



**MEETING MINUTES  
REGULAR MEETING – 6:00 PM  
TUESDAY, MARCH 16, 2021**

In response to COVID-19 (coronavirus), Soquel Creek Water District's March 16, 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 6:02 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  
Skyler Murphy, Water Resources Planner

**Others Present:**

2 members of the public  
Anup Shah, Brown and Caldwell  
Ron Ablin, Brown and Caldwell  
Bill Williams, Garney Pacific, Inc.  
Dennis Sanchez, Garney Pacific, Inc.  
Matt Roberts, Garney Pacific, Inc.  
Sean Summers, Garney Pacific, Inc.  
Lidia Gutierrez, Gutierrez Consulting  
Eric deMontigny, Kennedy Jenks  
John Mahoney, Tanner Pacific

**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 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
- 1.3 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.)
- 1.4 Closed Session Pursuant to California Government Code Section 54597(b)  
Personnel Session to Evaluate Performance of General Manager

At 6:02 pm, President Lather announced that the Board will meet in closed session to discuss Items 1.1, 1.2, 1.3 and 1.4.

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

President Lather reported that the Board discussed Items 1.1, 1.2, 1.3 and 1.4 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**

MOTION: Director Daniels; Second: Director Christensen; To approve Consent Agenda Items 4.1, 4.2, 4.3 and 4.4. Motion passed by unanimous roll call vote.
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- 4.1 Approval of Minutes

4.1.1 March 2, 2021 – Regular Meeting Minutes  
**Action: Approved**

4.2 Production Reports  
**Action: Approved**

4.3 Management Update  
**Action: Approved**

4.4 Consider Approval of District Policy 400-002, Guidelines to Access Public Records  
**Action: Approved**

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

Written communications addressed to the Board are available [online](#).

Director Daniels reported that he participated in the Association of California Water Agencies (ACWA) Groundwater Committee meeting, which focused on the Groundwater Sustainability Plans (GSPs) required by the Sustainable Groundwater Management Act (SGMA).

Vice-President LaHue stated that the Santa Cruz Mid-County Groundwater Agency (MGA) is holding a virtual meeting on Thursday, March 18, 2021, at 7 pm.

Director Jaffe stated that he is looking forward to the rollout of the WaterSmart application and increased outreach. He shared that many of his neighbors are interested in this new tool.

Director Christensen stated that she is participating in the WaterReuse virtual conference this March.

6. **REPORTS**

6.1 District Counsel – Oral Report – ***Item 6.1 removed from the agenda***

7. **ADMINISTRATIVE BUSINESS**

7.1 Conditional and Unconditional Will Serve Letters – *None*

7.2 Discuss Process for Rate Evaluations

Ms. Strohm reviewed Item 7.2, explaining that the purpose of this item is to receive input from the Board on the proposed steps in the rate setting process for the 2024 rate study. She discussed the rate evaluation steps and proposed timeline.

Ms. Strohm highlighted the following staff recommendations:

- Form of a Water Rates Advisory Committee (comprised of customers, District Board Members and staff).
- Conduct a thorough review of the various rate structures commonly used by California water agencies (noted that rate structures and rate setting are more limited in California because of the constraints of Proposition 218).
- Continue customer outreach/engagement; potentially hire an outreach consultant who specializes in water rates.
- Engage with professional rate consultant to conduct the 2024 rate study.

Board discussion ensued regarding the cost of water, fair and equitable rate structures, customer outreach and fixed and variable costs. Ms. Strohm responded to a variety of questions.

Directors expressed support for the following:

- Initiate the rate setting process early and adhere to the proposed timeline.
- Research ways to differentiate indoor versus outdoor water use.
- Research different rate structures, including water budgets, continuous rate structures, and commercial versus residential differentiations.
- Prioritize a fair and equitable rate structure for customers while encouraging conservation.
- Form a Water Rates Advisory Committee to engage and seek input from customers.

There was consensus among the Board to move forward with the proposed rate setting process.

**NO ACTION TAKEN.**

- 7.3 Consider Adopting Resolution 21-01 Authorizing Execution of an Amended and Restated Design-Build Agreement for the Conveyance Infrastructure Project with Garney Pacific, Inc.

Ms. Mow Schumacher reviewed Item 7.3 (presentation available on the District's [website](#)).

Ms. Mow Schumacher provided an overview of the District's Pure Water Soquel (PWS) Program, which will prevent further seawater intrusion and develop an affordable, reliable, and drought-resistant supplemental water supply. She reviewed the PWS Program's three primary components:

1. Advanced Water Purification Treatment Project
2. Conveyance Infrastructure Project
3. Seawater Intrusion Prevention (SWIP) Recharge Wells Project

Ms. Mow Schumacher stated that Item 7.3 is presented to the Board to request authorization to enter into an amended and restated design build agreement with Garney Pacific, Inc. (Garney), for progressive design build services for Phase 2 and 3 of the Conveyance Infrastructure Project in an amount not to exceed \$34,562,730.

Ms. Mow Schumacher introduced Bill Williams of Garney Pacific, Inc., who is available to help answer Board questions.

One public comment was heard.

District Counsel Nelson responded to public comment.

Board discussion ensued, and Ms. Mow Schumacher and Mr. Williams responded to a variety of questions.

Directors expressed support for authorizing the amended and restated agreement, emphasizing the value of the PWS Project for the community. The Board recognized the hard work that went into this agreement and thanked staff for continuing to move forward with the PWS Project.

**MOTION: Vice-President LaHue; Second: Director Daniels; To adopt Resolution 21-01:**

- a. authorizing entering into an Amended and Restated Design-Build Agreement with Garney Pacific, Inc. for the Conveyance Infrastructure Project of the Pure Water Soquel Program; and
- b. authorizing the General Manager to issue any necessary change orders and contract modifications to complete additional work within the contract authority and the District's policies; and

c. authorizing execution of the agreement by the Board President or the General Manager, and authorize the General Manager to sign a purchase order to Garney Pacific, Inc. in the amount not to exceed \$34,562,730 for Phase 2 and Phase 3 services.

Motion passed by unanimous roll call vote.

#### 7.4 Request for Board Feedback on Groundwater-Based Trigger Conditions to be Used in the Water Shortage Contingency Plan Update

Ms. Flock reviewed Item 7.4, and requested Board feedback on the draft groundwater-based triggers for inclusion in the 2020 update of the Water Shortage Contingency Plan (WSCP).

Ms. Flock introduced the District's hydrogeology consultant, Mr. Cameron Tana of Montgomery & Associates (M&A), who gave a presentation on the proposed groundwater trigger conditions for the WSCP (presentation available on the District's [website](#)).

One public comment was heard.

Mr. Tana and Directors responded to public comment.

Board discussion ensued, and staff and Mr. Tana responded to a variety of questions regarding the proposed groundwater condition triggers for the WSCP. Mr. Tana highlighted the following:

- A shortage stage should be implemented when either the undesirable results trigger or the early management action trigger is met for the shortage stage (whichever is more severe would apply).
- Minimum threshold exceedances, undesirable results, and early management action triggers for seawater intrusion are defined by chloride concentrations and groundwater elevation proxies in the Basin Groundwater Sustainability Plan (GSP).
- The District has already initiated management actions in response to the current groundwater emergency.

Vice-President LaHue recognized the purpose of the WSCP – to help protect the groundwater basin by developing curtailment targets to conserve water supply in the event of short and long-term shortages.

Director Jaffe discussed Figure 2 on Page 95 of the Board Packet. He discussed the considerations for using groundwater elevations versus chloride concentrations.

Director Christensen emphasized that the proposed groundwater condition triggers are consistent with the Santa Cruz Mid-County Groundwater Basin's Groundwater Sustainability Plan (GSP). She also noted that the District has consistently been in a Shortage Stage 3 since 2014, and she feels like this approach is conservative yet appropriate.

President Lather recognized the complexity of developing the shortage stages with associated curtailment actions, and she expressed support for moving forward with the proposed groundwater condition triggers in the draft technical memorandum. She thanked staff and Mr. Tana for their hard work preparing this report.

Director Daniels discussed Table 1 on Page 90 of the Board Packet. He noted that the Representative Monitoring Points (RMPs) for seawater intrusion gradually increase for the Early Management Action Triggers (1,3,7, 10...), while there is a much steeper increase for the Undesirable Results Based on Minimum Threshold Exceedances for the corresponding shortage stage. However, he recognized that the District is currently in Stage 3, and is working to not move into Shortage Stages 4-6, so he is supportive of trying this out.

There was consensus among the Board to move forward with the proposed groundwater trigger conditions for the WSCP. Ms. Flock confirmed that the WSCP will be presented to the Board in April for final consideration, and then the WSCP will be included with the rest of the UWMP for adoption in May.

NO ACTION TAKEN.

**8. ADJOURNMENT**

President Lather adjourned the meeting at 9:16 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Rachél Lather, President