



**MEETING MINUTES  
REGULAR MEETING – 6:00 PM  
TUESDAY, MAY 18, 2021**

In response to COVID-19 (coronavirus), Soquel Creek Water District's May 18, 2021 Board Meeting was held remotely via Zoom.

**Recorded Meetings:** Recorded meetings are available on the District's website:  
<https://www.soquelcreekwater.org/AgendaCenter>

President Lather 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  
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  
Alyssa Abbey, Staff Analyst

**Others Present:**

1 member of the public  
Spencer Waterman, Water Systems Consulting  
Patricia Olivas, Water Systems Consulting

**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 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.)

At 6:00 pm, President Lather announced that the Board will meet in closed session to discuss Items 1.1 and 1.2.

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

**CONVENE TO CLOSED SESSION – 6:02 pm**

**RETURN TO OPEN SESSION – 6:40 pm**

President Lather adjourned the closed session and returned to open session at 6:40 pm.

President Lather reported that the Board discussed Items 1.1 and 1.2 in closed session. No reportable action was taken.

## **2. PUBLIC HEARING**

- 2.1 Public Hearing to Receive Comments on the Draft 2020 Urban Water Management Plan (UWMP) and Draft 2020 Water Shortage Contingency Plan (WSCP)

Ms. Flock stated that the purpose of this public hearing is to receive comments on the draft 2020 Urban Water Management Plan (UWMP). Ms. Flock stated that several memos and presentations have gone to the Board over the past few months to receive input and direction on critical sections of the UWMP. The final draft UWMP will be presented to the Board for approval at a regular Board Meeting in June to meet the Department of Water Resources' submittal deadline of July 1, 2021.

Ms. Flock stated that staff has adhered to UWMP noticing requirements to solicit feedback from other agencies and the public, which included letters to local agencies, publication on the District's website and a hard copy at the Aptos Library, and special noticing in the Santa Cruz Sentinel.

Ms. Flock introduced Mr. Spencer Waterman of Water Systems Consulting (WSC), who helped prepare the District's 2020 UWMP. Mr. Waterman's presentation is available on the District's website: <https://www.soquelcreekwater.org/AgendaCenter>

President Lather opened the public hearing to receive public testimony.

One public comment was heard.

<p><b>MOTION: Vice-President LaHue; Second: Director Daniels; To close the public hearing. Motion passed by unanimous roll call vote.</b></p>
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Director Daniels questioned if including the District's current water pricing is a requirement of the UWMP. Mr. Waterman explained the UWMP requires that the District provide information on the drought surcharge to discourage inefficient water use.

Vice-President LaHue stated that he has no major comments, but he provided the following edits/suggestions:

- Page 23, Chapter 6 – Water Supply Characterization: Include word “prevention” in the following sentence, “seawater intrusion project called Pure Water Soquel.”
- Page 32, 3.1.2 Community Water Plan (CWP): Confirm that the link works.
- Page 34, 5<sup>th</sup> bullet: Second sentence incorrectly states that the District is not actively pursuing Pure Water Soquel; staff to review language, delete second sentence. If warranted, add separate bullet stating that District is no longer pursuing desalination.
- Page 34, 7<sup>th</sup> bullet: Consider modifying language stating that the District renewed a water transfer/purchase agreement with the City of Santa Cruz.
- Page 38, 3.4.2 Other Social, Economic, and Demographic Factors: 5th line: Replace “has” with “have.”
- Page 61: Replace “threatening” with “threatening.”
- Page 62: Consider adding language to emphasize that the Pure Water Soquel Project is integral to the Groundwater Sustainability Plan.
- Page 63, 6.3.1 Wastewater and Recycled Water: Correct language indicating that wastewater from Scotts Valley is treated at the Santa Cruz Wastewater Treatment Facility.
- Page 69, Transfers, line 7: Replace “ending data” with “ending date”.
- Page 73, 6.5 Climate Change Effects, last sentence: Replace “drought resilient” with “drought resistant”.

Director Jaffe stated that the UWMP is well done and thanked staff for their hard work. Director Christensen agreed, stating that development of the UWMP has generated good discussions.

MOTION: Vice-President LaHue; Second: Director Daniels; To direct Staff to make the identified edits to the Draft 2020 Urban Water Management Plan. Motion passed by unanimous roll call vote.

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

Directors Daniels and Vice-President LaHue requested that Item 4.5 be removed from the Consent Agenda for discussion.

President Lather removed Consent Agenda Item 4.5.

### 4. **CONSENT AGENDA**

One public comment was heard.

MOTION: Vice-President LaHue; Second: Director Jaffe; To approve Consent Agenda Items 4.1, 4.2, 4.3 and 4.4. Motion passed by unanimous roll call vote.

- 4.1 Approval of Minutes
  - 4.1.1 May 4, 2021 – Regular Meeting Minutes  
**Action: Approved**
- 4.2 Production Reports  
**Action: Approved**
- 4.3 Management Update  
**Action: Approved**
- 4.4 Surplus Property Sale Bid Award  
**Action: Approved**

- 4.5 District's 'What's On Tap' Jan-June 2021 Newsletter – Volume 23, No. 1  
**Action: Removed from Consent; Discussed at the end of Administrative Business**

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

Written communications addressed to the Board are available on the District's website:  
<https://www.soquelcreekwater.org/AgendaCenter>

One public comment was heard.

Director Christensen stated that she participated in the California Special District Association (CSDA) 2021 Virtual Special District's Legislative Days conference, and that it was valuable.

6. **REPORTS**

- 6.1 District Counsel – Oral Report

District Counsel Nelson provided an update on the Brown Act modifications in response to the COVID-19 pandemic. He will continue to monitor any legislative changes, noting that there may be more information after California's June 15, 2021 "re-opening."

One public comment was heard.

7. **ADMINISTRATIVE BUSINESS**

- 7.1 Conditional and Unconditional Will Serve Letters – *None*

- 7.2 Consider Approval of Three Property Related Agreements with Twin Lakes Baptist Church, Cabrillo Community College, and the Santa Cruz Seaside Company (at Auto Plaza area) for the Pure Water Soquel Program

Mr. Duncan reviewed Item 7.2, explaining that this item is for the Board to consider approval of the following three property-related agreements associated with the Pure Water Soquel Program:

1. Land easement agreement for a recharge well at Twin Lakes Church (TLC).
2. Land lease agreement for three monitoring wells at Cabrillo College.
3. Pipeline easement agreement with the Santa Cruz Seaside Company at Auto Plaza Drive near 41<sup>st</sup> Avenue.

One public comment was heard.

In response to a question posed by Director Daniels, Mr. Duncan confirmed that funding for these property-related agreements is included in the budget. Mr. Duncan added that the land/easements covered by the agreements have been professionally appraised.

**MOTION:** Director Daniels; Second: Vice-President LaHue; To adopt Resolution 21-07, authorize the District's General Manager to, pursuant to the PWS EIR and Addendum, execute the easement agreement with TLC as presented in Attachment 1 in a form approved by the District General Counsel, authorize the District's General Manager to, pursuant to the PWS EIR and Addendum, execute the land lease agreement with Cabrillo College as presented in Attachment 2 in a form approved by the District General Counsel, and authorize the District's General Manager to, pursuant to the PWS EIR and Addendum, execute the land lease agreement with the Santa Cruz Seaside Company as presented in Attachment 3 in a form approved by the District General Counsel. Motion passed by unanimous roll call vote.

### 7.3 Consideration of Temporary Compensation Adjustment for Three Management Classifications

Mr. Duncan stated that this item is presented for the Board to consider approving the following temporary compensation adjustments for work associated with the Pure Water Soquel (PWS) project:

- Special Projects/Outreach Manager - \$1,600 per month
- Engineering Manager - \$1,000 per month
- Finance and Business Services Manager - \$1,000 per month

One public comment was heard.

Directors responded to public comment and expressed support for the temporary compensation adjustments for the designated management positions. Directors emphasized the expertise, efforts, dedication of the entire management team, and they recognized the increase in work of the three designated positions (specifically related to the successful implementation of the Pure Water Soquel Program).

Mr. Duncan reiterated that scope of duties and responsibilities have expanded beyond the regular duties of each designated position. President Lather agreed, emphasizing that the Special Projects/Outreach Manager, Engineering Manager and Finance and Business Services Manager are working above and beyond to support the Pure Water Soquel Program.

**MOTION: Vice-President LaHue; Second: Director Christensen; To authorize the temporary, non-CalPERS reportable, compensation noted in this memo for the three management classifications until substantial completion of the PWS is reached or unless the District's General Manager determines the duties have subsided and no longer warrant additional pay (subject to annual Board approval). Provide additional authorization for the temporary compensation to be retroactive to January 1, 2021 and for the General Manager to execute any documentation necessary to implement the changes. Motion passed by unanimous roll call vote.**

### 7.4 Initiate the Public Member Recruitment Process for the District's Three Standing Committees and Designate a Review and Selection Committee

Ms. Olin stated that this item is for the Board to consider initiating the public member recruitment process for the District's three standing committees and designate an ad hoc Review and Selection Committee. She explained that the public member recruitment scheduled for June 2020 was delayed due to COVID-19 uncertainty and shelter-in-place orders.

Ms. Olin noted that the final selection of public members will be presented to the full Board for approval. It is anticipated that the public member appointments will be presented at the July 20, 2021, regular Board Meeting.

One public comment was heard.

In response to public comment and a question posed by Vice-President LaHue, Ms. Olin stated that staff plans to advertise the public member recruitment in the District's QuickSips e-blast in early June.

Director Jaffe and Vice-President LaHue expressed support for having the flexibility to include more than two public members on each standing committee. Ms. Olin confirmed that the Board has the authority to appoint more than two public members, if desired, and she stated that there are currently four public members on the Water Resources Management and Infrastructure Committee.

Director Jaffe suggested that the Chair and Vice-Chair of each committee select the public members. Discussion ensued, and Director Christensen explained that by having one Review and Selection Committee the District is able to ensure that each committee has enough public members.

Director Daniels and Director Christensen volunteered to serve on the ad hoc Review and Selection Committee.

MOTION: Vice-President LaHue; Second: Director Daniels; To initiate the public member recruitment process; appoint Director Christensen and Director Daniels to work with staff to review and select public members to serve on the District's three standing committees and present to the full Board for approval; and authorize the Board to appoint more than two public members, if desired. Motion passed by unanimous roll call vote.

4. **CONSENT AGENDA - ITEMS REMOVED FOR DISCUSSION**

- 4.5 District's 'What's On Tap' Jan-June 2021 Newsletter – Volume 23, No. 1  
**Action: Removed from Consent; Discussed; Approved**

Director Daniels suggested that the “Did You Know...” section on Page 3 include the current year as a drought year.

Discussion ensued on if the “What's On Tap,” should include information on snowpack and California's water supply. There was consensus to include the information on snowpack but add language discussing how drought specifically affects the District's water supply (i.e. groundwater).

Vice-President LaHue provided the following edits/suggestions:

- What does a Typical Residential Water Bill Pay For?: Consider modifying language of “Meter Reading, Billing, Water Efficiency, Finance, Administrative, Outreach, Education, & Customer Service” (as it is similar to description above).
- CIP Continued: Add language explaining that water main replacements also help save water.
- Emergency Preparedness and Power Shutoffs: Consider adding a brief explanation of what a short-term Stage 5 Critical Water Supply entails.
- Emergency Preparedness and Power Shutoffs: Fix typo on website URL.
- Employee Spotlight: Consider including a current photo of District staff.

Director Jaffe provided the following edits/suggestions:

- What does a Typical Residential Water Bill Pay For?: Include a description of administrative services.
- Employee Spotlight: Questioned if information on the Public Employee Appreciation Week is pertinent to the newsletter.

Director Christensen suggested adding language related to the production of water to the “What does a Typical Residential Water Bill Pay For?” section. Board discussion ensued, and Ms. Mow Schumacher confirmed that staff will add language to clarify that the Operations, Maintenance, Repair, Water Quality Testing, & Engineering costs are related to the production of water.

Director Jaffe stated that he appreciates the graphics and the new layout of the newsletter.

8. **ADJOURNMENT**

President Lather adjourned the meeting at 8:11 pm.

SUBMITTED:



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Emma Olin, Board Clerk

APPROVED:



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Rachél Lather, President