



- **Board of Directors**
Legal and Claims Committee

3/10/2026 Board Meeting

7-2

Subject

Approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of existing committees to accommodate a new committee, and make other minor non-substantive changes; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

The proposed amendments to the Metropolitan Water District Administrative Code (Administrative Code) will modify the structure and duties of existing committees to accommodate a new committee, and make other minor non-substantive changes. The proposed changes include:

- Modifying the Audit Committee meeting schedule to hold meetings when needed instead of quarterly.
- Modifying the Community and Workplace Culture Committee (CWC Committee) by shifting its ethics-related duties to a new Ethics Committee, modifying its meeting schedule to hold meetings when needed instead of monthly, and adding the Chief Equal Employment Opportunity Officer to make recommendations.
- Establishing the new Ethics Committee as a Standing Committee to perform the ethics-related duties formerly performed by the CWC Committee; the new committee will hold meetings when necessary.
- Ensuring the three Standing Committees whose meetings are changing from regular frequency to as needed maintain their subject matter jurisdiction to remain as Standing Committees under the Brown Act.
- Changing reporting duties related to the Ethics Officer from the CWC Committee to the Ethics Committee.
- Make other minor, non-substantive changes.

The proposed amendments are to the following: Articles 1, 3, and 10 of Chapter 4, and the addition of Article 11, of Division II (Standing Committees); Articles 2, 3, 4 and 5 of Chapter 4 of Division VI (Personnel Matters); and, to Articles 1 and 2 of Chapter 4 of Division VII (Governmental Ethics).

See **Attachment 1** and **Attachment 2**.

Proposed Action/Recommendation and Options

Staff Recommendation: Option #1

Option #1

Approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of existing committees to accommodate a new committee, and make other minor non-substantive changes.

Fiscal Impact: None

Business Analysis: The Administrative Code will be amended to modify the structure and duties of existing committees to accommodate a new committee, and make other non-substantive changes

Option #2

Do not approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of existing committees to accommodate a new committee, and make other minor non-substantive changes.

Fiscal Impact: None

Business Analysis: The Administrative Code will not be amended to modify the structure and duties of existing committees to accommodate a new committee, and make other non-substantive changes

Alternatives Considered

Not applicable

Applicable Policy

Metropolitan Water District Administrative Code Section 2400: Standing Committees

Metropolitan Water District Administrative Code Section 2451: Legal and Claims Committee

Metropolitan Water District Administrative Code Section 6410: General Manager

Metropolitan Water District Administrative Code Section 6430: General Counsel

Metropolitan Water District Administrative Code Section 6450: General Auditor

Metropolitan Water District Administrative Code Section 6470: Ethics Officer

Metropolitan Water District Administrative Code Section 7400: Investigations by the Ethics Officer

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Related Board Action/Future Action

Not applicable

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves organizational, maintenance, or administrative activities; personnel-related actions; and/or general policy and procedure making that will not result in direct or indirect physical changes in the environment. (Public Resources Code Section 21065; State CEQA Guidelines Section 15378(b)(2) and (5)).

CEQA determination for Option #2:

None required

Details and Background

Background

This letter sets forth recommendations by the Chair of the Board for amendments to the Administrative Code to modify the structure and duties of existing committees to accommodate a new committee, and make other minor non-substantive changes. The Administrative Code is proposed to be amended, as follows:


- Section 2400 is amended to add a new Ethics Committee to the cumulative list of Standing Committees.
- Section 2402 is amended to:
 - Change the section title to accommodate the three Standing Committees that will not have fixed meeting schedules as a result of proposed amendments.
 - Modify the meeting schedules of the Audit and CWC Committees to be scheduled when necessary.
 - Specify that the new Ethics Committee meetings will be scheduled when necessary.
 - Clarify that Standing Committees have continuing subject matter jurisdiction even if they do not have fixed meeting schedules.
- Section 2420 amends the Audit Committee meeting schedule from quarterly to when necessary.
- Section 2490 amends the CWC Committee meeting schedule from monthly to when necessary.
- Section 2491 is amended to delete the CWC Committee's five ethics-related duties in subsection (a). The remaining duties in subsection (b), related to equal employment opportunity (EEO) and diversity, equity and inclusion, are renumbered from Section 2491(b)(1) through (b)(7) to Section 2491(a) through (g). Renumbered subsection (b) is amended to add, consistent with current practice, the inadvertently omitted Chief EEO Officer to provide committee recommendations.
- Article 11 is added to establish the new Ethics Committee. New Section 2492 is added to define its meeting schedule. New Section 2493(a) through (e) is added to state the new committee's duties and functions, moved from CWC Committee Section 2491(a)(1) through (5).
- Sections 6416, 6436(b), 6450(b), 6470(a), (e) and (i), 6471(d), the title of 6472, 6472(a) and (b), 7405(a) and (b), and 7412(e) are amended to shift the Ethics Officers reporting responsibilities from the CWC Committee to the Ethics Committee.
- New Section 2493(c) and (d) and Section 6472(b) are amended for the Ethics Officer to provide the Ethics Committee monthly (instead of bi-monthly) status reports of pending investigations and monthly (instead of quarterly) reports on any engagement of professional and technical consultants.
- Other minor non-substantive changes include capitalizing Standing Committee in Section 2402 for internal consistency and adding "and" in the list of Ethics Officer-related items at Section 6470(e).

The proposed amendments are set forth in **Attachment 1**, with overstrikes reflecting deletions and underlining reflecting additions. **Attachment 2** sets forth the sections as they will appear in the Administrative Code if the changes are approved.



Marcia Scully
General Counsel

3/4/2026
Date



Abel Salinas
Ethics Officer

3/4/2026
Date

Attachment 1 – The Administrative Code of The Metropolitan Water District of Southern California (with changes marked)

Attachment 2 – The Administrative Code of The Metropolitan Water District of Southern California (clean copy)

Ref# I12710709

Division II

PROCEDURES PERTAINING TO BOARD, COMMITTEES AND DIRECTORS

Chapter 4

STANDING COMMITTEES

Article	Sec.
1 General	2400
2 Executive Committee	2410
3 Audit Committee	2420
4 Engineering, Operations and Technology Committee	2430
5 Finance, Affordability, Asset Management, and Efficiency Committee	2440
6 Legal and Claims Committee	2450
7 Legislation and Communications Committee	2460
8 Organization, Personnel and Effectiveness Committee	2470
9 One Water and Adaptation Committee	2480
10 Community and Workplace Culture Committee	2490
11 <u>Ethics Committee</u>	2492

Article 1

GENERAL

Sec.
2400. Identification of Standing Committees
2401. Officers and Members of Standing Committees
2402. <u>Day of Regular Meetings and Meeting Frequency</u>

§ 2400. Identification of Standing Committees.

The Standing Committees of the Board of Directors are:

- Executive Committee (EXEC)
- Audit Committee
- Engineering, Operations and Technology Committee (EOT)
- Finance, Affordability, Asset Management, and Efficiency Committee (FAAME)
- Legal and Claims Committee (LC)
- Legislation and Communications Committee (LEG)
- Organization, Personnel and Effectiveness Committee (OPE)
- One Water and Adaptation Committee (OWA)

—Community and Workplace Culture Committee (CWC)

- Ethics Committee

§ 2402. Day of Regular Meetings and Meeting Frequency.

The regular meetings of Sstanding Ceommittees shall be held on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month. The Audit Committee, Community and Workplace Culture Committee, and Ethics Committee shall meet when needed. ~~on a quarterly basis.~~ If a scheduled meeting falls on a holiday designated in Section 1106, the meeting will be rescheduled to the next business day unless the Board selects an alternate date. Staff will adjust its schedule accordingly. All Standing Committees have continuing subject matter jurisdiction as described in the Duties and Functions sections and as otherwise indicated in the Administrative Code.

Article 3

AUDIT COMMITTEE

§ 2420. Day of Regular Meetings and Meeting Frequency.

The regular meetings of the Audit Committee shall be held ~~on when needed a quarterly basis in the months of March, June, September and December~~ on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

Article 10

COMMUNITY AND WORKPLACE CULTURE COMMITTEE

§ 2490. Day of Regular Meeting and Meeting Frequency.

The regular meetings of the Community and Workplace Culture (CWC) Committee shall be held ~~on when needed on~~ the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

§ 2491. Duties and Functions.

The CWC Committee shall study, advise and make recommendations on community and workplace culture matters, as follows:

- (a) ~~With regards to ethics matters:~~
 - (1) ~~Periodic performance expectations discussions, including progress checks, with the Ethics Officer.~~

~~(2) Monitoring and overseeing the duties and responsibilities of the Ethics Officer to ensure the independence of the Ethics Officer.~~

~~(3) Receive and review bi-monthly status reports of pending investigations by the Ethics Officer. The reports shall include the general nature and status of the investigation, how long the investigation has been pending, when the investigation is expected to be completed and, when completed, resolution of the investigation.~~

~~(4) Receive and review quarterly reports from the Ethics Officer on any engagement of professional and technical consultants.~~

~~(5) Review and approval of the business plan containing the key priorities for the coming year for the Ethics Office. It shall review and approve the business plan in advance of the July Board meeting.~~

~~(b) With respect to matters of equal employment opportunity and of diversity, equity and inclusion:~~

~~(1)(a) Direct and receive reports from, and be the home committee for, Metropolitan's Diversity, Equity and Inclusion Officer, and Metropolitan's Chief Equal Employment Opportunity Officer;~~

~~(2)(b) Receive input, policy and procedure recommendations from the Diversity, Equity and Inclusion Officer; and the Chief Equal Employment Opportunity Officer.~~

~~(3)(c) Study diversity, equity, and inclusion issues within Metropolitan to recommend ways to enhance and promote equal opportunity, affirmative action, increased diversity of the workforce and a culture of inclusion within Metropolitan;~~

~~(4)(d) Monitor performance of efforts to promote workforce development programs, including training and advancement opportunities at Metropolitan to increase diversity, equity and inclusion within Metropolitan and benefit the communities within Metropolitan's service area; and~~

~~(5)(e) Study areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity and affirmative action.~~

~~(6)(f) Study, advise and make recommendations on the ways the District can:~~

~~(i)(1) Better serve the disadvantaged and underserved communities within Metropolitan's service area, and mitigate issues of affordability;~~

~~(ii)(2) Improve the access of disadvantaged and underserved communities to reliable, high-quality drinking water supplies;~~

~~(iii)(3) Increase participation of currently underserved communities in Metropolitan's rebate, conservation, and other local resources programs; and~~

~~(iv)~~(4) Assist and support member agency programs and advocate for underserved communities, including providing communications, operational and technical assistance, with focus on consumer confidence in drinking water.

~~(7)~~(g) Monitor Metropolitan's compliance with laws governing equal opportunities and employment and the manner in which investigations are conducted in compliance with such laws.

Article 11

ETHICS COMMITTEE

Sec.

2492. Day of Regular Meeting and Meeting Frequency.

2493. Duties and Functions.

§ 2492. Day of Regular Meeting and Meeting Frequency.

The regular meetings of the Ethics Committee shall be held when needed on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

§ 2493. Duties and Functions.

The Ethics Committee shall study, advise and make recommendations with regards to ethics matters, as follows:

(a) Periodic performance expectations discussions, including progress checks, with the Ethics Officer.

(b) Monitoring and overseeing the duties and responsibilities of the Ethics Officer to ensure the independence of the Ethics Officer.

(c) Receive and review bi-monthly status reports of pending investigations by the Ethics Officer. The reports shall include the general nature and status of the investigation, how long the investigation has been pending, when the investigation is expected to be completed and, when completed, resolution of the investigation.

(d) Receive and review quarterly monthly reports from the Ethics Officer on any engagement of professional and technical consultants.

(e) Review and approval of the business plan containing the key priorities for the coming year for the Ethics Office. It shall review and approve the business plan in advance of the July Board meeting.

DIVISION VI
PERSONNEL MATTERS

Chapter 4
OFFICERS

Article 2
GENERAL MANAGER

§ 6416. Annual Report to Executive Committee.

The General Manager shall annually submit to the Executive Committee a business plan containing the General Manager's key priorities for the coming year. The business plan shall be submitted in conjunction with similar plans by the General Auditor to the Audit Committee and the Ethics Officer to the ~~Community and Workplace Culture Ethics~~ Committee and the General Counsel to the Legal and Claims Committee.

Article 3
GENERAL COUNSEL

§ 6436. Annual and Quarterly Reports to Legal and Claims Committee.

[SUBSECTION (a) OMMITTED]

(b) The General Counsel shall annually, in advance of the July Board meetings, submit to the Legal and Claims Committee a business plan containing the Legal Department's key priorities for the coming year for review and approval. The business plan shall be submitted in conjunction with similar plans by the General Manager to the Executive Committee, ~~and the General Auditor to the Audit Committee, and to the~~ Ethics Officer to the Ethics Committee ~~Community and Workplace Culture Committee.~~

Article 4
GENERAL AUDITOR

§ 6450. Powers and Duties.

[SUBSECTION (a) OMMITTED]

(b) The General Auditor manages the District's Audit Department and is responsible for formulating departmental policies and procedures; directing and evaluating the performance of work done by employees within the department, administering the internal records of the department; and administering the District's contract for external audit services. The General Auditor shall, annually in advance of the July Board meetings, submit to the Audit Committee an Audit business plan containing key priorities for the coming year for review and approval. The business plan shall be submitted in conjunction with similar plans by the General Manager to the Executive Committee, the General Counsel to the Legal and Claims Committee and Ethics Officer to the ~~Community and Workplace Culture~~ Ethics Committee.

[SUBSECTIONS (c) and (d) OMMITTED]

Article 5**ETHICS OFFICER**

Sec.

6470. Powers and Duties

6471. Authority to Obtain Professional Services

6472. Reports to ~~Community and Workplace Culture~~ Ethics Committee

6473. Principal Assistant Ethics Officer

§ 6470. Powers and Duties.

The powers and duties of the Ethics Officer shall be as follows:

(a) The Ethics Officer shall report to the Board, through the ~~CWC~~ Ethics Committee.

[SUBSECTIONS (b) through (d) OMMITTED]

(e) The Ethics Officer shall propose amendments to the Administrative Code to the ~~CWC~~ Ethics Committee for approval and adoption by the Board, relating to:

- (1) Regulation of lobbying activities;
- (2) Conflicts of interest and financial disclosure;
- (3) Public notice and approval procedures for contracts of \$50,000 or more;
- (4) Disclosure of campaign contributions related to potential conflicts of interest;

and,

(5) Such other ethics rules for application to board members, officers, employees, lobbyists, lobbying firms, and contractors as deemed appropriate.

[SUBSECTIONS (f) through (h) OMMITTED]

(i) The Ethics Officer shall have the authority to confer with the Chair of the Board and the Chair and Vice Chair of the ~~CWC~~Ethics Committee for the purpose of seeking advice and feedback on any policy and operational matters, or feedback on investigative matters, subject to the confidentiality requirements in section 7412 of the Administrative Code.

[SUBSECTION (j) OMMITTED]

§ 6471. Authority to Obtain Professional Services.

[SUBSECTIONS (a) through (c) OMMITTED]

(d) The Ethics Officer shall inform the ~~CWC~~Ethics Committee whenever the authority granted under this section is exercised, and shall further report quarterly on activities concerning any agreements entered into under this section. Any such contracts shall be consistent with Metropolitan contract requirements and shall be reviewed by the General Counsel.

§ 6472. Reports to ~~the Ethics Community and Workplace Culture~~ Committee.

(a) The Ethics Officer shall annually, in advance of the July Board meetings, submit to the ~~Community and Workplace Culture (CWC)~~Ethics Committee a business plan for the Ethics Office containing key priorities for the coming year for review and approval.

(b) The Ethics Officer shall prepare ~~quarterly~~monthly reports to the ~~CWC~~Ethics Committee on activities concerning agreements executed pursuant to the authority given to the Ethics Officer in Section 6471, and ~~bi~~-monthly reports related to pending investigations as specified in Section 6470.

Division VII

GOVERNMENTAL ETHICS

Chapter 4

INVESTIGATION BY THE ETHICS OFFICER

Article 1

AUTHORITY TO INVESTIGATE AND JURISDICTION

§ 7405. Investigations of Directors, General Manager, General Counsel, General Auditor, or Ethics Officer.

(a) The Ethics Officer shall retain an outside counsel or investigator to conduct any investigation of alleged violations of Metropolitan ethics rules by a Director, General Manager, General Counsel or General Auditor. The investigation shall be conducted in consultation with the Ethics Officer. The Ethics Officer shall, based on the results of the investigation, make the final determination as to whether a violation has occurred. Prior to retaining the outside counsel or investigator, the Ethics Officer shall notify the ~~Community and Workplace Culture (CWC)~~Ethics Committee Chair, unless the Chair is the subject of the investigation, in which case the Vice Chair shall be notified.

(b) The Ethics Officer shall refer to the General Counsel any complaint of alleged violations of Metropolitan ethics rules by the Ethics Officer or any member of the Office staff. The General Counsel shall retain an outside counsel or investigator to conduct the investigation in consultation with the General Counsel. The General Counsel shall, based on the results of the investigation, make the final determination as to whether a violation has occurred. Prior to retaining the outside counsel or investigator, the General Counsel shall notify the ~~CWC~~Ethics Committee Chair.

Article 2

PROCEDURES FOR INVESTIGATIONS

§ 7412. Confidentiality of Investigations.

[SUBSECTIONS (a) through (d) OMMITTED]

(e) The Ethics Officer may confer with the Chair of the Board and the Chair and Vice Chair of the ~~CWC~~Ethics Committee on any investigative matter subject to the following:

- (1) The communications shall be for the purpose of feedback.
- (2) The communications shall be confidential.
- (3) The restrictions on interference with investigations in section 7129(d).

[SUBSECTION (g) OMMITTED]

Division II

PROCEDURES PERTAINING TO BOARD, COMMITTEES AND DIRECTORS

Chapter 4

STANDING COMMITTEES

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7	Legislation and Communications Committee	2460
8	Organization, Personnel and Effectiveness Committee	2470
9	One Water and Adaptation Committee	2480
10	Community and Workplace Culture Committee	2490
11	Ethics Committee	2492

Article 1

GENERAL

§ 2400. Identification of Standing Committees.

The Standing Committees of the Board of Directors are:

- Executive Committee (EXEC)
- Audit Committee
- Engineering, Operations and Technology Committee (EOT)
- Finance, Affordability, Asset Management, and Efficiency Committee (FAAME)
- Legal and Claims Committee (LC)
- Legislation and Communications Committee (LEG)
- Organization, Personnel and Effectiveness Committee (OPE)
- One Water and Adaptation Committee (OWA)
- Community and Workplace Culture Committee (CWC)
- Ethics Committee

§ 2402. Regular Meetings.

The regular meetings of Standing Committees shall be held on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month. The Audit Committee, Community and Workplace Culture Committee, and Ethics Committee shall meet when needed.

If a scheduled meeting falls on a holiday designated in Section 1106, the meeting will be rescheduled to the next business day unless the Board selects an alternate date. Staff will adjust its schedule accordingly. All Standing Committees have continuing subject matter jurisdiction as described in the Duties and Functions sections and as otherwise indicated in the Administrative Code.

Article 3**AUDIT COMMITTEE****§ 2420. Day of Regular Meetings and Meeting Frequency.**

The regular meetings of the Audit Committee shall be held when needed on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

Article 10**COMMUNITY AND WORKPLACE CULTURE COMMITTEE****§ 2490. Day of Regular Meeting and Meeting Frequency.**

The regular meetings of the Community and Workplace Culture (CWC) Committee shall be held when needed on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

§ 2491. Duties and Functions

The CWC Committee shall study, advise and make recommendations on community and workplace culture matters, as follows:

(a) Direct and receive reports from, and be the home committee for, Metropolitan's Diversity, Equity and Inclusion Officer, and Metropolitan's Chief Equal Employment Opportunity Officer;

(b) Receive input, policy and procedure recommendations from the Diversity, Equity and Inclusion Officer; and the Chief Equal Employment Opportunity Officer;

(c) Study diversity, equity, and inclusion issues within Metropolitan to recommend ways to enhance and promote equal opportunity, affirmative action, increased diversity of the workforce and a culture of inclusion within Metropolitan;

(d) Monitor performance of efforts to promote workforce development programs, including training and advancement opportunities at Metropolitan to increase diversity, equity and inclusion within Metropolitan and benefit the communities within Metropolitan's service area; and

(e) Study areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity and affirmative action.

(f) Study, advise and make recommendations on the ways the District can:

(1) Better serve the disadvantaged and underserved communities within Metropolitan's service area, and mitigate issues of affordability;

(2) Improve the access of disadvantaged and underserved communities to reliable, high-quality drinking water supplies;

(3) Increase participation of currently underserved communities in Metropolitan's rebate, conservation, and other local resources programs; and

(4) Assist and support member agency programs and advocate for underserved communities, including providing communications, operational and technical assistance, with focus on consumer confidence in drinking water.

(g) Monitor Metropolitan's compliance with laws governing equal opportunities and employment and the manner in which investigations are conducted in compliance with such laws.

Article 11

ETHICS COMMITTEE

Sec.

2492. Day of Regular Meeting and Meeting Frequency.

2493. Duties and Functions.

§ 2492. Day of Regular Meeting

The regular meetings of the Ethics Committee shall be held when needed on the Monday preceding regular board meetings or on the second or fourth Tuesday of each month.

§ 2493. Duties and Functions

The Ethics Committee shall study, advise and make recommendations with regards to ethics matters, as follows:

(a) Periodic performance expectations discussions, including progress checks, with the Ethics Officer.

(b) Monitoring and overseeing the duties and responsibilities of the Ethics Officer to ensure the independence of the Ethics Officer.

(c) Receive and review monthly status reports of pending investigations by the Ethics Officer. The reports shall include the general nature and status of the investigation, how long the investigation has been pending, when the investigation is expected to be completed and, when completed, resolution of the investigation.

(d) Receive and review monthly reports from the Ethics Officer on any engagement of professional and technical consultants.

(e) Review and approval of the business plan containing the key priorities for the coming year for the Ethics Office. It shall review and approve the business plan in advance of the July Board meeting.

DIVISION VI**PERSONNEL MATTERS****Chapter 4****OFFICERS****Article 2****GENERAL MANAGER****§ 6416. Annual Report to Executive Committee.**

The General Manager shall annually submit to the Executive Committee a business plan containing the General Manager's key priorities for the coming year. The business plan shall be submitted in conjunction with similar plans by the General Auditor to the Audit Committee and the Ethics Officer to the Ethics Committee and the General Counsel to the Legal and Claims Committee.

Article 3

GENERAL COUNSEL

§ 6436. Annual and Quarterly Reports to Legal and Claims Committee.

[SUBSECTION (a) OMMITTED]

(b) The General Counsel shall annually, in advance of the July Board meetings, submit to the Legal and Claims Committee a business plan containing the Legal Department's key priorities for the coming year for review and approval. The business plan shall be submitted in conjunction with similar plans by the General Manager to the Executive Committee, the General Auditor to the Audit Committee, and the Ethics Officer to the Ethics Committee.

Article 4

GENERAL AUDITOR

§ 6450. Powers and Duties.

[SUBSECTION (a) OMMITTED]

(b) The General Auditor manages the District's Audit Department and is responsible for formulating departmental policies and procedures; directing and evaluating the performance of work done by employees within the department, administering the internal records of the department; and administering the District's contract for external audit services. The General Auditor shall, annually in advance of the July Board meetings, submit to the Audit Committee an Audit business plan containing key priorities for the coming year for review and approval. The business plan shall be submitted in conjunction with similar plans by the General Manager to the Executive Committee, the General Counsel to the Legal and Claims Committee and Ethics Officer to the Ethics Committee.

[SUBSECTIONS (c) and (d) OMMITTED]

Article 5

ETHICS OFFICER

Sec.

- 6470. Powers and Duties
- 6471. Authority to Obtain Professional Services
- 6472. Reports to Ethics Committee
- 6473. Principal Assistant Ethics Officer

§ 6470. Powers and Duties.

The powers and duties of the Ethics Officer shall be as follows:

(a) The Ethics Officer shall report to the Board, through the Ethics Committee.

[SUBSECTIONS (b) through (d) OMMITTED]

(e) The Ethics Officer shall propose amendments to the Administrative Code to the Ethics Committee for approval and adoption by the Board, relating to:

- (1) Regulation of lobbying activities;
- (2) Conflicts of interest and financial disclosure;
- (3) Public notice and approval procedures for contracts of \$50,000 or more;
- (4) Disclosure of campaign contributions related to potential conflicts of interest;

and,

(5) Such other ethics rules for application to board members, officers, employees, lobbyists, lobbying firms, and contractors as deemed appropriate.

[SUBSECTIONS (f) through (h) OMMITTED]

(i) The Ethics Officer shall have the authority to confer with the Chair of the Board and the Chair and Vice Chair of the Ethics Committee for the purpose of seeking advice and feedback on any policy and operational matters, or feedback on investigative matters, subject to the confidentiality requirements in section 7412 of the Administrative Code.

[SUBSECTION (j) OMMITTED]

§ 6471. Authority to Obtain Professional Services.

[SUBSECTIONS (a) through (c) OMMITTED]

(d) The Ethics Officer shall inform the Ethics Committee whenever the authority granted under this section is exercised, and shall further report quarterly on activities concerning any agreements entered into under this section. Any such contracts shall be consistent with Metropolitan contract requirements and shall be reviewed by the General Counsel.

§ 6472. Reports to the Ethics Committee.

(a) The Ethics Officer shall annually, in advance of the July Board meetings, submit to the Ethics Committee a business plan for the Ethics Office containing key priorities for the coming year for review and approval.

(b) The Ethics Officer shall prepare monthly reports to the Ethics Committee on activities concerning agreements executed pursuant to the authority given to the Ethics Officer in Section 6471, and monthly reports related to pending investigations as specified in Section 6470.

Division VII**GOVERNMENTAL ETHICS****Chapter 4****INVESTIGATION BY THE ETHICS OFFICER****Article 1****AUTHORITY TO INVESTIGATE AND JURISDICTION****§ 7405. Investigations of Directors, General Manager, General Counsel, General Auditor, or Ethics Officer.**

(a) The Ethics Officer shall retain an outside counsel or investigator to conduct any investigation of alleged violations of Metropolitan ethics rules by a Director, General Manager, General Counsel or General Auditor. The investigation shall be conducted in consultation with the Ethics Officer. The Ethics Officer shall, based on the results of the investigation, make the final determination as to whether a violation has occurred. Prior to retaining the outside counsel or investigator, the Ethics Officer shall notify the Ethics Committee Chair, unless the Chair is the subject of the investigation, in which case the Vice Chair shall be notified.

(b) The Ethics Officer shall refer to the General Counsel any complaint of alleged violations of Metropolitan ethics rules by the Ethics Officer or any member of the Office staff. The General Counsel shall retain an outside counsel or investigator to conduct the investigation in consultation with the General Counsel. The General Counsel shall, based on the results of the investigation, make the final determination as to whether a violation has occurred. Prior to retaining the outside counsel or investigator, the General Counsel shall notify the Ethics Committee Chair.

Article 2**PROCEDURES FOR INVESTIGATIONS****§ 7412. Confidentiality of Investigations.**

[SUBSECTIONS (a) through (d) OMMITTED]

(e) The Ethics Officer may confer with the Chair of the Board and the Chair and Vice Chair of the Ethics Committee on any investigative matter subject to the following:

- (1) The communications shall be for the purpose of feedback.
- (2) The communications shall be confidential.
- (3) The restrictions on interference with investigations in section 7129(d).

[SUBSECTION (g) OMMITTED]