

MINUTES

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
April 15, 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 AND THE PUBLIC WILL HAVE THE OPTION OF ATTENDING VIA THE ZOOM MEETING APP. THE MEETING ID IS 588-920-791. THE PASSWORD IS 0420RBM. ANYONE WHO WISHES TO PARTICIPATE IN PERSON MAY DO SO AT THE DISTRICT BOARDROOM, 22901 BANDUCCI ROAD, TEHACHAPI, CA 93561. ALL WHO ATTEND THE MEETING IN PERSON MUST ADHERE TO SOCIAL DISTANCING REQUIREMENTS.

- Item 1. Call to Order and Roll Call**
Directors Present: Hall (remote), Pack (remote), Schultz (remote), Zanutto (in person). Director Cassil (in person) arrived at 3:25 p.m.
Legal Counsel: Bernard Barmann (remote)
Staff in Attendance: Catherine Adams (in person), Jon Curry (remote), LaMinda Madenwald (remote) and Tom Neisler (remote)
- Item 2. Announcement**
President Pack announced that 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 Hall.
- Item 4. Approval of Agenda**
Director Hall moved to approve the Agenda. President Pack seconded the motion and it was carried on the following vote: Ayes: Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Cassil.
- Item 5. Comments by any Party on Items of Interest and Within the Subject Matter Jurisdiction of the Legislative Body**
There were no comments made in person, via Zoom, or via email.
- 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 March 18, 2020 and Minutes of the Special Board Meeting of March 25, 2020
 - b. Approve Financial Report and Payment of Bills

President Pack asked if there were any items the Board, staff or public would like to remove for discussion. No items were removed.

Director Zanutto moved to approve the Consent Calendar. Director Hall seconded the motion and it was carried on the following vote: Ayes: Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: Cassil.

It was discussed that Director Zanutto would sign the checks and Mr. Neisler would set a time with President Pack to come in to sign the Minutes and Resolutions.

Item 7. General Manager's Report

Mr. Neisler reported on the following matters:

- Everything has been going well during these unprecedented circumstances. Morale is good and everyone is adapting.
- Currently, there is not enough water supply available to move to a three-engine system, so operations will continue with a two-engine system. The team has kept the system running so smoothly there are very few issues this year. This is a great improvement.
- Staff is using the Zoom application extensively and he thanked the Directors for their patience and willingness to utilize this tool to keep the District functioning.
- Looking at the Drought Monitor chart in the report, the drought conditions have extended down through the state and through Kern County. The total precipitation and snowpack are lower as you go north in the state.
- The Table "A" Allocation remains at 15%. The next Water Operations meeting is April 20th, and the updated projections will be presented.
- The State issued a new Incidental Take Permit that guarantees litigation from both the Federal Government and the State Water Contractors. A letter is attached from Congressman McCarthy and other legislators to Governor Newsom expressing their objection and concern about the action he has taken.
- The Delta Conveyance facility is moving forward. Environmental documentation is being worked on and there is still no Agreement in Principle or Memorandum of Understanding.
- The field and office have remained fully operational, contact with the public has been lessened, and staff will continue moving forward.
- All recharge facilities have been shut down and continue to be monitored. The systems are automated so they can be started back up very quickly if needed. The levels of Brite Lake are beginning to rise.
- ACWA and JPIA conferences have been rescheduled to July 27-30, 2020. Mr. Neisler feels that Mr. Curry is doing a great job and would like to start exposing him to these conferences, so he will be sending Mr. Curry in his place. Director Hall is scheduled to attend the JPIA conference and Director Cassil is scheduled to attend the ACWA conference.
- He reviewed the reservoir conditions and other attached charts. Snowpack is at 66% of normal.

Item 8. Operation Manager's Report

Mr. Curry reported on the following matters:

- The Division of Safety of Dams completed the annual inspection of JC Jacobsen, Blackburn, and Antelope Dams on March 9, 2020. The inspection went well, and staff is waiting for the report. A new fee structure was implemented that contains fees for critical and pertinent structures. This District does not have any, therefore the District's fee will decrease by \$5,800.
- He attended the Kern IRWMP Participant's meeting to review the update and the Prop. 1 Implementation Grant Funding Proposal which will be discussed in the next Agenda item.
- As mentioned, pumping season began on March 2nd with a two-engine system and that has continued.
- Before going to the modified schedule, Operations staff held safety training on Hearing Conservation, proper Personal Protective Equipment, and updates on COVID-19.

- On April 10th, Brite Lake had an elevation of 4,358', volume of 1386.4 AF, and a level of 32'. Recharges are currently shutdown.
- In preparation for the annual inspection, the gates at Jacobsen and Antelope dams were exercised prior to starting the system. They were video logged and sent to the inspector and the department.
- The Pipeline Department installed two private well meters in the Tehachapi Basin and changed out 12 turnout meters at various locations.
- Superior Tank finished the work on the north tank at Brite Lake. The proper testing and dichlorination was done prior to putting the tank back online as it is a public water system.
- He described the first two pictures attached to the Staff Report and explained that staff cleaned out the silt/debris from the Tehachapi Creek Gauging Station drainage channel.
- There was some vibration in PP2, engine 2 and a service vendor was called in to perform a full vibration test and staff is waiting for the analysis.
- Both 7-stage pumps have been picked up from Evan's Hydro. There is one 2:3 ratio gearbox at De'Ran awaiting a gear set replacement and is expected back in late May.
- Upon installation of the gearbox in PP1, engine 2, it was discovered it has an alignment issue, so staff is currently working with De'Ran on why that shaft was not true.
- After beginning the Water Distribution Grade 2 Certification class, staff were moved to a modified schedule and were instructed to keep moving forward with their course work. Mr. Curry has been available to assist and answer questions where needed. The plan is to collect all the work in the first week of May, talk with Cal State Sacramento to ensure they can get those graded, and the next State Distribution Exam is still scheduled for September.
- Notice has been received from several State and Federal agencies extending the deadlines for compliance reporting. Staff is continuing to move forward with data collection and plans to submit reporting as quickly as possible.

Director Hall asked where the Tehachapi Creek Gauging Station is located. Mr. Curry explained that as you go down Hwy 58, before Broome Road there is something that looks like an old green water can that sticks up about 5 feet in the air on the westside of the freeway. The gauging station is down near Tehachapi Creek just down from the old Tehachapi Welcome sign.

Director Zanutto asked how many more tanks need refurbished by Superior Tanks. Mr. Neisler answered that all the remedial work was completed this year. Beginning next year, they will be on more of a maintenance schedule and there are some exteriors schedule for the future. All the tanks that had deficiencies were addressed this year.

Item 9. Adopt Resolution No. 02-20, Authorization to Adopt the Kern Integrated Regional Water Management Plan Update

Mr. Curry stated the current IRWMP has been updated to reflect the current Department of Water Resources guidelines. The District has been participating in the Plan since 2009. This update makes the proposed projects eligible for funding. When new funding streams come available, DWR will periodically publish new guidelines on how the IRWMP will need to be formatted and new rules to follow to be eligible for funding. The Plan is made up of stakeholders and water systems, and is a 400 page document so there is a link at the bottom of the Staff Report to view it. Some examples of projects that have been funded are the Water Conservation Program that the District participated in and also the City of Tehachapi's Snyder Well Intertie Project to tie the District's water distribution system to the City's Snyder Well. Currently, the District's Cummings Valley Westerly Recharge Project is part of the proposed funding package. At a staff level, the review has been done by all participants; and now it is up to the individual legislative bodies to adopt the Kern IRWMP update by Resolution.

Director Zanutto moved that the Board adopt Resolution 02-20, regarding the Kern Integrated Regional Water Management Plan Update. Director Hall seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 10. Discussion of Water Operations – 2019 Review and 2020 Forecast

Mr. Neisler stated that 2019 was a strange year in that the allocation started at 15% and remained low until February, then it increased until reaching a final allocation of 75%. He reviewed the highlights listed in the Staff Report which include almost reaching the importation goal of 10,000 AF, banked Table "A" SWP with ID4, purchased Article 21 water, transferred Lower Kern River water to ID4, and Agricultural sales increased back to previous levels.

Currently, in April 2020, the Table "A" allocation remains at 15% with no certainty that it will increase. If it does increase, there is little likelihood it will go beyond 25%. In Attachment B, he prepared scenarios for different allocation amounts. Going forward with the 15% allocation, the District will try to limit the amount of water that is withdrawn from the banked supplies in the San Joaquin Valley. The cost for that water in the ground is much less than what it could be sold for and the value of that water is only going to increase under SGMA. In order to accomplish leaving the water down there, he suggests the District withdraw some of the banked supply or change the ownership of some of the banked supply in District (Tehachapi Basin or Cummings Basin). He does not want to make a habit of using these supplies, but this is what they are here for; years without adequate surface water available. The impact is minimal on the District's reserves and allows for meeting all the customers' demands.

The District has set a goal of importing 10,000 AF of water per year and the yearly demand is closing in on that amount. The system physically cannot import more water than that, unless the importation system is entirely reconfigured. This highlights the necessity of the Delta Conveyance Facility, or some other method, to ensure the adequacy of the District's long-term SWP supply. The District needs about 53% allocation to import 10,000 AF.

He reviewed Attachment A, Water Systems Summary and Attachment B, Estimated Supply and Demand-2020 and stated with the proposed plan, the District will be able to meet all customer demands without any cutbacks.

Director Zanutto asked for clarification on some amounts and President Pack asked how much longer he expects Snyder Well to be pumped into the District's system. Based on information from the City, Mr. Neisler anticipates continuing to use Snyder Well for at least 3 more years. As part of that project, the District has taken on irrigation of the high school fields.

Item 11. Report of Ad-Hoc Water Rate Committee, Adopt Resolution 03-20, Setting Water Rates for 2020

Ms. Madenwald stated the District uses this process to set the water rates for each year. Approval of this item will keep the water rates unchanged for 2020. The Ad-hoc Water Rate Committee met on April 9th and the Minutes of the meeting are Attachment A. The Committee reviewed the calculation for the Regular M&I rate over a five-year period. The Committee recommends leaving the Regular M&I rate at \$1385.00/AF. The Committee also reviewed Attachment B, an Office Memorandum by Mr. Neisler, which explains all the issues in detail that were discussed. Attachment C describes the "Historical Analytics Method" which the District uses to forecast the future water rates based on the price of natural gas. Per the model, 2020 rates calculate approximately \$58/AF less in Pressure Zone 1 and \$70/AF less in Pressure Zones 2 and 3, than the 2019 calculated rates. Staff and the Committee recommend the Board keep the actual rates at the current amount. They recommend the difference in revenues generated from this modeled rate structure be used to offset and/or meet the debt service obligation for the Engine Replacement project, with any excess revenues dedicated to equipment replacement. She reviewed the fiscal impact described in the Staff Report.

Director Schultz and Director Hall both commented on this item and described their agreeance and support for this recommendation. Mr. Neisler commented about the current state of natural gas wells and purchases he has made to-date.

President Pack moved that the Board adopt Resolution 03-20 setting water rates for 2020. 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 12. Adopt Ordinance 2020-1 Establishing Water Delivery Priorities for 2020

Mr. Neisler stated all of the water demands for this year will be met, however, each year the Board adopts an Ordinance that sets priorities for water deliveries in the event the demand cannot be met. The adoption is done annually and for many years the Ordinance has remained unchanged. This year, staff is proposing a couple of changes. The first change is that the permanent crops and food crops grown in greenhouses be given the same priority. Previously, permanent crops had priority, and there were some customer objections to this. In looking at what crops are produced and the investment to produce those, the investment in greenhouses is equal to or more than permanent crops. The next change is under the non-food crops category, a priority is given to crops grown in greenhouses over exterior crops. This is due to the capital outlay for greenhouse facilities. Lastly, a lowest priority category was added for irrigation of turf and landscaping. The District currently provides non-potable water to some public facilities for landscaping, so in the event of a shortage, these uses are non-essential and could be interrupted.

These proposed changes were discussed with the Ad-hoc Water Priority Committee meeting on April 9th and April 10th, and they reviewed the updated 2020 water supply and demand forecast. The Committee recommends approval of Ordinance 2020-1 as amended. He reviewed the attachments to the Staff Report and the details of the redline version of the Ordinance. Director Cassil and Director Schultz stated their support for adoption of the amended Ordinance.

Mr. Neisler shared with the Board that several housing developments are looking to the District to supply water for landscaping and parks. Mr. Neisler is writing a letter this week to address this issue in which he plans to state that for many reasons, this District cannot be responsible ensuring water supply for ornamental purposes to private residential customers. The District's available water supply varies drastically from year to year, the district does not have the infrastructure and personnel to serve residential settings, and if agreed to, it would set a precedent to supply water for other developments.

Director Hall commented and questioned that if the housing developments do not receive the water from the District, wouldn't they just get the water from the City, and then in turn, the City would use more water from the District. Mr. Neisler stated the goal is not to address the demand; the District's highest priority is people (M&I use), however, the District does not have a place in this business. During the drought, there were regulations put in place that providers of water for exterior landscaping have to follow and this would put a significant operating burden on the District. They are called the WMELO regulations and require domestic water conservation. Mr. Neisler agrees that the demand would come from the City, unless they modify the landscaping requirements for new residential developments. The point is, it would be a decision for the City to make, not the District. This District should not be in the business of fulfilling a fixed demand with a variable supply.

Mr. Barmann stated this priority Ordinance is just one tool the District has to deal with its supply in times of shortage. The bigger picture question of whether the District should be providing water for outdoor irrigation is something that should be considered at a future meeting with respect to the District's overall Rules and Regulations for the Sale of Surface Water. Mr. Neisler stated this issue will be included with a major update to the Rules and Regulations that is coming after the Cummings Basin Amended and

Restated Judgment is complete. Director Schultz requested that the Rules and Regulations be revised without waiting for the Adjudication process to be complete. With approval from President Pack, Mr. Neisler stated he can place this item on either the May or June Agenda.

Director Schultz moved for adoption of Ordinance 2020-1 establishing water priorities for 2020. Director Cassil seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 13. Adopt Resolution 04-20 Amending Water Service Rules and Regulations

Mr. Neisler stated this request is prompted by the next Agenda item; the Supplemental Water Supply and Banking Agreement for the successors to SunSelect. The provisions of that agreement need to be included in the District's Rules and Regulations and are referenced in the agreement. The last time these rules were amended was in November 2016 for this same purpose with the previous owner. The Board has had numerous Closed Session items talking about this agreement and have finally come to an agreement with the customer. Therefore, this Resolution will amend the current Rules and Regulations to allow for such a Supplemental Water Supply and Banking Agreement for any Agricultural customer. The next Agenda item will be for the approval of the completed agreement that references this section of the Rules and Regulations for the particular customer.

Mr. Barmann added that other form agreements the District has such as the Term M&I Agreement and the Banking Agreement, are all part of the Rules and Regulations so that those are standard forms. There is no current provision in the rules for Supplemental Water Supply and Banking Agreements for greenhouses in the Cummings Basin. This is to make a place for those and to make it clear that the rules authorize that type of in-lieu pumping of groundwater.

Director Zanutto moved for adoption of Resolution 04-20 amending water service rules and regulations. Director Hall seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 14. Approve Supplemental Water Purchase and Banking Agreement with CEFF II Tehachapi Property, LLC

Mr. Neisler stated this is the agreement mentioned in the previous item. The Board and staff previously negotiated with SunSelect over many months and SunSelect sold the property to Equilibrium. Equilibrium has been very supportive of the District's interests and all parties were able to come to a swift conclusion. They have accepted the agreement as well as signed the stipulation for the Cummings Basin Amended and Restated Judgment.

Mr. Barmann stated a blank agreement is attached to the Staff Report for reference and Equilibrium has already approved and signed this agreement. The agreement was conditioned on Equilibrium signing the stipulation and for the Cummings Basin Amended and Restated Judgment to be entered, so this agreement will not be effective until the Judgment is entered. The next step is for the Board to sign the document and commit to it. There are a couple exhibits that have to be generated so once those are done, the document can become final. This agreement allows Equilibrium to take up to 400 AF of water from the ground, purchase the water from the District, and in most years, the District will be recharging water into the ground. They will be paying the water expense plus the recharge fee. The agreement has backstops in case there is not enough groundwater or surface water for the District to meet the 400 AF, then the District does not have to deliver. It also provides for them to bank up to 3,600 AF of water in the Cummings Basin.

President Pack moved to approve the Supplemental Water Purchase and Banking Agreement with CEFF II Tehachapi Property, LLC and further move to authorize the President to sign the agreement. Director

Zanutto seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz, Zanutto; Noes: None; Abstain: None; Absent: None.

Item 15. Reconsideration of Agreements between TCCWD/Valley Sod and BVCSD/Valley Sod

Mr. Neisler introduced the owner of Valley Sod, Mr. Dan Gibson who was in attendance via Zoom. This item came at the request of the Board. TCCWD has a reclamation permit with the State to allow placement of conforming treated effluent from the wastewater plant at CCI on particular pieces of property. With that agreement in place, the District entered into agreements with Horse Thief Golf Course and Valley Sod to provide the treated wastewater. The golf course was first, and part of the agreement was that they would construct a facility to convey the treated effluent from the prison to their site, and they would be given first priority to the water. Then when Valley Sod came, they had to work around the golf course's agreement. At that time, the prison produced about 1,000 AF and now produces about 700 AF. The golf course's priority was based on their maximum use for one year, about 325 AF.

Valley Sod has interest in more water and could not expand their planning footprint without having some assurance that water would be available. When they use their allocation of water, they are forced to purchase water from the District which is at a significantly higher cost than the wastewater. Horse Thief Golf Course has not been operating the last two years and their future is indeterminate. Mr. Neisler reviewed a detailed list in the Staff Report concerning issues raised due to the Valley Sod agreement and the Bear Valley agreement.

In 2020, the Board authorized Mr. Neisler to send a "Notice of Breach" of the agreement between TCCWD and Oak Tree Affiliates (Horse Thief) concerning their priority right. They were given two options; relinquish the priority and retain a right to purchase wastewater when it is available or abandon their agreement to purchase the water at all. The letter was received over 30 days and no response has been returned. Horse Thief was notified, with the "Notice of Breach", that TCCWD was not going to honor their priority for 2020. Valley Sod was subsequently notified that TCCWD would provide, to the extent that it's available, all the wastewater that the prison produces.

Mr. Neisler stated that staff is ready to take any action the Board would like, and Mr. Gibson is here to answer any questions if needed. Discussion took place in which Mr. Gibson stated he is willing to discuss putting in a permanent water line and the prison's wastewater is a relatively constant supply, barring a failure at the plant. If the waterline were to have a break, it was discussed that TCCWD would be responsible for the clean-up due to the permit with the State. They would then look to the user for reimbursement for costs of cleaning and repairs. Director Zanutto feels that having the water go to Valley Sod is a great use of the resource and Mr. Neisler added that Mr. Gibson has been great to work with and he looks forward to continuing the relationship. Mr. Gibson concurred.

Director Schultz asked if it was necessary to terminate the agreement with Horse Thief Golf Course. Mr. Neisler responded yes, that agreement will be terminated, and he and Mr. Barmann will work together on an agreement for Valley Sod. Director Schultz is in support of this process. Director Cassil asked for clarification on whether TCCWD should be involved in the pipeline burial issue or if that is between Valley Sod and BVCSD. Mr. Neisler confirmed that the District has no requirement for Valley Sod to put the pipeline underground, that is with BVCSD. The District's role is to maintain the pipeline whether it be above or below ground. Director Zanutto verified that the waterline to Horse Thief is below ground and stated that he feels Valley Sod should be subject to the same standard, and put their waterline underground. Mr. Neisler stated that the above ground line is a temporary solution and the line will go underground at some point but that is not part of the District's agreement.

Director Cassil moved that the Board direct staff to terminate the priority agreement with Oak Tree Affiliates and re-engage Valley Sod in negotiations to reinstate the District's operation and maintenance

agreement for the Disinfected Tertiary Recycled effluent. Director Schultz seconded the motion and it was carried on the following vote: Ayes: Cassil, Hall, Pack, Schultz; Noes: Zanutto; Abstain: None; Absent: None.

Item 16. Update on Cummings Valley Amended and Restated Judgment

Mr. Neisler stated there has been a lot activity since the last discussion in February. The Board approved the Supplemental Water Purchase and Banking Agreement with Equilibrium at this meeting. Equilibrium has signed the stipulation subject to the completion of the Amended and Restated Judgment. The court has assigned the case to Judge Steven D. Schuett. The case management conference is scheduled for June 15, 2020. A signed stipulation was received from the State of California and they are still working on getting signatures from Jean Prel, Millennium Pacific, and the Tehachapi Unified School District. This has been more challenging due to the current pandemic. Things are moving along well. The next steps will be discussed in Closed Session.

Item 17. Update on Cummings Valley Westerly Recharge Project

Mr. Neisler stated that DWR has acknowledged that the District has received grant approval and the contracts are being slowed down due to the pandemic. They accepted the response that the consultant, Provost & Prichard, provided on their concern that the project could be used for onstream storage; it cannot be use for that. Contract documents will probably not be received until sometime this summer. Provost & Prichard is proceeding with their design engineering, they have provided a topographic survey of the property. Staff has provided comments on the design and they are doing updates to it now.

David Aranda has resigned as General Manager of SSCSD. He is continuing on as a consultant and Vanessa Stevens has been appointed the acting General Manager. Staff recently had a meeting with them via Zoom and work continues on the exhibits for escrow as they are predicated on the design that the engineer is working on. TCCWD is going to allow SSCSD to flush their well into the ponds and staff needs to know where they plan to deposit that water so an easement can be prepared from TCCWD to SSCSD. Escrow should be able to close by the end of this fiscal year.

Item 18. Board of Directors Comments

Director Hall gave an update on the COVID-19 testing stating that available tests are running low and the turn around has been closer to 5 days rather than 2 days. There are at least two active cases in Tehachapi currently.

Director Schultz commented that due to the current situation and need for online meetings, as well as large Board packages that sometimes get delayed in the mail, he would like to look into options for Directors to be issued a tablet or laptop. There have been some technical difficulties and it would be helpful to have virtual meetings with a reliable piece of equipment, owned and maintained by the District, so that all Directors could participate visually. In doing so, this would also allow for large documents to be transferred without having to go through the printing time and costs. Mr. Neisler thanked him for his suggestions and stated this is something that staff has considered, and the cost would be less than \$10,000. President Pack directed Mr. Neisler to gather information and present to the Board for action at next month's meeting. Director Zanutto agreed with Director Schultz's comments and thinks begin as paperless as possible is great and it would allow for the Board packet to be received on Fridays. President Pack echoed the same statements.

Mr. Neisler requested that the Board Secretary be dismissed at this time and he will complete the return to Open Session recording. President Pack granted the request.

Item 19. 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, 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, DWR v. All Persons Interested in Authorization of WaterFix Revenue Bonds et al.**
- c. **In Accordance with Exhibit C Attached Hereto, Conference with Real Property Negotiator (SSCSD)**
- d. **In Accordance with Exhibit D Attached Hereto, Conference with Real Property Negotiator (APN 223-190-20 Well)**
- e. **In Accordance with Exhibit E Attached Hereto, Potential Litigation**

The Board went into Closed Session at 5:34 p.m.

Item 20. Return to Open Session

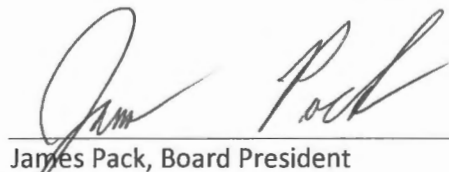
The Board returned to Open Session at 5:41 p.m.

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.

Item 21. Adjournment

The meeting was adjourned at 5:42 p.m. on a motion made by Director Hall, seconded by President Pack 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



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: _____
Proposed District Negotiator: _____
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: 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: APNs 448-051-33-4, 448-051-34-2, 448-052-33-2
 Proposed District Negotiator: Tom Neisler, General Manager
 Negotiating Parties: Stallion Springs Community Services District
 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: 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: _____