

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS
March 25, 2020 3:00 P.M.
22901 Banducci Road, Tehachapi, CA 93561

ANNOUNCEMENT: THIS MEETING IS BEING CONDUCTED VIA TELECONFERENCE AS AUTHORIZED BY GOVERNOR GAVIN NEWSOM'S EXECUTIVE ORDER N-25-20. DIRECTORS WILL HAVE THE OPTION OF CALLING INTO THE BOARD MEETING VIA CONFERENCE LINE. MEMBERS OF THE PUBLIC WHO WISH TO PARTICIPATE IN THE MEETING MAY DO SO IN PERSON AT THE DISTRICT BOARDROOM (LOCATION ABOVE) OR BY USING THE CONFERENCE LINE. ALL WHO ATTEND THE MEETING IN PERSON MUST ADHERE TO SOCIAL DISTANCING REQUIREMENTS.

CONFERENCE DIAL-IN NUMBER: 1-800-309-2350

CONFERENCE ID: 802-3142

- Item 1. Call to Order and Roll Call**
Directors Present: Cassil, Hall, Pack, Schultz, Zanutto
Legal Counsel: Bernard Barmann
Staff in Attendance: Catherine Adams (Board Room), Jon Curry (Office), LaMinda Madenwald (Office) and Tom Neisler (Board Room)
- Item 2. Announcement**
President Pack announced that the meeting is being audio recorded, including all Board, Staff, and Public comments.
- Item 3. Approval of Agenda**
Mr. Neisler announced there is an error in the Agenda as Item 7. is listed twice. He proposed amending Return to Open Session to Item 8 and Adjournment to Item 9. Director Cassil moved to approve the amended Agenda. Director Schultz seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, 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**
Ms. Adams announced she did not receive any comments via email or phone prior to this meeting. There were no additional comments.
- Item 5. General Manager's Report**
Mr. Neisler reported on the following:
- Currently the District is working with minimal staff in the office. There will be at least one administrative person in the office daily to answer phones and if that person has to step away from the desk, the phones may be on auto-attendant temporarily. Managers are assigned each day of the week, and Mr. Neisler will be at the office most days in addition to those managers.
 - Pipeline and Pumping Systems departments are staffed and continue to operate on a 24/7 basis with minimal staff.
 - The office is closed to the public and closed for routine business. There is staff available to accept deliveries and the gates are open with a barricade indicating the office is closed. There have been no problems to date and things are going smoothly. He has posted the status on the District Facebook page and has received positive comments.
 - He has spoken to the large agricultural customers and assured them the system will continue to operate as usual for as long as the District can do so safely. At this time, no interruptions are foreseen.
 - The State Water Project allocation remains at 15%. There have been almost 3 inches of rain at the office in March. Unfortunately, the storms are not traveling north to the Feather River Basin where they are needed. The March 19th State Water Operations Committee meeting results were not

optimistic about the allocation increasing. Mr. Neisler has a plan in place in case the allocation does not increase. He planned to present that to the Board at the March meeting and will do so the next time everyone can be together to discuss.

-Recharge operations have been temporarily paused to bring the level of the lake up as high as possible with the intention of not being able to go to a three-engine operating system soon. This will allow for as much surface water storage as possible. That decision can be changed instantly if needed. In the event the third engine cannot be started due to low allocation, the available supply can be increased by starting up wells or withdrawing banked supplies from the Kern Water Bank. He has checked with ID4 and they will have adequate delivery capability available if needed.

-He has only purchased enough natural gas to operate a two-engine system as the allocation was too uncertain to commit to more. Gas for the third engine can be purchased at any time and gas prices are favorable at this time.

-Back to the COVID-19 status, staff is working from home as much as possible. Tasks are still being completed, there is a rotating schedule in place and on-call is being utilized. There have been no reports of symptoms or lost time associated with the virus.

-Information has been received from JPIA about relaxed requirements for prescription ordering to allow people flexibility in getting their prescriptions. COVID-19 testing will be covered at no cost with both insurance plans and COVID-19 claims will be handled as a normal claim.

-The team is coming together in an admirable fashion and he is very proud of everyone. Operations will continue in this manner until conditions warrant a change.

-He does not anticipate needing another meeting until the regular meeting scheduled for April 15. Staff is looking into video conferencing capability beyond the phone calls utilized today.

Director Zanutto complimented him on a great report.

Item 6. Board of Director Comments

The Directors expressed their appreciation for the way the General Manager and staff are rising to the occasion with the COVID-19 pandemic. They felt there is a great plan in place and appreciate everyone's efforts.

Item 7. Adjourn to Closed Session

President Pack referenced Closed Session items as presented on Agenda, then Board adjourned to Closed Session

DIRECTORS WILL DIAL IN TO SEPARATE CONFERENCE LINE

- a. In Accordance with Exhibit A Attached Hereto, Kern County Superior Court Case 97209, Tehachapi-Cummings County Water District, a Body Corporate and Politic vs. Frank Armstrong, et al.
- b. In Accordance with Exhibit B Attached Hereto, Conference with Real Property Negotiator (APN 223-190-20 Well)
- c. In Accordance with Exhibit C Attached Hereto, Potential Litigation

AT THE CONCLUSION OF THE CLOSED SESSION, DIRECTORS WILL END PRIVATE CALL AND DIAL BACK IN TO PUBLIC CONFERENCE DIAL-IN NUMBER.

The Board went into Closed Session at 3:13 p.m.

Item 8. Return to Open Session

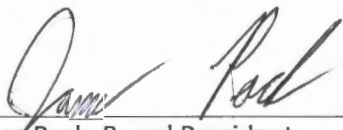
The Board returned to Open Session at 3:59 p.m.

Report Action Taken in Closed Session:

- a. No reportable action
- b. No reportable action.
- c. No reportable action.

Item 9. Adjournment

The meeting was adjourned at 4:00 p.m. on a motion made by Director Hall, seconded by Director Cassil and carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.



James Pack, Board President



Catherine Adams, Board Secretary



Tehachapi-Cummings
County Water District

Our Water • Our Future

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: 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: _____



CLOSED SESSION ITEM DESCRIPTIONS

(Gov. Code § 54954.5)

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

Description of Property:	APN 223-190-20 Well
Proposed District Negotiator:	Tom Neisler, General Manager
Negotiating Parties:	Thomsen Invs, LLC
Subject of Conference:	Terms, Price and Conditions of Sale or Lease

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: _____

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): 1 potential case
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: _____