



**MWD**

*METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA*

*Office of Board of Directors*

December 7, 1992

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

From: Chairman, General Counsel Search Committee

Subject: Interim General Counsel

At the Board of Directors meeting of October 13, 1992, the role of the Search Committee was expanded to include responsibility to determine whether the Board needs an Interim General Counsel to fill the position until a permanent selection is made.

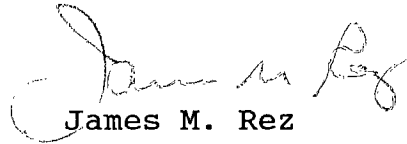
At the Board of Directors meeting of November 10, the Board authorized employment of Robert Logan, Esq., to assist the Committee in the assignments involved in its role in the search process as directed by the Board of Directors.

Mr. Logan has spent time with the General Counsel's staff members and with some of the General Manager's, and with the Search Committee, and this letter is a status report regarding the recommendation in connection with an Interim General Counsel.

It is the recommendation that it would be counter-productive to appoint someone from outside the office for a short period of time because of the complexity of the issues currently before the Board.

In addition, he points out the Metropolitan Water District Administrative Code provides that the Assistant General Counsel shall act in the absence of the General Counsel until the appointment and qualification of the General Counsel's successor, and, therefore, no action is required of Directors (a copy of Mr. Logan's letter is attached).

The Committee agrees with the recommendation of Mr. Logan and, unless otherwise directed by the Board of Directors, we will proceed with the recruitment process in order to have a recommendation to the Board as soon as possible after January 1, 1993.



James M. Rez

Attachment

THE LAW  
OFFICES OF  
ROBERT  
J. LOGAN

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December 2, 1992

Mr. James M. Rez  
Metropolitan Water District of  
Southern California  
1111 Sunset Boulevard  
Los Angeles, CA 90012

Dear Jim:

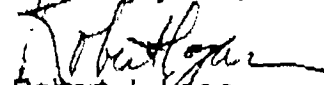
In addition to my assignment to analyze the operations of the General Counsel's office, the Search Committee has asked for my opinion regarding the appointment of a temporary general counsel during the period of time covering the departure of the general counsel and the appointment of a new general counsel. For two reasons, I recommend against appointing an acting general counsel at this stage of the review and recruitment process.

First, Section 6434 of the Metropolitan Water District Administrative Code provides that the assistant general counsel shall act in the absence of the general counsel until the appointment and qualification of the general counsel's successor. Therefore, the Board does not need to designate an acting general counsel to assure the duties of the office are fulfilled.

Second, creating the position by appointment from outside the office has the potential of being counterproductive. The appointee would have little or no knowledge of the existing issues before the Board and such an appointment could create a morale problem. It is highly unlikely, given the time for holding the acting general counsel position, that an outside appointee could adequately familiarize and understand the internal operations and dynamics of the 14 lawyer office.

Therefore, it is my recommendation that no action be taken to appoint an acting general counsel. Section 6434 adequately provides for the Assistant to oversee the daily operations of the office and, based upon my preliminary review, will provide for the Board's needs during the recruitment period.

Sincerely yours,

  
Robert J. Logan

RJL/kl