

● **Board of Directors**

June 8, 2004 Board Meeting

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**5C**

**Subject**

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Appoint Deni Elliott as the Ethics Officer and approve terms of Agreement

**Description**

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Following a competitive process, on May 25, 2004 the Ethics Subcommittee and the Executive Committee recommended that the Board appoint Deni Elliott as Metropolitan's Ethics Officer. Ms. Elliott will provide the following services:

- Propose ethical rules for approval by the Board of Directors and provide advice to directors, staff or contractors/vendors on ethical issues.
- Administer, develop, monitor and direct Metropolitan's ethics program.
- Provide coordination and assistance to the Ethics Educator in the development and administration of ethics education programs.
- Serve as principal contact at the intake and inquiry levels for ethics complaints.
- Work in cooperative fashion with the Offices of the Chief Executive Officer, General Counsel and General Auditor in developing and implementing the ethics program.
- Attend monthly Board of Directors meetings and report at least monthly regarding accomplishments of the Ethics Office.
- Attend regular ethics subcommittee meetings and various program meetings.
- Handle FPPC compliance issues, such as: the annual filing of Conflict of Interest Statements and assuming and leaving office statements.
- Perform other duties as assigned by the Board of Directors.

I am recommending entering into a three-year contract, not to exceed \$100,000 per year. The base fee is \$7,000 per month or \$84,000 annually. Ms. Elliott will bear the expense of up to two trips per month to California. Metropolitan will reimburse expenses including travel to conferences and additional meetings as requested by Metropolitan.

**Policy**

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MWD Act § 126.7

**California Environmental Quality Act (CEQA)**

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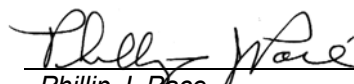
The proposed action is not defined as a project under CEQA, because it involves continuing administrative activities, such as procedure making (Section 15378 (b)(2) of the State CEQA Guidelines.

**Recommendation**

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Adopt the CEQA determination and confirm the appointment of Deni Elliott as the Ethics Officer and approve the terms of the agreement.

**Fiscal Impact:** \$100,000 per year

  
Phillip J. Pace  
Chairman of the Board

June 8, 2004

Date