

LC&P Committee

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C. Kwan
C. Lewis
J. Morris
J. Mylne, III
T. Tait
P. Pace, Ex Officio
J. Foley, Ex Officio
G. Peterson, Ex Officio
H. Hansen, Ex Officio

**Legal, Claims and Personnel
Committee**

Meeting with Board of Directors*

September 13, 2004

11:30 a.m. -- Room 2-456

Monday, September 13, 2004 Meeting Schedule		
7:30-8:30 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
11:30 a.m.*	Rm. 2-456	LC&P
1:00 p.m.*	Rm. 2-145	WPQ&R
2:30 p.m.*	Rm. 2-456	ARE&IP
3:30-4:30 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 16, 2004**
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** Authorize revisions to the Administrative Code of The Metropolitan Water District of Southern California to conform to current laws, practices and board authorization, and make corrections. (LC&P)

5. OTHER BOARD ITEMS — ACTION

- 9-7 Amend contracts for legal services with (1) Bingham McCutchen LLP to increase maximum amount payable by \$140,000; (2) Law Offices of John W. Harris & Associates to increase maximum amount payable by \$150,000; (3) Hill, Farrer & Burrill LLP to increase maximum amount payable by \$290,000; and (4) Horvitz & Levy LLP to increase maximum amount payable by \$50,000, to defend litigation against Metropolitan. (LC&P)
[Conference with legal counsel—existing litigation (1) *Louis H. Cardenas, et al. v. Metropolitan*, Los Angeles Superior Court Case No. BC 298866; (2) *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC 313797; (3) *Carlita Villanueva v. Metropolitan*, LASC Case No. BC 296912; and (4) *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC 191881 (consolidated with LASC Case Nos. BC 194444 and BS 052318); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-8 Report on Water Attorneys of Metropolitan negotiations. (Comp., LC&P)
[Conference with labor negotiators; Metropolitan designated representative: Jeffrey Kightlinger and Deborah Roberson-Simms; Employee Organization: Water Attorneys of Metropolitan; to be heard in closed session pursuant to Gov. Code § 54957.6]
- 9-9 Report on *Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*. (LC&P)
[Conference with legal counsel—existing litigation (*Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*, LASC Case No. BC 283438 (consolidated with BC 283439)); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Oral report on *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC 191881 (consolidated with LASC Case Nos. BC 194444 and BS 052318)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- b. Oral report on *In re Groundwater Cases*, LASC, Judicial Council Coordination Proceeding No. 4135
- 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.