



- Legal and Human Resources Committee

June 9, 2009 Committee Meeting

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Subject

General Counsel's Business Plan for fiscal year 2009/10

Description

The General Counsel's FY 2009/10 business plan establishes the anticipated focus of the Legal Department for next fiscal year. The business plan focuses on the following priorities, which were listed in the Legal Department budget for fiscal year 2009/10:

- Water Supply
- Balancing Growth and Sustainability
- Managing Energy Costs
- Operations
- District Governance
- Workforce Development and Cultural Changes
- Real Property Matters
- Finance
- Administrative Matters within the Department

The Legal Department intends to concentrate on these priorities in carrying out its mission of providing a full range of legal services in a professional, timely, increasingly cost-effective and creative manner. The proposed business plan ([Attachment 1](#)) includes goals in each of these areas.

Policy

Metropolitan Water District Administrative Code Section 6436(b): Annual and Quarterly Reports to Legal and Human Resources Committee

California Environmental Quality Act (CEQA)

CEQA determination for Options #1 and #2:

The proposed actions are not defined as projects under CEQA (Section 15378(b) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed actions in question may have a significant effect on the environment, the proposed actions are not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed actions are not subject to CEQA pursuant to Sections 15378(b) and 15061(b)(3) of the State CEQA Guidelines.

Board Options

Option #1

Adopt the CEQA determination and approve the General Counsel's Business Plan for fiscal year 2009/10.

Fiscal Impact:


Option #2

Adopt the CEQA determination and redirect the General Counsel's Business Plan for fiscal year 2009/10.

Fiscal Impact: None

Staff Recommendation

Option #1



Karen L. Tachiki
General Counsel

3/25/09

Date

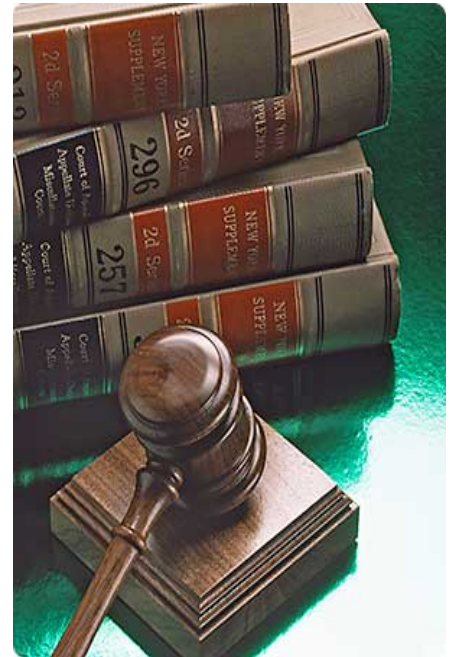
Attachment 1 – General Counsel's Business Plan for Fiscal Year 2009/10

BLA #6699

The Metropolitan Water District of Southern California



General Counsel's Business Plan Fiscal Year 2009/2010



- Water Supply
- Balancing Growth and Sustainability
- Managing Energy Costs
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Water Supply

Pursue a wide-ranging legal strategy that proactively addresses legal issues associated with a comprehensive Bay-Delta solution while vigorously defending Metropolitan's interests in litigation and administrative proceedings.

Represent Metropolitan, as a separate party or working through the State Water Contractors, in litigation and regulatory proceedings under the federal and state Endangered Species Acts.

Provide legal support for Metropolitan's efforts to implement temporary and interim measures for the Bay-Delta, including near-term Delta actions and the development of the Bay-Delta Conservation Plan.

Identify other possible Delta stressors and provide legal strategy options for consideration.

Defend the Quantification Settlement Agreement and its related agreements in consolidated cases and any future actions.

Provide legal support for initiatives to identify and obtain new water supplies on the Colorado River.

Provide legal support for water transfers and exchanges.

Assist with the development of new and expanded conservation strategies and programs.

Provide legal support for the Water Supply Allocation Plan. Address legal issues regarding implementation and vigorously defend any challenges.

Balancing Growth and Sustainability

Provide legal support for water resource planning objectives to ensure consistency with the Urban Water Management Planning Act and other requirements.

Provide legal support for Metropolitan initiatives to achieve Metropolitan's goals for reduction of carbon dioxide emissions.

Managing Energy Costs

Vigorously defend Metropolitan's interest in the Hyatt-Thermalito litigation.

Support Metropolitan's efforts to renew its Hoover Power Contract.

Provide legal support to ensure that State Water Project energy needs are met in a cost-effective and sustainable manner.

Assist with development and implementation of the Strategic Power Plan.

Operations

Negotiate and prepare service connection agreements for new or modified member agency connections. Provide legal assistance on regulatory and real estate issues, including CEQA issues, arising out of service connection requests. Provide legal assistance regarding adoption of updated service connection policies.

Work with the State Water Resources Control Board and local Regional Boards as they revise municipal storm water discharge permits to assure that Metropolitan maintains the ability to discharge system water as part of maintenance operations.

Continue to defend Metropolitan against claims that it is liable for perchlorate cleanup costs in Orange County basin.

Provide legal support for workplace health and safety compliance framework.

District Governance

Continue to provide timely advice to the Board and committees on governance and legal compliance matters.

Provide legal assistance for the Board's examination of governance issues.

Advise on MWD Act, Brown Act, Public Records Act and Political Reform Act issues.

Analyze proposed legislation affecting Metropolitan. Prepare or review proposed legislation and amendments. Assist with development of legislative strategy.

Workforce Development and Cultural Changes

Provide proactive counsel and advice on workforce issues.

Continue to defend Metropolitan in Public Employment Relations Board matters as well as grievance and disciplinary matters.

Real Property Matters

Support entitlement process for properties acquired as part of the Diamond Valley Lake (DVL) effort.

Support the development of options, for the Board's consideration, regarding use of the DVL Visitors Center.

Support the development and implementation of a DVL recreational strategy.

Support the expanded work efforts of the Real Property Management Group.

Finance

Provide legal advice regarding adoption of rates and charges.

Provide legal support for cost of service study.

Continue to provide legal support for bonds and other financing issues, in particular with regard to the increased need to review and act based upon municipal market conditions.

Prepare and provide accurate and timely disclosures to the municipal markets, including timely filing of notices required by Continuing Disclosure Undertakings.

Administrative Matters within the Department

Continue to aggressively manage outside counsel costs.

Continue to identify and implement cost efficiency measures, including document management, docketing and case management software.

Continue to develop and implement a professional pathway program.

Continue to provide timely employee evaluations.