

- **Board of Directors**
Special Committee on Water Education
Executive Committee

May 13, 2003 Board Meeting

8-9

Subject

Approve amendments to the Administrative Code regarding Director-sponsored inspection trips

Description

Director-sponsored inspection trips play an important role for Metropolitan by educating hundreds of opinion leaders each year about system operations and the issues faced in meeting the District's mission. These trips provide a foundation of history, engineering, and politics as well as insights on current events so participants may better understand, and take an active part in the issues in their own communities. Inspection trips allow community leaders and other interested citizens to see Metropolitan first-hand.

Several program changes were implemented following the terrorist attacks of September 11, 2001. For example, Metropolitan requires guests to provide identification and wear a badge, disallows last minute changes to the set itinerary, closed access to some facilities, and provides a security escort at others. The Department of Water Resources has taken similar steps with respect to State Water Project facilities. Other changes were intended to maximize the value of the inspection trip program. Thus, the northern California itinerary was modified to add a Category III ecosystem restoration project, the proposed Sites reservoir location, and Sacramento Valley agriculture. Also, a new alternative to the standard CRA trip was developed to educate guests on agricultural uses of Colorado River water. This subject matter is tremendously valuable in light of the focus on the Salton Sea and the QSA, and was utilized by several directors this year.

In January, the Special Committee on Water Education was formed. This committee was tasked, in part, with policy development for the management and implementation of Director-sponsored inspection trips. Chair Bonny Herman appointed an ad hoc subcommittee to review the Administrative Code and develop recommendations for any amendments deemed appropriate, in light of changed conditions and recent experience. At its meeting of March 25, 2003, the Special Committee on Water Education considered several proposed amendments to the Administrative Code sections regarding Director-sponsored inspection trips. The proposed changes applied to the issues generally itemized as follows:

1. Alternative inspection trips. A new section would establish the authorization and procedure for offering new alternatives to the standard inspection trips, such as the Colorado River Water Users or "Ag" trip mentioned above. These trips would involve costs comparable to the standard trips.
2. Obtaining best value. Minor changes are proposed to strengthen the policy intent that inspection trips should consist of community leaders, should be as close to full capacity as possible, and should always include attendance of the sponsoring Metropolitan director except in the most unusual circumstances.
3. Personal conduct and alcohol. Language is added to clearly state District policy that employees may not be involved in the provision of alcohol for guests. New wording would also establish the sponsoring Director's responsibility for the conduct of invited guests, and that the sponsoring Director and Chairman of the Board should be informed of any improper conduct on inspection trips.
4. Security. A new paragraph would state the District's policy to ensure adequate security for infrastructure and guests, and consequences for inspection trips in a state of emergency.

The committee voted to approve several amendments, but directed staff to rewrite two paragraphs related to the area of conduct and alcohol – paragraphs (n) and (o) in the attachments – based upon the committee’s discussion. Committee members expressed that the proposed language of these two paragraphs overly restricted employees’ activities in assisting the sponsoring Director, and misdirected the Board Chairman’s responsibility to look into and correct any improper behavior on an inspection trip to the Ethics Officer.

The Legal Department revised the two paragraphs consistent with the Special Committee’s discussion. The sections of the Administrative Code affected by the prior action of the Special Committee, as well as paragraphs (n) and (o) as now proposed, are shown in **Attachment 1** (with changes marked) and **Attachment 2** (clean version as proposed). The recommendations for amending the Administrative Code are referred to the Special Committee on Water Education, the Executive Committee and the Board of Directors for final approval.

Policy

Metropolitan Water District Board of Directors must approve amendments to the Administrative Code

California Environmental Quality Act (CEQA)

CEQA determination for Options #1 and #2:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to CEQA pursuant to Sections 15378(b)(2) and 15061(b)(3) of the State CEQA Guidelines.

Board Options/Fiscal Impacts

Option #1

Adopt the CEQA determination and approve the recommended Administrative Code changes as specified on **Attachment 1**

Fiscal Impact: None

Option #2

Do not amend the Administrative Code article on inspection trips

Fiscal Impact: None

Recommendation

Option #1


Bonny Herrman
Chair, Special Committee on Water
Education

4/22/2003
Date

Attachment 1 – Proposed MWD Administrative Code Chapter 6, Article 2 (Changes Marked)

Attachment 2 – Proposed MWD Administrative Code Chapter 6, Article 2 (Clean Version)

Proposed MWD Administrative Code Chapter 6, Article 2 (Changes Marked)

§ 2614. Alternative Inspection Trips.

When in the best interests of the District, the External Affairs Group may organize alternative inspection trips to inform directors and invited guests on facilities and water management issues. The Board Chair shall approve any alternative inspection trip before it may be made available to directors. An approved alternative inspection trip may be substituted by a director for a regular inspection trip from Section 2611 to 2613 of the Administrative Code; however, the same provisions of Section 2610 shall apply. Any alternative inspection trip will be designated, in the approval, as to the type of regular inspection trip for which it may be substituted.

§ 26142615. General Provisions.

(a) The purpose of these inspection trips is to disseminate District information; provide elected and appointed officials, members of the business and environmental communities, members of the media, and other leading citizens and interested persons from each member public agency with visual inspection of District and related facilities; and acquaint them with issues facing the water industry and the District's operations, programs, and objectives, both present and future. Each director shall be responsible for the individual selection of guests, the choice of inspection trip and the inspection trip dates.

(b) It is each director's obligation to periodically sponsor inspection trips.

(c) ~~In order to give these educational inspection trips the broadest coverage, it shall be the practice to avoid having repeat guests. Generally, i~~ Inspection trip guests should be selected from within the area of the public agency represented by the sponsoring director. Each director should strive to select guests who occupy positions of leadership in their communities and other interested persons.

(d) ~~Directors who have a limited number of opinion leaders whom they feel would be of benefit to Metropolitan to include on an inspection trip may co-sponsor a trip with another director in a like situation.~~ may jointly co-sponsor an inspection trip with another director to maximize resources and serve the best interests of the District.

(e) Directors shall accompany their guests on inspection trips they sponsor except in cases of illness, emergency or other exceptional circumstances, and shall accompany them throughout all portions of the trip. In the event that a sponsoring director is not available, another director from the District or an approved director designee from a member agency must accompany the trip if cancellation is not feasible.

(f) The number of invited guests on any District inspection trip should be approximately 36. (f) ~~The number of invited guests on any District inspection trip shall not exceed 36.~~

(g) Payment of District expenses for transportation and meals on any inspection trip is to be limited to the normal travel routes to and from District facilities.

(h) If the director sponsoring the trip so desires, a reasonable amount of time will be set aside during the inspection trip for a discussion of the water problems of the member public agency as they relate to the District. Reasonable distribution of written material concerning the member public agency also will be permitted.

(i) Itineraries, transportation, lodging and meals for District inspection trips shall be standardized to the extent possible in order to minimize costs. Variations from standard itineraries to accommodate special conditions may be authorized by the Chairman.

(j) Directors are urged to consider scheduling their Colorado River Aqueduct inspection trips for Thursday, Friday and Saturday or Saturday, Sunday, and Monday rather than Friday, Saturday, and Sunday in order to allow two trips to be conducted over the same weekend and, thus, accommodate more directors' requests for preferred-month dates.

(k) Trip groups numbering ten or less may be required to share the guest quarters at Gene Field Headquarters with another group or groups.

(l) The External Affairs Group will not accept reservations for inspection trips prior to April 1 for the following fiscal year.

(m) Inspection trip dates are assigned on a date/time-request-received basis. Conflicts Scheduling conflicts will be resolved by consultation with affected directors. Continuing disputes shall be resolved by the Chairman. Any unresolved scheduling conflicts shall be referred to the Chair.

(n) In the event a director is unable to schedule a trip because of lack of an open date when he/she submits his/her reservation, he/she shall be accorded priority the next fiscal year.

(o) Alcoholic beverages will not be provided at District expense. Directors shall assume the sole responsibility for the purchase, costs and use of any alcoholic beverages during an inspection trip. Staff shall not purchase or serve alcoholic beverages during an inspection trip. Directors shall assume the sole responsibility for the purchase, costs and use of any alcoholic beverages during an inspection trip. Directors shall not request nor instruct District staff to procure, dispense, or facilitate the consumption of alcoholic beverages during an inspection trip.

(p) Directors sponsoring inspection trips are responsible for the conduct and behavior of all guests attending an inspection trip. Upon being informed, or otherwise becoming aware of, any improper behavior or activity, the sponsoring Director shall take appropriate measures, in coordination with Metropolitan tour staff, to address such behavior or activity, up to and including removal of any person or persons from the inspection trip. Directors or guests observing any action or event that is inappropriate shall report such activity as soon as possible to the sponsoring Director, or after the tour is concluded, to the Board Chair, for appropriate

action. District staff observing an action or event that is inappropriate shall report such activity as soon as possible to their immediate supervisor for appropriate action. In the event of an occurrence of any improper behavior or activities, the Director has the responsibility to address any concerns including removal of any obstructive person or persons from an inspection trip. Any person who witnesses or experiences any adverse situation may report such matters to the Ethics Officer for review as soon as the trip is concluded.

~~(p)~~ (q) Tipping of District employees, is strictly prohibited and any employee accepting a gratuity is subject to dismissal. The ~~Outreach~~ District staff Representative on the trip will handle the tip for the bus driver and any other tips which are appropriate.

~~(q)~~ (r) The District will pay ~~A~~all necessary expenses incurred during an inspection trip. ~~of any District director or any member of the District staff incurred in connection with any of the above trips will be paid by the District.~~

~~(r)~~ (s) As a security measure, the sponsoring Director shall submit a manifest of all guests to the District in advance of the inspection trip. In an emergency situation, the District may interrupt and/or cancel any inspection trip in accordance with District security policy, which shall include closure of all Metropolitan facilities to visitors.

~~(s)~~ (t) Directors within the same member public agency may transfer inspection trips among themselves if the transfer is in the best interests of the District. Acceptance of an inspection trip sponsored by another director shall not affect a director's right to sponsor an inspection trip under the other provisions of this chapter. Directors of one public agency may not transfer their inspection trips to directors of another public agency except for reasons stated in (e).

Proposed MWD Administrative Code Chapter 6, Article 2 (Clean Version)**§ 2614. Alternative Inspection Trips.**

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(f) The number of invited guests on any District inspection trip should be approximately 36.

(g) Payment of District expenses for transportation and meals on any inspection trip is limited to the normal travel routes to and from District facilities.

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