

MINUTES

**TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
September 16, 2020 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561**

ANNOUNCEMENT: THIS MEETING IS BEING CONDUCTED VIA TELECONFERENCE AS AUTHORIZED BY GOVERNOR GAVIN NEWSOM’S EXECUTIVE ORDER N-25-20. DIRECTORS AND THE PUBLIC WILL HAVE THE OPTION OF ATTENDING VIA THE ZOOM MEETING APP. THE MEETING ID IS 597-332-8446. THE PASSWORD IS 0916RBM. ANYONE WHO WISHES TO PARTICIPATE IN PERSON MAY DO SO AT THE DISTRICT BOARDROOM, 22901 BANDUCCI ROAD, TEHACHAPI, CA 93561. ALL WHO ATTEND THE MEETING IN PERSON MUST ADHERE TO SOCIAL DISTANCING REQUIREMENTS.

Item 1. Call to Order and Roll Call

Directors Present: Cassil (remote), Hall (remote), Pack (remote), Schultz (remote), Zanutto (remote)

Legal Counsel: Bernie Barmann (remote)

Staff in Attendance: Catherine Adams (in person), Jon Curry (remote), LaMinda Madenwald (remote) and Tom Neisler (in person)

Item 2. Announcement

President Pack lost connection for a short time and the announcement was forgone due to technical difficulties.

Item 3. Flag Salute

The Pledge of Allegiance was foregone due to technical difficulties.

Item 4. Approval of Agenda

Director Hall moved to approve the Agenda. 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 5. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body

Mr. Steven Shaw from Golden Hills introduced himself and stated he has interests in Brite Lake, the watershed, and the fisheries. He complimented the District on their meeting minutes and helpful information on the website.

Director Hall commented that the price of an item is determined by supply and demand, and there is a commercial claiming that Proposition 15 will increase rent to businesses when neither the supply has changed nor the demand. He feels that claim is false to anyone who knows economics.

President Pack had technical difficulties again and Mr. Neisler suggested that the meeting be turned over to Vice President Schultz and proceed. He suggested that upon President Pack’s return, he would apprise him of the action the Board took.

Director Hall moved to have Vice President Schultz take over the meeting in President Pack’s absence. Director Cassil seconded the motion. The following votes took place: Cassil, Aye; Hall, Aye; Schultz postponed the voting as President Pack was coming back online. Mr. Neisler apprised him of his suggestion and that the Board was in the process of voting. President Pack stated he is having internet issues and if he loses connection again, to have Vice President Schultz take over the meeting.

- 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 19, 2020
 - b. Approve Financial Report and Payment of Bills

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

Director Zanutto moved to approve Item a., the Minutes of the Regular Board Meeting of August 19, 2020. Director Schultz 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. – Director Cassil commented that we are living in very complicated times which make it difficult for an organization such as this District, to have a budget that can match these unpredictable times. With that in mind, she asked that the Board look at Item 6.b., the 4th column (Better (Worse) Than Budget), as there are a number of items that appear to be “worse than budget”. She expressed that she is not trying to find fault in Staff; her concern is that if this continues, is there a point where the Board will revise the Budget. Ms. Madenwald stated this report is for the first month of this fiscal year, and the books were adjusted to an accrual basis in June which means many of the expenditures had to either be adjusted back to June or forwarded to July. She went through and reviewed all of these to see if any were caused by any other reason and she is comfortable that the differences we are seeing in July are results of adjusting the books to an accrual basis. In August they are expected to be tracking more closely. Director Cassil appreciate the insight. Mr. Neisler added that it bares noting these reports are lagging as they are for July 31st and it is now 6 weeks later. The Board has an opportunity annually, to review and adjust the Budget at the mid-year point, typically in January or February.

Director Zanutto referred to the check for \$126,600.00 to Kern County Water Agency for banked water recovery and asked how many acre feet of water this was. Mr. Neisler said he would have to look up the exact number, but he believed it was 1,200 acre feet. There was a previous invoice for 1,600 acre feet making the total recovered for the year 2,800 acre feet, and this was a budgeted item with an estimate of \$150.00/acre foot.

Director Cassil moved to approve Item 6.b., Financial Report and Payment of Bills. Director Zanutto seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Pack (technical difficulties).

Item 7. General Manager’s Report

Mr. Neisler reported on the following matters:

- The picture shows the rejuvenated parking lot; he appreciates the Board’s patience in getting this project completed. Mr. Curry brought some alternate approaches to the work that have born very beneficial results and he did a wonderful job.
- There have been significant challenges with regards to the supply and demand of water this summer, however, irrigation demand has dropped, and the lake is filling now.

- The annual emissions source testing is complete without any issues. A job well done by the Pumping Systems department and the Controls and Emissions Technician, Paul Dutcher. All the engines that were tested came through well below the required emissions standards.
- Ms. Madenwald oversaw the annual audit and a new procedure was instituted this year whereby the Audit Committee met privately with the auditor. That committee consists of Director Cassil and Director Zanutto. Mr. Neisler did not hear any negative comments from the committee or the auditor, so he assumes everything went well. The committee members may elaborate upon that if they wish.
- The District suffered a catastrophic engine failure at one of the pump plants. We are fortunate this event occurred in the middle of the night, so no employees were present. The engine is a total loss and will need replaced; an insurance claim has been filed. Mr. Curry will be providing more details in his report.
- There have been two vehicle incidents around District facilities in the last week. The first was a truck going off the corner of Banducci Road and landing in a ditch. Mr. Curry and Staff were the first on the scene and assisted. The driver suffered only minor injuries. The second incident was off of Tehachapi Willow Springs Road. A driver attempted to pass a truck in an area where passing was permitted but did not consider a vehicle coming in the opposite direction. The driver exited the road and hit one of the District's facilities. The driver was uninjured and there was facility damage that has since been repaired. A copy of the CHP report has been requested and a claim will be turned in against this person's insurance to recoup the District's repair costs.
- DWR presented the cost estimate for the Delta Conveyance on September 3rd. The KCWA presented a very detailed presentation on this project at the Member Unit Manager's meeting last Thursday. He invited the Delta Conveyance Ad-Hoc Committee to attend as there was a lot of detail to be presented. Director Cassil attended and at this time, all the information is privileged and confidential. A summary will be given to the full Board during Closed Session. The Design and Construction Authority and the KCWA have expressed their frustration with the fact that this very important information is confidential. They hope to make this information more public in the upcoming weeks.
- Operations continue with 3 engines. So far, all projections are being met and Staff is scheduled to shut down the entire system at the end of September. All wells have been shut down and now recharges are running again. From this point forward, we will be able to control the lake level and recharges to the District's operational advantage.
- The estimated replacement cost of the engine that failed is \$300,000. Staff has filed an insurance claim and the deductible is \$25,000. This should be the total cost of this unexpected, unbudgeted event.
- COVID-19 is still a consideration. Staff is trying to stay up to date with requirements and the team has been doing a great job. There have been no incidents and we hope the situation normalizes soon.
- President Trump issued an Executive Order allowing the deferral the employee's portion of payroll taxes from September through the end of the year. That program is voluntary for employers to offer. The management team discussed this and if in fact these taxes were deferred, they would need to be paid back during the first quarter of 2021. The employees would see about a 6% reduction in their withholdings for 4 months and then a 6% increase in their withholdings in the months following to pay it back. This would cause an administrative burden and by the Board's grace, everyone has been made whole throughout this COVID time. Therefore, management declined to participate in the deferral program. The Business Manager distributed a memo explaining this to employees and he wanted to make the Board aware.

Mr. Neisler reported that President Pack is now physically present in the Board room and will resume chairing the meeting.

President Pack asked if there were any questions on the General Manager's report. Director Schultz asked for clarification on whether there could have possibly been injuries to Staff had they been present when the engine failed. Mr. Neisler confirmed that would have been a possibility as debris and hot oil

flew through the air. Director Schultz asked if there is anything that can be done in the future to prevent injuries such as hanging something to shield from debris and oil. He realizes this is a very rare event. Mr. Neisler stated they are considering that. In the 52 years of the District's existence, this is the second time it's suffered a failure similar to this nature. With respect to future planning and risk mitigation, prevention is something Staff will look hard at as they go through the engine replacement effort. These systems have high horsepower, hot, loud, rotating equipment so Staff is very proactive with the maintenance schedule and they do not cut corners with supplies, replacement parts, and things of that nature. The part that failed was a connecting rod which does not have a replacement schedule as they are not intended to ever fail. He will leave the rest of the details to Mr. Curry as he has been heading up this process. He appreciated and thanked Director Schultz for his comments.

Director Zanutto commented he was an alternate on the Delta Conveyance Committee and had responded he was available to fill in, however he was not notified Director Hall was not going to attend the meeting. President Pack thanked him for his comment and stated he will address that in Agenda Item 12.

Director Schultz inquired as to whether the Lake Oroville level of 47% was high for this time of year. Mr. Neisler referred to the chart and it is 74% of its historical average so it is a little low. Director Schultz asked if based on the history of allocations, if it seems our allocation should have been higher this year. Mr. Neisler responded yes.

Item 8. Operation Manager's Report

Mr. Curry reported on the following matters:

- At the last meeting, he reported the annual inspections of the flood control facilities took place and now Staff has written and submitted the report to the National Resources Conservation Service (NRCS). They accepted it with no comments and were happy with the results.
- He completed and submitted the annual report for the Public Water System to the State Water Resources Control Board (SWRCB). He is waiting on comments from SWRCB.
- On September 8th, both SCE and PG&E scheduled PSPS events however SCE did not move forward with theirs. The PG&E shutdown was for 17 hours and affected Pump Plant 1. The generator came online with no issues and there was no interruption to pumping operations.
- We are currently operating on a three-engine system at 20.5 CFS. The Benz, Dennison, Pump Plant 5 and Nunes Wells have been shut down. On September 11, 2020, the Brite late elevation was 4,348.1', volume was 800.6 AF, and the level was 22.4'. The recharge areas are operating at the following setpoints: Antelope Dam – 2000 GPM, 19 Acres – 1200 GPM, Gravel Pit – 400 GPM and Cummings Pond – 300 GPM. Also, SSCSD is still pumping their CV#2 well through their filtration system and into Cummings Pond.
- Pump Plant 3, Engine 3 suffered a catastrophic failure and the photos attached to the Staff Report show some of the damage and the scale of the connecting rod. The connecting rod came apart inside the cylinder and exited through the inspection cover. There was damage to the engine block, crankshaft and other internal/external surfaces and components. Hot oil sprayed so we were fortunate there was no one there. The pictures do not do justice to the amount of damage to the block. Staff did not see high vibration numbers or other alarms leading up to this event. JPIA claims process has been started through the Boiler and Machinery coverage the District carries. We are waiting on direction from JPIA.
- The Source (emissions) Testing is performed on two engines at each plant, each year. The inspections went really well. We asked for cooperation in Cummings Valley, most notable from Grimmway, to reduce their usage substantially to maintain a constant flow through Pump Plant 4 for testing. He appreciated their cooperation.

- The parking lot resurfacing project is complete and turned out well. Asphalt repair work was done to trench areas, the northeast corner, and on the road before the gates going into Brite Lake. Next a slurry seal was applied, then a fog seal, and striping was done at the end. The work comes with a one year warrantee so Staff will keep an eye out for any issues.
- The Pipeline Department is working on brush removal at the 19 Acre Recharge and sand/debris removal in the concrete channel at the ID-3 Flood Control facility.
- Both Pipeline and Pumping Systems Departments are continuing work on the Computerized Maintenance Management System (CMMS). They are developing spreadsheets of equipment parts lists for inventory and asset control for submittal to CALCAD.
- Staff will begin compiling data for the annual report to the California Department of Fish and Wildlife (Ca-DFW). It covers the maintenance activities done in 2020, and what is planned for 2021 within the Streambed Alteration Permit areas. The deadline is December 31st.
- Staff has been scheduling work and ordering parts for multiple off-season projects and maintenance.

Director Hall asked if the system telemetry shows the break itself. Mr. Curry responded that it showed an alarm and then a trip, so the on-call mechanic was alerted and headed to the plant where he found the bigger issue. The system does vibration analysis along certain parts and monitors RPM, oil pressure, and temperature. He would have to ask the Pumping Systems Supervisor the details of the vibration report before it happened, but the readings just came to a flat line. Director Schultz asked if he saw an immediate input pressure change at Pump Plant 4. Mr. Curry explained that when an engine doesn't start and another one comes online, you see a pressure change. So, when engine 4 did not come online, the mechanic immediately dropped the flow rate down to 14 CFS to save the system from an entire shutdown. Then when he could not get the engine to reset, he headed to the plant to see what had happened. Director Schultz asked who the mechanic was and congratulated him on quick thinking.

Director Schultz asked if there is a difference in the emissions testing when the weather is cool rather than warm and if there is a possibility of scheduling the testing during a time of year when it would cause less interruption in operations and water schedules. Mr. Neisler stated with regards to ambient temperature for emissions testing, the exhaust coming off the engines is in excess of a thousand degrees and has little to no impact on the emissions. The exhaust at Pump Plant 1 is in excess of 1,300 degrees. The source testing is done once a year as a condition of the permit; however, the District is required to test weekly and we do not see deviations throughout the year in our emissions compliance. The District's testing equipment is calibrated with the source tests that are performed. With regards to scheduling, the tests are done purposely in August because the system is at peak flow. For the testing, there has to be at least 14 CFS constant flow at each one of the plants. That's not a problem for Plants 1 through 3, however that is continually a problem at Plant 4. The time we have the best chance of keeping 14 CFS flow through Plant 4 is historically the end of August or the beginning of September so that is why it is scheduled for that time. Mr. Neisler also referred back to his comment on a pressure drop when the engine failed. He stated that Plants 1, 2, and 3 all pump into tanks, so Plant 3 pumps into a series of 3 tanks at Plant 4. The idea is that the storage capacity in those tanks, takes up those variable inflow demands. There is some period of time before any impact shows on inlet pressure at the upstream tank.

Director Zanutto asked what the plans are for the \$300,000 the District is expecting to get from the insurance claim. Mr. Curry stated that currently, they are looking to replace the engine with the same model. Director Zanutto inquired if it could be replaced with a newer model or if that would not be compatible. Mr. Neisler stated we cannot retrofit a different engine in the plant under the time constraints needed for operation. The District will send the damaged engine to Sinor in Texas and they will strip off all the available parts to use on another block and crankshaft they have on hand. Once they

have the refurbished engine complete, they will ship it back to the District and we hope to have it installed for the February 1st start date.

President Pack commented that the parking lot looks great and thanked Mr. Curry.

Item 9. Authorize Staff to Solicit Request for Proposals for Engineering Services for Preparation of 2020 Regional Urban Water Management Plan Update and Associated Cost-Sharing Agreement

Mr. Neisler stated the District has served as the lead agency for the Regional Urban Water Management Plan (RUWMP) for at least the last two cycles. These plans are required to be updated every 5 years. The submittal deadline for the plan is July 1st, 2021. He attended a DWR and State Water Resources Control Board webinar on the revisions to the 2020 Urban Water Management Plan Guidebook. The updates are extensive as a lot has changed since 2015; SGMA is now in place and the Drought Contingency Plan requirement went from 3 years to 5 years.

This item is requesting the Board authorize Staff to solicit Requests for Proposals (RFP) from engineering consulting firms to assist in the preparation of this plan. The four retail water purveyors will be included in this preparation and will share in the cost. This includes the City of Tehachapi, Golden Hills CSD, Bear Valley CSD, and Stallion Springs CSD. There is an integrated nature of operations between the agencies, so it is logical to join together and save costs. The attachments to the Staff Report are the Request for Proposal, List of Firms Receiving RFP, and the Draft Cost-Sharing Agreement. This proposal used to go out under theegis of the Tehachapi Water Preservation Committee, however that group has not had active participation. Therefore, this District, as the Watermaster and wholesaler, has taken the lead to solicit and contract for these services and then request participation from the affected water retailers. He displayed a breakdown of the costs on the screen. He has estimated the cost of the study will be \$100,000 conservatively. As done in the past, he is proposing TCCWD pay for 20% of the cost and then split the remaining 80% proportionately between the other agencies. There are factors that play into the participation level; population, the number of service connections, and water production in acre feet per year. Those are aggregated against the total and then the actual participation is prorated on the 80%.

This update requires intensive effort and the timing is beneficial as the last time this study was done (2015), the District was importing about 6,500 AF/year and the most ever imported was 7,500 AF/year. At that time, it was sufficient to meet the demands of customers, however, that is no longer the case. Currently, the District strives to import 10,000 AF/year and the demand comes close to that number. This study will give everyone the opportunity to make sure that all the partners are on the same page. If the Board approves going forward with the solicitation of the RFP and the Agreement in Principle for the Cost Sharing Agreement, he will send out the agreement, meet with the public agency partners, and describe the process and their participation.

Director Zanutto asked at what point will the partners need to contribute to this and whether it will be a lump sum amount. Mr. Neisler responded that the RFP requires the consultant to provide a schedule for their services and give progress invoices to TCCWD. Those amounts will be dispersed to the other agencies. It will be paid for as the project moves along rather than as a lump sum and agencies will have the opportunity to adjust their budgets accordingly at their mid-year budget reviews.

Director Zanutto moved that the Board authorize Staff to solicit Requests for Proposals for engineering services for preparation of a 2020 Regional Urban Water Management Plan and approve in principle the associated cost-sharing agreement. 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 10. Update on Cummings Valley Amended and Restated Judgment

Mr. Neisler stated there were 29 parties out of 225 that had not responded so personal service has been issued. That effort is close to completion and the next step will be for Counsel to go before the judge and state that efforts to serve these parties have been exhausted and request that all parties that were not successfully served, be served by publication. Public Notice will be published in the Tehachapi News and LA Times. Then Counsel will go back to the court sometime in January 2021. This is slightly later than originally planned because we wanted to make sure all opportunities were exhausted to serve the active pumpers. This has taken a big effort from both TCCWD staff and Kuhs & Parker staff, and it has been very successful.

Mr. Barmann stated they are down to only 8 parties that have not been served yet. AMS is the process serving company that was used and they have provided a record of attempts on the parties that they have been unable to serve. Two of the parties only live in Tehachapi part-time and the other time in Riverside County so the notice will need to be published down south as well. Mr. Barmann will be in court tomorrow by phone, asking the court to serve by publication. This will require publishing a copy of the summons in the newspaper for 4 consecutive weeks. After that, the timeline will start for those parties to respond and if they do not, defaults can be entered, and a motion can be filed with the court to have the amended judgement filed. The Thanksgiving holiday may fall in the middle of this process, but the hope is to have the hearing set for late December or early January.

Director Cassil commented this low number of parties that have not been served is remarkable and she congratulated Staff and Mr. Barmann for their hard work. Mr. Barmann commented that during this process there have been people who start off upset, however, when those people talk to Mr. Neisler, he has been able to gain their cooperation so he congratulated him for that. Director Zanutto commented this is all good news and thanked the pumpers for understanding. President Pack commented that receiving 126 consent forms is great. Mr. Barmann added that when the motion is filed, there is a fair amount of work to do because even with consents, we have to give the court enough evidence basis that this amended judgement is the right thing. The stakeholders in the basin are largely in agreement, however, the court has an independent duty to make sure that these parties that are not represented, are treated fairly.

Item 11. Update on Cummings Basin Westerly Recharge Project

Mr. Neisler stated that Granite Construction is under contract and has been issued the Notice to Proceed. They have done some mobilization and Staff has been meeting with them. They plan to physically start work tomorrow and there will be the first weekly construction progress meeting. Granite has provided a more detailed construction schedule at this point and the contract completion date is December 22, 2020 but it is expected to be sooner than that. This project will almost double the usable recharge area in Cummings Basin and allow for operational flexibility.

The Grant Deed has been recorded and escrow is closed. As you may recall, he asked the Board to pad the closing costs \$3,000 to ensure all the costs were covered and the District received a refund check yesterday for about \$2,900. He thanked the Board for supporting this project as he is excited about the opportunities this opens up for the District. The grant procedures process continues. The District received a request last week to update the appraisal on the property to make sure it met certain conditions and that it was within a year of the date of the request. Now that the District owns the property, there is no reason to do that. The grant has a 50% matching requirement which is anticipated to be about \$350,000 and it was decided to reassign the property acquisition costs out of the matching funds and into the other funds. Staff is trying to respond to their data requests at this point. He is hoping they will soon receive the signed grant forms as the State has not provided those.

Item 12. Board of Directors Comments

President Pack commented the Delta Conveyance Ad-Hoc Committee is a very important committee comprised of Directors Cassil and Hall, with Director Zanutto as an alternate. There is a lot going on for this committee and meetings are important as there is potential for the Board to be making decisions soon. As decisions need to be made, it's important for the Directors to attend meetings and do the best they can to contribute and gain understanding. He feels at this time, the committee should be reorganized to Director Cassil and Director Zanutto if he is alright with that. Director Zanutto was concerned with whether Director Hall still wanted to sit on the committee before he would accept. Director Hall apologized for missing the last meeting and said he would prefer to stay on this committee. A short discussion took place and President Pack decided to leave the committee as is and encouraged Director Hall to attend these irregular meetings.

Director Cassil congratulated Mr. Neisler and Staff on all the good things that are happening with the District. Progress is being made on a number of fronts. Mr. Neisler thanked her on behalf of Staff. Director Hall added that historically, Mr. Neisler has been accomplishing projects that previous General Managers were unwilling to do, and this is a great time for the District.

Director Schultz requested that Directors refrain from inappropriately commenting on political situations. Director Hall stated his comment was in the interest of good government as this agency needs taxes and lying about taxes makes it hard for this agency to collect taxes.

Director Zanutto thanked President Pack for understanding the Committee issue. He also commented that he and Director Cassil attended the Audit Committee meeting with the auditors and left with an understanding of the audit process and how they check for deficiencies, fraud, receipts against expenditures, and so forth. They discussed the changing of auditors every 5 years and it was a good meeting. Also, in the July/August CSDA magazine issue, there was a good article in the manager's corner on working with your Board and its challenges, and he recommends the Board read it as it gives good insight.

Item 13. 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, Kern County Superior Court Case 97209, Tehachapi-Cummings County Water District, a Body Corporate and Politic vs. Frank Armstrong, et al.
- b. In Accordance with Exhibit B Attached Hereto, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds et al.
- c. In Accordance with Exhibit C Attached Hereto, Conference with Real Property Negotiator (APN 223-190-20 Well)

The Board adjourned to Closed Session at 4:44 p.m.

Item 14. Return to Open Session

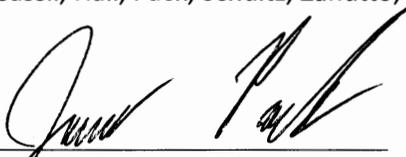
The Board returned to Open Session at 6:22 p.m.

Report Action Taken in Closed Session:

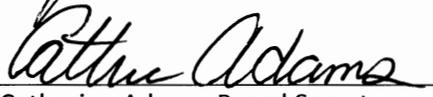
- a. No reportable action.
- b. No reportable action.
- c. The Board authorized the President and Secretary to execute the Purchase Sale and Agreement, subject to review and comment by Directors prior to 4:00 p.m. on September 18, 2020.

Item 15. Adjournment

The meeting was adjourned at 6:24 p.m. on a motion made by Director Hall, seconded by Director Schultz and carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.



James Pack, Board President



Catherine Adams, Board Secretary



**Tehachapi-Cummings
County Water District**

Our Water • Our Future

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: Case No. 97209

Name of Case: Tehachapi-Cummings County Water District

a Body Corporate and Politic, vs. Frank Armstrong 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: _____
 Name of Case: DWR v. All Persons Interested in Authorization of
WaterFix 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:	<u>APN 223-190-20 Well</u>
Proposed District Negotiator:	<u>Tom Neisler, General Manager</u>
Negotiating Parties:	<u>Thomsen Invs, LLC</u>
Subject of Conference:	<u>Terms, Price and Conditions of Sale or Lease</u>

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

1. Existing Litigation: _____
Name of Case: _____

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:	<u>Not Applicable</u>
Unrepresented Employee:	_____