

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
 REGULAR MEETING OF THE BOARD OF DIRECTORS
 March 18, 2026, 3:00 P.M.
 22901 Banducci Road, Tehachapi, CA 93561

Item 1. Call to Order and Roll Call

Directors Present: Ables, Hall, Sasia, Schultz Davis arrived at 3:02 p.m.
Legal Counsel Present: Legal Counsel joined Closed Session via Zoom
Staff Present: Catherine Adams, Jon Curry, Tom Neisler, Crystal Sampson

Item 2. Announcement

President Schultz announced this meeting is being audio recorded, including all Board, Staff, and Public comments.

Item 3. Flag Salute

The Pledge of Allegiance was led by President Schultz.

Item 4. Approval of Agenda

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

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

Director Hall commented on the current weather.

Item 6. Consent Calendar - Consent items are considered routine and are intended to be acted upon as a single item, without discussion. During this portion of the meeting, the Consent Calendar will be read aloud. Prior to approval, the President will give the Board the opportunity to remove any item from the Consent Calendar to be discussed and voted on individually. The President will also give staff and the public the opportunity to request any item be discussed individually, in which case the President will determine whether the item will be removed from the Consent Calendar. The remaining calendar will be acted upon. Any removed items will then be heard and acted upon individually.

- a. Approve Minutes of the Adjourned Regular Board Meeting of February 20, 2026
- b. Approve Financial Report and Payment of Bills
- c. Receive and File 2025 Annual Watermaster Report for Tehachapi and Cummings Basin

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

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

Item 7. General Manager's Report

Neisler reported on the following:

- The picture in the Staff Report is from last year's Pump Plant Tour. It was very successful and he is hopeful this year's event will be as well. People are typically surprised at exactly how extensive the system is and what it takes to bring water into the District. This year will be different because with all

- things going as hoped, the system will be operating. Appropriate measures will be in place to keep attendees safe during the tour and he took a few moments to described the tour.
- The Table A Allocation remains at 30%. He displayed the Northern Sierra 8-Station Index chart which is the area that is tributary to Lake Oroville. He described how precipitation conditions were normal from October through February and then March has virtually no precipitation with none on the horizon and temperatures are so warm that the snowpack is anticipated to be completely melted by April 1st.
 - He displayed the Reservoir charts showing Lake Oroville is at 129% of historical average and San Luis Reservoir is at 106% of historical average. The northern Sierra Snowpack chart shows it is at 29% of average. He displayed a chart showing Lake Oroville's Storage and pointed out the capacity is 3.4 million acre feet, the lines show the actual storage and the flood regulation storage limit to prevent catastrophic failures such as what occurred in 2017. Currently the water level is exceeding the flood regulation limit so DWR has been releasing water continuously since January. So far this year, an excess of half a million acre feet of water has been released into the ocean.
 - He displayed the same chart for San Luis Reservoir showing the total capacity is a little over 2 million acre feet. He described the State Water Project (SWP) portion and the Central Valley Project (CVP) portion. The SWP portion exceeded capacity but dipped back below last week and CVP still has capacity available. DWR and USBR have ongoing cooperative arrangements that allow the SWP to encroach into the CVP share in times such as this.
 - He was informed the SWP portion was going to spill so he made arrangements move 3,600 acre feet of the District's 3,869 acre feet of carryover water out of San Luis Reservoir and down into the San Joaquin Valley. This was done under the existing two-for-one exchange agreement that is in place with ID4 so this will leave the District with 1,800 acre feet banked there.
 - Senate Bill 872 was a proposal by a Democratic senator from San Diego to provide 20 years' worth of financing, \$350 million a year for 20 years, for a total of \$7 billion. This would be for the benefit of reservoir storage, environmental protection, and subsidence repair to the California aqueduct. Of this amount, \$150 million a year for 20 years would be dedicated to subsidence repair so that is great news for this statewide issue. Legislatures with federal project facilities in their district for the Central Valley Project and no State Water Project facilities, have opposed this action. It has been tables at this time. Neisler has joined a coalition on behalf of the District to push for this financing. He is also advocating that ACWA take a position on SB 872 because they have CVP contractors and SWP contractors as members.
 - Director Hall applauded Neisler's strident position and he asked questions about the CVP contractors position and Neisler provided answers.
 - Golden Mussels have been discovered in the inlet/outlet pipe on a tank at Pump Plant 3. Golden Mussels are a huge problem statewide so this is very discouraging news. There is not a good solution to the problem at this time. There are proposed remediation measures, but the only guaranteed way to eradicate the Golden Mussels is to dry out any facility that's impacted by them and let it sit dry for a year to kill them. Curry is working with the Department of Fish and Wildlife and they have been very responsive. Curry will have more information in his report.
 - The Pipeline Department repaired some vandalism to an air relief valve in the manhole on the Bike Path by the ID3 dam at Tucker and Highline. The vandalism was reported to the Tehachapi Police Department.
 - The Water Operations Meeting was held Monday and Director Ables attended. Customers were told the District should have adequate water to meet all the demands this year.
 - He included a flyer in the Staff Report to remind everyone of the Delta Conveyance Project presentation at Golden Hills CSD during their Regular Board Meeting. Carrie Buckman from DWR will be presenting the statewide perspective and Neisler will be presenting the local perspective.
 - The Pump Plant Tour is coming up on April 16th and 17th.

President Schultz asked questions regarding the water being released from Lake Oroville and the environmental impacts. Neisler answered the questions and explained that there is about 200 million acre feet of water from precipitation on an annual basis statewide and of that, 44 million is used beneficially and productively. About half of that amount goes toward environmental purposes and the other half goes to Agricultural use and M&I use. Discussion took place on the State Water Project, the flow of the spillway at Lake Oroville, and environmental use of the water.

Item 8. Operations Report

Curry reported on the following:

- The Pump Plant 2 and 3 Engine Replacement Project has the oil, gas, air, water and coolant piping underway. The stainless steel exhaust lines have been installed as well as the catalyst housing, silencers, and stacks. The control consoles have been delivered and electrical control conduits are being installed. There are a lot of people working on site trying to get things buttoned up.
- Neisler spoke about the Golden Mussels found at Pump Plant 3 and there is a photo attached to the Staff Report that shows the mussels found in the piece of pipe. CDFW asked for frozen samples of the mussels so those were sent out and they will confirm whether these are indeed Golden Mussels. Visually they have stated they are Golden Mussels. The District will have to develop an AB 1419 compliant Mussel Control Plan and CDFW has resources to assist with that. President Schultz asked if there have been any mussels found at any of the other plants and Curry explained that Superior Tank is going to be performing their annual tank inspections next week at Plant 2 and Plant 4, so we will find out soon. There is no storage tank at Plant 1 and Staff has not found any in the inlets to the heat exchangers or the piping on the inlet. This could be due to the velocity of the water at that plant. Generally, mussels are in areas with lower velocity of water travel where they can cling to something. President Schultz asked if there has been enough experience with these mussels to know what problems we can anticipate down the road with regard to devices. Curry stated he has not seen reports yet but that the Golden Mussel came to light in late 2024 in the Delta and has made it's way down to San Diego so far.
- The Brite Lake data from March 12, 2026, was elevation 4347.4', volume 747.9 acre feet, and level 21.4' and the Benz, Dennison and PP5 extraction wells are operating.
- He described the details of the projects and tasks completed by the Pumping Systems and Pipeline Departments as listed in the Staff Report.
- The W.M. Lyles Pay Request #17 has been reviewed and processed. Work is being done on the Kern Multi-Jurisdictional Hazard Mitigation Plan survey matrix.
- Operations Staff attended Stop Work Authority training. The Electronic Annual Report (EAR) for the Public Water System was submitted and Staff is working on the new notification submittal for the Streambed Alteration Permit renewal with CDFW. As mentioned earlier, Staff is working with CDFW on the Golden Mussel Control Plan requirements.
- Crews continue to work through maintenance tasks in preparation for starting up the Importation System.
- He offered to answer any questions the Board or Public may have and there were none.

Item 9. Approve Requests for Temporary Assignment of Water Rights

Adams stated all Base Water Rights owners in the Tehachapi Basin have the option to temporarily lease out their water rights for one calendar year at a time. The judgment specifies that those requests have to be submitted prior to March 1st of every year. If March 1st falls on a weekend, it is extended to the next business day so this year the deadline was March 2nd. Attachment A is a list of all the transfers being requested this year. It shows the party that is transferring from and to, and the Allowed Pumping Allocation amount for each transfer. Attachment B is copies of all of the temporary transfers. All requests were submitted on time and are eligible for approved this calendar year. The Directors asked questions about some of the requests and Adams answered them.

Director Ables moved that the Board approve the 2026 Temporary Assignment of Water Rights for all parties listed in Table 3, Attachment A. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Sasia; Noes: None; Abstain: Hall, Schultz; Absent: None. Motion passed.

Item 10. Accept Bids for Backhoe and Authorize General Manager to Execute Contract to Purchase

Curry stated this item was presented to the Board last month and it has been brought back with additional information that was gathered in response to the discussion at the Board meeting. He put together a spreadsheet on the questions that were asked and submitted it to the vendors who submitted bids. Their responses are compiled in Attachment A. The original bid amounts submitted for the February 18th Board Meeting are listed in the Staff Report.

In reviewing the responses, several of the specifications are close to being met by all three vendors. In addition, Coastline Equipment included a five-year, 4,000-hour extended warranty in their submitted bid. The John Deere 410 also has an advantage of no Exhaust Gas Recirculation (EGR) or DPF filters in the emission systems, while still meeting emissions requirement for P tier from CARB. With the information on the supplemental data sheets that were submitted, Staff has recommended the purchase of the John Deere 410 from Coastline Equipment. The 2025-26 CIP budget includes a total of \$275,000 for this purchase.

Neisler acknowledged that the specifications show a very slight preference for the John Deere backhoe however he shared some compelling reasons he thinks otherwise. He discussed the relationship with a vendor for any service and warranty work and past experiences the District has had with these vendors. He discussed the recommendations of Staff after participating in demonstrations of the different machines and his own personal experience with heavy equipment. He's concerned the John Deere will not be as reliable. He feels the Caterpillar backhoe would be a more beneficial purchase for the District even with it being a higher cost.

President Schultz commented that initially he felt the specifications were biased to the Caterpillar backhoe and in the process of waiting a month and going through this, there is a much better comparison being made. He did research on his own as well, visited both dealers, talked to people who operate the machines and found that the Caterpillar is known for its longevity and requires very little maintenance. He is not sure the savings up front will result in saving down the road. However, he would be comfortable with either machine for the District. Director Sasia stated he only has experience operating John Deere equipment but he agrees that longevity is important because breakdowns cause loss of time and can easily cost \$15-\$20,000 in one instance. President Schultz referenced that a few years ago the District purchased a Caterpillar skid steer and asked how much money has been spent on repairs and Staff stated it has not needed any repairs, only routine maintenance of filters, fluids, etc. The other Directors weighed in, the point was made that these machines are being used for 30 years and discussions continued on the two machines.

President Schultz moved that the Board accept bids and authorize the General Manager to execute a contract to purchase the Caterpillar 440 backhoe from Quinn Company. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 11. Approve Contract Change Orders B22 and B23 for Engine Replacement Project

Curry stated he briefly discussed two upcoming Change Orders for the Engine Replacement Project in his Operations Report last month. During the Pump Plant 3 phase of the Engine Replacement Project, the suction piping located between the exit of the heat exchanger and the intake of the discharge head was discovered to have some thin spots and pinhole leaks. To be proactive, Staff requested that the suction piping be replaced at Pump Plant 2. This would minimize the likelihood of any potential leaks that may

occur during importation operations, leading to unplanned maintenance and downtime. He noted that the contractor is only charging the District for materials and markup, no labor is being charged for Change Order B22. The cost is \$49,510.55. Attachment A is the Change Order and a diagram of the piping that is going to be changed.

With the exhaust, catalyst housing, and silencers being routed out the rear of the Pump Plant buildings, the silencers are oriented vertically. The exhaust testing ports (photo in Staff Report) that have to be accessed for emissions testing are located near the top of the exhaust stack. Staff must climb near the stacks to place the emissions equipment in that port and this is done while the engines are operating and the exhaust stacks are approximately 1,100 degrees Fahrenheit. The six inch insulation rafts would reduce the ambient heat and shield the employees from contact with the exhaust stacks. Change Order B23 includes Pump Plant 2 and Pump Plant 3 for a cost of \$78,320. The total of these Change Orders is \$127,830.55.

Director Ables asked how often the testing is done on the exhaust and Curry stated they alternate two engines each year. The airborne mandated emissions testing is done by a third-party on that staggered basis. They run the analyzer and Staff places the probes.

President Schultz moved that the Board approve contract Change Orders B22 and B23 and authorize the General Manager to execute same for Engine Replacement Project. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 12. Accept Small Shop Remodel as Complete and Authorize General Manager to File Notice of Completion

Curry stated the Small Shop Remodel project is complete and the Pumping Systems department is working out of that office now. Progress photos are attached to the Staff Report. With this item, Staff would like to certify the project complete and have the Board authorize the General Manager to execute and record the Notice of Completion with Kern County.

He reviewed the previously discussed details of this project and the work that was done. After the contractor waterproofed and painted that side of the building, they were not satisfied with how the Pipeline Department side of the building looked so they came and waterproofed and painted that side as well. The contractor submitted appropriate payroll records, lien releases and supporting documentation for the project. Per the contract, the District will retain 5% of the final invoice, which is \$3,722.40, until 35 days after the recording of the Notice of Completion with Kern County. There were no Change Orders associated with this project.

President Schultz moved that the Board accept the certification of project completion from the General Manager for the Small Shop Remodel Project and authorize the General Manager to execute and record the Notice of Completion per the approved contract. Director Sasia seconded the motion, and it was carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None. Motion passed.

Item 13. Board of Directors Comments

Director Sasia recalled another question he had on the backhoe asking if it had the switch the change the type of controls from CAT to John Deere and Curry confirmed it does have that in the cab.

Item 14. Adjourn to Closed Session

President to reference Closed Session items as presented on Agenda, then Board to adjourn to Closed Session.

- a. In Accordance with Exhibit A Attached hereto, TCCWD v. City of Tehachapi *Et al.*

- b. In Accordance with Exhibit B Attached hereto, TCCWD v. City of Tehachapi
- c. In Accordance with Exhibit C Attached hereto, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds, et al.; DWR v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds, et al.
- d. In Accordance with Exhibit D Attached hereto, Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency *Et al.*
- e. In Accordance with Exhibit E Attached hereto, City of Tehachapi vs. TCCWD
- f. In Accordance with Exhibit F Attached hereto, City of Tehachapi vs. TCCWD
- g. In Accordance with Exhibit G Attached hereto, Potential Litigation (one case)

The Board adjourned to Closed Session at 4:15 p.m.

Item 15. Return to Open Session

The Board returned to Open Session at 5:00 p.m.

Report Action Taken in Closed Session:

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

Item 16. Adjournment

The meeting adjourned at 5:00 p.m. on a motion made by Director Hall, seconded by Director Ables and carried on the following vote: Ayes: Ables, Davis, Hall, Sasia, Schultz; Noes: None; Abstain: None; Absent: None.


Robert W. Schultz, Board President


Catherine Adams, Board Secretary



CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)

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

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

1. Existing Litigation Gov. Code §54956.9(d)(1): County of Sacramento Superior Court Case No. 34-2022-80003892
Name of Case: Tehachapi-Cummings County Water District v. City of Tehachapi *Et al.*

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

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

1. Appointment: _____
Title: _____
2. Employment: _____
Title: _____
3. Performance Evaluation: _____
Title: _____
4. Discipline/Dismissal/Release: _____

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

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



CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)

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

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

1. Existing Litigation Gov. Code §54956.9(d)(1): KCSC Case No. BCV-25-103013
Name of Case: Tehachapi-Cummings County Water District v.
City of Tehachapi

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

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

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Title: _____

2. Employment: _____
Title: _____

3. Performance Evaluation: _____
Title: _____

4. Discipline/Dismissal/Release: _____

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

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



CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)

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

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

- 1. Existing Litigation Gov. Code §54956.9(d)(1): **Two Cases**
Names of Cases: DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds, et al.; DWR v. All Persons Interested In The Matter of the Authorization of Delta Program Revenue Bonds, et al.
- 2. Anticipated Litigation: _____
Gov. Code § 54956.9 (d)(2): _____
Gov. Code § 54956.9 (d)(4): _____

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

- 1. Appointment: _____
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Title: _____
- 3. Performance Evaluation: _____
Title: _____
- 4. Discipline/Dismissal/Release: _____

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

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



CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code § 54956.8.)

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

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

1. Existing Litigation Gov. Code §54956.9(d)(1): KCSC No. BCV 21100418 TSC
Name of Case: Rosedale-Rio Bravo WSD *Et al.* v. Kern County Water Agency *Et al.*

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

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

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Employee Organization: _____
Unrepresented Employee: _____



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

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

1. Existing Litigation Gov. Code §54956.9(d)(1): KCSC Case No. BCV-23-104134
Names of Cases: City of Tehachapi v. Tehachapi-Cummings County
Water District

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

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: _____



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Negotiating Parties: _____
Subject of Conference: _____

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

1. Existing Litigation Gov. Code §54956.9(d)(1): KCSC Case No. BCV-24-101512
Names of Cases: City of Tehachapi vs. Tehachapi-Cummings County Water District
2. Anticipated Litigation: _____
Gov. Code § 54956.9 (d)(2): _____
Gov. Code § 54956.9 (d)(4): _____

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

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2. Employment: _____
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3. Performance Evaluation: _____
Title: _____
4. Discipline/Dismissal/Release: _____

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Unrepresented Employee: _____



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Subject of Conference: _____

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

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

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

C. PUBLIC EMPLOYEES (Gov. Code § 54957.)

1. Appointment: _____
Title: _____
2. Employment: _____
Title: _____
3. Performance Evaluation: _____
Title: _____
4. Discipline/Dismissal/Release: _____

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