

# Santa Cruz Water Supply Advisory Committee CHARTER

Approved by the Committee: May 28<sup>th</sup>, 2014

Approved by the Santa Cruz Council \_\_\_\_

## Article I. Purpose of Committee

The Committee's purpose is to explore, through an iterative, fact-based process, the City's water profile, including supply, demand and future risks; analyze potential solutions to deliver a safe, adequate, reliable, affordable and environmentally sustainable water supply and develop recommendations for City Council consideration.

## Article II. Authority and Establishment of the Committee

The Committee was established by Santa Cruz City Council by resolution on November 26, 2013 and was sworn in and seated on or before April 30 2014. The Committee is subject to the Brown Act and all other applicable law. The Committee is established for 12 months from the time of the first meeting, with extensions allowed with Council approval.

## Article III. Organization of the Committee

### (a) Committee Composition

- (i) The Committee starts work with the following fourteen members:

Peter Beckmann  
Doug Engfer  
David Green Baskin  
Suzanne Holt  
Dana Jacobson  
Charlie Keutmann  
Rick Longinotti  
Sarah Mansergh  
Mark Mesiti-Miller  
Greg Pepping  
Mike Rotkin  
Sid Slatter  
Erica Stanojevic  
David Stearns

### (b) Committee may add members

The Committee may propose to the Council the addition of Committee Members.

**(c) Committee member withdrawal**

Members may withdraw from the Committee at any time by providing a letter of resignation to the Council, with copies to the facilitators to be distributed to the other Members

**(d) Director of the Water Department as ex-officio member**

The Committee appointed the Director of the Water Department (or her designee) as a supporting Committee member. Her role is to support the Committee as they seek consensus, but not to advocate for any particular outcome. She will not vote.

**(e) Chair and Co-Chair**

The Committee may establish Committee members as Chair and co-Chair. Their responsibilities will be determined by the Committee.

**(f) Quorum**

A meeting of the Committee will be considered to have sufficient members present for it to function if there are at least 10 members at the meeting.

**Article IV. Roles and Communications**

**(a) Committee-City Council**

- (i) The Committee appreciates if Council members would not speak or actively participate in Committee meetings unless input is specifically requested by the Committee.
- (ii) The Committee will communicate with the City Council by letter or written report which may be accompanied by an oral communication as authorized by the Committee.
- (iii) Reasons for the Committee to report to the Council include
  - 1) It reaches predetermined Milestones;
  - 2) It wishes to change its Charter;
  - 3) It wishes to add new Members(s);
  - 4) Individual Committee Members may communicate personally with Council members, within the constraints of the Brown Act. Individual Committee Members who communicate personally with Council members will only do so on their own behalf. They will not represent the Committee.

**(b) Committee-Other Entities with Significant Interests in Water Policy**

Members recognize that other entities in Santa Cruz such as business and professional organizations, academic institutions, environmental organizations, or civic organizations have significant interest in the development of water policy in Santa Cruz. They also recognize that trust and collaboration among Members will be fostered and supported by adopting an open communication policy with regard to these institutions. So Members will keep the Committee up to date on significant communications between them and these institutions.

**(c) Facilitators**

(i) Work for the Committee

The co-facilitators' primary responsibility is to the Committee and to the productive pursuit of its purpose. They:

- 1) Design, prepare for, facilitate and record the Committee's meetings;
- 2) Liaise on behalf of the Committee with City staff members and with technical experts;
- 3) Work with Members to mediate resolutions to disputes that may arise and
- 4) Assist Members in their public outreach, as requested and within budget limitations.

(ii) Facilitators shall not:

- 1) Communicate with the media nor engage in discussions of this topic on social media except as requested by the Committee.
- 2) Communicate with Council members except as requested by the Committee, the Council, or to meet other legal obligation;

**(d) Committee Member - Committee Members**

- (i) Collaboration with an open outlook: Members will at all times keep to their commitment to the City that they will participate collaboratively and maintain an outlook that is open to new information and new outcomes.
- (ii) Members understand that in order to collaborate effectively in the Committee it will be important to communicate with stakeholder groups that they influence in ways that are consistent with the collaborative ideals of the Committee. Members should encourage stakeholder whom they influence to adopt similarly collaborative behavior as appropriate during the months that the Committee is working.

**(e) Committee-Public**

- (i) Members are encouraged to fully engage with the public to describe their experience as Members of the Committee, the information that they have learned, any changes to their perspectives, et cetera.
- (ii) Unless they have been appointed a spokesperson for a specific task, Members will always make it clear when they speak or write in public that they speak for themselves, and not as a spokesperson for the Committee
- (iii) Members who are relied upon by any stakeholder groups as their representative on the committee will identify those groups to the Committee and describe the nature of their relationship to those groups.
- (iv) Members respect the time that their fellow-members have committed to the meetings of the Committee, and will make every effort, both before, during and after meetings, to ensure that any members of the public, who are members of stakeholder groups that they influence, will participate in meetings with the same collaborative spirit as the Members of the Committee, and will not disrupt the Committee’s meetings and delay its work.

**(f) City Staff**

City staff shall:

- (i) Support the Committee’s work by ensuring that appropriate resources are made available to the Committee in a timely manner.
- (ii) Strive to be clear about the level of collaboration they understand to be appropriate in a given instance: Inform, Consult, Involve or Collaborate.
- (iii) Engage in the same level of collaborative participation as specified for the Committee members.

**Article V. Work Plan**

**(a) The Committee will agree on a work plan. This will include an early agreement about the form of the work product.**

**(b) Milestones**

- (i) At significant points in the completion of the work plan the Committee will prepare and submit to Council Milestone reports. It is initially anticipated that Milestone reports will be filed when the following achievements are reached:

- 1) Agreement on definitions and basic principles of problem, purpose, process, common timelines and work plan
  - 2) Achievement of an advanced understanding of the City’s water supply profile, including historical and predicted hydrologic cycles, water production and delivery, regional concerns such as saltwater intrusion, climate change threats, demands, conservation and environmental and regulatory considerations.
  - 3) Agreement on clear criteria for what constitutes a viable water supply solution.
  - 4) Exploration of a broad array of potential solutions. and
  - 5) Development of recommendations for City Council consideration.
- (ii) Any changes to these milestones agreed to by the Committee will be recommended to the Council for its approval.

**Article VI. Decision-making process.**

**(a) General Decision Process**

The Committee’s decision-making processes will differ from the Council or City Commissions in that it is intended to reach consensus through a collaborative process. (See glossary.)Therefore, the Committee will use this hierarchy of decision tools:

- (i) The preferred decision tool is for the Committee to arrive at a “sense of the meeting.”
- (ii) Consensus is highly desirable.
- (iii) Informal voting may only be used to explore the decision space.
- (iv) Formal voting may be used as a fallback when consensus fails as long as there is consensus that a vote should take place. The voting shall be by a supermajority of 10.

**Article VII. Subcommittees**

When the Committee establishes a subcommittee it shall give them a clear charge, duration and a scope of responsibility as well as external communication parameters. The Committee may agree to form subcommittees to fulfill specific roles or to complete specific tasks during the time between the normal meetings of the Committee. These meetings may be facilitated if the budget allows.

**(a) Standing Subcommittees**

Standing Subcommittees are expected to last more than 6 months and are subject to the Brown Act.

**(b) Temporary Subcommittees**

Temporary Subcommittees last fewer than 6 months. These will not normally be subject to the public access provisions of the Brown Act. Therefore, provisions to be made for public access to such a subcommittee shall be determined by the Committee at the time the subcommittee is formed

**Article VIII. Committee Dissolution:**

**(a) A super-majority of 10 votes may recommend to the Council that it dissolve the Committee. However, when they do so, they must**

- (i) appoint a spokesperson to describe the dissolution to the Council and
- (ii) provide the spokesperson with guidance and
- (iii) prepare a report about the reasons for the dissolution and a summary of areas of agreement and disagreement

**(b) Committee Members agree that, to the extent possible, any Committee dissolution will "fail forward"--leave the City in a better condition than it was before. Examples of improved condition may include:**

- (i) issues will be more clearly articulated,
- (ii) a common vocabulary will be developed and
- (iii) areas of agreement and disagreement will be clearly mapped out.

**Article IX. Meeting Procedures**

**(a) Committee Meetings will occur monthly, usually in two or three sessions on Wed evening Thursday evening and/or Friday afternoon, towards the end of each month.**

- (i) Committee members may miss no more than 3 meetings per year. If they miss more than 3 meetings per year, they forfeit their membership.
- (ii) Committee members who cannot attend should notify the facilitators in advance.

- (iii) Committee members who have a conflict of interest shall recuse themselves from the discussion and decision on the issue with respect to which they have a conflict.

**(b) The meeting times shall be posted on the Committee's website**

**(c) Facilitators will coordinate meeting materials**

- (i) including the agenda, presenters' powerpoints, etc.
- (ii) and will ensure that these materials are posted on the Committee website and that an e-mail containing links to those documents will be sent to Members at least a week in advance, except in extraordinary circumstances.
- (iii) With respect to Summaries , they will be prepared according to this example, where meeting A occurs in April and Meeting M occurs in May:
  - 1) Draft Summary for meeting A will be prepared by the facilitators and posted with an email distributed to Committee Members within one week of that meeting.
  - 2) Committee Members may send corrections within one week of receiving the draft (usually at the mid-point between meeting A and meeting M).
  - 3) The revised Summary will be included in the materials for the following meeting (meeting M) and will be amended and approved by the Committee during meeting M.
  - 4) In the process of improving the Summary for meeting A and preparing for meeting M, the facilitators will elicit information from the Committee members and synthesize it. In doing this, the facilitators prepare materials for Committee deliberations but they do not help the Committee Members engage prematurely in Committee deliberations.
  - 5) The meeting notes will include an ongoing record of attendance, including Committee Members and those members of the public who choose to identify themselves.
- (iv) As well as approval of the previous meeting's notes, regular agenda items may include
  - 1) developing the next meeting's agenda,
  - 2) reports on Committee members' interactions with the public, council, city or commissions on Committee-related topics,

- 3) subcommittee reports,
- 4) a briefing from the City's Water Department including a report on activity at the Water Commission

**(d) Involvement of the Public in Meetings**

Each session will include an opportunity for public comment regarding water-related matters. The Committee will also provide an opportunity for public input before major decisions are made.

## **Article X. Public Outreach.**

**(a) Outreach Materials and Outreach Plan**

The Committee recognizes that it bears a responsibility to facilitate the development of educational and outreach materials. The Committee, or a subcommittee appointed by the Committee, will work closely with the City to develop a comprehensive public outreach plan for approval by the Committee.

**(b) Website**

The Committee will have a website which will be funded by the City and designed by the website subcommittee. It will select material for the Committee's website that gives a balanced presentation of the Committee's work and identifies where the Committee has been and where it is going. It should present the information being considered by the Committee, even on controversial topics, in the broadest sense. It will work in collaboration with the City and with the approval of the Committee as a whole.

## **Article XI. Resolving Contention**

**(a) Committee members will use the collaborative approach expressed throughout this charter in resolving contention, for instance by inviting informal dialog with other Committee members.**

**(b) Once these methods have been exhausted, any Member may invoke the resolution provisions at any time, by notifying one of the facilitators. Once the resolution provision is invoked it must proceed promptly to resolution. The discussion will be facilitated.**



## Glossary

**Action only minutes:** these are the minutes that show the actual decisions and forward actions.

**Consensus:** consent of all the parties. Consensus can include “standing aside,” in which one or more parties can say “I am not going to block this, but I am willing to let it go. However, I want my non-agreement to be noted.”

**Decision space:** The Decision Space is the range of options available to the members of the committee. The decision space may be constrained by the council, the law, budget limitations etc.

**Ex officio:** An ex officio member is a member of a body (a board, committee, council, etc.) who is part of it by virtue of holding another office. The term is Latin, meaning literally "from the office", and the sense intended is "by right of office." That means that if the person leaves the office, the position on the committee is filled by the next person who occupies that office. Often, ex officio members sit at the table but don't vote. In the case of consensus, the ex officio member will support the Committee-members search for consensus but will not advocate for a particular option.

**Sense of the Meeting:** After discussing an issue, often at some length, there is a palpable feeling in the room that a wise and stable decision has been reached the facilitator will confirm with the group that a sense of the meeting has been achieved.