



**MEETING MINUTES  
REGULAR MEETING – 6:00 PM  
TUESDAY, FEBRUARY 15, 2022**

In response to COVID-19 (coronavirus), Soquel Creek Water District's February 15, 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  
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  
Christine Mead, Operations & Maintenance Manager  
Melanie Mow Schumacher, Special Projects-Communications Manager  
Emma Olin, Executive Assistant/Board Clerk  
Rebecca Rubin, Public Outreach 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. H047733  
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 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

Steinbruner v. Soquel Creek Water District, et al. Santa Cruz County Superior Court Case No. 21CV02699

- 1.2 Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 1 case
- 1.3 Conference with Legal Counsel – Property Negotiations  
Agency negotiator: Ron Duncan, Christine Mead Negotiating parties: Radha Mallery  
Under negotiation: Price and terms of payment

At 6:01 pm, President LaHue announced that the Board will meet in closed session to discuss Items 1.1, 1.2 and 1.3.

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

**CONVENE TO CLOSED SESSION – 6:04 pm**

**RETURN TO OPEN SESSION – 7:00 pm**

President LaHue adjourned the closed session and returned to open session at 7:00 pm.

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

2. **PUBLIC HEARING** – None

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

President LaHue removed Consent Agenda Items 4.6 and 4.16.

4. **CONSENT AGENDA**

MOTION: Director Daniels; Second: Vice-President Christensen; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15 and 4.17. Motion passed by unanimous roll call vote.

- 4.1 Approval of Minutes  
4.1.1 January 18, 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: Removed from Consent; Discussed at the end of Administrative Business**
- 4.7 Finance and Administrative Services Committee Meeting Summary  
**Action: Approved**
- 4.8 Public Outreach Committee Meeting Summary  
**Action: Approved**
- 4.9 Water Resources Management & Infrastructure Committee Meeting Summary  
**Action: Approved**
- 4.10 Finance Status Report  
**Action: Approved**
- 4.11 Adopt Resolution 22-01, Authorizing and Supporting the District's Efforts to Obtain Grant Funding under the 2021 Sustainable Groundwater Management (SGM) Grant Program  
**Action: Approved**
- 4.12 Adopt Resolution 22-02, Authorizing and Supporting the District's Efforts to Continue Pursuing Grant Funding Opportunities for the Pure Water Soquel Project  
**Action: Approved**
- 4.13 Country Club No. 2 Well Construction, Development and Testing, CWO 17-0582, Adopt Plans and Specifications, Call for Bids and Adopt Findings of Project Substantially Complex  
**Action: Approved**
- 4.14 Approve Allocation from Operating Contingency Reserve Garnet Facility Backwash Water Tank Roof Replacement  
**Action: Approved**
- 4.15 Approve Allocation from Operating Contingency Reserves and Ratify General Manager's Actions for State Park and Soquel Main Repair and Mar Vista Cast Iron Main Abandonment  
**Action: Approved**
- 4.16 Approve Scheduling a Strategic Planning Public Workshop on Saturday, April 2, 2022  
**Action: Removed from Consent; Discussed at the end of Administrative Business**
- 4.17 Approve Scope of Work for Professional Legal Services to Support 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 on the District's website:  
<https://www.soquelcreekwater.org/AgendaCenter>

One public comment was heard.

Vice-President Christensen discussed a recent article about the mega-drought, emphasizing that the Pure Water Soquel (PWS) Project is timely.

**6. REPORTS**

6.1 District Counsel – Oral Report

General Counsel Nelson provided COVID-19 update, noting that California’s statewide emergency (which permits virtual public meetings) is set to expire at the end of March 2022. He stated that he will continue to monitor the status of the emergency declaration.

**7. ADMINISTRATIVE BUSINESS**

7.1 Conditional and Unconditional Will Serve Letters

7.1.1 Conditional Will Serve for 36 Dwelling Unit Apartment Building at 2838 Park Ave, Soquel. APN: 037-231-20, 037-231-22 (Pajaro Wall Street Inn, LLC)

Mr. Dufour reviewed the conditional will serve. He explained that the proposed project is a 36-unit affordable housing complex.

Mr. Dufour stated that due to the small size and design configuration of the individual units (400 square feet) there may be some challenges related to individual metering. He stated that the developer may request that the Board consider waiving the individual metering requirement for this project in the future.

One public comment was heard.

MOTION: Vice-President Christensen; Second: Director Jaffe; To approve a conditional will serve letter for the 36 dwelling unit apartment building at 2838 Park Avenue, Soquel, APN 037-231-20 & 22. Motion passed by unanimous roll call vote.

7.2 Clarification on Conditions for Variance of Individual Metering for New Residential Construction

Ms. Abbey reviewed Item 7.2, which is presented for the Board to review and consider the proposed clarifying language regarding variances to the District’s individual metering policy for new development. She explained that this item is presented to obtain Board feedback, and any action on this item is anticipated when the full of revision of Ordinance 17-01, Establishing Rules and Regulations for Water Service, is presented in early to mid-2022.

One public comment was heard.

Board discussion ensued. Staff responded to a variety of questions regarding variances, individual metering, and sub-metering.

Director Daniels questioned if the proposed language should include examples of variances (i.e., “technical infeasibility” or “if individual metering is not beneficial for conservation”). Director Daniels stated that a variance may be for a variety of reasons, so including specific examples in the ordinance may not be appropriate. Director Jaffe agreed, noting that the proposed language seems restrictive. After discussion, there was consensus to remove reference to example variances from the ordinance language.

**INFORMATION ONLY**

7.3 Approve Request for Proposals for State Legislative Assistance and Support

Ms. Mow Schumacher stated that this item is presented for the Board to consider authorizing staff to issue a request for proposals (RFP) for state legislative assistance and support. She noted that there are many new funding opportunities for water projects from federal and state agencies, and the hope is that the state legislative assistance will aid the District in securing additional grant funding for our customers.

One public comment was heard.

Director Daniels expressed support for this effort, emphasizing the value gained from the District's federal legislative support. Directors agreed.

In response to several Board questions, staff highlighted the following:

- Firms are required to submit fees for service in their proposals.
- The scope can be adjusted during the negotiations process.
- Staff anticipates award of a multiple year agreement for state legislative assistance.

President LaHue emphasized the value of this effort for District customers. Vice-President Christensen stated that the effort is timely.

MOTION: Director Daniels; Second: Director Jaffe; To authorize release of the attached solicitation seeking proposals for professional services to provide state legislative assistance and support. Motion passed by unanimous roll call vote.

7.4 Discuss Direction from Board of Directors Regarding Closed Session Item 1.3  
Former La Selva Acres Tank and Booster Site and Easement  
Santa Cruz County Assessor's Parcel Numbers (APN) 046-011-30 and 046-011-33

Ms. Mead stated that this item is presented for the Board to consider selling surplus property (APN 046-011-30), and an easement across APN 046-011-33, at 165 Dee Sheldon Way. The property was once the site of a water tank and booster station.

One public comment was heard.

General Counsel Nelson confirmed that the Board did not take action in closed session. He noted that draft Resolution 22-03 does not include purchase price, which will be updated to be \$8,500.00 (based on the Board's direction in closed session).

MOTION: Director Daniels; Second: Vice-President Christensen; To approve Resolution 22-03 to sell APN 046-011-30 and an easement across APN 046-011-33 for a price of \$8,500.00. Motion passed by unanimous roll call vote.

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

4.6 Management Update

A discussion ensued regarding the District's masking requirements in response to COVID-19. Ms. Hart explained that the State of California eased its masking requirements, and thus the County of Santa Cruz has also eased its measures. The Board directed staff to follow the local and State regulations while remaining protective of staff.

Vice-President Christensen acknowledged the letter from the State Water Resources Control Board regarding water partnerships and regionalization opportunities.

4.16 Approve Scheduling a Strategic Planning Public Workshop on Saturday, April 2, 2022

President LaHue asked for additional information regarding the proposed Board Workshop on Saturday, April 2, 2022.

Ms. Olin stated that this public meeting is part of the District's process to update its strategic plan. She explained that the meeting will either be held virtually (via Zoom) or in-person at an outdoor location. Timing will depend based on the meeting location. She stated that she will keep the Board informed of the location and time.

President LaHue suggested that staff consider if the April 5, 2022 Board Meeting is needed (since the Board Workshop will be held a few days before).

MOTION: Vice-President Christensen; Second: Director Jaffe; To approve scheduling public workshop on Saturday, April 2, 2022, as part of the District's Strategic Plan update. Motion passed by unanimous roll call vote.

8. **ADJOURNMENT**

President LaHue adjourned the meeting at 8:25 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Dr. Tom LaHue, President