

L&C Committee

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J. Quiñonez
R. Record
S. Veres

Legal and Claims Committee

Meeting with Board of Directors*

April 10, 2006

9:00 a.m. -- Room 2-145

Monday, April 10, 2006 Meeting Schedule		
8:00-9:00 a.m.	Rm. 2-413	Dirs. Computer Training
9:00 a.m.*	Rm. 2-456	E&O
9:00 a.m.*	Rm. 2-145	L&C
10:30 a.m.*	Rm. 2-456	BFI&I
10:30 a.m.*	Rm. 2-145	WPQ&R
1:00 p.m.*	Rm. 2-456	Ethics
2:00-4:00 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.

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

* 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 meetings of the Legal and Claims Committee held March 7 and 13, 2006**
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)
 - c. Update on search for General Counsel

4. CONSENT CALENDAR ITEMS — ACTION

None

5. OTHER BOARD ITEMS — ACTION

- 8-6** Authorize execution of an amendment to a joint participation agreement among the State Water Contractors related to litigation regarding the Sacramento Regional County Sanitation District's planned expansion of its Sacramento Regional Wastewater Treatment Plant with total agreement costs not to exceed \$450,000. (L&C)
[Conference with legal counsel—existing litigation (*Alameda County Water District, et al. v. Sacramento Regional County Sanitation District*, Sacramento County Superior Court Case No. 05CS00913); to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-7 Authority to increase contracts with outside counsel Avila & Putnam by \$100,000 and expert Geomatrix, Inc. by \$75,000. (L&C)
[Conference with legal counsel—existing litigation (*Cynthia Ward, etc. v. MWH Development Corporation, etc., et al.*, LASC Case No. BC325217 (consolidated with BC325218, BC325219, BC325240, BC325409, and BC335648); to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-8 Report on *Carlita Villanueva v. Metropolitan*, LASC Case No. BC296912; and authorize increase of \$454,000 in maximum amount payable under contract with Hill, Farrer & Burrill LLP for legal services to defend Metropolitan and increase of \$30,000 in maximum amount payable under contract with Meserve, Mumper & Hughes for legal services to defend Lance Charles. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-9 Report on *Lollett Jones-Boyce v. Metropolitan, et al.*, LASC Case No. BC310915. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-10 Authorize settlement with Enron Power Marketing, Inc. and other Enron entities (*Enron Power Marketing, Inc. v. Metropolitan Water District of Southern California*, U.S. Bankruptcy Court, Southern District New York, Case No. SCV 088016; and *Enron Power Marketing, Inc., et al.*, Federal Energy Regulatory Commission Docket Nos. EL03-180, EL03-154, EL02-114-007, EL02-115-008, and EL02-113). (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Interim 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.