



**MEETING MINUTES  
REGULAR MEETING – 6:00 PM  
TUESDAY, JANUARY 19, 2021**

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

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

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  
Eileen Eisner-Streller, Assistant Engineer II

**Others Present:**

1 member of the public  
Alisa Moore, Environmental Science Associates (ESA)  
Mark Millan, Data Instincts  
Patricia Olivas, Water Systems Consulting, Inc. (WSC)  
Spencer Waterman, Water Systems Consulting, Inc. (WSC)

**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 v. California Coastal Commission, et al., San Francisco County Superior Court Case No. CPF- 20517119

- 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

At 6:01 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 – 6:04 pm**

**RETURN TO OPEN SESSION – 6:32 pm**

President Lather adjourned the closed session and returned to open session at 6:32 pm.

President Lather stated the Board will return to closed session after the adjournment of the regular meeting.

2. **PUBLIC HEARING** - None

3. **ANNOUNCEMENT BY BOARD MEMBERS OF ITEMS REMOVED FROM CONSENT AGENDA**

President Lather removed Consent Agenda Item 4.4.

4. **CONSENT AGENDA**

One public comment was heard.

MOTION: Director LaHue; Second: Director Daniels; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.5, 4.6 and 4.7. Motion passed by unanimous roll call vote.
---

- 4.1 Approval of Minutes  
4.1.1 December 15, 2020 – Regular Meeting Minutes  
**Action: Approved**
- 4.2 Board Planning Calendar  
**Action: Approved**
- 4.3 Special Board Assignments Status Report  
**Action: Approved**
- 4.4 Finance Status Report  
**Action: Removed from Consent; Discussed at the end of Administrative Business**
- 4.5 Production Reports  
**Action: Approved**
- 4.6 Management Update  
**Action: Approved**

- 4.7 Consider Authorizing Continued General Counsel Legal Services Related to the Pure Water Soquel (PWS) Project  
**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 reported that the area has received 3 inches of rainfall to date, and the average seasonal rainfall is 14.5 inches by now. This is an 80% deficit. Director Daniels expressed concern about climate change and a mega drought. He emphasized the importance of securing a reliable water supply for the community. Director LaHue agreed, adding that there were several local fires last week, which is well beyond fire season.

6. **REPORTS**

6.1 District Counsel – Oral Report

District Counsel Nelson stated that California is the beginning of its two year legislative cycle. He stated that he will continue to monitor any changes to the Brown Act, which is temporarily modified in response to COVID-19.

7. **ADMINISTRATIVE BUSINESS**

7.1 Conditional and Unconditional Will Serve Letters – *None*

7.2 2020 Urban Water Management Plan Draft Demand Projections for Board Consideration

Ms. Flock reviewed Item 7.2, explaining that this item presents the draft demand projections for the 2020 Urban Water Management Plan (UWMP) for Board consideration, discussion, and potential approval. She stated that the District is required by the State to submit an UWMP every 5 years, and the District's 2020 UWMP is due to the Department of Water Resources (DWR) by July 1, 2021.

Ms. Flock introduced Spencer Waterman of Water Systems Consulting, Inc. (WSC), the District's UWMP consultant. Mr. Waterman discussed the methodology and draft results of the water demand forecast modeling effort (presentation available [online](#)).

Board discussion ensued on the draft projections, methodology and assumptions. Mr. Waterman and staff responded to a variety of questions.

Director Daniels questioned the rebound (2020 to 2025) and trend (2025 to 2040) on in the graph on Slide 18 of the presentation. Mr. Waterman confirmed that the rebound accounts for demand in years when curtailment is not in place.

Director Jaffe recognized that demand forecasting is difficult, and he believes that we should try to be as accurate as possible and prudent to not underestimate demand.

Director Christensen discussed the complex factors that may affect future water demand (e.g. legislation, rates, etc.). She acknowledged that it is important to plan conservatively to ensure that supply needs are met, but she encouraged the Board to not significantly overestimate water demand. She noted that the 2015 demand projection was not accurate and discussed ways to better predict future water use.

President Lather recognized that the challenges of demand forecasting and modeling, and she emphasized that an increase of 300 acre-feet from 2020 to 2040 is not hugely significant.

Director LaHue expressed support for Projection 2, using 2010-2014 as baseline years. He explained that this projection takes into account the lower demand years, which seems like a good compromise.

Director Jaffe emphasized that no modeling is perfect. He suggested that the key assumptions (e.g. the baseline period) used for the projection be clearly identified in the report, so that these factors can be considered for future planning.

Director Daniels stated that staff and consultants used DWR's guidelines for this report, and he believes it is well crafted and will meet the UWMP requirements. He agreed with President Lather that 300 acre-feet is not significant, and he is supportive of finalizing the report and focusing on other issues, like complying with the Sustainable Groundwater Management Act (SGMA) and moving forward with the Pure Water Soquel (PWS) Project. Director Christensen agreed.

MOTION: Director Daniels; Second: Director Christensen; To adopt demand Projection 2. Motion passed by unanimous roll call vote.

Director LaHue thanked staff for their hard work on the draft demand projections.

Ms. Flock and Mr. Duncan stated the WSC consultants were very professional and thanked them for their efforts.

7.3 Consider Approval of Contract Amendment for Professional Legal and Litigation Services Related to the Pure Water Soquel (PWS) Program

Ms. Mow Schumacher introduced Item 7.3, explaining that item is presented for the Board to consider approving a contract amendment for continued California Environmental Quality Act (CEQA) legal services with Best, Best & Krieger (BBK) to continue defending the Pure Water Soquel Project (the PWS Project) from one litigant's three legal challenges.

Ms. Mow Schumacher stated that the CEQA legal fees incurred to date is \$610,567.93 (approximately \$42 per customer connection). She noted that this does not include the cost, time and effort expended by District staff, General Counsel and consultants who continue to help defend the Project and honor our customers and community.

There was consensus among the Board to approve the contract amendment, and Directors emphasized the value of the PWS Project for the environment and community.

MOTION: Director Daniels; Second: Director Jaffe; To authorize the Board President to amend the existing professional consultant services agreement with BBK, approve the Scope of Work as presented by BBK, and authorize the General Manager to sign a purchase order in the amount not to exceed \$625,000. Motion passed by unanimous roll call vote.

MOTION: Director Daniels; Second: Director Jaffe; To approve an allocation from OCR in the amount not to exceed \$625,000 to fund legal and litigation services related to defending against the litigant's actions. Motion passed by unanimous roll call vote.

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

4.4 Finance Status Report

Ms. Strohm reviewed the items included in the Finance Status Report. Discussion ensued, and she responded to Board questions. Ms. Strohm noted that an item is agendaized to provide the Board the opportunity to review of the Finance Status Report for staff to present a variety of analysis options for reviewing billing data.

Director LaHue expressed interest in seeing analysis of how the rates are affecting customers (percentage of customers seeing different rate increases), if possible.

INFORMATION ONLY
------------------

**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 v. California Coastal Commission, et al., San Francisco County Superior Court Case No. CPF- 20517119

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

At 8:00 pm, President Lather announced that the Board will return to closed session to discuss Items 1.1 and 1.2.

**CONVENE TO CLOSED SESSION – 8:00 pm**

**RETURN TO OPEN SESSION – 8:30 pm**

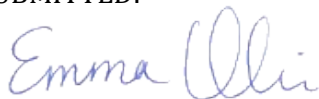
President Lather adjourned the closed session and returned to open session at 8:30 pm.

Ms. Olin reported that the Board discussed Items 1.1 and 1.2 in closed session. No action was taken.

**8. ADJOURNMENT**

Ms. Olin adjourned the meeting at 8:30 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Rachél Lather, President