

LC&P Committee

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 J. Foley, Ex Officio
 H. Hansen, Ex Officio

**Legal, Claims and Personnel
Committee**

Meeting with Board of Directors*

September 8, 2003

12:00 p.m. -- Room 2-456

Monday, September 8, 2003 Meeting Schedule		
7:30-8:15 a.m.	Rm. 2-413	Dirs. Computer Training
8:30 a.m.*	Rm. 2-456	E&O
10:00 a.m.*	Rm. 2-145	BF&I
12:00 p.m.*	Rm. 2-456	LC&P
1:45 p.m.*	Rm. 2-145	WPQ&R
3-4:30 p.m.	Rm. 2-413	Dirs. Computer Training

*Meetings will begin at the posted time, or upon the conclusion of the preceding meeting if the preceding meeting exceeds its scheduled time period.

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

* The Metropolitan Water District's Legal, Claims and Personnel Committee meeting is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to the Legal, Claims and Personnel Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to the Legal, Claims and Personnel Committee will not vote on matters before the Legal, Claims and Personnel Committee.

1. **Opportunity for members of the public to address the committee on matters within the committee's jurisdiction** (As required by Gov. Code § 54954.3(a).)

2. **Approval of the Minutes of the meeting of the Legal, Claims and Personnel Committee held August 18, 2003**

3. **REPORTS**
 - a. Oral report on Colorado River matters. (LC&P)

 - b. Oral report on Bay-Delta and State Water Project matters. (LC&P, WPQ&R)

4. CONSENT CALENDAR ITEMS — ACTION

8-4 Approve amendment to increase professional services contract with the law firm of Latham & Watkins by the amount of \$150,000 for legal services in *Imperial Irrigation District v. United States*, U.S.D.C. No. 03 CV 0069 W (JFS). (LC&P)

8-5 Approve amendment to increase by \$300,000 the contract for legal services with Harkins Cunningham and report on Colorado River negotiations. (LC&P)
[Conference with real property negotiators; property is Colorado River water rights; agency negotiators: Dennis Underwood and Jeffrey Kightlinger; negotiating parties: U.S. Department of the Interior, State of California, Imperial Irrigation District, Coachella Valley Water District and San Diego County Water Authority; under negotiation: price and terms of agreement; to be heard in closed session pursuant to Gov. Code § 54956.8]

5. OTHER BOARD ITEMS — ACTION

9-5 Report on and request for funds re pending litigation on the Arrowhead East and Arrowhead West tunnel contracts; authorize amendment to contract for legal services with Hunt, Ortmann, Blasco, Palffy & Rossell to increase the compensation to a maximum of \$700,000; and authorize amendment to contract with forensic accountants Tucker Alan, Inc. to increase the compensation to a maximum of \$300,000. (LC&P)
[Conference with legal counsel—existing litigation (*Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case Nos. BC283438 and BC283439); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

6. BOARD INFORMATION ITEMS

10-1 Status report for the Inland Feeder Program for activities through July 2003. (E&O, LC&P)
[Any discussion of litigation to be heard in closed session. Conference with legal counsel—existing litigation (*Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case Nos. BC283438 and BC283439); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

7. COMMITTEE ITEMS

a. Report on *Imperial Irrigation District vs. The United States of America, Gail Norton, et al.* (Case No. 03 CV 0069 W (JFS))
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

- b. Oral report on agency temporary personnel
- c. General Counsel's report of monthly activities

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: At the discretion of the committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the committee.

This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

