



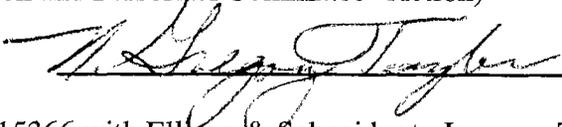
**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

7-9

March 24, 1998

**To:** Board of Directors (Legal and Claims Committee--Action)  
(Organization and Personnel Committee--Action)

**From:** General Counsel 

**Subject:** Amendment of Agreement No. 15366 with Ellison & Schneider to Increase Total Amount Payable to \$150,000

### **RECOMMENDATION(S)**

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It is recommended that the General Counsel be authorized to amend Agreement No. 15366 with the law firm of Ellison & Schneider to increase the total amount payable under the agreement to \$150,000 per calendar year.

### **EXECUTIVE SUMMARY**

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Since August 1, 1997, the General Counsel has retained the Sacramento law firm of Ellison & Schneider to represent Metropolitan's interests with respect to the appropriation of agricultural drainage water for beneficial use and related Colorado River issues. The firm has advised Metropolitan on the appropriation process with the State Water Resources Control Board and related Colorado River issues on these matters. Total fees and expenses under the contract will, however, exceed the General Counsel's authority under Administrative Code Section 6431 (\$100,000). In addition, this firm has extensive experience regarding groundwater issues and Metropolitan is in the process of exploring groundwater storage and transfer programs off the Colorado River Aqueduct. Consequently, the proposed amendment to the contract increases the amount payable under the contract to \$150,000 per calendar year, and broadens the scope of work to include groundwater storage and transfer programs.

### **DETAILED REPORT**

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Since August 1, 1997, the General Counsel has retained the Sacramento law firm of Ellison & Schneider to represent Metropolitan's interests with respect to the appropriation of agricultural drainage water for beneficial use and related Colorado River issues. Anne Schneider, the principal partner under this contract, has an extensive background in matters dealing with the State Water Resources Control Board and her assistance in these matters has been extremely helpful.

Activity in these areas will continue over the next few years and continued representation by Ellison & Schneider can help Metropolitan achieve successful resolution of these issues. In addition, Metropolitan has begun exploring potential water storage and transfer programs along the Colorado River Aqueduct. Ms. Schneider also has experience on groundwater matters and

her input on these potential transactions will be critical. Total fees and costs under the current contract will soon reach the General Counsel's maximum authority (\$100,000) under Administrative Code Section 6431. Therefore, the General Counsel is seeking your Board's authorization to amend the contract with Ellison & Schneider to increase the maximum amount payable to \$150,000 per calendar year, and to broaden the scope of work to include legal advice on potential groundwater storage and transfer transactions.

JK:gm  
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