



**MEETING MINUTES
CLOSED SESSION 6:10 – 6:30 PM
AGENDA 6:40 PM
TUESDAY, JUNE 1, 2021**

In response to COVID-19 (coronavirus), Soquel Creek Water District's June 1, 2021 Board Meeting was held remotely via Zoom.

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

President Lather called the regular meeting to order at 6:01 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, *arrived at 6:55 pm*

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
Emma Olin, Executive Assistant/Board Clerk
Rebecca Rubin, Public Outreach Coordinator
Ryan Kinney, Supervising Accountant

Others Present:

1 member of the public
Joe Serrano, Local Agency Formation Commission (LAFCO)

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 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.)

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 – 6:40 pm

President Lather adjourned the closed session and returned to open session at 6:40 pm.

President Lather 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**

One public comment was heard.

MOTION: Vice-President LaHue; Second: Director Daniels; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4 and 4.5. Motion passed by roll call vote. Director Jaffe absent.

- 4.1 Approval of Minutes
4.1.1 May 18, 2021 – Regular Meeting Minutes
Action: Approved

- 4.2 Board Planning Calendar
Action: Approved

- 4.3 Special Board Assignments Status Report
Action: Approved

- 4.4 Small Claims Report for May 2021
Action: Approved

- 4.5 Pure Water Soquel (PWS) Monitoring Wells Project Bid Award, Notice of Exemption and Approval of Scope of Work for Construction Oversight, CWO 20-3000
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.

Directors responded to public comment.

Director Christensen stated that WaterReuse is offering free, virtual webinars regarding water reuse projects, which are available online: <https://watereuse.org/news-events/webcasts-2/>

6. **REPORTS** – *None*

7. **ADMINISTRATIVE BUSINESS**

7.1 Conditional and Unconditional Will Serve Letters

7.1.1 Conditional Will Serve for 5 single family home subdivision at "0" Monterey Ave, Soquel. APN 037-211-01 (Madinger/Peterson)

7.1.2 Conditional Will Serve for Tier II Single Family Home with Accessory Dwelling Unit at 390 Heather Point Lane, Watsonville. APN 046-061-36 (Cartwright)

Mr. Dufour reviewed Items 7.1.1 and 7.1.2. He noted that Joe Serrano, Executive Officer of the Local Agency Formation Commission (LAFCO), is available to answer any questions regarding the annexation process for Item 7.1.2, if needed.

One public comment was heard.

Director Jaffe arrived at 6:55 pm.

Board discussion ensued regarding Item 7.1.2, and staff and Mr. Serrano responded to a variety of questions. Discussion topics included:

- Extraterritorial services in the surrounding area.
- County-designated land use of the subject parcel and surrounding area.
- Existing well on the parcel and the proposed deed restrictions to prohibit irrigation of the remaining 14+ acres with District water.
- LAFCO application/annexation process.
- Water quality/treatment considerations (e.g., Chromium 6).

Directors expressed concern about providing a will serve letter to a parcel outside of the District's current jurisdiction. There was consensus that this is a complex situation with many considerations, and Directors decided to not take action on Item 7.1.2, at this time.

MOTION: Vice-President LaHue; Second: Director Christensen; To approve a conditional will serve letter for the 5-lot subdivision at "0" Monterey Ave., Soquel, APN 037-211-01, CWO 21-0341 (Madinger/Peterson). Motion passed by roll call vote (4:1). Director Daniels voted no.

NO ACTION TAKEN ON ITEM 7.1.2 – Conditional Will Serve for Tier II Single Family Home with Accessory Dwelling Unit at 390 Heather Point Lane, Watsonville. APN 046-061-36 (Cartwright).

7.2 Adopt Draft 2021/22 Budget

Ms. Strohm stated that the draft 2021/22 Budget was presented and reviewed by the Board at the May 4, 2021 Board Workshop. She reviewed the following changes to the draft budget since the workshop:

- Addition of two projects (the installation of Variable Frequency Drives (VFDs) at Rosedale and Garnet wells and the O'Neill Well Tree Mitigation Project) to the 2021/22 Budget. These were expected to be funded in 2020/21 but have been rolled over to the 2021/22 Budget.
- Addition of funding for an open Water Resources Planner position (which was already approved by the Board in 2019/20).
- Addition of funding for the Public Outreach Coordinator position (which increased from a 0.8 Full Time Equivalent (FTE) to a full-time position).
- Addition of funding for a Associate Engineer position (to provide 12 months of overlap pending an anticipated retirement in 2022/23).
- Other small changes were made to the operating expenses budget to cover janitorial costs and security monitoring for the new office trailer.

One public comment was heard.

Director Daniels responded to public comment.

Vice-President LaHue stated that the budget goes above and beyond a financial document and provides a good feel for the District's operations, goals, and accomplishments. He recommended the following minor modifications:

- Page 94: Questioned if "unemployment" should be used instead of "employment" in the following sentence: "This compares with an unadjusted employment rate of 8.3% for California..."
- Page 115: Suggested including additional information on the graphs (e.g., label graph axis).

Director Jaffe commended the finance department on their hard work. He stated that the budget is clear and easy to understand.

Director Christensen recognized the financial planning efforts specifically related to the Pure Water Soquel Project (Project), and she discussed the importance of this Project for the community. President Lather agreed, and she stated that as the cost of water is increasing nationally, she feels lucky that the District has a solution to its problem of groundwater overdraft and seawater intrusion. She added that the District has received financial support from both federal and State agencies for the Project, because they also recognize the Project's value for the community.

Mr. Duncan added that the District's finance team has received many accolades from third-party consultants who also recognize their hard work, planning, and organization skills that help streamline the grant and loan execution process, which in turn helps save the District and the customers money.

MOTION: Director Daniels; Second: Vice-President LaHue; To incorporate the minor designated modifications and adopt the Draft 2021/22 Budget as final. Motion passed by unanimous roll call vote.

7.3 Association of California Water Agencies (ACWA) Region 5 Candidate Nomination for the 2022-2023 Term

Ms. Olin reviewed Item 7.3, explaining that this item is for the Board to consider nominating a District Board Member to run for an open position on the Association of California Water Agencies (ACWA) Region 5 Board. The election will commence in August 2021, and, if elected, it will be a two-year term (January 1, 2022 to December 31, 2023).

Board discussion ensued, and Directors expressed support for nominating Director Christensen, if she is interested in a position on the ACWA Region 5 Board.

MOTION: Director Jaffe; Second: Director Daniels; To nominate Director Carla Christensen to submit a candidate nomination form for a designated position on the ACWA Region 5 Board for the 2022-2023 term (if she is interested in a position on the Board). Motion passed by unanimous roll call vote.

MOTION: Director Jaffe; Second: Director Daniels; To adopt Resolution 21-09, authorizing Board support for the nomination of Director Carla Christensen to participate on the ACWA Region 5 Board. Motion passed by unanimous roll call vote.

8. ADJOURNMENT

President Lather adjourned the meeting at 7:43 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Rachél Lather, President