

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
 REGULAR MEETING OF THE BOARD OF DIRECTORS
 February 15, 2023, 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: Hall, Sasia, Schultz, Zanutto
Legal Counsel: Robert Kuhs
Staff in Attendance: Catherine Adams, Jon Curry, LaMinda Madenwald, Tom Neisler
- 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 Director Zanutto.
- Item 4. Seating and Swearing in of New Director – Division 3**
 Ms. Adams administered the Oath of Office, swore in Mr. Ables, and he took his seat at the dais.
- Item 5. Approval of Agenda**
 President Schultz announced they are going to try to end the public portion of the meeting by 5:00pm and Closed Session by 6:00pm due to current road conditions and safety concerns.

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, Zanutto; Noes: None; Abstain: None; Absent: None. Motion passed.
- Item 6. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body**
 Ms. Adams announced that for clarification purposes for the audience and the audio recording, if the motion is not clear she will repeat the full motion, who moved and seconded, and the result of the vote.
- 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 Special Board Meetings of December 30, 2022 and January 9, 2023, and Regular Board Meeting of January 18, 2023
 - b. Approve Quarterly Investment Report, Financial Report and Payment of Bills
 - c. Consent to Sale of Certain Tax-Defaulted Properties

President Schultz asked if there were any items the Board, Staff or Public would like to remove for discussion, and there were none.

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

Item 8. General Manager's Report

Mr. Neisler reported on the following:

- He referred to the photo and stated the State conducts a snow survey at the beginning of each month and this time last year there was virtually no snow at this same location. This year the snowpack has doubled since January 1st to February 1st at Phillips Station.
- The volume in Lake Oroville has more than doubled since the beginning of December.
- On January 26th, DWR announced that the 2023 Table A Allocation increased to 30%. There is a Special State Water Operations meeting next week concerning how they are going to operate San Luis Reservoir under these *potential* flood conditions. That is of interest to the District because that concerns the availability of Article 21 (high flow water). The District has 65 acre feet of carry over water in San Luis Reservoir.
- Karla Nemeth stated there would not be a further update on the allocation until the end of February. The modeling that led to the increase from 5% to 30% was through January 1st, so the nine atmospheric rivers we experienced in January are not included in that analysis.
- The District has expressed preliminary interest in participating in the 2023 Dry Year Transfer program. This year is still classified as a dry year.
- The Corps of Engineers has estimated that the runoff from Lake Isabella to the Kern River to be 270% of normal for 2023. The District participates in a program to purchase high flow water off of the Lower Kern River and when that water is available, it's divided up on a proportional share at the cost of \$5/AF. This would be a wonderful opportunity to store water down in the San Joaquin Valley again.
- Staff is scheduled to begin operation of the importation system on April 1st. There is enough water to begin operating on March 1st, we just do not have natural gas supplies to implement that. We generally do not purchase gas for March as it is too variable on whether we will be able to operate or not. The current spot price of natural gas is in excess of \$6.00/mmbtu. Our contracted price beginning in April for the remainder of the year is less than \$3.00/mmbtu.
- He welcomed Director Ables to the Board and mentioned they spent some time yesterday getting him familiar with things.
- He stated the District has a table of 8 reserved for the 2023 Kern County Water Summit on March 24, 2023 and the Directors were invited via email earlier this month and he hopes they consider attending.
- Several years ago the Board implemented a Longevity Award program where employees are recognized for every 5 years of service and presented with a small stipend. We have two employees, Greg Carpenter a mechanic, and Cale Lykins, a pipeline worker, who are celebrating 10 years. They are both valuable members of the team and we want to congratulate them for their longevity and perseverance.
- He reviewed the charts; Lake Oroville is 114% of average YTD and San Luis Reservoir is 90% of average YTD. The snowpack chart shows Statewide Percent of Average for Date is 195% which is almost double the normal YTD. The important number is the Northern Sierra 8 Station Index and it is 165% YTD for precipitation.
- He offered to answer any questions the Board or Public may have and there were none.

Item 9. Operations Report

Mr. Curry reported on the following:

- Staff has been coordinating with the unmetered Cummings Basin pumpers that are required under the Cummings Basin Amended and Restated Judgment to install meters for groundwater extractions. The first set of meters to be installed are pumpers greater than 2 AF/year.
- Staff has been coordinating with Kern County Public Works on the Backes Lane bike lane project on Backes, Schout and Woodford-Tehachapi roads. Fortunately, we only have one turnout box and turnout to move and we may just abandon that and relocate the customer to a different area. The concern would be having water trucks filling up near the bike lane after it's constructed. We sent in the conflict plans and the project is scheduled for the first part of June.
- At the January 18th RBM, the Directors approved the purchase of a new 10-wheel dump truck. Staff issued a Purchase Order and returned the signed documents to Rush Truck Center. We should take delivery of the truck in September. The existing truck will stay in service until it is time for delivery of the new vehicle.
- All four of the District's extraction wells are currently shut down. The City's Snyder well had minimal usage. The Brite Lake data from February 10th was: elevation 4,348.3', volume 795.2 AF, and level 22.3'.
- He reviewed the projects and tasks the Pumping Systems and Pipeline Departments have been working on as detailed in the Staff Report.
- Staff will be working on the 2022 Volumetric Annual Report to the SWRCB that covers the treated effluent that the District receives and distributes from CCI. Superior Tank was on site today to perform a washout and visual inspection of the west tank at the campground and the Oak Creek tank.
- On Wednesday February 22nd, the District will be hosting a CPR/AED/First Aid class and he invited the Directors to attend. The first session will be 8:00am to 11:30am, and the second will be 12:00pm to 3:30pm.

Director Zanutto asked if we have received the results of where the water table sits in Cummings Basin. Mr. Curry stated they received some results from a few of the users and in the higher pumping months there was draw down, but later in the year, as pumping slowed down, the data they received from Stallion Springs showed it rose back up. President Schultz clarified that he is looking for the Key Well data and if he coordinates with Mr. Neisler, he can get the graphs.

Item 10. Adopt Ordinance No. 2023-1, Regarding District Water Sale Priorities

Mr. Neisler stated the Board has considered and discussed Public comments on this Ordinance on four occasions; the December 14, 2022 RBM, the SBM/Public Workshop on January 9, 2023, the January 18, 2023 RBM and another SBM/Public Workshop on February 3, 2023. At the conclusion of the February 3rd meeting, the Board stated that Staff and Legal Counsel would incorporate the Board recommended revisions into a final version of the Ordinance to be presented today for consideration and adoption. The redline version of the Ordinance and the final, clean version of Ordinance 2023-1 are attached to the Staff Report. He emphasized that the revisions made at the Ad-Hoc Water Priority Committee meeting on February 7, 2023 were strictly for consistency and clean up as the document had been patched together over the years. There were no substantive changes to what was discussed at the February 3rd meeting.

Mr. Jay Schlosser, City of Tehachapi, stated that they do not need to go back through all the details from previous meetings, but they continue to disagree with this Ordinance and feel that it massively mis-prioritizes where the District spends its water. The City of Tehachapi is not in support of this Ordinance. Ms. Susan Wells, GHCS D, also wanted to voice her concern that there are not any substantive changes to this Ordinance. She stated GHCS D does not support this Ordinance.

President Schultz stated there were a number of items brought up by the City and GHCS D regarding clarity, and the attempt of many changes was to clarify those areas. He feels they made changes that were directly part of the meeting we had as a round table discussion and that the line by line discussion was valuable for all parties.

President Schultz moved for adoption of Ordinance 2023-1, Establishing Water Sale Priorities for 2023. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Hall, Sasia, Schultz, Zanutto; Noes: None; Abstain: Ables; Absent: None. Motion passed.

Item 11. Authorize Staff to Proceed with Engaging Consultant Team to Secure Financing for 2023 Engine Replacement Project

Ms. Madenwald stated this item contains information on financing options for the \$12 million project to replace all eight engines in Pump Plants (PP) 2 and 3. In 2017, the District completed the PP1 Engine Replacement Project. At that time, we began to plan to replace the engines at PP2, PP3 and PP4. The next phase of replacement was planned to begin when the debt service was retired for the PP1 project. The loan for the PP1 project will be paid in full this year, December 2023. The current annual debt service amount is \$766,300. Staff contacted two municipal lending sources; California Special Districts Association (CSDA) and California Infrastructure and Economic Development Bank (iBank). They also contacted two private lending sources/municipal advisors; Oppenheimer and Ridgeline Municipal Strategies. The Ridgeline representative is Dmitry Semenov, Principal, and the District worked with him on the PP1 solicitation where he provided excellent service and helped us to secure the required loan quickly and at a lesser cost than other options. CSDA stated they were aware we had been in contact with Oppenheimer and the consultant, Jeff Land, of Brandis Tallman (a Division of Oppenheimer) is one of CSDA Finance Corporation Relationship Consultants.

Upon investigating iBank, Staff found that other public agencies experienced unsatisfactory results lending from them. Staff recommends using a private firm to secure financing and she reviewed the bond and loan options they received as detailed in the Staff Report. The most cost effective option appears to be a bond issued through Ridgeline (20 yr. term offers 3.36% interest rate and annual debt service of \$842,500). If the Board agrees, the next step would be to secure our financing team which would include Ridgeline as Municipal Advisor, Oppenheimer as bond underwriter, bond counsel (TBD) and a rating service to rate our credit worthiness for the bond issue, perhaps CSDA. The time frame for a bond issuance is approximately 3 months and the total cost of all the above is approximately \$150,000. While a bank loan may take less time and have lower up-front fees, the increased debt service costs (\$945,000-\$995,000) make this option less appealing than the bond issue. Staff proposed to bring Ridgeline to the next Board meeting to make a presentation on the process, costs, and schedule, and have the Board make a decision on proceeding at that time. The fiscal impact will be \$12,000,000 in project financing, payable semiannually over 20 years with annual debt service of approximately \$842,500. Financing of this new debt will be included when the Board considers a rate adjustment.

Director Zanutto asked for an explanation of a draw down option. Mr. Neisler stated we intend to borrow this money in three tranches. The first is to purchase the engines (approx. \$6 million), then installation of the first Pump Plant engines, the control systems, and required piping, then the third tranche will be installing the same at the second Pump Plant. This will take place over 3 fiscal years and the idea of asking for a draw down was to only borrow \$6 million in the first year. Director Zanutto asked for the life expectancy of the newer engines at PP1 and Mr. Neisler responded 100,000-150,000 hours and feels we will get the 150,000 hours because we take great care of them. This amounts to over 20 years. Director Zanutto stated he asked that because it seems like by the time we pay off this new replacement program, it will be time to replace the engines on PP1 again. He suggested we look into a 15 year option and Mr. Neisler stated they will ask that question.

Director Zanutto moved that the Board authorize the General Manager to proceed with securing financing for the 2023 Engine Replacement Project and bring an agreement, or agreements, back to the Board for approval and execution. President Schultz seconded the motion, and it was carried on the

following vote: Ayes: Ables, Hall, Sasia, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.
Motion passed.

Item 12. Accept Bids, Award Contract and Authorize General Manager to Execute Contract for Dennison Road Well and Pump Replacement

Mr. Curry stated the item was sent out to bid earlier this year and we only received a small number of bids and they were not favorable, so at the January 18th RBM, the Board authorized Staff to resolicit bids for this project. Staff sent notices to eight electrical and well rehabilitation contractors and three bids were received by the submittal deadline of February 9, 2023.

For background on the project, the District has a 100HP deep turbine well at the corner of Dennison and Valley Blvd, and because of the way that pump is bowled and the motor size, a booster pump is needed to overcome the system pressure to get water into our line. This project entails upsizing the motor to a 200HP electric motor, re-bowling the pump, and doing video inspections for our records. This will eliminate the need for a booster pump. The bids received are as follows: Bakersfield Well and Pump \$143,200, Pacific Irrigation \$184,715, and AC Electric bid the electrical portion only for \$74,518. Staff's recommendation is to award the contract to Bakersfield Well and Pump and the FY 2022-23 CIP Budget includes \$150,000 for this Dennison Well Project.

Director Sasia asked Mr. Curry if the District has some history with Bakersfield Well and Pump as he thought he recalls doing business with them in the past with favorable results. Mr. Curry confirmed we have and that they are a very reputable well and pump company and they have provided good service. They have done previous work on this well. Director Sasia stated that he brings this up because there is a significant cost difference in their bid versus Pacific Irrigation and the general adage is "you get what you pay for" but in this case, we've have good experiences with Bakersfield Well and Pump.

Mr. Neisler commented that Mr. Curry has undersold his contribution to soliciting these bids. He reached out to the bidders from the first round and also worked closely with the prospective contractors to clarify the project which allowed for tighter bids. He thanked Mr. Curry for his efforts in getting this done and within the Amended Budget. Director Zanutto pointed out that the bid is very close to the budget amount and wondered if they should factor in a contingency so it does not have to come back to the Board if the project goes slightly over budget. Mr. Neisler explained he is authorized through the Purchasing Policy to approve up to \$15,000, so if it was a small amount, he could approve it and report it later. He stated the contingency is a good suggestion and they may be able to include that in future projects. Mr. Curry felt this is a good thought because of the limited data the District has on this well, there are some unknowns.

President Schultz moved that the Board accept bids, award the contract to Bakersfield Well and Pump Company in the amount of \$143,200 and authorize the General Manager to execute the contract for the Dennison Road Well and Pump Replacement. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.
Motion passed.

Item 13. Schedule Special Board Meeting to Approve Cummings Basin Groundwater Allocations in Accordance with Amended and Restated Judgment

Mr. Neisler stated the Amended and Restated Judgment (ARJ) for the Adjudication of the Cummings Basin was approved by the Kern County Superior Court on January 5, 2021 and became effective January 1, 2022. The ARJ requires the District to annually establish groundwater extraction allocations from the basin and he has attached the 2022 allocations approved by the Board to this Staff Report. A Public Hearing must be noticed 10 days in advance in the Tehachapi News. This is the second year of implementation and Staff is working to clear up some issues regarding variable allocations that we would

like to resolve in a comprehensive and permanent fashion with Legal Counsel. Staff is requesting additional time to prepare the allocations and to provide the required notice. The earliest deadline after today's meeting to place the notice in the Tehachapi News is tomorrow. This would allow the notice to run in the February 22nd edition of the newspaper, so 10 days after that would be March 4, 2023 which is a Saturday. He requested the Board schedule a Special Board Meeting with a Public Hearing during the week of March 6th-10th to approve the allocation requests. The ARJ requires the Watermaster determine these allocations by March 1st of the given year. While the proposed schedule causes this determination to be approximately one week behind schedule, it provides the best opportunity for us to resolve the issues, and allow all pumpers time to review the allocations and comment in a Public Hearing. President Schultz scheduled a Special Board Meeting for Monday, March 6th at 3:00pm and Mr. Neisler thanked him for his consideration.

Item 14. Approval of Minute Order to Update Signature Card for Bank of the West

Ms. Adams stated that now that we have seated Director Ables we need to update the Signature Authority Card with Bank of the West to include him. This Minute Order will authorize Bank of the West to make the necessary changes based on the Boards approval. If approved, she will submit the Order to the Bank and they will generate a new Signature Card that she will bring back to the Board for signatures at a later date.

President Schultz moved to approve the list of Authorized Signers and Authorized Representatives for the TCCWD Signature Authority Card and authorize Bank of the West to make those changes. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 15. Appoint Directors to Serve on 2023 Ad-Hoc Committees

Mr. Neisler stated the District uses several Ad-Hoc Committees to facilitate the conduct of our business. These committees are formed to serve a particular purpose and then cease to exist once the purpose is fulfilled. To comply with the Brown Act, we can only seat two Directors on such a committee. The committee is matched with the appropriate Staff members for that particular issue. The Committees meet with Staff to allow for detailed Staff presentations and Director input. The Committee members can then take a recommendation to the full Board for action and provide insight into a given issue for remaining Directors. Mr. Neisler described each committee Staff anticipates a need for and referenced the attached list of Committee Assignments from 2022. Mr. Schlosser asked when the Sage Ranch litigation became part of the Tehachapi Basin Groundwater and IPR Project Committee and why. Mr. Neisler stated it was discussed at a Board meeting last year. Mr. Schlosser asked if it was agendized and decided upon and Mr. Neisler clarified that it does not have to be agendized or decided on, it's at the President's recommendation. Mr. Neisler stated Ms. Adams will provide him the information as he does not have it available here. The President discussed preferences and availability with the Directors and then made the following committee assignments:

Audit Committee: Ables, Sasia

Budget Committee: Hall, Zanutto

Water Priority Committee: Hall, Schultz

Water Rate Committee: Hall, Sasia Alternate: Ables

Tehachapi Basin Groundwater and IPR Project: Schultz, Zanutto

South Valley Water Resources Authority: Neisler Alternate: Curry

Joint Agencies Agreement Technical Advisory Committee: Neisler, Curry

Item 16. Solicit Director Interest in Seat on CSDA Board of Directors

Mr. Neisler stated the California Special Districts Association (CSDA) will have an opening of Seat C on their Board of Directors for the 2024-2026 term. Applications are due by April 17, 2023 and that application has to include a Resolution of Support from the agency being represented. Therefore, if we have a Director who is interested in serving, he will bring an item to next month's meeting to adopt a Resolution of Support. The current holder of Seat C is Steve Perez of the Rosamond CSD, and he is not seeking reelection. The application and information from CSDA is attached to the Staff Report and Staff will provide any assistance needed in completing and submitting the application.

President Schultz asked what the expected time commitment is for Seat C. Mr. Neisler stated it is more than you would think; they meet monthly, the meetings vary in location, and there are mandatory requirements at some of their conferences. No Directors were interested in applying for the CSDA Seat C.

Item 17. Approve Director's Attendance at Spring 2023 ACWA Conference

Mr. Neisler stated the ACWA Spring Conference is coming up and due to popular demand, it will be held in Monterey, CA from May 9th to 11th. This item is to solicit approval for Directors to attend the conference and be reimbursed for their expenses. Monterey is notorious for having tight hotel accommodations, so the earlier Directors express interest the better, so Staff can attempt to obtain hotel reservations. President Schultz commented the conference he attended in San Diego was invaluable as he learned a lot and really enjoyed it. He encouraged the new Directors to try to attend an ACWA Conference when they have the availability. Director Hall explained the first two days are the JPIA Conference and then the ACWA portion is the next three days. He expressed that he would like to attend at least the two JPIA days. Mr. Neisler apologized that he neglected to mention that Director Hall is the District's representative on the JPIA Board of Directors and he is approved to attend the JPIA portion of the conference and if he wishes to attend the ACWA portion, that requires Board approval. Mr. Neisler clarified that since COVID this conference is only four days rather than five. President Schultz asked for interest and availability from the Directors and Director Hall stated his interest in the full conference.

President Schultz moved that Director Hall be approved to attend the Spring 2023 ACWA Conference. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 18. Board of Directors Comments

Director Zanutto commented that when we had applicants for the open Board seat, he recalled asking them if this District was meeting the Mission Statement. He read the Mission Statement and then answered the question for himself. When it's available, this District brings up a record 10,000 AF of water and that doesn't just happen with a flip of a switch. It happens because of really good, reliable employees that work hard starting from the General Manager on down to accomplish that. Looking at the management of the groundwater basins, after about 12-15 years of over-drafting the Cummings Basin, we now have an Amended and Restated Judgment. He commends the District Legal Counsel, Mr. Robert Kuhs, who took this on. Looking at maintaining and operating the dams, it seems that every year the regulations are getting more stringent and we still pass every year. Looking at this District as a whole and the infrastructure, looking at this building and the Pump Plants, we can be proud of everything we have. The infrastructure has improved dramatically. He can recall a time when people had to put wood plugs in our water tanks to keep them from leaking and that doesn't happen anymore. Looking at finances, he recalls coming to these meetings when he was on the BVCS D Board, and at that time if there was one motor failure, this District would have had to borrow money. Today, the reserves are filled, and we do not have that problem because this District is being run very well. So, when you look at all that, this District does meet the Mission Statement. There is always room for improvement as well. As long as we have these employees and this Board that budgets for Capital Improvements and staff that gets them done year after year, we will continue to meet this. He commended everyone. President Schultz thanked

him for his comments and mentioned when it come to budgets, the commending goes back to Director Zanutto as he does a good job on that committee.

Director Sasia and President Schultz welcomed Director Ables and commented how nice it was to have a full Board again.

Director Hall added to Director Zanutto's comments stating that he believes that the only times this District has brought up 10,000 AF of water have all been within the last 10 years and ask Mr. Neisler if that was correct. Mr. Neisler clarified that the engines at PP1 had to be replaced in order to set that new goal and that was done in 2017. Director Hall stated that when he started years ago, this District had a larger staff and now with less staff, they all do more.

Item 19. 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, Performance – General Manager

The Board adjourned to Closed Session at 4:34 p.m.

Item 20. Return to Open Session

The Board returned to Open Session at 6:32 p.m.

Report Action Taken in Closed Session:

- a. No reportable action.
- b. The Board gave the General Manager his written evaluation and here in Open Session, the Board will discuss compensation for 2023, in addition to his current compensation.

Item 21. Consider and Act on Change in General Manager's Compensation

President Schultz asked the Directors if they have any comments on Mr. Neisler's evaluation and compensation. Director Zanutto felt they had a very comprehensive evaluation of the General Manager and for compensation, he would like to have one meeting to think about it. President Schultz would like to discuss his compensation with regard to the Cost of Living Adjustment (COLA) and how the Board looks at years such as now, where there is a high COLA. He understands COLAs keep everyone on even footing, but there is concern for added compensation plus a COLA. From his position, he would like to hold off on additional compensation at this time. He is not opposed to adding it to the agenda for a future meeting. Director Hall commented that Mr. Neisler works way above his paygrade on complex issues with politics, Delta Conveyance, and so many things that are happening all at once right now. With regard to compensation, he would like to consider a raise in two parts as he feels he is due part now, but would like to see improvement in employee relations prior to the second part.

President Schultz stated one of the things they discussed was how the General Manager's job has changed drastically over the years, and it used to be far simpler than it is now and he does not envy Mr. Neisler's position. It is very complicated; politically and locally. Director Zanutto asked for a copy of Mr. Neisler's current contract and he would like to meet with him before the next Board meeting. President Schultz recommended each Director meet with Mr. Neisler to discuss their evaluation. Director Zanutto requested this item be put on the agenda next month for consideration. Director Sasia also felt it would be best to wait until the next meeting and commented he does not envy Mr. Neisler's position. President Schultz directed Ms. Adams to put this item on the agenda for the next Regular Board Meeting.

Mr. Neisler encouraged the Board to respect the personnel review process being conducted in private; he has the right to privacy in his evaluation and asked the Board to respect that. President Schultz agreed.

Item 22. Adjournment

The meeting was adjourned at 6:40 p.m. on a motion made by Director Hall, seconded by Director Sasia, and carried on the following vote: Ayes: Ables, Hall, Sasia, Schultz, Zanutto; 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: 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: _____
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: General Manager

4. Discipline/Dismissal/Release: _____

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

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