



May 15, 2017

Ms. Susan Longville
Commission Chair
Santa Ana Watershed Project Authority
11615 Sterling Avenue
Riverside, CA 92503

Subject: SAWPA Joint Powers Authority Agreement (JPAA) Workshop on May 2, 2017

Dear Chair Longville:

We were encouraged to see a workshop item placed on the agenda for the Commission's May 2, 2017 meeting to discuss Santa Ana Watershed Project Authority's (SAWPA's) operations under the Joint Powers Authority Agreement (JPAA). However, we were very disappointed with the actual workshop itself, as we believe it failed to address or acknowledge the significant issues regarding SAWPA's deviation from the requirements of the JPAA and it provided no clear path forward for resolving these issues.

In our letters of April 5, 2017 and May 1, 2017, we have consistently stated our position that SAWPA is operating out of compliance with regards to Project Agreements, Project Committees and voting provisions of the JPAA. In a meeting on March 30, 2017, attended by Celeste Cantú, Larry McKenney and representatives of Orange County Water District (OCWD) and Eastern Municipal Water District (EMWD), Mr. McKenney confirmed that SAWPA is indeed "not following the letter" of the JPAA.

In our May 1, 2017 letter and in anticipation of the May 2, 2017 workshop, we offered a four-step process in which the Commission could begin to constructively address the JPAA non-compliance issue. We were hopeful the workshop would have been structured by SAWPA's management and legal counsel as an open dialogue regarding the JPAA non-compliance issue and options for moving forward.

Instead, the May 2, 2017 workshop was not an interactive dialogue, but rather a SAWPA history presentation provided by Mr. McKenney. Equally concerning was that the background provided was often times interpretative in nature, including speculation on the thought processes and

intentions of past Commissions regarding “unintentional non-approved changes” to the JPAA and other matters. Moreover, the information was not relevant to the questions of compliance with the JPAA and there was no opportunity for interactive discussion.

At the conclusion of the workshop, a series of questions were distributed to the Commissioners and a request was made for the General Managers to consider these questions through their own on-going facilitated process. Upon review of these questions, it appears that they are intended to lead to a discussion of changes to the JPAA and even SAWPA’s membership.

While we will work with our staff to analyze these questions, we want to make it very clear that we have no interest in changing the JPAA or the governance of SAWPA at this time. Any revisions to the JPAA will require a unanimous vote of approval and adoption by each of the SAWPA member agencies’ governing boards and, therefore, a discussion of potential changes to the JPAA is inappropriate at this time. Rather, we request that steps be immediately undertaken, similar to those outlined in our May 1, 2017 letter, to bring SAWPA’s operations back into compliance with the current JPAA.

Resolution of this issue is unavoidable and compliance with the JPAA is critically important. In this regard, we respectfully request that you and the remaining Commissioners approve a process and schedule for conforming SAWPA’s operations to the JPAA. Absent a formal Commission action in this regard, our agencies’ fiduciary responsibilities will preclude us from considering additional unbudgeted expenditures, or from taking action on the currently proposed SAWPA biennial budget.

We appreciate your leadership and look forward to further discussing and resolving this matter with you and the SAWPA Commission.

Sincerely,



Ronald W. Sullivan
SAWPA Commission Representative
Eastern Municipal Water District



Phillip L. Anthony
SAWPA Commission Representative
Orange County Water District

c: SAWPA Commissioners and Alternates
Celeste Cantú, SAWPA General Manager
Larry McKenney, SAWPA Executive Counsel
SAWPA Member Agency General Managers

The Role of the Disadvantaged and Tribal Communities Pillar Chair

The OWOW Disadvantaged and Tribal Communities Pillar Chair is selected from among subject matter experts in the area of Community Empowerment and Environmental Justice in the watershed who are familiar with OWOW and SAWPA, share a vision of inclusion, and are ready to facilitate workgroups of stakeholders. As subject matter experts, their knowledge and experience allow them to contribute to the update of the OWOW Plan. OWOW has received accolades for this process, that is, having the plan be conceived and written by stakeholders in the watershed as opposed to a contractor hired to write a plan.

OWOW Pillars are workgroups of peers, volunteering to contribute expertise to the creation or update of the OWOW planning document. In this exceptional way, the OWOW Plan is created by the stakeholders of the watershed, assuring that local priorities are achieved through the OWOW process. Devolving decision-making to the local experts and communities, and therefore achieving local priorities, is of the highest priority in the California Integrated Regional Water Management program.

As a workgroup of volunteer subject matter experts, Pillar workgroups benefit from facilitation. Pillar Chairs, as subject matter experts themselves, are peer leaders who support the many voices present in the workgroup, and help support a group strategy for developing and creating the work of the Pillar. In this way the facilitation of the group is a responsibility of the Chair.

The workgroup is asked to update the OWOW plan, with the scope of work grounded in the State standards, but developed through the expertise of the workgroup participants. Staff liaisons from SAWPA manage the logistics of the work, and at times contribute their own topical expertise.

Pillar Chairs are most effective when assuring that all participant voices are heard and able to contribute, and when helping the group define the boundaries of their work and schedule for who is going to do what by when. Because Pillar workgroups are volunteer experts, and are peer groups, the Chair's first responsibility is facilitation. The chair must be a peer-leader, making sure that all those participating are able to contribute their expertise. The Chair and the SAWPA staff liaison together support the group in developing a scope for the plan update, and that tasks and timelines are created for the work to get done. SAWPA liaison then supports those tasks and timelines as a project manager would.

The Pillar Chair is both a subject matter expert and serves as a facilitator among peers of other experts.

As the subject matter expert keys to success are:

1. Identification of problems systemic to the watershed and suggest solutions based on personal expertise and experience.
2. Identification and introduction of community members and leaders who would helpful to inform and/or implement solutions.

The keys for a successful Pillar Chair are:

1. Creating a strong sense of peer-to-peer volunteer work,
2. Valuing all contributions in their own way,
3. Creating a shared sense of purpose, and

4. Developing a commitment by individuals to write content for the Chapter from their expertise.

Specifically Gil, from your unique expertise, you have seen how disadvantaged community members do not always know how to interact with the larger community institutions such as school and water districts. You have seen in your own experience that those community members are not always aware of their rights, and the resources and opportunities available to them to address the problems and hardships they encounter.

You have also seen that the institutions such as school and water districts also do not always know how to reach out and involve the disadvantaged and underserved communities. That those institutions would be better served if they had relationships with those communities in so many ways including the necessity to increase rates. Most water districts do not have the preexisting relationship with underserved communities that would allow them to make their case and gain their support. Without these relationships, we see ratepayer revolt, misunderstandings and distrust. SAWPA is not much different from other water districts in that we too are seeking to develop those relationships. Your presence as Pillar Chair brings legitimacy and credibility to our process. We are hoping that the work of this pillar could create a blueprint that could close the gap between underserved communities and the water districts that need to serve them.