

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
June 19, 2024, 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

Item 1. Call to Order and Roll Call

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

Legal Counsel Present: Robert Kuhs

Staff in Attendance: 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 Director Sasia.

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, Zanutto; 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

Mr. Neisler requested the Board discuss Directors' availability for a potential Special Board Meeting and July 1, 2024, was a good day for everyone.

Mr. Corey Torres, Tehachapi Valley Recreation and Parks District, commented that their Annual Fishing Derby on May 18th was a phenomenal event and thanked the Board for allowing them to hold events on the District's property. Mr. Neisler commented on the good condition of the facility at the lake, the Staff's enthusiasm, and the great cooperation TCCWD Staff has with TVRPD.

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 May 15, 2024
- 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 Item a. was removed at the request of Director Hall.

Director Ables moved to approve Item b. 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.

For Item a., Approve Minutes of the Regular Board Meeting of May 15, 2024, Director Hall requested to insert the phrase “from increases in fires, floods, and uncertainty of climate change” when speaking on the 20% increase in the property market. Ms. Adams clarified that sentence was in Item 12. Report on ACWA/JPIA Spring Conference.

Director Sasia moved to approve Item a. as amended. 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 7. General Manager’s Report

Mr. Neisler reported on the following:

- The picture is of the pinata breaking at last year’s Safety Picnic and he described how it is the highlight of the event for him. He reminded everyone it is a week from Friday and encouraged attendance.
- The Judge issued a ruling on the Sage Ranch litigation yesterday afternoon. The board has been provided with a copy of it and Ms. Claudia Elliot posted an article in the Tehachapi News.
- The District has two good interns working this summer.
- Normal operational increases are happening and irrigation demands are going up.
- The Table A Allocation remains at 40%. Given it is almost the end of June, even if the allocation does go up, the usefulness of any additional supply is somewhat limited.
- The snowpack is gone as of Tuesday. DWR and the California Department of Fish and Wildlife have gone to great lengths to try to provide explanations for why we are in the situation that we’re in, given the hydrology, given the wet conditions last year, given the fact that we started the year with reservoirs basically full, and yet here we are at 40%. He provided more details on the testing of steelhead trout and the incidental take permit.
- Water continues to flow over the spillway at Lake Oroville. As of Tuesday, it was flowing at 4,500 CFS and has continuously flowed over this spillway since January 30th of this year, flowing into the bay.
- Pumping restrictions remain in place and only about 1,400 CFS is going into the State Water Project at this time. This has resulted in low levels at San Luis Reservoir and the State is projecting a 950,000 AF carryover in Lake Oroville going into this winter. The capacity of Lake Oroville is 3.5 million AF. DWR is projecting carryover from water that they can't deliver this year at 40% of almost a million acre-feet in the lake. That limits available storage for next year.
- The TCCWD system continues to operate with a two-engine system based on a 40% Allocation. It will increase to a three-engine system effective July 1st and continue at three engines through August and September.
- He reviewed the attached Operations Summary, noting 840 AF of water was imported last month and 2,500 AF year-to-date. The District wells were exercised as they have not run for two years. 377 AF of water was delivered, and the recharges are shut down to bring water into the lake. Since the recharges have been down for two months, herbicide was applied earlier in the month.
- He reviewed the reservoir charts attached to the Staff Report highlighting Lake Oroville is at 127% of normal and 99% of total capacity. San Luis Reservoir is at 55% of capacity.
- He offered to answer any questions the Board or Public may have.

President Schultz commented that these reservoir charts show what a massive mismanagement of our water resource we are experiencing from the State to only have a 40% Allocation. This affects all of the people in California, and it is very sad to see. Mr. Neisler stated this is a result of the policies and environmental regulations that have been put in place and this year is the perfect storm. State Water Contractors have talked about adaptive management rather than flow-based management, temperature controls, turbidity controls and all the things that allow more flow when conditions allow it, but DWR is not convinced.

Item 8. Operations Report

Mr. Curry reported on the following:

- The surveillance report for the J.C. Jacobson Dam has been completed by Provost and Pritchard, as there is a new requirement that a California Professional Engineer must compile the report. It is currently being reviewed for edits and comments.
- The Engine Replacement Project submittal set number eight comments have been made. Some of those have been answered, and submittal set number nine is currently being reviewed. The team is working on the preliminary design aspect that was approved by the Board last month, which is a new exhaust design that will route the engine exhaust out the rear of the buildings instead of straight up with the catalytic converter inside. The equipment will be outside the building, which will reduce the heat and some of the noise that goes along with that operation.
- We continue to operate on a two-engine system pumping at 14 CFS. The Brite Lake data from Friday, June 14th was elevation 4,356.7', volume 1,298.6 AF, and level 30.7'. Recharge facilities are shut down. Last week the Benz and Dennison wells were running but are now shut down. As of last Friday, 2,878.7 AF has been imported. The throughput at Pump Plant 1 for May was 100.07%, so hats off to the mechanics, Pipeline staff and everybody for keeping things flowing.
- Everything is in place to move to three-engine pumping the first part of July.
- He provided details on the projects and tasks completed by the Pumping Systems and Pipeline Staff as listed in the Staff Report.
- The draft SB553 Workplace Violence Prevention Plan is complete.
- The Fairview Loop Line Project RFP is complete.
- The EAP's for JC Jacobsen, Antelope and Blackburn Dams are updated.
- Two Special Event Applications for TVRPD-Brite Lake have been processed for the THS Cross Country event and the Sip and Savor event.
- He offered to answer any questions and there were none.

Item 9. Approve Fiscal Year 2024-25 Cost-of-Living Adjustment for all Employees

Mr. Neisler stated last year the Board granted a 4.9% COLA adjustment for all employees. The Board practice has been to consider the annual COLA in conjunction with the adoption of the upcoming fiscal year's budget which is the next agenda item. The Board has typically used the April CPI West, size class B/C urban wage earners and clerical workers index for April as the basis for the COLA discussions and this year it is 4.0%. That index is included as Attachment A to the Staff Report. This data is the most current available to fit into the budget preparation cycle. Attachment B shows the previous eight years of COLAs. The CPI is only an indicator of pressures that may be felt in the local economy and is used as a guide for Board consideration.

When considering Cost of Living Adjustments, the Board may also consider budget constraints. Staff is recommending a 4.0% COLA be adopted for this year and has included this in the Preliminary Budget. The cost across all the employee categories is about \$100,000, and that is included in the Preliminary Fiscal Year Budget. The COLA was considered by the Budget Committee during the Ad-Hoc Budget Committee meeting. They did not make a specific recommendation about the COLA, but the 4% was discussed as part of the Budget. He offered to answer any questions.

The Directors discussed the current economy, the 10% increase to health insurance costs the District has absorbed, the current average salary range of employees is roughly \$70-80,000/year, and considered COLAs recently adopted by the school district and other local agencies.

Director Zanutto moved that the Board approve a 4% Cost-of-Living-Allowance increase for all employees. He further moved that the Board approve a revised salary schedule incorporating this revision, effective July 1, 2024. 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.

Mr. Neisler thanked the Board on behalf of the Staff stating they are aware of the support the Board offers them and it is appreciated. President Schultz stated one of the primary goals is making sure the District, Staff, and Public are taken care of.

Item 10. Adopt Resolution 06-24 Creating a New Authorized Position and Amending the District's "Salary Schedule for Authorized Positions"

Mr. Neisler stated the District has seen a tremendous increase in administrative workload, with increased water accounting and reporting requirements. With the Cummings Basin Amended and Restated Judgment, all those pumpers now become accounts in the District's system. That's about 140 new meters and accounts, as well as meter reads that come into the system. The water estimating requirements and the number of requests for information that Staff is handling has increased dramatically. These are all good things and Staff is working to develop the processes. He explained the process for Water Supply Agreements for drilling a new domestic well in Tehachapi Basin with the meter installations, readings, and billing requirements. It is estimated that when Cummings Basin is fully metered, our current 200 billing accounts will increase to approximately 400 and as we are in the process of this, current Staff is absorbing the workload.

Ms. Cat Adams, the Administration Manager, does a lot of the water accounting, water supply agreements, transfers, temporary leases, etc. and is doing a tremendous job processing all of this paperwork. However, it is a tremendous bandwidth burden consuming about 40% of her time which is far more than she can afford to spend. He proposed a solution to this problem by creating a new position, Administrative Assistant Level II, to relieve some of the new workload on Staff. The job description for the new position is included in the Staff Report and is proposed with a salary range of 72. Ms. Judy Negrete has been with the District for 5 years and does a lot of the water administrative work currently and is doing a great job. He proposed promoting her to the new Administrative Assistant II position and hiring a new Administrative Assistant I to take her place.

The current office configuration cannot physically support another person, so Staff has developed plans to resolve this, and upgrades and costs have been figured into the Preliminary Budget. He described the details of this plan which include converting a current shop room into office space for the Pumping Systems Department and constructing a new shop building on the property for additional storage for supplies, tools, and files. All of the physical improvements described are estimated at about \$370,000, and those improvements are included in the Capital Improvement Budget in this year's Preliminary Budget. Regardless of this proposed additional staff person, the District really needs additional storage space so this request would take place regardless of whether or not the Board moves forward with the position change. He offered to answer questions.

President Schultz commented that he agrees with the need for the building, the position, and where the District as a whole has to operate to get work done in the future. He thinks the movement of the Staff is a great improvement as well. Director Ables agreed, stating the workload is growing, so now is a good time to bring in a new person.

Director Hall moved that the Board adopt Resolution 06-24, Amending the District's Salary Schedule for Authorized Positions. He also moved that the General Manager be authorized to implement the process to hire an Administrative Assistant I. 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 11. Adopt Resolution 07-24, Approving the Fiscal Year 2024-25 Preliminary Budget, Appropriations Limit and Reserves Policy

Ms. Sampson reported that for the 15th consecutive year in a row, the District has been awarded a Certificate of Achievement for Excellence in Financial Reporting for the FY 2022-23 Annual Comprehensive Financial Report from the Government Finance Officers Association.

The Board considers a Preliminary Budget every year in June. The purpose of the Budget is to provide preliminary estimates for public review and comment and is subject to changes that will be incorporated into the Final Budget. The Ad-Hoc Budget Committee met on May 31, 2024, and reviewed the budget. The budget is presented in three sections: the District-wide budget, Board-designated funds, which includes the general fund and six other Board-designated funds, and five restricted funds in the following section. The District-wide budget shows expenditures exceeding revenues by \$7.7 million. This reflects the large spending on the engine project, \$7.3 million over this next year, and a decrease in the Ad-Valorem Tax rates. For operational purposes, the budget is a balanced budget. There is a \$10,650 gain showing for the general budget.

The reserve balances were reviewed, and no fund transfers are necessary. All reserve targets are at or above forecasts, except for the three improvement assessment districts. Those typically have always been not hitting the reserve targets. The general fund budget forecasts a 3% increase in total revenues, coupled with a 13% decrease in total expenditures, which results in the balanced operating budget. This Preliminary Budget also reviews the Appropriations limit and Reserves Policy; there was an increase to the Appropriations Limit of \$750,000 and the reserve targets were updated in the Reserves Policy.

The Ad-Hoc Budget Committee members were President Schultz and Director Zanutto, and they are satisfied with this budget and recommended it for approval. President Schultz asked if considerations were made for new computers with this additional position and Staff confirmed that is included. Director Zanutto reminded the Board that when they approved the former budget last year, there were 27 capital projects that we approved and all but three were finished and carried over for this year. He commended Staff on a job well done. Mr. Curry thanked him and said he will pass on those words to the team. President Schultz added the District facilities always looks great and Staff is doing a great job.

President Schultz moved for adoption of Resolution 07-24, Approving the FY 2024-25 Preliminary Budget, Appropriations Limit, and Reserves Policy. 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 12. Adopt Resolution 08-24, Setting Water Rates for 2024

Ms. Sampson reported approval of Resolution 08-24 will maintain the current water rates and the attachments provide the data that was used for consideration of maintaining those rates. Table 4 shows the calculation of the cost per acre foot and that the five-year average has increased over the prior year. The current cost for Regular M&I water is \$1,986 per acre foot. That's up 23% from the \$1,612 an acre foot last year. Based on the minimal amount of Regular M&I water sold annually, the potential loss of \$6,000 does not warrant the cost of a Prop 218 process at this time. Therefore, the recommendation of Staff is to keep the rates the same.

The water rates should support the District's total costs for natural gas and debt service payments. Table 3 shows calculations represent the debt service costs and the natural gas costs in comparison to the water rates in effect and water rates that we model based on costs for natural gas. This shows that in the current year and in future periods, the District is operating at a deficit with the current water rates. Even though Staff is not recommending a water rate structure change at this time, it is understood that a water rate study is important, and Staff is working to have that done. The goal is to hire a consultant early

enough in the coming fiscal year to consider setting water rates in the 2025 year with a new structure. The fiscal impact is a projected \$864,521 deficit in costs to revenues for FY 2023-24.

President Schultz asked questions and a discussion took place on the rates with regards to the Table A Allocation and fiscal year versus calendar year averages. Mr. Neisler pointed out that Table 3 shows there are structural deficits in the rate structure and the cost of energy is going up. This is why Staff endeavored to have the water rate study done this year but couldn't get a consultant to do it, so it's a year behind. President Schultz asked if there is any way of going about a Prop 218 election where there is some variability in the rate to slowly increase it over time. Mr. Neisler answered that is at the Board's discretion, it just depends how long they want to run at these structural deficits. An inflation factor can be built into the rate as well.

President Schultz moved that the Board adopt Resolution 08-24, Setting Water Rates for 2024. 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. Authorize General Manager to Execute Base Contract for Sale and Purchase of Natural Gas (NAESB) and Special Provisions for NAESB Base Contract between Tehachapi-Cummings County Water District and Twin Eagle Resource Management, LLC

Mr. Neisler stated the Board is aware the District has lost the contract with Shell Energy for natural gas purchases effective the end of 2024 as they are exiting the California commercial and industrial market. He has been talking to a number of new natural gas suppliers and is interested in Twin Eagle Resource Management, LLC. They are a large natural gas wholesaler and have supplies on the two pipeline systems that the District takes supplies from, the Kern River pipeline system and the SoCal Gas distribution system. The District is considered a very small customer, and the California independent system operator demands that you stay within a five percent tolerance of whatever you've ordered on a given day. The penalties can be extreme if you are out of tolerance, so small users can be covered by some of the larger users which is a benefit. The District will still have to pay SoCal Gas for the use of their pipeline system, the distribution cost, but that is the same anywhere. Mr. Neisler proposed moving forward with contracting with Twin Eagle Resource Management LLC on a non-exclusive basis. He discussed the 2025 estimated rates and price comparisons. A lot will be dependent on the federal energy policies, which could change with the election in November of this year.

The contract Twin Eagle has provided is standard across the industry. The NAESB is the North America Energy Standards Board and they produce the standard contract that every vendor uses. The special provisions are slightly different for this particular contract between TCCWD and Twin Eagle. He requested the Board authorize him to execute the documents, get the accounts set up with Twin Eagle, and establish a credit line for the District so that future supplies can be ordered.

President Schultz asked if there is a minimum order and Mr. Neisler stated that has not been mentioned. He added that Twin Eagle was not in favor of a non-exclusive contract, but he stated that he could not put the District back in that same situation where it is relying on a single vendor.

Director Sasia moved that the Board authorize the General Manager to execute a contract for Natural Gas purchases between Tehachapi-Cummings County Water District and Twin Eagle Resource Management, LLC. Director Ables 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 14. Authorize Staff to Solicit Requests for Proposals for Fairview Loop Line Replacement Engineering

Mr. Curry stated Staff would like to start working on the Fairview Loop Line replacement project and is requesting the Board authorize solicitation of Requests for Proposals for the engineering phase. The

Fairview Loop Line is located in Cummings Valley and the section of the water main runs north to the south between Gerardo and Highline Road. It then branches through an easement that loops back on Pegasus Road, which creates the loop line. It supplies water to 12 parcels and this section of water main was installed in the 1980s out of plastic irrigation pipe that is thin walled and prone to leaks. It has a lower pressure rating than the District normally operates at, and it experiences five to seven leaks a year. Staff would like to begin the engineering phase to develop plans, specifications, and estimates for this project. This project was included in both the 2023-24 and the 2024-25 Preliminary Budget. He offered to answer any questions.

Director Sasia asked about the CLA-VAL control valves at the beginning of the system and upsizing the lines. Mr. Curry answered they will probably have a control valve put in to regulate the pressure and upsize the pipe to four inch lines.

Director Sasia moved that the Board authorize Staff to solicit Requests for Proposals for Fairview Loop Line Replacement Engineering. Director Ables 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. Authorize General Manager to Negotiate Sole-Source Contract Solicitation for Design Build Services for Engine Installation Package for Pumping Plant No. 2 & No. 3

Mr. Neisler stated this presentation, and the recommended motion is going to vary slightly from what is in the Staff Report. The Engine Replacement Project at Plants 2 and 3 require very specialized work and it is difficult to procure contracting services for anything at this time, let alone something that is this specialized. Lyles Utility Company did the exact same scope of work at Plant 1 and the District plants are virtually identical. Therefore, they have recent specialized experience for this project and are ready, willing and able to step in and contract for this work.

In an effort to save money and more importantly time, Staff and Legal Counsel are proposing to utilize a Design Build procurement process for this work. The typical Public Works contracting process is design, bid, build; a full set of engineering documents, plans and specifications are developed, then contractors bid the work. The Design Build process streamlines this, and a contracting team is hired. The District would contract with Lyles Utility, and they contract with the rest of their design team. Staff is proposing the Board authorize the General Manager to negotiate with Lyles on a sole source basis to develop a Design Build contract for these improvements. All eight engines are scheduled to be delivered around October of this year, so the District needs to get a contractor on board, mobilized and ready to start work by November. There is only a limited period of time in which to work as typically the importation system needs to start back up on February 1st. Water supplies may or may not be available, but that gives Staff a limited window of opportunity in order to rehabilitate one of the Pump Plants. It had always been anticipated that this would be a two-year project (two off-seasons). The current plan is to complete Plant 3 this winter and then Plant 2 the following winter.

The benefit to this is to compress the time schedule to take advantage of the expertise that Lyles has, and to utilize the relationships that we have developed during this first phase with this specific Lyles team. The same project manager and superintendent are proposed to do this work, which will be a great advantage. The contract is not drafted at this time, however, if there is a Special Board Meeting later this month, the Board can approve the form of the contract and the General Manager can negotiate the price and terms with Lyles. The District's Purchasing Policy has provisions for sole source procurement, which can be used for this instance.

Director Ables commented he has done a lot of design builds in his career, not as large scale, but he agrees it saves a lot of money and time, so he thinks this is a good idea. Mr. Neisler commented that DWR is attempting to find a way to build the Delta Conveyance Project utilizing this design build concept. The

proposal would save billions of dollars and years of time. It is more efficient when you have a very specialized task like building the largest tunnel that has ever been built and there is not going to be 10 contractors who are going to be qualified to do that. The District's project is similar in that installing these particular engines, in these particular buildings, is not something contractors have done. President Schultz asked if in this preliminary work, if the project still on budget and Mr. Neisler confirmed it is.

Mr. Neisler stated the Legal Counsel team is working on the contract documents, so Staff is looking for direction from the Board to proceed with the negotiation process and to complete the contract. The Board gave Staff direction to move forward with negotiating the Design Build process and completing the contract.

Item 16. Adopt Resolution 09-24, Amending Conflict of Interest Code

Ms. Adams stated that every two years, a review of the District's Conflict of interest Code must be done to ensure nothing has changed in statutes or regulations. Legal Counsel has reviewed the Conflict of Interest Code and confirmed there are no amendments necessary for any regulation changes. However, with the change in positions the District had in the last two years, Exhibit A needs updated to remove Business Manager and include Administration Manager, and change Operations Manager to Assistant General Manager of Operations. If the Board approves these updates, the Biennial Notice and the completed Resolution will be submitted to Kern County and will go on file for the District.

Director Hall moved that the Board adopt Resolution 09-24, Amending the Conflict of Interest Code. 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 17. Board of Directors Comments

Director Hall commented that the Delta Conveyance was part of the original water project, and it's been in so many different forms, it's hard to keep track of how they're all going to do it. He was looking at the Minutes from last meeting, and it was stated that the tunnel ends at the Clifton Court Forebay, but actually it's going to pump water directly into the aqueduct via the Bethany Reservoir.

President Schultz thanked Mr. Neisler for the changes within the District, and for having the foresight to see what is coming, and to do the hard work to take care of it. He appreciates it. Mr. Neisler thanked him for the kind words, and added nothing happens without the enthusiastic support of the Board, and the great teamwork exhibited by the team. It's a blessing to be able to work under these conditions.

Item 18. 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, 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.*
- c. In Accordance with Exhibit C Attached hereto, Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency *Et al.*
- d. In Accordance with Exhibit D Attached hereto, City of Tehachapi vs. TCCWD
- e. In Accordance with Exhibit E Attached hereto, City of Tehachapi vs. TCCWD
- f. In Accordance with Exhibit F Attached hereto, Performance Evaluation – General Manager

The Board adjourned to Closed Session at 4:55 p.m.

Item 19. Return to Open Session

The Board returned to Open Session at 6:57 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 20. Adjournment

The meeting adjourned at 6:57 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: County of Sacramento Superior Court Case No. Case No. 34-
2022-80003892
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: 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 (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: 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 (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: 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 (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: 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 (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: _____

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: _____