



**MEETING MINUTES
REGULAR MEETING – 6:00 PM
TUESDAY, APRIL 6, 2021**

In response to COVID-19 (coronavirus), Soquel Creek Water District's April 6, 2021 Board Meeting was held remotely via Zoom.

Recorded Meetings: Recorded meetings can be viewed anytime on the District's [website](#).

Vice-President LaHue called the meeting to order at 6:00 pm via Zoom.

0. CALL TO ORDER AND ROLL CALL

Board Members Present:

Rachél Lather, President
Dr. Thomas LaHue, Vice-President – *Served as Meeting Chair*
Dr. Bruce Daniels
Carla Christensen
Dr. Bruce Jaffe

District Counsel

Joshua Nelson, District Counsel

Staff Members Present:

Ron Duncan, General Manager
Shelley Flock, Conservation and Customer Service Field Manager
Taj Dufour, Engineering Manager
Leslie Strohm, Finance Manager
Traci Hart, Human Resources Manager
Christine Mead, Operations & Maintenance Manager
Melanie Mow Schumacher, Special Projects-Communications Manager
Emma Olin, Executive Assistant/Board Clerk
Rebecca Rubin, Public Outreach Coordinator
Greg Wilson, Water Quality Program Coordinator

Others Present:

2 members of the public

1. 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. H048738
Steinbruner vs. California Coastal Commission, et al., San Francisco County Superior Court Case No. CPF- 20517119
Steinbruner vs. Soquel Creek Water District et al., Santa Cruz County Superior Court Case No. 21CV00537
- 1.2 Conference With Real Property Negotiators
Property: Right-of-way easement for 2505 Chanticleer Avenue, Santa Cruz, CA 95062
Agency negotiator(s): Ron Duncan and Taj Dufour

Negotiating parties: Kimberly Finley, Santa Cruz County
Under negotiation: Price and Terms of Payment

- 1.3 Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section 54956.9(d)
123-TCP
San Bernardino Superior Court Case No. CGC-16-554039, Judicial Council Coordination Proceeding No. 4435
(Soquel Creek Water District v. The Chemical Company, et al.)
- 1.4 Public Employee Performance Evaluation
Title: General Manager
- 1.5 Conference With Labor Negotiators
Agency designated representatives: Vice-President LaHue, Josh Nelson
Unrepresented employee: General Manager

At 6:00 pm, Vice-President LaHue announced that the Board will meet in closed session to discuss Items 1.1, 1.2, 1.3, 1.4 and 1.5.

One public comment was heard prior to the start of closed session.

CONVENE TO CLOSED SESSION – 6:02 pm

RETURN TO OPEN SESSION – 7:15 pm

Vice-President LaHue adjourned the closed session and returned to open session at 7:15 pm.

Vice-President LaHue reported that the Board discussed Items 1.1, 1.2, 1.3, 1.4 and 1.5 in closed session. No action was taken.

2. **PUBLIC HEARING** - None

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

None removed.

4. **CONSENT AGENDA**

One public comment was heard.

Director Daniels responded to public comment.

MOTION: Director Christensen; Second: Vice-President LaHue; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 4.10. Motion passed by unanimous roll call vote.
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- 4.1 Approval of Minutes
4.1.1 March 16, 2021 – Regular Meeting Minutes
Action: Approved
- 4.2 Board Planning Calendar
Action: Approved

- 4.3 Special Board Assignments Status Report
Action: Approved
- 4.4 Approve District Contribution to the County-Wide Fish and Stream Habitat Monitoring Program for Fiscal Year 2021-22
Action: Approved
- 4.5 Approve Allocation from Capital Facilities Reserve for Installation of Variable Frequency Drives (VFDs) at Rosedale and Garnet Wells
Action: Approved
- 4.6 Adopt Resolution 21-02, Authorizing and Supporting the District's Efforts to Continue Pursuing Grant Funding Opportunities for the Pure Water Soquel Project
Action: Approved
- 4.7 Pure Water Soquel Monitoring Well Construction and Development Project, CWO 20-3000, Adopt Plans and Specifications, Call for Bids and Adopt Findings of Project Substantially Complex
Action: Approved
- 4.8 Deny Claim of Damage – Ken Klemme, 694 Luna Way, Soledad, CA
Action: Approved
- 4.9 Consider Supporting WaterReuse's Letter Requesting Increased Funding for the U.S. Bureau of Reclamation's Title XVI Water Reclamation and Reuse Program
Action: Approved
- 4.10 Small Claims Report for March 2021
Action: Approved

5. **ORAL AND WRITTEN COMMUNICATIONS** *(items not on the Agenda)*

Written communications addressed to the Board are available [online](#).

One public comment was heard.

Director Daniels responded to public comment.

Director Jaffe discussed an article published in the San Francisco Chronicle, which examines State water restrictions and "estimates that 90% of California is in at least a minor state of drought." He added that local rainfall totals are significantly below average.

Director Jaffe suggested that the Board and staff consider taking short breaks (e.g., 5 minutes), during the virtual Board Meetings. Vice-President LaHue thanked Dr. Jaffe for the suggestion.

6. **REPORTS** – *None*

7. **ADMINISTRATIVE BUSINESS**

- 7.1 Conditional and Unconditional Will Serve Letters – *None*
- 7.2 2020 Consumer Confidence/Water Quality Report

Ms. Mead introduced Mr. Wilson, the District's Water Quality Program Coordinator.

Mr. Wilson reviewed the draft 2020 Consumer Confidence/Water Quality Report. He reported that the District's water met all established drinking water health standards set by the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (SWRCB).

In response to a question posed by Director Daniels, Mr. Wilson confirmed that the higher detections of the trihalomethanes and haloacetic acids are related to the water purchase/transfer pilot project with the City of Santa Cruz. Mr. Wilson stated that the detections remain below the Maximum Contaminant Levels (MCLs), and he explained that trihalomethanes and haloacetic acids are by-products of drinking water disinfection (of the surface water from the City of Santa Cruz). Director Daniels emphasized the importance of ongoing monitoring during future water transfers. Director Christensen agreed.

Director Daniels noted that the District conducted the water sampling and testing for lead at fifteen local schools (as required by the State Water Board), and he directed staff to include the results of the water sampling in the report. Vice-President LaHue agreed with this addition to the report.

7.3 Presentation of and Request for Direction on Staff Evaluation of Feasibility of Rebate for Removal of Dedicated Landscape Irrigation Services No Longer Desired by Non Single-Family Developments

Ms. Flock reviewed Item 7.3, explaining that the purpose of this memo is to provide information to help the Board determine if it is appropriate to offer a rebate to incentivize the removal of dedicated landscape irrigation services for customers of multi-family (three or more dwelling units), commercial and public developments. Ms. Flock stated that this item follows up on a customer's request and Board direction given at the February 2, 2021 Board Meeting.

Ms. Flock stated that after further evaluation, staff concluded a dedicated irrigation service removal rebate is not possible at this time (as it conflicts with District Ordinance 16-03). She reviewed staff's recommendations presented in the memo, which both require that a future item be presented for the Board to consider modifying District Ordinance 16-03. She emphasized that there several legal and fairness considerations, which make the decision-making process complex.

One public comment was heard.

Board discussion ensued, and Directors agreed that any changes to the current process should be considered as part of the next rate evaluation to ensure that the Board remains in compliance with Proposition 218.

There was consensus to take no action at this time. Directors thanked staff for the thorough research and information presented.

NO ACTION TAKEN.

President Lather left the meeting at 7:52 pm.

7.4 Discussion of General Manager Employment Agreement and Potential Action to Approve Adjustment in Compensation

General Counsel Nelson stated that the Board discussed the results of the General Manager's review in closed session, and this item allows the Board to make any compensation modifications during open session.

Directors expressed support for the General Manager's performance, emphasizing Mr. Duncan's leadership and integrity. Directors expressed support for an 8.8% salary increase to reflect his hard

work and dedication. Directors confirmed that this increase is effective retroactively to January 1, 2021.

Director Jaffe noted that the General Manager has only received one increase in compensation over the past six years. Director Daniels noted that the General Manager's current salary is below average.

MOTION: Director Christensen; Second: Director Daniels; To approve an 8.8% salary increase for the General Manager effective retroactively to January 1, 2021; and direct staff to evaluate possible compensation increases for the key management staff on the Pure Water Soquel Project for consideration at a future meeting. Motion passed by unanimous roll call vote. President Lather absent.

8. ADJOURNMENT

Vice-President LaHue adjourned the meeting at 8:00 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Rachél Lather, President