

**SOQUEL CREEK WATER DISTRICT BOARD OF DIRECTORS
AGENDA
TUESDAY, OCTOBER 5, 2021****CLOSED SESSION 6:00 – 6:50 PM
AGENDA 7:00 PM****VIRTUAL ZOOM MEETING**

In response to COVID-19, Soquel Creek Water District's October 5, 2021 Board Meeting will be held remotely via Zoom. Members of the public are encouraged to join the meeting remotely through the meeting link or phone number:

- **Meeting Link:** <https://us02web.zoom.us/j/84437297366>
- **Phone Number:** +1 669 900 6833 / Webinar ID: 844 3729 7366

If you are participating via meeting link (i.e. web platform), and experience technological difficulties, then please re-join the meeting via phone number.

Request to Speak Form for Remotely Conducted Board Meetings

To facilitate effective and efficient remote Board Meetings, people wishing to address the Board during a Board Meeting on an item not listed on the agenda (Oral Communications – Item 5.0), or any item listed on the agenda, should submit a [Request to Speak Form](#) by 3 pm, on the day of the Board Meeting. The District will also permit public comment through the “raise hand” feature on zoom. If you are dialing in by phone, you may “raise your hand,” by dialing *9. Once District staff allows you to speak, then you may unmute yourself by dialing *6.

MISSION

We are a public agency dedicated to providing a safe, high quality, reliable, and sustainable water supply to meet our community's present and future needs in an environmentally sensitive and economically responsible manner.

BOARD MEETING PROCEDURES

The Board President serves as the chairperson to guide Board Meetings following agenda order listed below:

0. Call to Order and Roll Call
1. Closed Session
2. Public Hearing
3. Board Members' Opportunity to Remove Items from Consent Agenda
4. Consent Agenda
5. Oral and Written Communications
6. Reports
7. Administrative Business

Note that the agenda order is subject to change.

MEETING INFORMATION AND ACCESSIBILITY

Meeting materials are available on the District's website:

<https://www.soquelcreekwater.org/AgendaCenter> Agendas, board packets, written correspondence (if any), and presentations (if any), are available by clicking on the meeting date and associated links.

**SOQUEL CREEK WATER DISTRICT
AGENDA – OCTOBER 5, 2021**

6:00 – 6:50 PM

0. CALL TO ORDER AND ROLL CALL

1. CLOSED SESSION

The Board may conduct a Closed Session on particular agendas as necessary. Closed Sessions are not open to the public; however, there is an opportunity for public members to address the Board on specific closed session agenda items prior to the Board convening in closed session. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session following the adjournment of the closed session.

- 1.1 Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section §54956.9(d)(1)
Steinbruner vs. Soquel Creek Water District et al., Santa Cruz County Superior Court Case Nos. 19AP00031 19AP00030 19CV00181; CA Sixth District Court of Appeals Case No. H047733
Steinbruner vs. California Coastal Commission, et al., San Francisco County Superior Court Case No. CPF-20517119; CA First District Court of Appeals Case No. Pending
Steinbruner vs. Soquel Creek Water District et al., Santa Cruz County Superior Court Case No. 21CV00537
Steinbruner v. Soquel Creek Water District, et al. Santa Cruz County Superior Court Case No. 21CV01517
- 1.2 Conference with Real Property Negotiators
Property: APN 046-011-30
Agency negotiator: Ron Duncan, Christine Mead
Negotiating parties: Radha Mallery
Under negotiation: Price and terms of payment

7:00 PM

2. PUBLIC HEARING – None

3. BOARD MEMBERS' OPPORTUNITY TO REMOVE ITEMS FROM CONSENT AGENDA

4. CONSENT AGENDA (Pg. 4)

Consent Agenda items include routine business that do not call for discussion. One vote is taken for all Consent Agenda items. Only a Board Member may request that the Board President remove items from Consent to Regular agenda for discussion. A public member may request that a Board Member pull an item from the Consent Agenda prior to the start of the meeting. It is requested that public members provide an explanation with requests to remove Consent Agenda Items – this helps the Board determine if an item should remain on consent or be pulled for discussion. Any Consent Agenda items that are removed for discussion will be considered at the end of Administrative Business. For Consent Agenda items not removed for discussion, public members may provide comment for up to two (2) minutes, or the length of time established by the Board President, at the beginning of the Consent Agenda.

- 4.1 Approval of Minutes
 - 4.1.1 August 17, 2021 – Regular Meeting Minutes
 - 4.1.2 September 7, 2021 – Regular Meeting Minutes
- 4.2 Adopt Resolution 21-21, Re-Authorizing Virtual Public Meetings in Accordance with AB 361
- 4.3 Board Planning Calendar
- 4.4 Special Board Assignments Status Report
- 4.5 Approve Attendance at the Annual Water Innovation Week 2021 Virtual Conference

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- 4.6 Authorize Allocation from Operating Contingency Reserves (OCR) for Emergency Rosedale Well and the General Manager’s Decision to Depart from Purchasing Policy
- 4.7 Small Claims Report for September 2021
- 4.8 Approve Allocation from Operating Contingency Reserve for Cornwell Standby Generator Replacement
- 4.9 Mid-Management Employee Group MOU Ratification
- 4.10 Management Employee Group MOU Ratification
- 4.11 Deny Claim of Damage – Aptos Center LLC
- 4.12 Cliff Dr. and Bayview Dr. Main Replacement Project, CWO 21-0131, Bid Award and Notice of Exemption

5. ORAL AND WRITTEN COMMUNICATIONS (Pg. 144)

Oral Communications provides the opportunity for public members to speak on any item of interest (for items not on the Agenda), within the jurisdiction of the District. Public members may provide comment for up to three (3) minutes, or the length of time established by the Board President. Individuals may speak only once during Oral Communications. This also provides an opportunity for Board Members to make announcements.

6. REPORTS – None

7. ADMINISTRATIVE BUSINESS (Pg. 145)

Regular agenda items are considered one by one. Public members may address the Board on a specific agenda item during the District’s consideration of it. Public members may provide comment for up to two (2) minutes per item, or the length of time established by the Board President. Individuals may speak only once per item.

- 7.1 Conditional and Unconditional Will Serves – None
- 7.2 Community Water Plan 2021 Progress Report
- 7.3 Consider Adopting Resolution 21-25 to Adopt an Addendum to the Previously Certified Environmental Impact Report (EIR) Approving the Clarified Treatment Process and Facility Layout Modifications and Adopting Resolution 21-26 to Execute an Amended and Restated Design-Build Agreement Treatment Facilities Project with Black and Veatch Construction Inc. for Phase 2 and 3 Services and Approving a Contract Amendment with Brown and Caldwell
- 7.4 Water Loss Audit 2020 – Informational

8. ADJOURNMENT