



- Board of Directors

*Joint Meeting of Organization, Personnel and Technology Committee  
and Audit and Ethics Committee*

6/14/2011 Board Meeting

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**5E**

## **Subject**

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Approve Amendment to Ethics Officer's Terms of Employment

## **Description**

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Dr. Deni Elliott has served as Metropolitan's Ethics Officer since June 2004; first, as an independent contractor; subsequently as a recurrent employee since July 31, 2006.

The original terms of Dr. Elliott's employment agreement with Metropolitan limit her work schedule to 18.5 hours per week. Dr. Elliott has requested an amendment to her employment contract to increase her Metropolitan work schedule to an average of 20 hours per week. This change will entitle Dr. Elliott to qualify to become a member of CalPers and to receive Metropolitan paid health insurance. Dr. Elliott's salary will not change as a result of the proposed amendment. The total additional annual cost to Metropolitan for its contribution to CalPers and health insurance premiums will be \$33,702.14. The additional amount is already included in the Ethics Department budget. The proposed amendment includes Dr. Elliott's express waiver of any retroactive benefits and agreement that she will not seek or assert entitlement to any such benefit.

## **Policy**

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Metropolitan Water District Act, Section 126.7

Metropolitan Water District Administrative Code Section 2501(b): Duties and Functions of the Audit and Ethics Special Committee

## **California Environmental Quality Act (CEQA)**

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CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as personnel-related actions, general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) 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 15378(b)(4) of the State CEQA Guidelines.

CEQA determination for Option #2:

None required

**Board Options**

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**Option #1**

Adopt the CEQA determination and approve amending the employment agreement with the Ethics Officer to reflect a work schedule averaging 20 hours per week as recommended by this letter.

**Fiscal Impact:** Approximately \$33,700 for CalPERS enrollment and health insurance

**Option #2**

Do not approve amending the employment agreement with the Ethics Officer.

**Fiscal Impact:** None

**Staff Recommendation**

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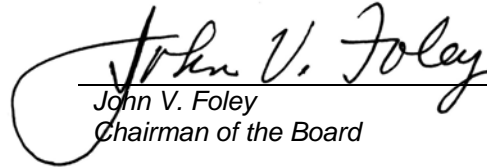
Option #1



Laura Friedman  
Chair of Audit and Ethics Committee

6/8/2011

Date



John V. Foley  
Chairman of the Board

6/8/2011

Date