



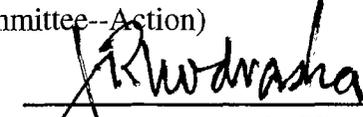
**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

8-14

October 8, 1997

**To:** Board of Directors (Executive Committee--Action)

**From:** General Manager   
 General Counsel 

**Subject:** Report on San Diego County Water Authority's Public Records Act Requests

**RECOMMENDATION(S)**

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That the Board consider the options for action outlined below in the detailed report and adopt some, all or none of the listed possible actions.

**EXECUTIVE SUMMARY**

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The San Diego County Water Authority (SDCWA) has sent numerous requests for documents to Metropolitan in the past six months. Many of these have been oral, some written and there have been several formal requests under the Public Records Act. Recently, on October 2, 1997, we received a very extensive request for documents filed by the SDCWA as well as two separate requests to conduct audits of all Metropolitan contracts dealing with issues related to the proposed IID/SDCWA water transfer. This is all in addition to extensive document production requests that have been filed in the validation litigation which also covers much of the same ground. Staff is seeking direction on how to respond to these document requests.

**DETAILED REPORT**

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Metropolitan has received a barrage of document production requests from the San Diego County Water Authority (SDCWA) over the past six months. Most recently, the requests have been extremely broad in scope and issued under the Public Records Act (PRA). The PRA has a very short time frame in which to respond--10 days typically--and is usually used to seek specific documents. The SDCWA is using the PRA as a form of "discovery" to sift through broad categories of documents on what would be deemed, in a litigation context, to be "fishing expeditions." This has forced Metropolitan staff to devote a considerable amount of staff time in responding to these numerous requests.

**Background**

In the past six months, Metropolitan has received numerous requests for documents from the SDCWA. Many of these were oral and have been responded to as they came in. On April 23, 1997, Metropolitan received an informal written request for a number of documents relating to public affairs contracts from SDCWA Director Fred Thompson. This was followed up by a formal PRA request from Mr. Thompson dated May 13, 1997, seeking similar

documents. Materials were provided in response to these requests as well as to Director Krauel in response to her oral request for materials relating to Edelman Worldwide.

On August 4, 1997, Metropolitan received a letter from Director Frahm seeking more documents relating to the Edelman contract. The next day on August 5, 1997, another official PRA request was received from Director Thompson which contained 31 separate categories of documents sought. Further written document requests were received from the SDCWA dated September 10th, September 22nd and October 2nd.

All together Metropolitan has responded to eight written requests for documents in the past few months in addition to the formal document discovery served in the validation litigation. Metropolitan has also responded to numerous oral requests for documents during this period. All told Metropolitan has expended several hundred hours of staff time on these requests thus far and there are more requests pending. The August 5th PRA request alone was extremely burdensome and harassing in nature and forced staff to spend nearly one hundred hours searching files and compiling records. The October 2nd request for documents is equally oppressive in scope and appears to be nothing more than a fishing expedition. In addition to once again seeking information with regards to the public affairs contracts, which has already been provided, this request seeks lists of every contract Metropolitan has entered into in the past three years whether or not related to the proposed IID/SDCWA water transfer. There is even a request for all documents related to the licensing agreements for the "Star Trek Video".

### **Current Situation**

On October 2, 1997, Christine Frahm, SDCWA Chair, sent a letter to Chairman Foley containing a new PRA sent pursuant to an attached Board letter from the SDCWA's General Counsel. The SDCWA Board letter outlines various possible actions the SDCWA Board may take regarding the Partnership for Regional Water Reliability and Metropolitan's Edelman Public Relations Contract. In Ms. Frahm's letter, we are informed that of eight possible actions regarding the Edelman contract, the SDCWA took six of the actions and deferred action on the remaining two. The six actions taken were:

- (1) Ask for an audit on all Metropolitan contracts regarding the IID-SDCWA water transfer;
- (2) Send a PRA request for the records on all Metropolitan contracts regarding the IID-SDCWA water transfer;
- (3) If Metropolitan does not perform the requested audit, fund the SDCWA's own audit;
- (4) Have SDCWA General Counsel ask Metropolitan's Auditor and General Counsel to investigate the matter for potential violations of Metropolitan's Act and Code;
- (5) Direct the SDCWA's Public Affairs Department to forward information on the Edelman contract to the State Senate and Assembly; and
- (6) Direct the SDCWA General Manager and General Counsel to monitor the situation and report back to the Board with additional recommendations.

The two actions on which the SDCWA deferred action were:

- (1) Authorize General Counsel to forward the information to the Fair Political Practices Commission for possible violations by Metropolitan of the Political Reform Act; and
- (2) Authorize General Counsel to forward the information to the Los Angeles County Grand Jury for review and action.

The PRA request and letters from the SDCWA Chair and General Counsel seeking audits have already been received (Items 1, 2, and 4 above). It should be noted that the PRA request Metropolitan received well exceeds the scope of the PRA request the SDCWA Board directed its staff to send. Copies of SDCWA's recent written requests for documents are attached.

### **Possible Courses of Action**

There are a number of possible actions that can be taken in response to these actions taken by the SDCWA. Any or all of the following steps may be taken to address this situation.

1. Authorize the General Counsel to retain Special Counsel with expertise in the PRA to advise Metropolitan on available options to respond to the numerous document requests from the SDCWA.
2. Authorize the Chairman to ask the SDCWA to cease this waste of time and public funds on these repeated requests for documents.
3. Pursuant to Metropolitan's Administrative Code § 7311, direct the Executive Committee to investigate whether any SDCWA delegates to the Metropolitan Board have violated Code § 7309 by interfering with the performance of the official duties of others.
4. Direct the General Manager and the General Counsel to continue to monitor the situation and report back to the Board on the results of any actions taken with further recommendations as appropriate.

JK:gm  
#7049

Attachment



# San Diego County Water Authority

A Public Agency

3211 Fifth Avenue • San Diego, California 92103-5718  
(619) 682-4100 FAX (619) 297-0511

October 2, 1997

Mr. Jack Foley  
Chairman  
Metropolitan Water District of Southern California  
Two California Plaza  
350 South Grand Avenue  
Los Angeles, CA 90071

Dear Jack:

## Public Records Act Request

On Sept. 25, 1997, the Board of Directors of the San Diego County Water Authority directed staff to forward a Public Records Act request to Metropolitan Water District for records relating to Metropolitan's consultant contracts which the Authority believes relate to the San Diego County Water Authority, its proposed water transfer with Imperial Irrigation District, wheeling rate negotiations between the Water Authority and Metropolitan and other matters. In conformance with the Board's direction, this letter is a request under the California Public Records Act, Government Code section 6250, et. seq., for copies of the following materials:

1. Contracts, scopes of work, memoranda of understanding, agreements and amendments to agreements between Metropolitan Water District of Southern California -- either directly with, or as a subconsultant to a prime contractor -- and the following companies and/or individuals:
  - a) Burson-Marsteller (Agreement Nos. 8003 and 13612 and any other agreements which may exist between Metropolitan and Burson-Marsteller)
  - b) Kevin Sloat
  - c) Ross Communications
  - d) Jim Gonzalez & Associates
  - e) Macola and Associates
  - f) Phil Isenberg or any company or organization employing Phil Isenberg
  - g) Harley Knox or any company or organization employing Harley Knox
  - h) Bob Woolf or any company or organization employing Bob Woolf
  - i) J. Moore Methods
  - j) Cerrell and Associates
  - k) Mary McGuire or any company or organization employing Mary McGuire
  - l) Solutions Strategies, Inc.
  - m) Muys & Pensabene and Jerome C. Muys
  - n) O'Melveny & Meyers
  - o) John R. Maloy

### MEMBER AGENCIES

CITIES	IRRIGATION DISTRICTS	WATER DISTRICTS	MUNICIPAL WATER DISTRICTS
COUNTY	PUBLIC UTILITY DISTRICT	FEDERAL AGENCY	

2. Any contracts, memoranda of understanding, agreements and amendments to agreements between Metropolitan Water District of Southern California directly with the following companies since July 1, 1997, or included as subconsultants in any consultant agreement entered into by Metropolitan and any other party excluding Edelman Public Relations Worldwide:
  - a) Durazo Communications
  - b) Centaur North
  - c) Fitch Public Affairs
  - d) Imada Wong Communications
  - e) The Robert Group
  - f) PS Enterprises
  - g) AMPG
  - h) Judy Ganulin & Associates
3. Invoices, records of payments, plans, strategy memos, board letters, news releases, media advisories, fact sheets, Q&As, news conference plans, letters to the editor, opinion pieces, editorials, media outreach plans, legislative advocacy plans, legislative contact lists, legislative tracking forms, position papers, "white papers," issue papers, advertisements, presentation materials, newsletters, message points, lists of individuals and organizations contacted or briefed on matters relating to the San Diego/Imperial Irrigation District water transfer or water wheeling negotiations with Metropolitan Water District, tracking forms, public opinion research questionnaires, public opinion research results/data/cross-tabulations/summaries/reports, weekly and monthly status reports, videos and photos, memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages and any other documents between or involving Metropolitan and those firms and individuals listed in items 1 and 2 above.
4. Lists of any and all subconsultants to any firms and individuals listed in items 1 and 2 above.
5. Accounts payable records which show all payments made to any firms and individuals listed in items 1 and 2 above.
6. All receipts, invoices or other documentation, including all subconsultant invoices, required to be submitted with invoices from the firms and individuals listed in items 1 and 2 above.
7. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, billing records, and any other documents relating to the organization Partnership for Regional Water Reliability.
8. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, billing records, and any other documents relating to the organization The Southern California Declaration.

9. Any contracts, memoranda of understanding, agreements, license agreements and invoices between Metropolitan Water District and Paramount Studios and all other firms, consultants and production companies involved in the production, duplication and distribution of the "Star Trek" video, presented at the July 1997 Board of Directors workshop in San Diego, including all records of payments made to all holders of rights to the Star Trek set, costumes, likenesses, film and video footage and characters associated with the video.
10. MWD-EIS Contract Management System reports listing all active and rollover consulting agreements for fiscal year 1996-97 for amounts of \$25,000 or less listing Consultant Name, Agreement Number, Serv ID, Amend Number, Division, Agreement Scope, Maximum Amount Payable, Rollover Year to Date, Inception to Date and Fiscal Year to Date dollar amounts.
11. MWD-EIS Contract Management System reports listing all new, current, active and rollover consulting agreements for fiscal year 1997-98 for amounts of \$25,000 or more listing Consultant Name, Agreement Number, Serv ID, Amend Number, Division, Agreement Scope, Maximum Amount Payable, Rollover Year to Date, Inception to Date and Fiscal Year to Date dollar amounts.
12. MWD-EIS Contract Management System reports listing all new, current active and rollover consulting agreements for fiscal year 1997-98 for amounts of \$25,000 or less listing Consultant Name, Agreement Number, Serv ID, Amend Number, Division, Agreement Scope, Maximum Amount Payable, Rollover Year to Date, Inception to Date and Fiscal Year to Date dollar amounts.

As required by Government Code section 6256, please respond to this request within the next 10 days. If required, the Authority will reimburse MWD for any reasonable duplication costs.

Sincerely,



Christine M. Frahm

cc: San Diego County Water Authority Board of Directors



# San Diego County Water Authority

A Public Agency

3211 Fifth Avenue • San Diego, California 92103-5718  
(619) 682-4100 FAX (619) 297-0511

September 22, 1997  
VIA FACSIMILE

Mr. Gilbert Ivey  
The Metropolitan Water District  
of Southern California  
P. O. Box 54153  
Terminal Annex  
Los Angeles, California 90054

Dear Gilbert:

Request for MWD Agreements – Nos. 8003 and 13612

Please provide the San Diego County Water Authority by September 24 with a copy of two agreements MWD entered into with Burson -Marsteller. The two agreement numbers are 8003, and 13612. Please also let us know whether these agreements were approved by your Board, and if so, when.

Please call me at (213) 687-2340, if you have any questions regarding this request. Your assistance in this matter is greatly appreciated.

Sincerely,

Amy Chen, SDCWA

Imported Water Liaison

c: Dennis Cushman  
Gordon Hess

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### MEMBER AGENCIES

**CITIES**  
• San Marcos • Escondido • National City  
• Oceanside • Poway • San Diego

**IRRIGATION DISTRICTS**  
• Central Fe • South Bay  
• Vista

**WATER DISTRICTS**  
• Helix • Otay  
• San Diegoito  
• Vallecitos

**MUNICIPAL WATER DISTRICTS**  
• Carlsbad  
• Olivenhain  
• Pacific Dun  
• Redwood  
• Romona  
• San Luis Rey  
• Valley Center  
• Vista

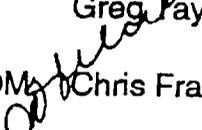
**COUNTY**  
• San Diego

**PUBLIC UTILITY DISTRICT**  
• Fallbrook

**FEDERAL AGENCY**  
• Pennington Military Reservation

**MEMORANDUM**

September 10, 1997

TO: Greg Taylor, General Counsel  
FROM:  Chris Frahm  
RE: Information and Document Request

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Dear Greg:

This is a request that copies of the following documents be faxed to me today:

1. Copy of your cover letter, along with the attachments, filing for water rights on the Alamo River dated Sept. 8, 1997.
2. Copy of your letter to Imperial Irrigation District, dated Sept. 9, 1997, advising them of Metropolitan's filing on the Alamo River.
3. Copy of any and all correspondence from and to MWD and the Edelman firm and/or Edelman's attorney's regarding billing matters including, but not limited to, any potential threat of litigation.

Thank you.

Fred Thompson  
4435 Trias Street  
San Diego, CA 92103

Aug. 5, 1997

Mr. John "Woody" Wodraska  
General Manager, and  
Ms. Dawn Chin,  
Acting Executive Secretary  
Metropolitan Water District  
of Southern California  
Two California Plaza  
350 South Grand Avenue  
Los Angeles, CA 90071

Dear Woody:

Public Records Act Request

In response to my earlier Public Records Act Request, I have received a public affairs plan and other work product materials prepared by Edelman Worldwide Communications and its subconsultants under Metropolitan Water District Agreement No. 12259. Also received were the Edelman contract and invoices from Edelman from November 1996 to May 1, 1997.

A careful review of the materials released to me in response to my earlier Public Records Act request suggests additional existing materials may have not been released to me. Additionally, it appears that the billing records provided to me under my earlier Public Records Act request were incomplete. This letter is a request under the California Public Records Act, Government Code section 6250, et. seq., for copies of the following materials:

1. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages and any other documents changing any of the terms and/or conditions of MWD Agreement No. 12259 with Edelman Worldwide Communications. Included in this request are any and all change orders or purchase orders relating to MWD Agreement No. 12259 and any memoranda, letters, electronic mail correspondence (e-mail) between MWD and Edelman regarding invoices, the status of current billings or future expected billings, requests for MWD authorization to proceed with work, the granting of MWD authorization to proceed with work, billings of subconsultants, authorizations for subconsultants work and payments to Edelman for subconsultants work, payments directly to subconsultants or payments to subconsultants performing work under Agreement No. 12259 but paid under any other consultant agreement with MWD.

**Public Records Act Request**

**Aug. 5, 1997**

**Page 2**

2. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages and any other documents authorizing Edelman to exceed the contract maximum of \$225,000.
3. All MWD Board Minutes, resolutions, memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages and any other documents authorizing the General Manager to exceed his contracting authority maximum of \$250,000 on MWD Agreement No. 12259.
4. All Edelman and subconsultant invoices received by MWD to date, including June 1997, July 1997 and August 1997 invoices for fees and direct costs.
5. Edelman invoices for direct costs for the months of November 1996, April 1997 and May 1997.
6. Accounts payable records which show all payments made to Edelman and any subconsultants relating to Agreement No. 12259, including:
  - a) Durazo Communications
  - b) Centaur North
  - c) Finch Public Affairs
  - d) Imada Wong Communications
  - e) The Robert Group
  - f) PS Enterprises
  - g) AMPG
  - h) Judy Ganulin & Associates
7. All receipts, invoices or other documentation required to be submitted with Edelman's invoices and its subconsultants' invoices as required in Agreement No. 12259, including invoices or other documentation showing:
  - a) The maximum amount payable, a summary of costs for the current invoice, amount due for the current invoice, and total amount previously invoiced.
  - b) All labor charges itemized by employee name, classification, corresponding hourly rate, hours worked, description of each labor charge, and total amount due for labor charges.
  - c) Subconsultants' invoices.
  - d) Receipts for all direct charges exceeding \$50.
  - e) Monthly MBE/WBE Utilization Reports.
8. All weekly, monthly or other status reports from Edelman or its subconsultants relating to Agreement No. 12259.
9. Any and all correspondence between Edelman and MWD, including proposals, plans, strategy memos, message points, status reports, follow-up memos, updated plans and/or programs.
10. Any and all written or recorded accounts of meetings, phone conferences, briefings or strategy sessions, including minutes, conference reports, to-do lists and summaries of agreed-upon action items relating to Agreement No. 12259 and between representatives of MWD and Edelman and/or subconsultants performing work under this contract.

**Public Records Act Request****Aug. 5, 1997****Page 3**

11. All any all calendars, timelines or other written documentation which shows scheduled meetings, briefings, phone conferences or any other discussions between MWD representatives, or Edelman representatives, or any subconsultant performing work under Agreement No. 12259 with any public officials, media representatives, MWD member agency representatives, consultants, community groups, community leaders and academic community representatives.
12. Documentation which supports MWD's Board Report 8-10 from the July 1997 MWD Board Meeting regarding Edelman's performance in the area of MBE and WBE participation.
13. Documentation which explains how amending MWD's agreement with Edelman "in an amount of \$1,390,000, for a total agreement amount of \$1,800,000" was calculated, given Agreement No. 12259's not-to-exceed cost of \$225,000.
14. Any memoranda, letters, electronic mail messages between MWD and Edelman regarding any subject or matter relating to MWD Agreement No. 12259.
15. All internal MWD memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, and any other documents regarding any aspect of the Edelman contract, including relating to Edelman's and/or any of its subconsultants' billings, invoices and payments.
16. Written notification(s) from Edelman having reached \$180,000 in billings, as required by Agreement No. 12259.
17. A full, unedited and uncensored copy of the Feb. 13, 1997, memo from John Stodder to Ane Deister titled "Impressions of Colorado River Workshop, 2/7/97"
18. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, and any other documents relating to the organization Partnership for Regional Water Reliability.
19. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, and any other documents relating to the organization The Southern California Declaration.
20. All opinion research survey instruments, data, results, crosstabs and interpretative reports, including any drafts of public opinion surveys, communications audits, questionnaires or draft questionnaires, proposed and actual scopes of work for research projects and all memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages, time sheets, and any other communications between MWD and any research firm -- including subconsultant AMPG -- relating to work performed under Agreement No. 12259.
21. Research findings ("MWD Public Affairs 'Umbrella' Program, page 8).
22. "Message Bible" (MWD Public Affairs 'Umbrella' Program, page 8).
23. Fact sheets, Q&As and press materials. (MWD Public Affairs 'Umbrella' Program, page 8).
24. Video (MWD Public Affairs 'Umbrella' Program, page 8).
25. Photos of the exhibit booth and samples of the give-aways (MWD Public Affairs 'Umbrella' Program, page 9).

**Public Records Act Request**

**Aug. 5, 1997**

**Page 4**

26. Renderings or photographs of the billboards (MWD Public Affairs 'Umbrella' Program, page 9).
27. Drafts and final versions of Public Service Announcements? (MWD Public Affairs 'Umbrella' Program, page 9).
28. Database of reporters to target (MWD Public Affairs 'Umbrella' Program, page 10).
29. Agendas, presentation materials, overheads, guides and/or manuals relating to the media training (MWD Public Affairs 'Umbrella' Program, page 10).
30. Draft layouts or photocopies of advertisements (MWD Public Affairs 'Umbrella' Program, page 11).
31. Copies of all quarterly legislative newsletters (MWD Public Affairs 'Umbrella' Program, page 13).

The above list is not exclusive. I hereby seek through this Public Records Act request all other material produced by Edelman and its subconsultants related to MWD Agreement No. 12259 and any other subsequent agreements or change orders to Agreement No. 12259.

As required by Government Code section 6256, please respond to this request within the next ten (10) days. I will reimburse MWD for the direct cost of duplication or applicable statutory fee. Please either bill be for those costs when forwarding the copies of the requested documents or let me know immediately the cost of said duplication so that I can forward it to you and avoid delay in receipt of the requested information.

Sincerely,



Fred Thompson

SENT BY:SDCWA

; 8- 5-97 ; 9:51AM ;

ADMINISTRATION- MNWD Administration:# 1/ 9



# San Diego County Water Authority

A Public Agency

3211 Fifth Avenue • San Diego, California 92103-5718  
(619) 682-4100 FAX (619) 297-0511

Aug. 4, 1997

John Foley  
Chairman of the Board  
Metropolitan Water District of Southern California  
P.O. Box 54153  
Los Angeles, CA 90054-0153

Dear Jack:

I have received your letter of July 31, 1997. I propose the following: San Diego will defer its audit of the Edelman contract if you will reschedule the internal audit for completion on or before Monday, Aug. 11, 1997. This timing will allow our board of directors an opportunity to review the results of the audit at our August 14 meeting; and this will allow the MWD Board of Directors to review the results of the audit at its Aug. 18-19 meeting. This timing will permit all of our board members to have the necessary information available to them in a timely fashion, since it is our understanding from your July 25 letter to me that it is intended that the Edelman contract be brought back to the board for consideration at the August board meeting. Please let me know if there is any change in that plan, as it could affect our course of action.

In addition, we request to be provided copies of some of the documents (listed in an attachment to this letter) which are referred to or identified in the Edelman materials so that we will have a chance to review them before we are asked to vote on the Edelman contract extension. We also request these documents be provided to the Authority on or before Aug. 11, 1997.

In the event that Mike Hondorp is unable to complete the internal audit, and/or Metropolitan is unable to provide the requested documents by Aug. 11, then we would respectfully request that the Edelman contract matter be pulled from the August board agenda and be scheduled at the September board meeting. This will allow the board an opportunity to review the relevant information in advance of being asked to make a decision on the matter. In this case, we would also respectfully renew our request that all spending on this contract be halted pending the completion of the audit and production of documents.

### MEMBER AGENCIES

- CITIES**
- Colton • Fontana • National City
  - Oceanside • Poway • San Diego

- COUNTY**
- San Diego (as advised)

- IRIGATION DISTRICTS**
- San Luis • Salton Bay
  - Yuma

- PUBLIC UTILITY DISTRICT**
- Fallbrook

- WATER DISTRICTS**
- Water • Otay
  - San Diego
  - Vista

- FEDERAL AGENCY**
- Pendleton Military Reservation

- MUNICIPAL WATER DISTRICTS**
- Colton
  - Chula Vista
  - Fontana
  - San Diego
  - Vista
  - Yuma

SENT BY:SDCWA

; 8- 5-97 ; 9:52AM ;

ADMINISTRATION- MWD Administration;# 2/ 3

Mr. John Foley  
Aug. 4, 1997  
Page 2

Jack, I know you will understand that our concern with this contract goes far beyond the fact that the General Manager has exceeded his spending authority. The issues pertain not only to the San Diego/ID water transfer and policies about water marketing generally, but to fundamental issues of MWD board governance and financial policies which do not appear to have been previously determined by the MWD Board of Directors in an open board process. Moreover, we are struggling as we contemplate the question of the fiduciary duty Metropolitan has to the Water Authority as a member agency of the Metropolitan Water District.

I tried to reach you in Salt Lake City to discuss this matter directly, but there was no answer at the number provided me by the Executive Secretary's Office. I have asked Dawn Chin to ask you to call me at your earliest convenience. I left my number where I will be available to return your call promptly.

Sincerely,



Christine M. Frahm  
Chair

cc: San Diego County Water Authority Board of Directors  
Metropolitan Water District of Southern California Board of Directors

Attachments: List of requested documents  
July 31, 1997 letter from John Foley

SENT BY: SDCWA

; 8- 5-87 ; 9:52AM ;

ADMINISTRATION→ MNWD. Administration: # 3/ 3

**LIST OF REQUESTED DOCUMENTS**

1. Research findings ("MWD Public Affairs 'Umbrella' Program, pages 4 and 8).
2. "Message Bible" (MWD Public Affairs 'Umbrella' Program, page 8).
3. Fact sheets, Q&As and press materials. (MWD Public Affairs 'Umbrella' Program, page 8).
4. Database of reporters to target (MWD Public Affairs 'Umbrella' Program, page 10).
5. A full copy of the Feb. 13, 1997, memo from John Stodder to Ane Deister titled "Impressions of Colorado River Workshop, 2/7/97"
6. All memoranda, letters, correspondence, reports, records of phone calls, electronic mail messages and any other documents authorizing Edelman to exceed the contract maximum of \$225,000.
7. Copy of the game plan developed to explore setting up an independent expenditure campaign ("MWD Public Affairs 'Umbrella' Program, page 13).
8. Copies of collateral materials developed for the "third-party" coalition ("MWD Public Affairs 'Umbrella' Program, page 14).
9. Copy of database of membership of the "third party" coalition ("MWD Public Affairs 'Umbrella' Program, page 14).
10. Copies of any board actions supporting the positions stated in John Stodder's April 24, 1997, memo to Wodraska, Quinn, et. al., and his April 25, 1997, memo to Kathy Cole re: SB926 message points and recommendations.

FRED THOMPSON  
4435 Trias Street  
San Diego, CA 92103  
(619) 296-4435

May 13, 1997

Mr. John R. Wodraska, General Manager  
Mr. N. Gregory Taylor, General Counsel  
Ms. Karen Dorff, Executive Secretary  
Metropolitan Water District of Southern California  
350 Grand Avenue  
Los Angeles, CA 90071

Re: Public Records Act Request

Dear Messrs. Wodraska and Taylor, and Ms. Dorff:

I recently sent you a letter, dated April 23, 1997, as a member of the Board of Directors of the San Diego County Water Authority for certain information, and have received no response. Having learned that you have asked our MWD directors to absent themselves from closed sessions at MWD on broad issues relating to San Diego negotiations, it is apparent to me that you view the Authority as an adversary. Since our agency pays approximately 25-28 percent of MWD's expenses and costs, it appears that San Diego is underwriting a significant portion of the effort against itself. Since you have either failed and/or refused to respond to my more informal request, this is a request under the California Public Records Act, Government Code section 6250, et. seq. Please provide me with copies of the following:

1. All contracts for services between the Metropolitan Water District of Southern California and the following persons or entities, which relate to services performed or to be performed for MWD regarding the wheeling of water through MWD's conveyance system; MWD's wheeling rates; MWD's wheeling rate validation lawsuit; water transfers; Colorado River issues, including reoperations and banking; and negotiations with the San Diego County Water Authority for the use of MWD water conveyance facilities:

- |                 |                       |
|-----------------|-----------------------|
| a. Kevin Sloat  | f. Steve Macola       |
| b. Richie Ross  | g. Edleman Associates |
| c. Mr. Gonzales | h. Phil Isenberg      |

Mr. John R. Wodraska, General Manager  
Mr. N. Gregory Taylor, General Counsel  
Ms. Karen Dorff, Executive Secretary  
Metropolitan Water District of Southern California  
May 12, 1997  
Page 2

- d. Burson-Marstellar
- e. Jack Maloy
- i. Jerry Muys, and/or Muys and Pensebene
- j. O'Melveny & Myers

2. All statements, invoices, or bills for services rendered and expenses incurred, pursuant to the contracts identified in Request No. 1 above, and, where applicable, copies of vouchers or other documents reflecting payment of such fees and expenses, for the period of May 1, 1996 through the date of your response to this request.

As required by Government Code section 6256, please respond to this request within the next ten (10) days. I will reimburse you the direct cost of duplication. Please either bill me for those costs when forwarding the copies of the requested documents, or let me know immediately the cost of said duplication and I will forward payment to you.

Very truly yours,



Fred Thompson

FRED THOMPSON  
4435 Trias Street  
San Diego, CA 92103  
(619) 296-4435

April 23, 1997

Mr. John R. Wodraska, General Manager  
Mr. N. Gregory Taylor, General Counsel  
Ms. Karen Dorff, Executive Secretary  
Metropolitan Water District of Southern California  
350 Grand Avenue  
Los Angeles, CA 90071

By facsimile (213) 217-6650

Dear Messrs. Wodraska and Taylor, and Ms. Dorff:

As a member of the Board of Directors of the San Diego County Authority, and having learned that you have asked our MWD directors to absent themselves from closed sessions at MWD on broad issues relating to San Diego negotiations, it is apparent to me that you view the Authority as an adversary. Since our agency pays approximately 25-28 percent of MWD's expenses and costs, it appears that San Diego is underwriting a significant portion of the effort against itself. Therefore, I would like for you to provide me the following:

Within three days, confirmation that the following persons and/or firms are working for or providing services to Metropolitan on issues relating to wheeling, the validation law suit, water transfers, Colorado River issues including reopertations and banking, negotiations with San Diego:

Kevin Sloat  
Richie Ross  
Mr. Gonzales  
Burson-Marstellar  
Jack Maioy

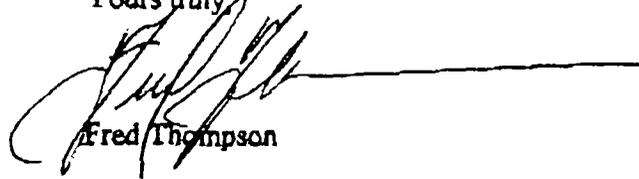
Steve Macola  
Edleman Associates  
Phil Isenberg  
Jerry Muys (Muys and Pensebene)  
O'Melveny & Myers

Please provide me within ten days a complete list of all other persons and/or firms working for or providing services to Metropolitan on these or related issues.

Please provide me within ten days how much each consultant/person is being and has been paid and what each person's charge, direction, or responsibility is regarding these issues.

Thank you for your urgent attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Fred Thompson', is written over a horizontal line. The signature is stylized and cursive.

Fred Thompson

cc: San Diego County Water Authority