

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
April 18, 2018 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

Item 1. Call to Order and Roll Call

Directors Present: Hall, Prel, Worden and Zanutto. Director Pack arrived at 3:02 p.m.

Staff in Attendance: Lori Bunn, Troy DePriest, LaMinda Madenwald, Tom Neisler, Jim Schneider, Chris Vigil, Jenny Pfeiffer, Catherine Adams

Item 2. Flag Salute

The Pledge of Allegiance was led by President Zanutto.

Item 3. Approval of Agenda

The agenda was approved as presented on motion made by Director Hall, seconded by Director Worden and carried on the following vote: Ayes: Hall, Pack, Prel, Worden and Zanutto; Noes: None; Abstain: None; Absent: None.

Item 4. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body

None

Item 5. 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 Meeting of March 21, 2018, Approve Minutes of the Special Meeting of March 26, 2018
- b. Approve Financial Report and Payment of Bills

President Zanutto asked if there were any items the Board members, public or staff would like to remove for discussion. Director Worden made comments about two sets of minutes being included under the same item number. Mr. Neisler said that the minutes can be separated in the future. No items were pulled for discussion.

President Zanutto stated that if there were no objections, Item 5a Minutes of the Regular Meeting of March 21, 2018 and the Special Meeting of March 26, 2018; and Item 5b Approve Financial Report and Payment of Bills will be adopted. There being no objections, Items 5a and 5b were adopted.

Item 6. General Manager's Report

Mr. Neisler reported on the following matters:

- Report on the current status of the California WaterFix. He said the Metropolitan Water District voted to endorse the 9,000 cfs facility and to pay for the excess capacity in that facility;
- Precipitation update: Mr. Neisler reported that there were 3" of rain this last month, for an annual total-to-date of 6.62", which is close to normal;
- The annual pump plant tour is scheduled for tomorrow;

- Reservoir conditions: the reservoir is nearly full, which fits the operations plan;
- Recharge operations were reviewed;
- The SWP Table A Allocation remains at 20%;
- The charts and graphs contained in the written General Manager's report were reviewed
- The District's Open House is scheduled for the afternoon of April 19. Mr. Neisler invited all to attend;
- Mr. Neisler announced that there was an item on the agenda to honor Jim Schneider upon his retirement;
- The initial Strategic Planning Workshop was held on March 26. The next session is scheduled for Monday, April 30, 2018 at 1:00 p.m.;
- The Spring ACWA Conference begins on Tuesday, May 8. The ACWA/JPIA Board Meeting will be held on Monday, May 7. Director Hall will be attending the ACWA/JPIA Board meeting and the ACWA Conference, along with Mr. Neisler. President Zanutto will also be attending the ACWA Conference;
- Mr. Neisler announced that the Board Secretary will be retiring, effective July 22, 2018;
- The Prop. 84 Grant Amendment is proceeding. Mr. Neisler reviewed some of the details of the project;
- Interviews for the Operations Assistant are being conducted. The solicitation for the Controls and Emissions Technician position is going to be reopened.

President Zanutto complimented the Board Secretary on the outstanding minutes prepared for the Strategic Planning Workshop on March 26, 2018. Ms. Bunn thanked President Zanutto for his remarks.

Item 7. Operations Manager's Report

Troy DePriest reported on the following matters:

- Pump Plant systems operations. On April 2, 2018, the imported water system was changed to a three engine system with an increased flow to 20 cfs;
- A Traffic Control and Flagger Training class was conducted at the District Office by ACWA/ JPIA;
- We are in the process of entering into a Professional Services Agreement with Mead & Hunt to prepare the documentation, mapping and dam modeling required by the State of California for the District's three high hazard classification dams;
- The system is running well. The goal for April is to maximize the recharge facilities. We are recharging approximately 18 acre feet per day;
- Reviewed the projects currently underway or completed by the Pipeline Department;
- In regard to Engine 2, Pump Plant 4, Mr. DePriest described the efforts being made to get the engine back in service by the Pump Plant crew while continuing to service, maintain and operate the system;
- Due to an SCE pole project, there were a few service interruptions at Pump Plant 4. Mr. DePriest reviewed the details of the SCE project;
- The seven stage pump was sent to Evans Hydro for inspection. It has been evaluated and an estimate for repair was received. Mr. DePriest provided details and said that staff determined it will be more cost effective and time efficient to have the pump repaired (estimated cost \$48,023) than purchasing a new pump;
- The Pipeline crew continues to grade and improve the pump plant roads between the pump plants to ensure the roads are safe for staff and visitors tomorrow;
- The Pipeline Superintendent, Jim Schneider, will be retiring May 8. Mr. DePriest congratulated him on 28 years of service and wished him the best on his retirement;
- Reviewed the pictures included in the written Operations Manager's Report.

President Zanutto asked if the pump repair in the amount of \$48,000 and the invoice for a seven stage pump for \$112,000 was a different pump. Mr. DePriest explained that the District purchased a new seven stage pump and a three stage pump. He said this invoice is probably a combination of the two. Mr. Neisler explained the details of the pump repair and said he felt the cost of the repair will come down, because the pump is only two years old and is in good overall condition. He said the \$112,000 invoice was for a new seven stage pump and a new three stage pump.

Mr. Wyman had questions regarding the pump failure. Mr. DePriest provided information to answer his questions.

Item 8. Adopt Resolution No. 7-18, Honoring Jim Schneider Upon His Retirement

Mr. Neisler reviewed the history of Jim Schneider's employment, his expertise and accomplishments. Mr. Neisler expressed his gratitude for his contributions to Team TCCWD and best wishes for his future endeavors. He also invited the Board members and members of the public to attend the retirement luncheon being held in his honor on May 4, 2018.

President Zanutto read Resolution 7-18 aloud and afterwards, Director Hall introduced and moved for the adoption of Resolution 7-18. The motion was seconded by Director Worden and carried on the following vote:

AYES: Hall, Pack, Prel, Worden and Zanutto
NOES: None
ABSTAIN: None
ABSENT: None

After the resolution was adopted, a framed copy was presented to Jim Schneider.

Item 9. Discussion of Voting Procedures for Directors

Mr. Neisler explained that President Zanutto requested this item be placed on the agenda. He said that President Zanutto provided a handout that he wanted to discuss with the Board. Mr. Neisler said that Legal Counsel reviewed the handout and made some minor changes and in addition, Bernard Barmann provided a memo discussing the issue. Mr. Neisler said this matter was for discussion only.

President Zanutto opened the matter for discussion. Board members and audience members participated in this discussion. No action was required

Item 10. Direct General Manager to Vote for Special District Representative Seat on LAFCo Board of Directors

Mr. Neisler reviewed this matter. He said Director Hall expressed an interest in applying for that seat and his name was placed on the ballot. Mr. Neisler reviewed the names listed on the ballot. He requested that the Board direct him to vote for Director Hall to fill the seat, and also for the Board's direction on LAFCo conducting future elections via email.

Some discussion took place, with comments from Director Hall regarding security of electronic voting. Director Worden asked if this action would authorize the General Manager to vote on future ballots without Board consideration. In response to Director Worden's question, Mr. Neisler said that any future ballots would be brought to the Board for consideration.

President Zanutto made a motion that the Board direct the General Manager to cast the TCCWD vote for Director Jonathan Hall to fill the Special District Representative LAFCo seat and to vote for conducting future elections via email. Director Pack seconded the motion and it was carried on the following vote: Ayes: Hall, Pack, Prel, Worden and Zanutto; Noes: None; Abstain: None; Absent: None.

Item 11. Adopt Ordinance 2018-1 Establishing Water Priorities for 2018

Mr. Neisler explained the purpose of this ordinance is to reconfirm previously established water delivery priorities for 2018. The table for the District's Estimated Supply & Demand for 2018 was provided to the Board. Mr. Neisler reviewed this information and said it was the recommendation of staff to keep the water priorities the same as last year.

Rob Schultz asked if the banked water was the water banked by all parties, or just TCCWD. Mr. Neisler responded that this was water banked by TCCWD, along with return flow. Discussion continued on this question, Mr. Neisler explained that recharge operations for other agencies are contained in the annual Watermaster report. Mr. Schultz said he felt it would be helpful if those amounts were included in this table. Mr. Neisler thanked him for his comments.

After discussion, Director Worden introduced Ordinance 2018-1 and moved for its adoption. The motion was seconded by Director Hall and roll call was taken on the vote:

AYES: Hall, Pack, Prel, Worden and Zanutto
NOES: None
ABSTAIN: None
ABSENT: None

Item 12. Adopt Resolution 8-18 Amending the District's "PAY SCHEDULE FOR AUTHORIZED EMPLOYEES"

Mr. Neisler reviewed this staff report and the changes in job titles, job descriptions and organization. Mr. Neisler also reviewed the changes in salary ranges. After review, Mr. Neisler said that staff is requesting that the Board adopt Resolution 8-18 amending the District's pay schedule for authorized employees. Discussion took place with concerns expressed by Director Worden.

Mr. Wyman made comments regarding these changes.

After discussion, Director Pack made a motion to adopt Resolution 8-18 Amending the District's Pay Schedule for Authorized Employees. The motion was seconded by Director Hall and roll call was taken on the vote:

AYES: Hall, Pack, Prel and Zanutto
NOES: Worden
ABSTAIN: None
ABSENT: None

Item 13. Adjourn to Closed Session

Closed Session items were referenced by President Zanutto.

- a. In Accordance with Exhibit A Attached Hereto, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds et al.
- b. In Accordance with Exhibit B Attached Hereto, Kern County Superior Court Case 97209, Tehachapi-Cummings County Water District, a Body Corporate and politic vs. Frank Armstrong et al.

The Board went into Closed Session at 4:30 p.m.

Item 14. Return to Open Session

The Board returned to Open Session at 4:59 p.m.

a. Report Action Taken in Closed Session:

1. In Accordance with Exhibit A Attached Hereto, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds et al.

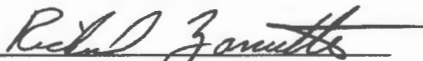
President Zanutto reported that there was no reportable action taken.

2. In Accordance with Exhibit B Attached Hereto, Kern County Superior Court Case 97209, Tehachapi-Cummings County Water District, a Body Corporate and politic vs. Frank Armstrong et al.

President Zanutto reported that there was no reportable action taken

Item 15. Adjournment

The meeting was adjourned at 5:02 p.m. on a motion made by Director Hall, seconded by Director Pack and unanimously carried. Ayes: Hall, Pack, Prel, Worden and Zanutto; Noes: None; Abstain: None; Absent: None.


Rick Zanutto, President


Lori Bunn, Secretary

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT

CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

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

Description of Property: _____

Negotiating Parties: _____

Subject of Conference: _____

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

1. Existing Litigation: _____
Name of Case: DWR v. All Persons Interested in Authorization of WaterFix
Revenue Bonds et al.

2. Anticipated Litigation:
Gov. Code § 54956.9 (b): _____
Gov. Code § 54956.9 (c): _____

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

1. Appointment: _____
Title: _____

2. Employment: _____
Title: _____

3. Performance Evaluation: _____
Title: _____

4. Discipline/Dismissal/Release: _____

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

Agency Negotiator: _____

Employee Organization: _____

Unrepresented Employee: _____

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

1. Existing Litigation: Case No. 97209

Name of Case: Tehachapi-Cummings County Water District
a Body Corporate and politic, vs. Frank Armstrong et. al.

2. Anticipated Litigation: _____

Gov. Code § 54956.9 (b): _____

Gov. Code § 54956.9 (c): _____

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

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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: _____