

LC&P Committee

D. De Jesus, Chair
L. Dick, V. Chair
J. Abdo
R. Apodaca
E. Bakall
W. Bannister
J. Blake
T. Brick
G. Brown
D. Dentler
T. Grandsen
B. Harris
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*

January 10, 2005

11:00 a.m. -- Room 2-456

Monday, January 10, 2005 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
11:00 a.m.*	Rm. 2-456	LC&P
12:30 p.m.*	Rm. 2-145	WPQ&R
2:00 p.m.*	Rm. 12-310	Search Comm. for CEO
2:30-3:30 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 December 13, 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

- 8-2 Approve extension of salary and benefits for activated military reservists. (LC&P)
- 8-5 Amend the Conflict of Interest Code in Chapter 2 of Division VII of the Metropolitan Water District Administrative Code for statutory compliance. (LC&P)

5. OTHER BOARD ITEMS — ACTION

- 9-4 Report on *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC 313797; and authorize increase by \$60,000 of maximum payable amount under contract with Williams, Yasinski & Jones to defend Metropolitan. (LC&P) [Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-5 Report on *Carlita Villanueva v. Metropolitan*, LASC Case No. BC 296912; and authorize increase by \$100,000 of maximum payable amount under contract with Hill, Farrer & Burrill LLP to defend Metropolitan. (LC&P) [Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-6 Report on status in *Metropolitan Water District v. Campus Crusade for Christ*; and authorization to amend contract for legal services with Cox, Castle & Nicholson to increase compensation by \$75,000. (LC&P) [Conference with legal counsel—existing litigation (*Metropolitan Water District of Southern California v. Campus Crusade for Christ*, SBSC Case No. SCV 35498); to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-7 Approve settlement in *Arizona v. California*, United States Supreme Court. (LC&P) [Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. General Counsel's report of monthly activities

- b. Oral report on settlement discussions in *Shank/Balfour Beatty, a Joint Venture vs. Metropolitan Water District of Southern California*.
[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)]

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.