. Lyles demobilizes their crews from the site.
- Neisler mentioned the mainline break in Cummings Valley. Usually, Staff sees the line split and run, however this time, there was a bell and spigot blow out about a 10-inch hole in the bottom of it. This resulted in less pipe needing replaced and less time for welding repairs. The Pipeline Department was able to get everything back up and start recharging the line in eight days.
- Brite Lake data from April 10, 2026, was, elevation 4346.7', volume 711.9 AF, and level 20.7'. The Dennison and PP5 extraction wells are operating. As of today, the volume of the lake is up to 747 AF with pumping at 14 CFS.
- He provided details on the projects and tasks completed by the Pumping Systems and Pipeline Staff as listed in the Staff Report.
- Pay Request # 18 for W.M. Lyles has been reviewed and processed. The Kern Multi-Jurisdictional Hazard Mitigation Plan survey and hazard matrix are completed.
- Staff attended CPR, First Aid, and Rattlesnake Awareness safety training during the last month. The annual SAFER Water Production and Drought reporting for the public water system was completed.
- The first surplus auction with GovDeals took place and resulted in the sale of the D-4 dozer. The surplus engines are listed now and the 310 backhoe will be going there soon. The process is very easy and GovDeals charges the buyer a 12.5% fee on the sale price and that is how they get paid.
- As Neisler mentioned, the District has received confirmation of golden mussels at Pump Plant 3. Curry is looking at options for Control Plans and it appears the plans will be similar to those for Quagga and Zebra Mussel Control Plans. Notice has to be given to CDFW regarding writing and developing of a Control Plan in the next 60 days.
- He offered to answer any questions the Board or Public may have.

President Schultz stated that when the importation system is shutdown at the end of the season, he assumes there is water that stays in the pipe and asked what it would take to actually drain the pipeline. He asked if it could have air run through it to make sure it dries out since it is a big, humid tube. Curry stated his initial concern would be not having the pipeline pressurized and Neisler agreed stating he would be afraid the line would collapse. Neisler stated the tanks are different, they could be drained. President Schultz asked if running a pig through the line has been utilized for this type of issue and Curry confirmed it has. He stated UV treatment has also been used but it has only been testing on pipelines up to 14-inch diameter. The UV treats the cells in the transparent phase so the water has to have good clarity for it to work. Copper treatment is being used for mussel treatment and chlorine, however that could not be used for the District's surface water.

Item 9. Approve Contract Change Order B24, B25, and B26 for Engine Replacement Project

Curry stated these Change Orders have been received within the last month and this item is for the Board to consider approval of the Change Orders and authorize the General Manager to execute. Change Order B24 is a deduction as a previous Change Order was to add 220 volt outlets for the hoists in the front of the Pump Plant buildings with the reworking of the roll-up doors. It turns that Pump Plant 2 already had one so this is a deduction (credit) amount of \$3,110.80.

Change Order B25 has been submitted because with the replacement of the existing evaporative coolers to smaller footprint units at Pump Plant 2, changes to the electrical connections were needed. The four electrical disconnect switches were removed and replaced with four weatherproof 120 volt GFCI receptacles and enclosures for the new evaporative coolers. These are plug-in units where there were hard wire connections before. When the structure was built, the geometry had to change a

little bit because of the bank in the backside of the pad. Shoring had to be installed, which caused some design changes in the structure. To allow for room, it was necessary to shrink up the empty space where the coolers are under the structure. To do that, the same CFM was used, but with a smaller footprint model so there would be access with equipment to move things in and out. The cost of Change Order B25 is \$7,431.60.

Change Order B26 was submitted because during previous importation operations, Staff noticed stagnant air and trapped exhaust accumulation in the rear of Pump Plant 2. The exhaust was accumulating near the bank and then the evaporative coolers were pulling it into the building. To correct this problem, the exhaust stacks need to be extended 36 inches to get above the roofline so there is more dissipation. An email was received from the contractor yesterday stating with the new tariff structure, the price of the steel increased 50%. The steel is coming from Canada. There was a \$2,500 increase to this Change Order bringing it to \$17,700.

Staff's recommendation is to approve Change Orders B24, B25, and B26 and authorize the General Manager to execute. Copies of the Change Orders are attached to the Staff Report. He offered to answer any questions the Board or Public may have and there were none.

Director Sasia moved that the Board approve contract Change Orders B24, B25 and B26 and authorize General Manager to execute the same for Engine Replacement Project. President Schultz seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: Davis. Motion passed.

Item 10. Schedule Ad-Hoc Budget Committee Meeting

Sampson stated the purpose of this item is for the Board to direct Staff on a desired date and time to hold an Ad-Hoc Budget Committee meeting. Staff is currently working on the Preliminary Budget for Fiscal Year 2026-27 and would like to schedule the Ad-Hoc Budget Committee meeting, which is comprised of Directors Sasia and Schultz, to present and review the initial draft of the Preliminary Budget. Sampson noted that the Fiscal Impact in the Staff Report references \$100 per Director per day of service, however by the time this meeting will take place, the new rate of \$105 will be in effect.

The Ad-Hoc Budget Committee meeting was scheduled for May 29, 2026, at 9:00 a.m.

Item 11. Board of Directors Comments

There were none.

Item 12. 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
- g. In Accordance with Exhibit G Attached hereto, Potential Litigation (one case)

The Board adjourned to Closed Session at 3:37 p.m.

Item 13. Return to Open Session

The Board returned to Open Session at 4:29 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.
- g. No reportable action.

Item 14. Adjournment

The meeting adjourned at 4:29 p.m. on a motion made by Director Hall, seconded by Director Sasia and carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: Davis.


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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(Gov. Code § 54954.5)

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

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

1. Existing Litigation 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): _____

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2. Employment: _____
Title: _____

3. Performance Evaluation: _____
Title: _____

4. Discipline/Dismissal/Release: _____

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

Agency Negotiator: _____
Employee Organization: Not Applicable
Unrepresented Employee: _____



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(Gov. Code § 54954.5)

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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): _____

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

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(Gov. Code § 54954.5)

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

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

1. Existing Litigation 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): _____

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

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

1. Existing Litigation 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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2. Employment: _____
Title: _____

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(Gov. Code § 54954.5)

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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): _____

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Subject of Conference: _____

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1. Existing Litigation Gov. Code §54956.9(d)(1): _____
Name of Case: _____

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

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Title: _____
2. Employment: _____
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4. Discipline/Dismissal/Release: _____

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Agency Negotiator: _____
Employee Organization: _____
Unrepresented Employee: _____