



- June 30, 2014 Quarterly Report

Summary

This is the quarterly report to the Legal and Claims Committee on the exercise of powers delegated to the General Manager and the General Counsel by Administrative Code Sections 6431, 6433 and 6434. In addition, the General Counsel reports to the Legal and Claims Committee on the exercise of power delegated to her by Section 6431.

Attachments

ATTACHMENT A:	Workers' Compensation Matters Resolved During the Period April 1, 2014 - June 30, 2014.
ATTACHMENT B:	Claims Against Metropolitan Resolved by Risk Management During the Period April 1, 2014 - June 30, 2014, or Previously Where Noted.
ATTACHMENT C:	Costs Collected During the Period April 1, 2014 - June 30, 2014.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period April 1, 2014 - June 30, 2014 – None.
ATTACHMENT E:	Accounts Receivable Written Off as Uncollectible During the Period April 1, 2014 - June 30, 2014.

Detailed Report

Contracts

Within this past quarter, the General Counsel entered into or amended the following contracts pursuant to her authority under Administrative Code Section 6431:

Evapotranspiration Plus, LLC

Metropolitan retained this consultant to perform an evaluation of agricultural water use by Colorado River water contractors.

Public Interest Investigations, Inc.

This agreement was amended this quarter to reflect a change in agreement administrator, amendments to Notices and amendments to contract language regarding Equal Employment Opportunity, Affirmative Action, and Notification of Employee Rights under NLRA.

Quinn Emanuel Urquhart & Sullivan LLP

Metropolitan retained the services of special counsel to provide legal advice and representation in the *San Diego County Water Authority v. Metropolitan Water District of Southern California et al.* lawsuits, San Francisco County Superior Court Case Nos. CPF-10-510830 and CPF-12-512466.

Anthony M. Saracino, an Individual

Metropolitan retained this consultant to technical and policy recommendations on a supplemental water program related to the Bay Delta Conservation Plan, including review of potential opportunities, review of modeling results, recommend refinements, and outreach to non-governmental organizations and fish and wildlife agencies.

Board Report (June 30, 2014 Quarterly Report)

Thompson Coburn LLP.

This agreement was amended this quarter to reflect a modification to the fee schedule and amendments to the contract language regarding Equal Employment Opportunity, Affirmative Action, and Notification of Employee Rights under NLRA.

Claims and Other Matters

1. Between April 1, 2014 - June 30, 2014, or previously where noted, Metropolitan initiated, compromised, settled, or otherwise disposed of the following claims and entered into the following separation agreements:
 - a. Litigated, Compromised and Settled Claims By and Against Third Parties
Metropolitan settled the following matters:

Settled within a previous quarter: As a result of a mediation before the Equal Employment Opportunity Commission (EEOC) on October 19, 2011, Metropolitan entered into a settlement agreement resulting in the withdrawal of the underlying EEOC charge alleging discrimination, harassment and retaliation. Pursuant to the terms of the agreement, which included a general release and confidentiality provision, Metropolitan provide the complainant with a monetary payment within the settlement authority granted to the General Manager and General Counsel pursuant to Administrative Code Section 6433(a).

Settled within a previous quarter: Pursuant to the terms of an August 1, 2011, settlement resolving a unfair practice charge filed by the Management and Professional Employees Association (MAPA) with the Public Employment Relations Board, Metropolitan reimbursed a MAPA-represented employee for out-of-pocket medical expenses totaling approximately \$3,900 (PERB Case No. LA-CE-558-M).
 - b. Workers' Compensation Matters
Workers' compensation claims settled by the General Manager and the Interim General Counsel within this past quarter are reported in Attachment A.
 - c. Other Claims By and Against Third Parties Resolved by Risk Management
Non-litigated third party claims resolved by Risk Management (under authority delegated by the General Manager) and approved by the General Counsel within this past quarter, or previously where noted, are reported in Attachment B.
 - d. SB 90 Claims
No SB 90 claims for reimbursement for state-mandated costs were reported within this past quarter.
 - e. Separation Agreements
Within this past quarter, Metropolitan did not enter into any separation agreements.
2. Costs collected for claims within this past quarter are reported on Attachment C.
3. No Property Damage Claims were declared as uncollectible by the General Manager within this past quarter.
4. Accounts receivable that were written off as uncollectible by the General Manager within this past quarter are reported in Attachment E.

ATTACHMENT A
Workers' Compensation Matters Resolved During the Period
April 1, 2014 - June 30, 2014

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
Plant Operator	2012-0730-0039	7/24/12	\$4,140.00	Left knee	Stipulated settlement based on treating physician's report
O&M Technician IV	2012-0503-0542	4/14/12	\$0.00	Possible asbestos exposure	Stipulated settlement, providing future medical care, based on consulting physician's report
Team Manager IV	2011-0328-0502	3/14/11 CT	\$25,000.00	Head, respiratory system, other body systems	Compromise and Release, negotiated settlement
Senior Human Resources Analyst	2013-0117-0316	12/13/12 CT	\$12,765.00	Neck, both arms, both wrists	Stipulated settlement based on Agreed Medical Evaluator's report
O&M Technician IV	2013-0415-0459	4/15/13	\$50,000.00	Head, neck, back, shoulders and upper extremities	Compromise and Release, negotiated settlement

ATTACHMENT B

Claims Against Metropolitan Resolved by Risk Management During the Period
April 1, 2014 - June 30, 2014, or Previously Where Noted

Claimant	Control No. CW No.	Amount of Settlement	Incident Description	Basis for Resolution
Bob Taylor	2014-0509-0522 METP-4478A9	\$553.44	On 5/5/13, third party residential glass doors were damaged by rocks and debris during weed abatement	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Orange County Coastkeeper	2014-0430-0501 METP-4476 A9	\$562.42	On 3/17/14, an MWD truck drove over third party's irrigation system causing break and minor flooding	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Leonard Castillas	2014-0218-0361 METP-4456A9	\$1,543.26	On 2/17/14, an MWD vehicle backed into a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Jose Gomez	2014-0106-0295 METP-4440A9	\$1,349.30	On 1-4-14, an MWD vehicle struck and damaged a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Masis Khoygani	2013-0910-0120 MEWD-1513A2	\$4,667.82	On 9/9/13, an MWD truck side swiped third party vehicle. Damage to third party passenger side door	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Ralph Hicks	*2013-0904-0105 MEWD-1510A2	\$1,617.00	On 2/19/13, a former employee filed claim alleging that personal items were damaged	The third party property damage claim was settled based upon an evaluation of the items identified
Kenneth Youngdale	2013-0613-0559 MEWD-1502A2	\$357.17	On 6/11/13, an MWD grader struck and damaged a third party light post	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate

*Settled in a previous quarter.

ATTACHMENT B
 Claims Against Metropolitan Resolved by Risk Management During the Period
April 1, 2014 - June 30, 2014, or Previously Where Noted

Claimant	Control No. CW No.	Amount of Settlement	Incident Description	Basis for Resolution
Bradley Hall	*2012-0313-0460 MEWD-1463A2	\$606.96	On 3/13/12, a third party vehicle was damaged while parked at the Jensen facility	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
Gordon Dexter	*2011-1026-0213 MEWD-1454A2	\$502.73	On 10/25/11, a third party vehicle was damaged while parked at the Jensen facility	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate
David Woodward	*2011-0823-0095 MEWD-1434A1	\$5,000.00	On 8/23/11, a third party fell into an exposed manhole	Third party property injury and property claims were settled based upon an evaluation of medical specials and damaged items
Stephanie Ash	*2011-0622-0652 MEWD-1425A2	\$413.03	On 6/22/11, an MWD vehicle struck and damaged a third party vehicle	The third party property damage claim was settled based upon an evaluation of damages and the repair estimate

*Settled in a previous quarter.

ATTACHMENT C
Costs Collected During the Period
April 1, 2014 - June 30, 2014

Third Party or Cause	Control No. CW No.	Damage Amount	Incident Description	Basis for Costs Collected
Rogelio Gonzalez Morales	2013-0806-0056 METP-4396A9	\$965.00	Third party driver struck and damaged MWD fencing	The property damage claim was paid in full by the third party insurance carrier
Hector Garcia	2014-0131-0337 METP-4442A9	\$162.50	Third party driver struck and damaged MWD gate	The property damage claim was paid in full by the third party insurance carrier

ATTACHMENT E
 Accounts Receivable Written Off as Uncollectible During the Period
April 1, 2014 - June 30, 2014

Invoice Date	Invoice Number	Amount Written off	Customer Name/ Brief Description	Basis for Write-Off	Date Written Off
37709	01/02/11	\$31.11	Los Angeles Opportunities	Every feasible means to collect this debt has been exhausted due to the tenant's financial inability to pay	4/07/14
37710	01/02/11	\$200.00	RL3015 –		
37897	03/01/11	\$1,068.03	Lease of District Property and Parking Fees		
37898	03/01/11	\$200.00			
37968	04/01/11	\$1,068.03			
37969	04/01/11	\$200.00			
38039	05/02/11	\$1,100.07			
38040	05/02/11	\$200.00			
38128	06/01/11	\$1,100.07			
38129	06/01/11	\$200.00			
38205	07/01/11	\$1,100.07			
38206	07/01/11	\$200.00			
38286	08/01/11	\$1,100.07			
38287	08/01/11	\$200.00			
38319	08/11/11	\$540.42			
38320	08/11/11	\$100.00			
38371	09/01/11	\$1,100.07			
38372	09/01/11	\$200.00			
38452	10/01/11	\$1,100.07			

ATTACHMENT E
 Accounts Receivable Written Off as Uncollectible During the Period
April 1, 2014 - June 30, 2014

Invoice Date	Invoice Number	Amount Written off	Customer Name/ Brief Description	Basis for Write-Off	Date Written Off
38453	10/01/11	\$200.00			
38541	11/01/11	\$1,100.07			
38542	11/01/11	\$200.00			
38544	10/25/11	\$330.02			
38555	10/25/11	\$60.00			
38598	12/01/11	\$1,100.07			
38599	12/01/11	\$200.00			
38734	01/11/12	\$40.00			
38733	01/11/12	\$220.02			
		\$2,000.00	Emergency Cash – Herb Allen	Former employee Herb Allen, now deceased, failed to properly account for an April 2010 \$2,000 check drawn from MWD Emergency Cash Fund Account	6/17/04
	Total	\$16,458.19			