



**MEETING MINUTES
TUESDAY, AUGUST 15, 2023**

**AGENDA 6:00 PM
CLOSED SESSION**

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

1. CALL TO ORDER AND ROLL CALL

President Christensen called the meeting to order at 6:01 pm at the Capitola City Council Chambers.

Board Members Present:

Carla Christensen, President
Dr. Bruce Jaffe, Vice-President
Jennifer Balboni, Director
Dr. Thomas LaHue, Director
Rachél Lather, Director, *Absent*

District Counsel

Joshua Nelson, District Counsel

Staff Members Present:

Ron Duncan, General Manager
Taj Dufour, Engineering Manager
Leslie Strohm, Finance Manager
Traci Hart, Human Resources Manager
Melanie Mow Schumacher, Special Projects-Communications Manager / Assistant General Manager
Emma Western, Executive Assistant/Board Clerk

Others Present:

3 members of the public

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 Jaffe; Second: Director Balboni; To approve Consent Agenda Items 4.1.1, 4.1.2, 4.1.3, 4.2, 4.3, 4.4, 4.5, 4.6, and 4.7. Motion passed unanimously. Director Balboni abstained from 4.1.1, 4.1.2, and 4.1.3.

4.1 Approval of Minutes

- 4.1.1 June 6, 2023 – Regular Meeting Minutes
- 4.1.2 June 20, 2023 – Regular Meeting Minutes
- 4.1.3 July 18, 2023 – 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

Vice-President Jaffe discussed seasonal water production.

4.5 Management Update

Action: Approved

Director LaHue requested additional information on the following at a future meeting:

- The preliminary analysis of the Advanced Clean Fleet regulations and what that means for the future planning of electric vehicles at the District.
- The water system deficiency list, which was generated by the Division of Drinking Water (DDW), in response to the District’s Sanitary Survey.

4.6 Finance and Administrative Services Committee Meeting Summary

Action: Approved

4.7 Hexavalent Chromium Maximum Contaminant Level (MCL) Comment Letter to State Water Resources Control Board

Action: Approved

Director LaHue noted a typo on Page 33 – the “State Water Board notes that funds are not guaranteed and has acknowledges that...” should be “acknowledged.”

President Christensen commented that the MCL letter is well written.

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>

Vice-President Jaffe reported that the National Oceanic and Atmospheric Administration (NOAA) forecasted an El Niño, with normal to above-normal rainfall, for the upcoming winter.

Vice-President Jaffe directed staff to return to the Board with the following information:

- Include the weather index analysis in the Production Reports, at least quarterly.
- Provide relevant data/analysis to inform the rate study (similar to the work done by Sue Holt, as shown in Item 5.2 of the April 16, 2013 Board Packet).

Director LaHue shared the following:

- The State's Direct Potable Reuse (DPR) draft regulations are available for public comment.
- National Public Radio (NPR) recently reported on a brewery in San Carlos using purified water to make beer.

6. **REPORTS**

6.1 District Counsel – Oral Report

General Counsel Nelson provided an update on a recent Proposition 218 case, explaining that this new case broadly interpreted a statute that contained a 120-day statute of limitations for any challenge regarding rates. A similar statute applies to the District as long as we include notice of the 120-day statute of limitations in the Proposition 218 notice.

7. **ADMINISTRATIVE BUSINESS**

7.1 Conditional and Unconditional Will Serves – *None*

7.2 Oath of Office for Director Balboni

General Counsel Nelson administered the ceremonial Oath of Office for Director Balboni.

Director Balboni was welcomed to her new position on the Board of Directors.

NO ACTION TAKEN.

8. **CLOSED SESSION**

8.1 Conference With Labor Negotiators

Agency designated representative(s): Ron Duncan, Traci Hart, Melanie Mow Schumacher, Leslie Strohm

Employee Organization: Service Employees International Union (SEIU)

8.2 Conference With Labor Negotiators

Agency designated representative(s): Ron Duncan, Traci Hart, Melanie Mow Schumacher, Leslie Strohm

Employee Organization: Mid-Management Employee Group

8.3 Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section §54956.9(d)(1)

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 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; CA Sixth District Court of Appeals Case No. H050093

8.4 Closed Session Pursuant to California Government Code Section 54597(b)

Personnel Session to Evaluate Performance of General Manager

8.5 Conference With Labor Negotiators

Agency designated representative(s): Carla Christensen

Unrepresented Employee: General Manager

At 6:20 pm, President Christensen announced that the Board will return to closed session to discuss Items 8.1, 8.2, 8.3, 8.4 and 8.5.

One public comment was heard.

CONVENE TO CLOSED SESSION – 6:24 pm

RETURN TO OPEN SESSION – 7:30 pm

President Christensen adjourned the closed session and returned to open session at 7:30 pm.

President Christensen reported that the Board discussed Items 8.1, 8.2, 8.3, 8.4 and 8.5 in closed session. No reportable action was taken.

9. ADJOURNMENT

President Christensen adjourned the meeting at 7:31 pm.

SUBMITTED:



Emma Western, Board Clerk

APPROVED:



Carla Christensen, President