



- Board of Directors  
Executive Committee

4/10/2012 Board Meeting

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**5E**

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## **Subject**

Approve employment contract for new General Counsel

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## **Description**

Pursuant to the action taken at the Board meeting of March 13, 2012, I have negotiated terms and conditions with Marcia L. Scully as the new General Counsel. The following compensation and benefits are recommended for the Board's authorization for Ms. Scully:

- Annual base salary \$241,500
- Car allowance or appropriate District vehicle at Ms. Scully's option as authorized by District policy
- For involuntary severance unrelated to misconduct, one year compensation (salary and benefits) to be received, at Ms. Scully's option, as paid leave or lump sum payment
- Executive outplacement services shall be made available to Ms. Scully for 180 days following the involuntary separation

All other compensation and benefits as provided to other unrepresented Metropolitan employees

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## **Policy**

Metropolitan Water District Administrative Code Section 6401: Method of Appointment and Removal

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

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 (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 is 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.

CEQA determination for Option #2:

None required

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## **Board Options**

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### **Option #1**

Adopt the CEQA determination and affirm Marcia L. Scully as General Counsel and the terms of her employment as set forth above.

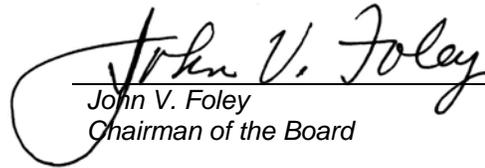
**Option #2**

Reject recommendation and direct Chairman to renegotiate proposed contract.

**Staff Recommendation**

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Option #1

  
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John V. Foley  
Chairman of the Board

3/27/2012  
\_\_\_\_\_  
Date

Ref# hr12617864