

L&C Committee

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R. Record
J. Rez

REVISED

**Adjourned Legal and Claims
Committee**

Meeting with Board of Directors*

August 15, 2006

10:00 a.m. -- Room 2-145

Tuesday, August 15, 2006 Meeting Schedule		
7:30-8:30 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.	Rm. 2-145	Jt. Mtg. of L&C and E&O
8:30 a.m.	Rm. 2-456	C&L
10:00 a.m.	Rm. 2-145	L&C
11:00 a.m.	Board Room	Board Meeting

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 June 27, July 11 and 24, 2006**

3. **REPORTS**
 - a. Oral report on Colorado River matters. (L&C, WPQ&R)
 - b. Oral report on Bay-Delta and State Water Project matters. (L&C)

4. **CONSENT CALENDAR ITEMS — ACTION**

None

5. OTHER BOARD ITEMS — ACTION

- Moved to joint meeting of L&C and E&O on August 15 at 8:00 a.m.
- 8-5 ~~Approve proposed settlement agreement with Shea-Kenny Joint Venture and amendment of Contract No. 1542 for construction of the Arrowhead Tunnels of the Inland Feeder Program (Approp. 15122). (L&C)~~
~~[Conference with legal counsel regarding potential litigation relating to contractor claims on Contract No. 1542 for the Arrowhead Tunnels; to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]~~
- 8-6 Report on *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC313797; and authorize increase of \$200,000 (to a maximum of \$750,000) under 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 Report on *Carlita Villanueva v. Metropolitan*, LASC Case No. BC296912; and authorize increase of \$35,000 (to a maximum of \$165,000) 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)]
- Revised 8-8 Report on *Cadiz, Inc., etc. v. Metropolitan*, LASC Case No. BC343232; and authorize increase of \$225,000 (to a maximum of \$325,000) under contract with Christensen, Glaser, Fink, Weil & Shapiro for legal services performed; and authorize increase of \$500,000 (to a maximum of \$600,000) under contract with Miller Barondess LLP 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)]

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Interim General Counsel's report of monthly activities
- b. Process for appointment of General Counsel
[Public employee appointment—General Counsel; discussion of applicants to be heard in closed session pursuant to Gov. Code Section 54957]

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.