

## MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
January 17, 2018 3:00 P.M.  
21415 Reeves Street, Tehachapi, CA 93561

**Item 1. Call to Order and Roll Call**

**Directors Present:** Hall, Pack, Prel, Worden and Zanutto

**Staff in Attendance:** Lori Bunn, Troy DePriest, LaMinda Madenwald, and Tom Neisler

**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 Worden, seconded by Director Hall 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**

Director Pack asked if the District had gotten any feedback on the landscaping project at the fire station. Mr. Neisler responded that he had spoken with the Fire Marshal and they were not happy with the work that was done. They removed the landscaping on their own accord and re-did it at their own expense. Mr. Neisler said he offered the District's assistance with the project.

**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 December 20, 2017;
- 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. Mr. Neisler asked to remove Item 5 b.

President Zanutto stated that if there were no objections, Item 5 a Minutes of the Regular Meeting of December 20, 2017 will be approved. There being no objections, Item 5 a was adopted.

In regards to Item 5 b, Mr. Neisler said he would like to remove Checks #3676 and 3685 from consideration. He said he is not in a position to recommend approval at this time.

After discussion, President Zanutto entertained a motion to approve the financial report and payment of bills as corrected. Director Worden made a motion to approve Item 5 b as corrected. The motion was seconded by Director Hall and carried on the following vote: Ayes: Hall, Pack, Prel, Worden and Zanutto; Noes: None; Abstain: None; Absent: None.

**Item 6. General Manager's Report**

Mr. Neisler reported on the following matters:

- The first snow pack survey took place at Phillips Station on January 3, 2018;
- System start-up is scheduled for February 1, 2018;
- The Board Room Remodel continues to progress. We should be conducting the first Board meeting in the new room in March;
- The California WaterFix continues to advance;
- The reservoir level has stabilized at a lower level than anticipated, which will allow more capacity when the imported water system starts up on February 1. No service interruptions have been experienced;
- No Interim Water Banking Agreement requests were received for Cummings Valley;
- The SWP allocation remains at 15%;
- Oroville Reservoir operations remain the same as reported last month;
- Mr. Neisler reported on the activities in Sacramento: The latest report of the Independent Forensic Team on the Oroville Spillway failure was released. Mr. Neisler reviewed some of the findings of this report; Grant Davis is no longer serving as a DWR Director, Governor Brown has appointed another person as DWR Director. The new Director is Karla Nemeth. She is a member of the Brown administration and very well versed on the California WaterFix;
- In regards to the Operations Staff, they are on-track for a February 1, 2018 system start-up. They are under the direction of Troy DePriest, Operations Manager. They are doing a great job of completing a very long task list. Troy has completed his probation and is now a full-time employee;
- Mr. Neisler continues to work with the legal team on the Brite Lake agreements with TVRPD on the expanded uses of that facility. The agreements are over 40 years old and the insurance requirements are inadequate. Mr. Neisler said he hopes to bring the revised agreements to the Board in February for consideration;
- Mr. Neisler said despite the 2018 allocation forecast, the District is in an excellent position to meet all of the 2018 demands;
- Mr. Neisler will be attending the American Groundwater Association Conference in Ontario in February. Mr. Neisler will provide a detailed report on this conference at the next meeting;
- Mr. Neisler reviewed the exhibits attached to his report. Brite Reservoir operations were reviewed, along with the SWP reservoir conditions and precipitation data.

Director Hall asked about the TVRPD agreement providing swimming in the lake. Mr. Neisler responded that revisions to the agreements anticipate that use.

**Item 7. Operations Manager's Report**

Mr. DePriest reported on the items listed below at the Board meeting:

- Off-season work continues to progress. Multiple projects have been completed and staff has been busy working on engines, pump alignment, reading meters and completing several projects in the shop;
- There was a leak on the 8" line on Steuber Road. This item was under warranty and fixed by the contractor at no cost to the District;
- Mr. DePriest updated the Board on the progress of the Board Room Remodel Project;
- The Pump Plant Crew Lead Mechanic truck was delivered on December 28, 2017 and placed into service;
- GHCSO contractors are making progress installing the Steuber line. Provost & Pritchard Consulting and staff are monitoring the project;
- The Pipeline Crew replaced the 30-inch meter on the mainline upstream of Pump Plant 1. Mr. DePriest described the details of the project;
- The Pipeline Crew is preparing to repair a portion of the mainline near the corner of Horsethief and Jacks Hill Road. TCCWD Staff will prepare the site, install shoring and prepare the line for certified welders who will complete the repair process;
- Staff has completed several projects in the new shop building, including installing a hoist/crane, a new galvanized airline and compressor and fabricated a new head bench;
- Brite Lake elevation was 4,344.8' on January 12, 2018, with a volume of 618.2 AF;
- The Pump Plant Crew has completed multiple maintenance tasks at the pump plants. Details of the tasks were provided;
- Staff is focused on having the system ready to pump water on February 1, 2018;
- We anticipate the Board Room completion in time for the March 2018 regular Board meeting.

**Item 8. Appoint Directors to Serve on Ad-Hoc Committees**

Mr. Neisler reviewed the staff report and the list of committees. He also reviewed the purpose of each committee. Discussion took place and after it was complete, the following committee assignments were made:

Audit Committee:	Director Prel and Director Worden
Budget Committee:	Director Worden and President Zanutto
Water Priority Committee:	Director Hall and Director Pack
Water Rate Committee:	Director Hall and Director Pack
California WaterFix Committee:	Director Hall and President Zanutto
	Director Worden will serve as alternate

**Item 9. Mid-Year Budget Review Fiscal Year 2017-18 Budget**

LaMinda Madenwald read the staff report for this item and summarized the details of the mid-year budget review. Revenue results are slightly higher than projected and expense results are slightly lower than projected. Management anticipates minor variances in the cost estimates related to the Board room remodel and the pump plant maintenance/engine overhaul categories, but these are not significant enough to suggest the need for amendment at this time. The Budget Committee chose not to meet based upon the results of Management's mid-year review of the 2017-18 fiscal budget. Ms. Madenwald reviewed the summary of the analysis with the Board. Discussion took place, but no action was required on this item.

**Item 10. Discuss Strategic Planning Workshop**

Mr. Neisler reviewed the written staff report. He said staff is in a better position to start addressing this item. Mr. Neisler asked the Board members to complete the questionnaire if they have not already done so. Mr. Neisler said he believes that eight hours will be required for this session. Potential dates were provided with the staff report. He requested that the Board wait until we can use our own Board room to conduct this session. Discussion took place at this time.

President Zanutto suggested that Directors come up with dates to hold the Strategic Planning Session at the February Board meeting, looking at March after the regular Board meeting. Mr. Neisler said he would add this to the agenda and provide a new calendar.

**Item 11. Closed Session:**

- 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.
- c. In accordance with Exhibit C Attached Hereto, Dennis Carpenter vs. Tehachapi-Cummings County Water District BCV-15-1011 170 TSC
- d. In accordance with Exhibit D Attached Hereto, Performance Evaluation General Manager

The Board went into Closed Session at 4:04 p.m.

**Item 12. Return to Open Session**

The Board returned to Open Session at 5:22 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 vs. Frank Armstrong et al.**

President Zanutto reported that there was no reportable action taken.

3. **In accordance with Exhibit C Attached Hereto, Dennis Carpenter vs. Tehachapi-Cummings County Water District BCV-15-1011 170 TSC**

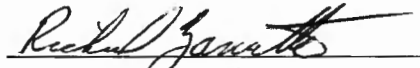
President Zanutto reported that there was no reportable action taken.

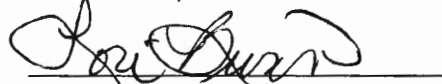
**4. In accordance with Exhibit D Attached Hereto, Performance Evaluation General Manager**

After the evaluation was discussed by all the Directors, the Performance Evaluation of the General Manager determined he meets and exceeds all of the requirements in all aspects of the performance evaluation. On behalf of the Board, President Zanutto said the Board was very happy with the job he is doing.

**Item 13. Adjournment**

The meeting was adjourned at 5:30 p.m. on a motion made by Director Hall, seconded by Director Worden and unanimously carried. Ayes: Hall, Pack, Prel, Worden and Zanutto; Noes: None; Abstain: None; Absent: None.

  
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Rick Zanutto, President

  
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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: \_\_\_\_\_

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: Case No. 97209  
Name of Case: Tehachapi-Cummings County Water District  
a Body Corporate and politic, vs. Frank Armstrong et. al.

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

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

1. Appointment: \_\_\_\_\_  
Title: \_\_\_\_\_

2. Employment: \_\_\_\_\_  
Title: \_\_\_\_\_

3. Performance Evaluation: \_\_\_\_\_  
Title: \_\_\_\_\_

4. Discipline/Dismissal/Release: \_\_\_\_\_

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

Agency Negotiator: \_\_\_\_\_

Employee Organization: Not applicable

Unrepresented Employee: \_\_\_\_\_

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: One Case

Name of Case: Dennis Carpenter vs. Tehachapi-Cummings County  
Water District, BCV-15-1011 170 TSC

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: \_\_\_\_\_



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: \_\_\_\_\_
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: \_\_\_\_\_