

**L&C Committee**

D. De Jesus, Chair  
C. Lewis, Vice Chair  
J. Rez, Ex Officio  
H. Hansen, Ex Officio  
P. Pace, Ex Officio  
J. Foley, Ex Officio  
J. Abdo  
L. Dick  
J. Edwards  
D. Farrar  
A. Fellow  
G. Peterson  
R. Simonds  
S. Veres

**Legal and Claims Committee**

Meeting with Board of Directors\*

**September 12, 2005**

**10:00 a.m. -- Board Room**

Monday, September 12, 2005 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.*	Rm. 2-145	Colorado River
9:00 a.m.*	Rm. 2-456	C&L
10:00 a.m.*	Board Room	L&C
11:00 a.m.*	Board Room	BFI&I
1:00 p.m.*	Board Room	E&O
2:00 p.m.*	Board Room	WPQ&R
3:00-4:00 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.

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

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\* The Metropolitan Water District's Legal and Claims 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 and Claims 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 and Claims Committee will not vote on matters before the Legal and Claims 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 and Claims Committee held August 15, 2005**
3. **REPORTS**
  - a. Oral report on Colorado River matters. (L&C)
  - b. Oral report on Bay-Delta and State Water Project matters. (L&C, WPQ&R)

#### 4. CONSENT CALENDAR ITEMS — ACTION

- 7-4 Authorize increase of \$140,000 in maximum amount payable under contract with Davis Wright Tremaine LLP for legal services related to FERC relicensing of the Oroville Facilities. (L&C)

#### 5. OTHER BOARD ITEMS — ACTION

- 8-6 Report on *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC 313797; and authorize increase of \$225,000 in maximum amount payable under the contract with Williams, Yasinski & Jones for legal services to defend Metropolitan. (L&C)  
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-7 Authority to amend contract with outside counsel Lindborg Drill LLP by \$250,000 to an amount not to exceed \$350,000 for assistance related to the Arrowhead Tunnels construction within the Inland Feeder Program. (L&C)  
[Conference with legal counsel—potential litigation (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]

#### 6. BOARD INFORMATION ITEMS

None

#### 7. COMMITTEE ITEMS

- a. Oral report on ongoing litigation involving State Water Project power cost allocation issues  
[Conference with legal counsel—potential litigation relating to *Alameda County Flood Control & Water Conservation District, et al. v. California Department of Water Resources*, SSC Case No. 05AS01775 (one matter); to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]
- b. Oral report on recent developments in environmental law with potential impacts on water supplies
- 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.