

Description						
#	Anthony	Evans	Hall	Longville	Sullivan	Navarro Parker
1		2	1	2	1	1 1
<p>Member agency General Managers shall inform the SAWPA General Manager and the other member agency General Managers if the member agency or its Commissioner has concerns or issues with any item going to a Commission meeting, a committee or the OWOW Steering Committee.</p> <p>i. The communication should be prior to the meeting and preferably the posting of the agenda. [Page 4; Task 3; Paragraph 1.a.]</p>						
<p>To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?</p>						
Haller	The mechanism we have to deal with this issue is the monthly GMs meeting when the SAWPA GM meets with the Member Agency GMs; would discuss issues at that meeting, which is already occurring; critical Member Agency GMs attend and participate in the discussion, which they have committed to do.					
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?					
Discussion	Only from the direction that if Member Agency GMs talk to each other about issues going to a Committee on which the GMs serve, care needs to be taken that we adhere to the Brown Act.					
	Anthony: concerned this is a sweeping order; what is to define how serious something has to be to be reported to everyone, and is there some documentation of it? This is a devastating thing. If I have a tiny concern, do I have to tell everyone about it? Do I have to prove I told them and document it someplace? It sounds good but I think it is a little awkward to live with.					
	Sullivan: This really boils down to effective communication, period, without try to get legalese about the whole thing; are we going to have the ability to communicate? That is really all it is. The more indepth to get about being absolutely specific, the more problems we will end up having down the line. That is the way I look at it. Are we open and above-board here about what we are doing and with communication between the GMs, the SAWPA GM, and the Commission? That is really all that we are asking. To get more specific than that gets to be a legal problem, and that, to me, just defines more conflict.					

Description		Anthony	Evans	Hall	Longville	Sullivan	Navarro
#							Parker
2	Ensure member agencies General Managers are informed about substantive meetings and/or conversations the SAWPA General Manager has with the agencies' respective Commissioners [Page 4; Task 3; Paragraph 1.b.]	3	3	3	3	1	3 2
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?						
Haller	We would utilize the monthly GMs meeting to discuss conversations we have had with Commissioners. We would want to make sure that the Commissioners feel comfortable talking with the SAWPA GM; occasionally there is an information exchange that brings them up to speed, so there may be times when the Commissioners asks for confidentiality. It is appropriate to keep the GM from that Member Agency informed on what the Commissioner is discussing, and what SAWPA is discussing with the Commissioner. No impact on staff workload.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?						
	Matters that are privileged and confidential would be excepted; items that would normally be in Closed Session such as personnel matters and attorney-client matters.						
Discussion	Sullivan: Are the GMs going to be excluded from litigation items in Closed Session? At some point we need to say what is acceptable and what is not relative to participation by the GMs in Closed Session and/or a conversation relating to litigation matters. McKenney: There are several ways this can be addressed in order to satisfy Commissioner Sullivan's concern. Evans: Does not want to be put in the position that he cannot talk with the SAWPA GM without informing WMWD's GM that he has done so. Voiced concern his earlier comments were not included, but was advised that they had been. Navarro: Feels like this recommendation is micromanaging the Commissioner; perhaps the initiating party could be included on the agenda.						

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3	Member agency General Managers shall be consulted about meetings or actions SAWPA conducts with outside agencies that materially affect that member agency's interests. [Page 4; Task 3; Paragraph 1.c.]	3	2	2	3	1		3 1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	We would utilize the monthly GMs meeting to address; SAWPA staff will compile a monthly calendar of meetings to present and discuss. Not something SAWPA staff is currently doing; minor impact on staff workload.							
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
	None.							
Discussion	<p>Longville: Would like to see a definition of what constitutes a member agency's interest.</p> <p>Sullivan: We ran into this problem before where sometimes SAWPA may do something with a federal agency that doesn't necessarily comport with what one of the Member Agencies may be doing and may be in conflict. There was a conflict before when we had an issue with Prado; SAWPA's lobbyist in the past has endorsed something that what contrary to the interests of another agency. This is just effective communication. If there is a specific issue, then maybe that should be addressed; however, generally you look for what is effective communication, the impacts on SAWPA and each individual member agency.</p> <p>Hall: Are we impacting the region, the greater good of people? What may impact one negatively could impact another positively.</p> <p>Sullivan: That is a good comment, but we also need to give consideration to the impact on SAWPA member agencies. We need to operate as one, giving consideration to all individually and as a whole.</p> <p>Evans: Agreed with Sullivan; over time you are going to know if something will impact another agency. There needs to be effective communication. But also does not want this to become a required "check the box" step.</p> <p>Navarro: Too broad; understand SAWPA has to work with five agencies so it does get somewhat complex. If SAWPA is working in an area impacting another member agency, SAWPA should talk to them.</p>							

(1) acceptable as is; (2) acceptable if modified; (3) unacceptable unless modified; (4) do not support

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4	Significant agenda items being taken to the Commission, a committee or the OWOW Steering Committee shall be shared with and discussed among with the SAWPA General Manager and the member agency General Managers. [Page 4; Task 3; Paragraph 2.a.]	3	2	1	3	1	1	1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	Process would be to utilize the monthly GMs meeting to review upcoming agenda items; will create a list of upcoming agenda items by month. This would also be shared with the Commission as well as part of the General Manager's report so everyone is aware of what we are anticipating talking about over the next month or two. This will be a minor addition in staff time to compile the upcoming agenda listing; minor impact on staff workload.							
	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
McKenney	None at this point. [Statement earlier regarding the applicability of the Brown Act relative to general managers if they are committee members applies here and for other recommendations, as well a privileged and confidential information; will not reiterate each time.]							
Discussion	Anthony: I think we can all agree that recommendations 1-5 would all be addressed utilizing the monthly GMs meeting.							

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5	If there are fundamental disagreements on items being brought to the Commission, a committee or the OWOW Steering Committee, best efforts will be made among the SAWPA General Manager and the member agency General Managers to develop a mutually acceptable consensus recommendation. [Page 4; Task 3; Paragraph 2.b.]	3	2	1	3	1	1 1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?						
Haller	Same answer as earlier relative to utilizing month GMs meeting; noted that building consensus will take time, but it is an important process to work through. Minor to moderate impact to staff and it will take some time to proceed through the process.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? No new issues.						
Discussion	Evans: Supportive, but noted his concern about the time that would be involved; would not support a wheel-spinning process where some never gets to the Commission.						

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6	<p>Once consensus is reached at the General Manager level on specific agenda items:</p> <ul style="list-style-type: none"> i. The staff of SAWPA and the member agencies will support the consensus recommendation; ii. The member agency General Managers will convey the consensus recommendations to their respective Commissioners. <p>If consensus cannot be reached on a specific item:</p> <ul style="list-style-type: none"> i. The SAWPA staff will represent opposing points of view in a factual and balanced manner, along with the SAWPA staff recommendation; and ii. The member agency General Managers will convey to their respective Commissioners the opposing points of view in a factual and balanced manner, along with their recommendation. <p>[Page 4; Task 3; Paragraph 2.c. & 2.d.]</p>	3	3	3	3	2	4	3
To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?								
Haller	Adding a staff time, depending on the number complex/controversial issues we have; Commission memo reformat to include this additional information.							
To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?								
McKenney	Raises a serious issue regarding Brown Act compliance. If the Commission directs all the GMs to meet and confer on items and reach consensus in that, the consensus is going to be reported to the Commission. There is a real issue about whether that is making the GMs into an advisory body to the Commission, which makes the GMs a Brown Act body. Would have legal implications on how they do their business, and this would apply to many of the other items on the list so I will not reiterate it each time.							
Discussion	Sullivan: Is it a recorded or vocal consensus among the GMs regarding a technical issue that comes before the Commission? Does that make them a Brown Act body? Or, is it simply one or two picking up the phone and discussing an potential issue? McKenney: Well, the direction is for the GMs to meet and reach consensus, then each of the GMs is going to convey that to their respective Commissioners and advise that they all agree on the direction. I'm identifying the issue; there are ways to work around this. Anthony: Do the monthly GMs meetings come into this arena? McKenney: As it stands currently, and since 2007, the GM monthly meetings are not Brown Act meetings. The discussions in those meetings are considered to be advisory to the SAWPA GM. Longville: Isn't this the reason why we no longer have five member agency GMs on the PA 23 Committee? McKenney: The issue here is that if the Commission creates a body to be an advisory body to the Commission and that body is not only a minority of the Commission, then that meets the definition of a legislative body under the Brown Act. Navarro: Believes this would be a violation of the Brown Act.							

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7	Monthly meetings between the SAWPA General Manager and the member agency General Managers shall be conducted. Agendas shall be prepared in advance and circulated for revisions or additions. Agendas shall include, but not necessarily be limited to the following: i. A review of an advanced calendar of proposed agenda items for the Commission, committee meetings and the OWOW Steering Committee for the upcoming month. [Page 4; Task 3; Paragraph 3.a.]	2	3	3	3	2	4 3
Haller	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Potentially a more significant impact on staff workloads with the creation of a number of additional committees added to the existing committees.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? No new issues.						
Discussion	Anthony: Do there need to be additional committees? This is a wide-open statement. Haller: That is one of the recommendations of the report. Sullivan: Maybe we should just have a 5 in the ratings, then we could delete recommendation 7. Longville: Reason I'm not voting 4 is because it doesn't reference Task Forces; must work on the language, but must not include Task Forces.						

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8	Significant agenda items (excluding those being considered in closed session) would be discussed among the SAWPA General Manager and member agency General Managers before they are published on any agenda. [Page 5; Task 3; Paragraph 3.a.ii.]	4	3	1	4	1	3	2
	To SAWPA GIM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	Somewhat duplicative of some previous items; will be discussing significant issues at the monthly GMs meetings. Certainly, if the Commission directs something be placed on the agenda, it will be placed on the agenda.							
	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
McKenney	No new issues.							
Discussion	Anthony: What about items developed and ordered by the Commission itself? What if a Commissioner wants to put an item on the agenda? Commissioners fall under this recommendation? Longville: I've had similar thoughts myself; do not want the Commission to be diminished in any way, or our governance.							

#	Description	Anthony	Evans	Hall	Longville	Sullivan	Navarro
9	A review of any new initiatives, programs, task forces or other similar activities SAWPA intends to develop and implement, with an opportunity for the member agency General Managers to provide input. [Page 5; Task 3; Paragraph 3.a.iii.]	2	1	1	2	1	1 1
Haller	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Handled as part of the monthly GMs meetings; if there are budget impacts, it would be part of the budget review process. No significant impact to staff workload.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? No new issues.						
Discussion	Anthony: A review by whom? Longville: Review by General Managers.						

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10	<p>Discussion of item 10 is inclusive of items 11 through 16 below, which are defined as "significant items" in the GMs report.</p> <p>SAWPA staff reports for significant items being considered by the Commission, committees or the OWOW Steering Committee shall include:</p> <ul style="list-style-type: none"> i. The SAWPA General Manager and staff recommendations; ii. The consensus recommendation of the SAWPA General Manager and member agency General Managers; or iii. Varying points of view where there may not be consensus stated in a factual and balanced manner without attribution. <p>[Page 5; Task 3; Paragraph 3.b.]</p> <p>Items 11 through 16 are defined as "significant items" in the GMs report:</p>	3	3	3	3	1	1	2
11	<p>Significant Financial Items</p> <ul style="list-style-type: none"> a. Budgets (Project Budgets and SAWPA General Budget) b. Planning, engineering, and construction contracts and related change orders. c. Changes to Brine Line rates, charges and administration affecting the Member Agencies or their customers. <p>[Page 5; Task 3; Paragraph 1. a.-c.]</p>							
12	<p>Proposals for salary ranges or benefit changes including any Classification and Compensation studies.</p> <p>[Page 5; Task 3; Paragraph 2.a.]</p>							
13	<p>Proposals to increase staffing.</p> <p>[Page 6; Task 3; Paragraph 2.b.]</p>							
14	<p>Proposals to modify any SAWPA governance related document including, but not limited to, the JPAA and Project Agreements.</p> <p>[Page 6; Task 3; Paragraph 2.c.]</p>							
15	<p>All formal positions proposed to be taken or pending or approved legislation or regulations.</p> <p>[Page 6; Task 3; Paragraph 2.d.]</p>							
16	<p>Projects and Initiatives</p> <ul style="list-style-type: none"> a. Any new initiative, program, task force, or proposal for funding that promotes or expands SAWPA activities including the needs of other stakeholders for such programs. <p>[Page 6; Task 3; Paragraph 3.a.]</p>							
To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?								

#	Description	Anthony Evans Hall Longville Sullivan Navarro Parker
Haller	<p>Similar to recommendation 6 above; will modify Commission memo format to include the additional requested information. Depending on the number of controversial issues, this has a minor to moderate impact on staff workload.</p> <p>Relative to "significant items" defined in items 11-16 below, we already have existing processes in place; will need to determine how those can be modified to meet the expectations. Will rely on the months GMs meetings to review and discuss these issues and provide pertinent issues, as well as communicating with CFOs under existing processes. Concerned legislative issues may need to be addressed before the upcoming month GMs meeting; may need a different process. Minor to moderate impact on staff time.</p>	<p>To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?</p> <p>The same Brown Act issue described earlier; if in fact the GMs were working as a Brown Act body, then there can be no secret ballots.</p> <p>Sullivan: We need to define what is significant. May be significant for one, but not the other four.</p> <p>Evans: Agree with Sullivan; raises the issue of required unanimity on the Commission.</p> <p>Hall: Concurred with Evans' concern of required unanimity on the Commission.</p> <p>McKenney: Did not think the GMs report suggested that the Commission had to be unanimous; they talked about reaching consensus among the GMs, if possible, and then member agency approval of the budget (which is the way the process works now), and they talked about approval of expenditures within budget by majority vote, which is what the JPA says now. There is a new proposed procedure for exceeding the budget.</p> <p>Sullivan: Under the current JPA, governance needs to be a 100% vote; supportive of that. Nothing should be changed until there is a consensus. Agrees with content of the GMs report.</p> <p>Evans: Perhaps the next time around we could discuss what requires a unanimous vote and what requires a majority vote. There needs to be clarification.</p> <p>Hall: Agreed with Evans, and also requested the same discussion and clarification.</p>
McKenney	Discussion	

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17	<p>Identification of Projects: Staffs of SAWPA and the member agencies to jointly identify the various activities of which SAWPA is engaged that meet the criteria of not being preliminary studies or matters of general administration, and either directly or indirectly expose the member agencies or their customers to costs. This list should be presented to the Commission to clarify what constitutes a "Project" for the purposes of the JPAA.</p> <p>[Page 6; Task 4; Paragraph 1.]</p> <p>To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?</p>	1	1	2	2	1	2 1
Haller	<p>One-time effort to go through this process; minimal impact to staff workload to identify existing project committees and any additional project committees which might be needed.</p> <p>To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?</p>						
McKenney	Indirectly or directly exposing member agencies or their customers is not currently in the JPAA.						
Discussion	None.						

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18	<p>Jointly identify the remaining activities that meet the criteria of a "project" but have neither a project agreement nor a project committee, and determine the type of project agreement and/or project committee that would be applicable (see Task 4 Section 2a, below) and/or if some of those activities (i.e. task forces or round tables) can be logically grouped into a single project. Present the recommended new "projects," consistent with the JPAA requirements, and associated staff and resource needs to the Commission for review and consideration. [Page 6; Task 4; Paragraph 2.]</p> <p>To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Will take some staff time to evaluate; in particular, the existing Task Forces to make sure it synchronizes with the Project Committee concept and determine if any adjustments need to be made to the existing Task Force agreements.</p> <p>To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? No legal issues with having a process to determine what is a Project; does have concerns about what is a Watershed Project.</p> <p>Discussion: Evans: Does this provide the ability for a Task Force not to be a Project Committee? I don't believe most of the Task Forces are Project Committees. There needs to be an ability to have activities that are not Projects under Project Agreements. Sullivan: The GMs report said that there is a distinction between Projects, Committees and Administrative functions. We are trying to define a large Capital project, and what may be a combination of projects/tasks, and then what are purely administrative functions. This is reasonable. This is just a reasonable process about what we are going to be doing. Evans: Raised the issue before that I have a hard time, personally, see all Task Forces as Projects. Would like a definition. Longville: It does appear that it duplicates existing Task Force agreements that we already have; greatest concern is that it's highly likely that some Task Forces are not going to want to be grouped into a Watershed Project, and we could lose some of the valuable work that is occurring. This is so prescriptive in the way it's written that it implies that everything has to fit somewhere.</p>	1	2	2	3	1		2 1

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20	<p>Implementation: Upon the identification of the "projects" and project committees that require formation, prepare all requisite project agreements and seek member agency approval of such agreements and designation of project committee members, where appropriate. Format future Commission meeting agendas to identify and segregate actions for each active "project" and the members voting on a project-related item. The intent would be to conduct all Project Committee business involving the Commission as part of the agendas for the two regularly scheduled monthly Commission meetings. [Page 7; Task 4; Paragraph 4.]</p> <p>To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Depending on the number of committees formed, this has the potential to add some administrative work as part of the Commission agendas. Without knowing the number of committees, it is difficult to estimate at this point.</p> <p>To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?</p> <p>No new issues.</p> <p>Sullivan: Does not see the issue; almost like we are trying to pick this thing apart. Everything, at some point, will be brought back to the Commission to identify some of this. It's just what would normally come back to this Commission for a discussion on what we want to do with the GM report. This, to me, looks like someone has take the GM report to determine which one of these things do I want to knock out or which ones do we want to discuss. That's what is beginning to me to look like.</p> <p>Evans: This is directly out of the GM report.</p> <p>Longville: We are looking at the items one at a time.</p> <p>Anthony: But they are pulled in little pieces, out of context sometimes.</p> <p>Evans: I think this is really good in the sense that the Commission will have a regular view of all the projects. But I could envision where their might be one project that only three members of the Commission area party to, so those three would vote and the other two would not; in other instances it might be all five. This is a big change, for the good, in the sense of defining the Projects, Project Agreements, what would not be a Project; in terms of communication, this is a huge improvement to what we have been doing.</p>	1	1	1	2	1	1 1
Haller	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?						
Discussion	<p>No new issues.</p> <p>Sullivan: Does not see the issue; almost like we are trying to pick this thing apart. Everything, at some point, will be brought back to the Commission to identify some of this. It's just what would normally come back to this Commission for a discussion on what we want to do with the GM report. This, to me, looks like someone has take the GM report to determine which one of these things do I want to knock out or which ones do we want to discuss. That's what is beginning to me to look like.</p> <p>Evans: This is directly out of the GM report.</p> <p>Longville: We are looking at the items one at a time.</p> <p>Anthony: But they are pulled in little pieces, out of context sometimes.</p> <p>Evans: I think this is really good in the sense that the Commission will have a regular view of all the projects. But I could envision where their might be one project that only three members of the Commission area party to, so those three would vote and the other two would not; in other instances it might be all five. This is a big change, for the good, in the sense of defining the Projects, Project Agreements, what would not be a Project; in terms of communication, this is a huge improvement to what we have been doing.</p>						

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21	Proposed amendments to the JPAA are as follows: 1. A clear and unambiguous definition of "Budget" in the JPAA as an expenditure and contracting ceiling. [Page 7; Task 4; Paragraph 1.]	1	1	2	2	1	1	1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Initial impact to develop the definition.							
	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? Different from the current JPA, which clearly says that the budget is an expenditure limit; the idea that it's a contracting ceiling... the Commission currently has the ability of executing a contract for a project that could span the fiscal year, but we don't currently try to make sure that every contract is going to be executed within the fiscal year that that budget applies. That would be an issue requiring policy development.							
	Discussion Anthony: Going past fiscal years is not mentioned here. Sullivan: Maybe that's a clarification for the GMs; what is the total amount, not an incremental sum over a number of years. Longville: The way it reads now, since budgets require unanimous votes then this implies, to me, that a contracting ceiling would also require a unanimous vote. Currently it is a majority vote. Sullivan: This isn't different than what we are currently doing at EMWD; we have a two-year budget cycle but we also have a contract ceiling for major contracts. A budget does not cast in concrete that you can spend that amount of money each year, and then it adds up to be more than the contract value. We would never do that. That's irresponsible. Supportive of the language. McKenney: The only difference is where you're doing this your agencies, you are approving your budget and you are approving your project budgets. Whereas here, we have to go back and get all five member agencies boards to approval the budget. If you have a budget that is a contracting limit for a large project like that, it would have to specifically called out and voted on by all of the members of that project committee. I'm not saying it can't be done, I'm just noting the differences. Sullivan: The language, "A clear and unambiguous definition of 'Budget' in the JPAA as an expenditure and contracting ceiling." may need clarification and discussion as we go along, but this is a great statement.							

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22	<p>Proposed amendments to the JPAA are as follows:</p> <p>2. A refined definition of a "Project" in the JPAA for purposes of administration by a Project Agreement and Project Committee to include two project categories:</p> <p>a. SAWPA Projects – These would include all capital and operating assets such as the Brine Line, task forces or programs that are governed by SAWPA members only, and the OWOW and Integrated Regional Watershed Management Plan and program.</p> <p>b. Watershed Partnership Projects – These would include task forces with SAWPA member agency participants that are also funded by outside partners of which SAWPA desires to include in Project Committee governance.</p> <p>[Page 7; Task 4; Paragraph 2. a. & b.]</p> <p>To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?</p> <p>Short-term impact to SAWPA staff, particularly in terms of setting up for the new term Watershed Partnership Projects. Once determined, this becomes implementation of a Project Committee and I have already indicated it could have some potential impacts on staff workload.</p> <p>To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?</p> <p>The concept of Watershed Partnership Projects including non-member agency partners is not in the current JPAA; would require an amendment. Additionally, the current adopted policy of the agency requires that Project Committee members accept the financial responsibility for the projects, so whether that is workable with non-member agency participants is something that would need to be worked out. There are a number of governance issues that would come up with non-member agency members of Project Committees, and we would need to address how we can ensure that representatives of those member agencies are people who have the authority to make binding decisions on behalf of their agency. This is not addressed in current Task Force agreements because we allow staff to attend the Task Force meetings and the decisions are made by their respective boards via budget approvals; they do not currently participate in making contract decisions. This issues would need to be addressed in both Project Agreements and Commission policies, as well as a JPAA amendment.</p>	1	1	1	3	1	1	1
Haller								
McKenney								
Discussion	No discussion.							

Description		Anthony	Evans	Hall	Longville	Sullivan	Navarro
23	Proposed amendments to the JPAA are as follows: A more detailed definition in the JPAA of "Matters of Administration" as activities relating to general administration and support such as financial functions, payroll, audit and accounting support, administrative facility operations and maintenance, staff training, state advocacy support, Commission support, website maintenance and other similar functions. Matters not included in this category would be Projects subject to Project Agreements. [Page 7; Task 4; Paragraph 3.]	1	2	3	2	1	1 1
To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	Want to make sure this is longterm; something that is a living document.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA? None.						
Discussion	No discussion.						

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#	Description	Anthony	Evans	Hall	Longville	Sullivan	Navarro	Parker
24	Proposed amendments to the JPAA are as follows: A more detailed definition in the JPAA of "Operating Decisions" that affect member agencies or their customers' interests and require unanimous approval of the Commission or a SAWPA Project Committee. Such decisions would typically include major changes in facility or project operations or major construction that would materially affect the use of an operating asset by one or more of the SAWPA member agencies or their customers. It is understood that Operating Decisions as defined herein exclude emergency actions. [Page 7; Task 4; Paragraph 4.]	1	1	2	2	1	1	1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	Currently, the Brine Line is operated by guidelines and a Sewer System Management Plan which is approved by the Commission, which is part of the permit requirement, so we would want to synchronize that with any update to the JPAA.							
	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
McKenney	Probably the JPAA provisions which has caused the most confusion. I read Section 18 of the JPAA, the section that requires unanimous vote on budget and operating decisions clearly refers to member agencies, not the Commission or Project Committee members. We can try to clarify that, but we don't currently go back to the member agencies to approve operating decisions, so we can either try to clarify that a develop the processes to implement, or we can take those words out of the JPAA. Either way, it's doable and would require a JPAA amendment.							
Discussion	No discussion.							

(1) acceptable as is; (2) acceptable if modified; (3) unacceptable unless modified; (4) do not support

#	Description	Anthony	Evans	Hall	Longville	Sullivan	Navarro	Parker
25	<p>Items 25 through 28 were considered as one item.</p> <p>Proposed amendments to the JPAA are as follows: For administering the General Budget, further clarification plus a revision to allow more flexibility for the Commission to authorize budget augmentation without separate member agency authorization. [Page 8; Task 4; Paragraph 4., second paragraph]</p> <p>Once the General Budget is unanimously approved by the Member Agencies, expenditures or contracts within the approved Budget may be authorized by majority vote of the Commission. [Page 8; Task 4; Paragraph 4., second paragraph, section a]</p> <p>Expenditures or contracts for amounts of up to 10% over the approved General Budget may be authorized by unanimous vote of the Commission. [Page 8; Task 4; Paragraph 4., second paragraph, section b]</p> <p>Expenditures or contracts for amounts in excess of 10% over the approved General Budget may only be authorized by unanimous approval of the Member Agencies. [Page 8; Task 4; Paragraph 4., second paragraph, section c]</p>	1	2	2	3	1		2 2
26								
27								
28								
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?							
Haller	SAWPA transfers a lot of grant funds and sometimes in switches from one fiscal year to another, so we would want to recognize that that occurs. Would like to avoid having to seek member agency approval to distribute grant funds which have already been awarded in a previous fiscal year. Also of concern would be adding new Brine Line customers, which adds both revenue and expenses; we would want some clarification on that process so as not to require approval by all five member agencies, which would increase costs with OCSD.							
	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
McKenney	Significant amendment to the JPAA; emphasized the importance of clarity and referenced earlier comments. Alternatively, a policy could be adopted for a contingency that is controlled by a Project Committee or the Commission.							
Discussion	Sullivan: All we are going to do is start the discussion of how we are going to vote on increased budgets or contract values; that's all that the GMs are asking for is that clarification. If it needs a JPAA amendment, then it needs an amendment. Longville: My concern is that most Task Force agreements is based on majority vote, rather than unanimous. It concerns me that this changes that in this proposed amendment.							

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#	Description	Anthony	Evans	Hall	Longville	Sullivan	Navarro	Parker
29	<p>Items 29 and 30 were considered as one item.</p> <p>For administering Project Budgets, clarification and revision, as follows: Once a Project Budget is unanimously approved by the Member Agencies (or the Member Agencies and outside partners, in the case of Watershed Partnership Projects), expenditures or contracts within the approved Budget may be authorized by majority vote of the Commission, SAWPA Project Committee (if the Project involves less than all Member Agencies), or Watershed Partnership Project Committee (if the Project involves less than all Member Agencies and outside partners). [Page 8; Task 4; Paragraph 5., second paragraph, section a]</p>	1	1	2	1	1	2	1
30	<p>For administering Project Budgets, clarification and revision, as follows: Similar to the proposed revision for the General Budget, expenditures or contracts for amounts of up to 10% over the approved Project Budget may be authorized by unanimous vote of the Commission, SAWPA Project Committee, or Watershed Partnership Project Committee, depending on the type of Project Agreement.</p> <p>[Page 8; Task 4; Paragraph 5., second paragraph, section b]</p>							
Haller	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads? Initially, there will be some legal writing. Must ensure there is cash available to pay any additional budgeted expense.							
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?							
Discussion	This is basically what the JPAA says currently, other than the previously mentioned issues about [1:40:16] committees.							
	No discussion.							

#	Description	Anthony	Evans	Hall	Longville	Sullivan	Navarro
31	Expenditures or contracts for amounts in excess of 10% over the approved Project Budget may only be authorized by unanimous approval of the Member Agencies, or the Member Agencies and outside partners in the case of Watershed Partnership Projects.	1	1	1	2	1	2 1
	To SAWPA GM: How would implementing this recommendation change the management of SAWPA? Affect staff workloads?						
Haller	Must ensure the Commission is aware of the membership of Watershed Partnership Committees.						
McKenney	To SAWPA Executive Counsel: In your opinion, would implementation of this recommendation raise any legal issues for SAWPA?						
Discussion	No new issues.						
	No discussion.						

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