



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

In response to COVID-19 (coronavirus), Soquel Creek Water District’s March 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, *Arrived at 6:56 pm*
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
Melanie Mow Schumacher, Special Projects-Communications Manager
Traci Hart, Human Resources Manager
Emma Olin, Executive Assistant/Board Clerk
Rebecca Rubin, Public Outreach Coordinator

Others Present:

3 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

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 – 6:35 pm

President LaHue adjourned the closed session and returned to open session at 6:35 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** – *None*

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

None removed.

4. **CONSENT AGENDA**

Vice-President Christensen noted that the Santa Cruz Mid-County Groundwater Agency (MGA) Annual Report for the Groundwater Sustainability Plan (GSP) will be presented on Thursday, March 17, 2022 (as discussed in the Management Update). She emphasized its value and suggested that the report be included as an informational item at a future Board Meeting. Ms. Flock added that the District’s water shortage contingency plan analysis will utilize data from the MGA’s annual report and will be presented to the Board for consideration in April or May 2022.

MOTION: Vice-President Christensen; Second: Director Lather; To approve Consent Agenda Items 4.2, 4.3, 4.4, 4.5, 4.6, 4.7 and 4.8. Motion passed by unanimous roll call vote. Director Daniels absent.

- 4.1 Approval of Minutes – *None*

- 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 Informational: Support WaterReuse California in its Request to the State to Include \$750 Million in Grant Funding for Recycled Water
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.

Director Lather shared that the Local Agency Formation Commission (LAFCO) is considering possible water district consolidations in Santa Cruz County.

President LaHue stated that the drought in California is severe, noting the lack of rainfall this month.

6. **REPORTS**

- 6.1 District Counsel – Oral Report

General Counsel Nelson provided an update:

- Assembly Bill (AB) 361: 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.
- Pending Legislation: Two bills have been proposed regarding the Brown Act and remote public meetings. He will continue to monitor their status.

7. **ADMINISTRATIVE BUSINESS**

- 7.1 Conditional and Unconditional Will Serve Letters – *None*
- 7.2 Consider Approval of an Ad-hoc Committee to Explore Collaborative Strategies and Resources Between Soquel Creek Water District (SqCWD) and Scotts Valley Water District (SVWD)

Mr. Duncan explained that this item is presented to request that the Board consider forming an ad-hoc committee to explore collaborative activities and resources with Scotts Valley Water District. The overall goal is to provide greater value to our respective customers. Some areas where collaboration may provide greater value include legislative support, joint contracts, shared equipment, cooperative agreements, pooled inventory, collaborative projects, etc.

Directors expressed unanimous support for the formation of an ad hoc committee to explore collaborative strategies and resources with SVWD.

After discussion, there was consensus among the Board to nominate Director Lather and Vice-President Christensen (with Director Jaffe as the alternate) to serve on the ad hoc committee with SVWD. The Board acknowledged that Director Jaffe would confirm his attendance did not result in

an inadvertent serial meeting prior to attending any meetings in place of the two ad hoc committee members.

David McNair, Operations Manager at Scott's Valley Water District, thanked Directors for their support.

MOTION: President LaHue; Second: Director Jaffe; authorize formation of an ad-hoc joint committee with SVWD; and nominate Vice-President Christensen and Director Lather (with Director Jaffe as the alternate), and associated staff, to serve on the ad hoc committee and explore collaborative activities and resources that may provide additional value for the customers of both districts; and, if supported by findings, develop a recommendation for an enhanced strategic partnership. Motion passed by unanimous roll call vote.

7.3 Consider Adoption of Ordinance No. 22-01 Rescinding and thus Replacing Prior Ordinance (No. 14-01) Prohibiting Certain Uses of Water and Establishing a Policy to Minimize Water Waste

Ms. Flock reviewed the proposed amendments to Ordinance No. 14-01, Prohibiting Certain Uses of Water and Establishing a Policy to Minimize Water Waste, and requested the Board consider adoption of Ordinance No. 22-01 to replace the revised Ordinance No. 14-01.

One public comment was heard.

Director Jaffe expressed concern that the ordinance may be overly restrictive, Ms. Flock explained that staff's philosophy is to work with customers first and provide education before enforcement or fines.

Vice-President Christensen questioned if increased outreach on this ordinance would be beneficial.

Board discussion ensued regarding if the 15 calendar day appeal timeline should be extended to 30 days. District Counsel Nelson confirmed that the 15-day appeal timeline is consistent with similar administrative citation procedures. After discussion, there was Board consensus to maintain the appeal deadline of 15 days.

MOTION: Director Jaffe; Second: Director Lather; To adopt Ordinance No. 22-01 repealing and replacing Ordinance No. 14-01 without any additional changes. Motion passed by unanimous roll call vote.

7.4 Consider Adoption of Ordinance No. 22-02 Rescinding and thus Replacing Prior Ordinance (No. 16-03) Establishing Water Conservation in Landscaping Regulations – ***Item Removed From Agenda***

8. **ADJOURNMENT**

President LaHue adjourned the meeting at 7:27 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Dr. Tom LaHue, President