



**MEETING MINUTES
REGULAR MEETING – 6:00 PM
TUESDAY, JULY 20, 2021**

In response to COVID-19, Soquel Creek Water District’s July 20, 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 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 – *Absent*

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
Melanie Mow Schumacher, Special Projects-Communications Manager
Emma Olin, Executive Assistant/Board Clerk
Rebecca Rubin, Public Outreach Coordinator

Others Present:

7 members of the public
Greg Swartz, Piper Sandler

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 No. Pending
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
- 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 6:03 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.

Vice-President LaHue responded to public comment.

CONVENE TO CLOSED SESSION – 6:06 pm

RETURN TO OPEN SESSION – 7:01 pm

President Lather adjourned the closed session and returned to open session at 7:01 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**

MOTION: Vice-President LaHue; Second: Director Daniels; To approve Consent Agenda Items 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 4.10. Motion passed by unanimous roll call vote. Director Jaffe absent.

4.1 Approval of Minutes
4.1.1 June 15, 2021 – Regular Meeting Minutes
Action: Approved

4.2 Board Planning Calendar
Action: Approved

4.3 Special Board Assignments Status Report
Action: Approved

4.4 Production Reports
Action: Approved

4.5 Management Update
Action: Approved

4.6 Review Annual Disclosure (Govt. Code Section 53065.5), Fiscal Year 2020-21 Director & Employee Reimbursements of at Least \$100
Action: Approved

4.7 Approve Annual Statement of Investment Policy, Fiscal Year 2021/22

Action: Approved

- 4.8 Approval of Amended Joint Powers Agreement (JPA) for the Santa Cruz Mid-County Groundwater Agency (MGA)
Action: Approved
- 4.9 Capitola Library Main Relocation Project, CWO 18-251, Accept Project as Complete
Action: Approved
- 4.10 Consider Accepting Project as Complete and File Notice of Completion for Pure Water Soquel Seawater Intrusion Prevention Well Drilling Project, CWO 20-3000
Action: Approved

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

Written communications addressed to the Board (if any) are available on the District's website by clicking on the meeting date and associated correspondence link:
<https://www.soquelcreekwater.org/AgendaCenter>

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 Resolution Honoring Michael Aguon – Retiring Upon 20 Years of Service to the District

Mr. Duncan stated that Michael Aguon, the Operations and Maintenance Supervisor, will retire after 20 years of excellent service to the District. Mr. Duncan expressed appreciation for Mr. Aguon's commitment and hard work.

President Lather added that her neighbor shared positive customer experience with Mr. Aguon. President Lather emphasized that he will be missed by the community.

MOTION: Director Daniels; Second: Vice-President LaHue; To adopt Resolution No. 21-12 in appreciation of Michael Aguon, Operations and Maintenance Supervisor. Motion passed by unanimous roll call vote. Director Jaffe absent.
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- 7.3 Recognition of Public Members' Service on District Standing Committees

Mr. Duncan stated that Item 7.3 is presented to recognize public members' three years of service on the District's standing committees. He recognized each public member for their unique contributions and insights. He noted that the recommendations for new public members on the standing committees will be presented in Item 7.5.

Director Christensen stated that she had the opportunity to work with each public member, and she is continually impressed by their energy and intelligence. She thanked them for their service.

INFORMATION ITEM ONLY.

- 7.4 Consider Approval of Resolution No. 21-13 Confirming and Directing Execution of a SWIC Loan Agreement in Maximum Principal Amount of \$37,000,000 with the California State Water Resources Control Board, and Authorizing and Directing Additional Actions With Respect Thereto

Ms. Strohm stated that Item 7.4 presents the final draft of the Seawater Intrusion Control (SWIC) Loan Agreement, which reflects the terms and conditions of this low-interest loan upon which the District proposes to borrow up to \$37,000,000 from the California State Water Resources Control Board (SWRCB) to help fund the District's Pure Water Soquel Project. She stated that Resolution 21-13 delegates authority to the General Manager or a designee to finalize and execute the SWIC Loan Agreement and related documents.

Ms. Strohm noted that the SWIC Loan Agreement is in substantially final form, and the remaining items to be finalized consist of the interest rate, project funding amount, construction completion date, final loan draw/reimbursement date, and final payment date. At this time, the estimated closing (effective) date for the SWIC Loan Agreement is September 1, 2021.

One public comment was heard.

MOTION: Director Daniels; Second: Vice-President LaHue; Pursuant to the PWS EIR and Addendum, approve Resolution 21-13. Motion passed by unanimous roll call vote. Director Jaffe absent.

Director Daniels expressed appreciation for execution of the SWIC Loan Agreement. Directors agreed, and expressed appreciation for Ms. Strohm and the finance team.

- 7.5 Select and Appoint Public Members on District Standing Committees

Ms. Olin discussed the public member recruitment process for the District's three standing committees, which the Board initiated on May 18, 2021. The application period was open for more than three weeks, and twelve (12) viable applications were received. Ms. Olin thanked the public members for their interest in serving on the committees.

Director Christensen stated that the candidates are highly qualified and impressive. She shared the Review and Selection Committee's recommendations, as follows:

1. Public Outreach Committee (3 customers)
 - Gloria Reiss
 - Michael Gutierrez
 - Steven Graff
2. Water Resources Management and Infrastructure Committee (4 customers)
 - Garrett Goto
 - James Zachos
 - Jennifer Balboni
 - Meryl Abramson
3. Finance and Administrative Services Committee (4 customers)
 - John Dickinson
 - Joseph Morici
 - Karen McCarty
 - Kellie Guerra

Director Christensen noted that at the time the board packet was published, there was one additional candidate under review for the Public Outreach Committee. Since then, the public member withdrew her application.

Two public comments were heard.

Director Daniels stated that the Review and Selection Committee has recommended three to four customers on each standing committee as many qualified applications were submitted. The Review and Selection Committee believes that the District will be better served by expanding the numbers of customers on each committee.

MOTION: Vice-President LaHue; Second: Director Christensen; To select and appoint the recommended public members to the District's standing committees as shown above. Motion passed by unanimous roll call vote. Director Jaffe absent.

- 7.6 Approve Board Attendance at the CSDA Annual Conference, August 30-September 2, 2021, in Monterey, California, and the WateReuse California Conference, September 19-21, 2021, in Los Angeles, CA

Mr. Duncan stated that this item is presented per the District's policy for the Board to consider authorizing attendance at the California Special Districts Association (CSDA) Annual Conference in Monterey, CA, and the WateReuse California Conference in Los Angeles, CA. He stated that some staff will be attending both conferences, and Special Projects staff will also be presenting at the WateReuse Conference.

Mr. Duncan stated that the CSDA Conference will be held in-person, and the WateReuse Conference will be held with the option to attend either in-person or virtually.

Vice-President LaHue and President Lather are interested in attending the WateReuse California Conference (Vice-President LaHue virtually and President Lather in-person).


MOTION: Vice-President LaHue; Second: Director Daniels; To authorize Board attendance at the CSDA 2021 Annual Conference & Exhibitor Showcase, August 30-September 2, 2021, in Monterey, California. Motion passed by unanimous roll call vote. Director Jaffe absent.

MOTION: Vice-President LaHue; Second: Director Daniels; To authorize Board attendance at the WateReuse California Conference, September 19-21, 2021 in Los Angeles, California. Motion passed by unanimous roll call vote. Director Jaffe absent.

8. **ADJOURNMENT**

President Lather adjourned the meeting at 7:26 pm.

SUBMITTED:



Emma Olin, Board Clerk

APPROVED:



Rachél Lather, President