



**MEETING MINUTES
REGULAR MEETING – 6:00 PM
TUESDAY, AUGUST 16, 2022**

In response to COVID-19 (coronavirus), Soquel Creek Water District's August 16, 2022 Board Meeting was held remotely via Zoom.

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

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

0. CALL TO ORDER AND ROLL CALL

Board Members Present:

Dr. Thomas LaHue, President
Carla Christensen, Vice-President
Dr. Bruce Daniels
Dr. Bruce Jaffe, *Absent*
Rachél Lather

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
Nate Gillespie, Operations & Maintenance Manager
Melanie Mow Schumacher, Special Projects-Communications Manager
Rebecca Rubin, Public Outreach Coordinator
Greg Wilson, Water Quality Coordinator
Nick Emmert, Operations and Maintenance Supervisor
Emma Western, Executive Assistant/Board Clerk

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. California Coastal Commission, et al., San Francisco County Superior Court Case No. CPF-20517119; CA First District Court of Appeals Case Nos. A163079, A163199
Steinbruner v. Soquel Creek Water District, et al. Santa Cruz County Superior Court Case No. 21CV01517
Steinbruner v. Soquel Creek Water District, et al. Santa Cruz County Superior Court Case No. 21CV02699; CA Sixth District Court of Appeals Case No. H050093

- 1.2 Conference With Labor Negotiators
Agency designated representative(s): Traci Hart
Employee Organization: Management Group

At 6:01 pm, President LaHue announced that the Board will meet in closed session to discuss Items 1.1 and 1.2.

CONVENE TO CLOSED SESSION – 6:01 pm

RETURN TO OPEN SESSION – 6:20 pm

President LaHue adjourned the closed session and returned to open session at 6:20 pm.

President LaHue 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 Health Goal Report – Public Hearing

Mr. Gillespie reviewed the final draft report on the District’s Water Quality Relative to Public Health Goals (PHGs) for the period 2019-2021. He stated that the public hearing tonight provides another opportunity for public comment on the report.

Mr. Gillespie stated that the PHG report provides information on levels of constituents below the enforceable, mandatory Maximum Contaminant Levels (MCLs). He emphasized that the District’s water meets all established drinking water health standards set by the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board.

President LaHue opened the public hearing.

Director Daniels emphasized that copper is non-detect in the District’s system. He suggested staff adding language to section, “6.1 Copper,” to clarify the difference between the District’s distribution system and household taps.

Board discussion ensued, and Mr. Gillespie responded to a variety of questions. Discussion topics included the following:

- Copper and corrosivity
- Trihalomethanes (THMs)
- Chromium

MOTION: Director Daniels; Second; Director Lather: To close the public hearing. Motion passed unanimously. Director Jaffe absent.

MOTION: Director Daniels; Second; Vice-President Christensen: To accept the Public Health Goal Report as final. Motion passed unanimously. Director Jaffe absent.

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

Director Daniels requested that Item 4.17 be removed from the Consent Agenda for discussion.

President LaHue removed Consent Agenda Item 4.17.

4. CONSENT AGENDA

MOTION: Director Lather; Second: Vice-President Christensen; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15 and 4.16. Motion passed by unanimous roll call vote. Director Jaffe absent.

- 4.1 Approval of Minutes
 - 4.1.1 June 21, 2022 – Regular Meeting Minutes
 - 4.1.2 July 19, 2022 – Regular Meeting Minutes

Action: Approved
- 4.2 Extend Resolution 21-21 and Re-Authorize Virtual Public Meetings in Accordance with AB 361
Action: Approved
- 4.3 Board Planning Calendar
Action: Approved
- 4.4 Special Board Assignments Status Report
Action: Approved
- 4.5 Production Reports
Action: Approved
- 4.6 Management Update
Action: Approved
- 4.7 Finance Status Report
Action: Approved
- 4.8 Public Outreach Committee Meeting Summary
Action: Approved
- 4.9 Water Resources Management and Infrastructure Committee Meeting Summary
Action: Approved
- 4.10 Cancel the October 4, 2022 Board Meeting
Action: Approved
- 4.11 Approve Board Member Attendance at the Association of California Water Agencies (ACWA) Fall Conference
Action: Approved
- 4.12 Approve Annual Statement of Investment Policy, Fiscal Year 2022/23
Action: Approved
- 4.13 Deny Claim of Damage – Jeff Stanga, 352 Los Altos Drive, Aptos. Alleged Damages for Unnecessary Work Performed Due to District Check Valve
Action: Approved

- 4.14 Deny Claim of Damage – Seacliff Park Residents Association, 2700 Mar Vista Drive, Aptos. Alleged Damages for Asphalt and Stairs to Mobile Home
Action: Approved
- 4.15 Deny Claim of Damage – Seacliff Park Residents Association, 2700 Mar Vista Drive, Aptos. Alleged Damages to Turf and Underneath Mobile Home
Action: Approved
- 4.16 Pure Water Soquel (PWS) Monitoring Wells Project, CWO 20-3000, Accept Project as Complete, File Notice of Completion
Action: Approved
- 4.17 Approve Request for Proposals (RFP) for Santa Cruz Mid-County Regional Water Optimization Study
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>

Director Daniels discussed the future of the District, and the implications for water use, once the Pure Water Soquel (PWS) is operational. He expressed the importance of planning and preparation. Mr. Duncan agreed and thanked Director Daniels for his comments. Mr. Duncan noted that staff is meeting this week to begin discussing the future of the Water Demand Offset (WDO) Program.

6. **REPORTS**

General Counsel Nelson provided an update on Assembly Bill (AB) 2449, which would modify the remote meeting rules under the Brown Act. This bill was amended in the Senate to only permit Directors to remotely attend meetings from a private location for “just cause” or emergencies. This and other amendments may reduce the flexibility provided to Directors. Mr. Nelson will continue to monitor the bill and provide updates as they become available.

7. **ADMINISTRATIVE BUSINESS**

- 7.1 Conditional and Unconditional Will Serve Letters – *None*
- 7.2 Consider Adoption of Ordinance No. 22-03 Rescinding & Replacing Prior Ordinance Establishing Rules and Regulations for Water Service by the District

Ms. Abbey reviewed Item 7.2, which proposes amendments to Ordinance No. 17-01, Establishing Rules and Regulations for Water Service in the District, and requests the Board consider adoption of Ordinance No. 22-03 to replace Ordinance No. 17-01. Staff believes the proposed amendments will help to make our practices more transparent and easier to understand for both staff and customers.

Directors expressed support for updating the ordinance. They recognized that the proposed amendments make the ordinance more organized and easier to understand.

President LaHue noted a minor typo in the memo (“meter boxes must be kept accessible by the District at all times.” He thanked staff for updating this ordinance.

Mr. Duncan acknowledged that this is a very comprehensive ordinance that touches many District departments. He thanked staff for their hard work on this effort.

MOTION: Director Daniels; Second: Vice-President Christensen; To adopt Ordinance No. 22-03, repealing and replacing Ordinance 17-01, as shown in Attachment 3. Motion passed by unanimous roll call vote. Director Jaffe absent.

7.3 Request Board Approval Regarding Responses to the Santa Cruz County Civil Grand Jury Report

Mr. Duncan stated that Item 7.3 requests Board approval of the draft responses to the Santa Cruz County Civil Grand Jury report titled, *“Our Water Account Is Overdrawn—Beyond Conservation: Achieving Drought Resilience,”* published on May 24, 2022. He explained that the Board formed a temporary, ad hoc committee in June 2022, composed of two Board Members (Vice President Carla Christensen and Dr. Bruce Daniels), to work with staff to formulate draft responses to the subject Grand Jury report. These draft responses are presented to the entire Board for review and approval tonight.

Director Daniels suggested the following modifications:

- Finding 2 (F2): Change selection from “agree” to “partially disagree.” He stated that this selection better reflects the response explanation.
- Finding 10 (F10): Include language “low-interest loan” to describe the \$88 million from the Federal Environmental Protection Agency (EPA).

A discussion ensued regarding the proposed F2 response language. There was consensus to make the following modifications:

- Select “partially disagree.”
- Revise the last sentence as follows: “Along with the City of Santa Cruz’s shortfalls with their surface water supplies being greatly impacted with drought conditions, we agree there is an urgent need to create ~~county-wide~~ solutions for drought-resilient water storage and delivery infrastructure, *which include the Pure Water Soquel (PWS) Project.*”

President LaHue expressed support for the responses, and he noted that the Mid-County Groundwater Agency is considering its responses on Thursday, August 18, 2022.

Mr. Duncan thanked the ad hoc committee and the support from Ms. Mow Schumacher for helping develop the responses.

MOTION: Vice-President Christensen; Second: Director Lather; To approve the Grand Jury response with the above modifications. Motion passed by unanimous roll call vote. Director Jaffe absent.

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

4.17 Approve Request for Proposals (RFP) for Santa Cruz Mid-County Regional Water Optimization Study

Director Daniels asked for additional information regarding the proposed Santa Cruz Mid-County Water Optimization Study.

Ms. Mow Schumacher provided a brief overview and explained that the Santa Cruz Mid-County Groundwater Agency (SCMGA) was awarded a \$7.6 million grant by the California Department of Water Resources. This grant funds five components, which include:

- Component 1: Cunnison Lane Groundwater Well

- Component 2: Aquifer Storage and Recovery (ASR), Beltz Well Field
- Component 3: Park Avenue Transmission Main/Bottleneck Improvements
- Component 4: Development of GSP Project and Management Actions
- Component 5: Sustainable Groundwater Management Evaluation and Planning

The proposed Santa Cruz Mid-County Water Optimization Study falls within Component 4 above.

Ms. Mow Schumacher stated that District staff worked together with the City of Santa Cruz on the development of the Request for Proposals (RFP) and will continue to collaborate on this project. The overall purpose of this study is to best optimize resources for the Mid-County area.

Director Daniels discussed the importance of selecting a consistent climate model for the study.

Director Christensen stated that she is interested in seeing how this project develops.

MOTION: Director Lather; Second: Vice-President Christensen; To authorize release of the attached request for proposals for the Santa Cruz Mid-County Regional Water Optimization Study. Motion passed by unanimous roll call vote. Director Jaffe absent.

8. ADJOURNMENT

President LaHue adjourned the meeting at 7:24 pm.

SUBMITTED:



Emma Western, Board Clerk

APPROVED:



Dr. Tom LaHue, President