



- March 31, 2016 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 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 January 1, 2016 - March 31, 2016.
ATTACHMENT B:	Claims Against Metropolitan Resolved by Risk Management During the Period January 1, 2016 - March 31, 2016.
ATTACHMENT C:	Costs Collected During the Period January 1, 2016 - March 31, 2016.
ATTACHMENT D:	Property Damage Written Off as Uncollectible During the Period January 1, 2016 - March 31, 2016.
ATTACHMENT E:	Accounts Receivables Written Off as Uncollectible During the Period January 1, 2016 - March 31, 2016 - None.

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:

C2G International LLC

Metropolitan retained this consultant to provide technical assistance and litigation support in the matter of *Davis Electric, Inc. v. Cora Constructors, Inc. et al.* (San Bernardino County Superior Court Case No. CIVDS1411824).

Frost Brown Todd, LLC

Metropolitan retained the services of special counsel to provide legal expertise in connection with FAA requirements for Metropolitan's use of Unmanned Aviation Systems Vehicle or Drones.

JRP Historical Consulting, LLC

Metropolitan retained this consultant to provide historical and technical research and analysis regarding water rights in the Sacramento-San Joaquin River Delta.

Norton Rose Fulbright US LLP

This agreement was amended this quarter to reflect a modification to the fee schedule.

Public Interest Investigations, Inc.

Metropolitan retained this consultant to investigate and provide recommendations on charges of discrimination filed by an employee with the Department of Fair Employment and Housing.

Board Report (March 31, 2016 Quarterly Report)

Claims and Other Matters

1. Between January 1, 2016 – March 31, 2016, 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 entered into the following settlement agreement within this past quarter:

On December 9, 2015, Metropolitan received a Notice to Comply/Notice of Violation (“NOV”) from the Los Angeles County Fire Department, Health Hazardous Materials Division – Inspection Section (“LACFD”) relating to an inspection conducted at Metropolitan’s Rio Hondo Power Plant on November 17, 2015. The NOV alleged that copies of hazardous waste disposal records for 2015, 2014, and 2013 were not found on site. However, Metropolitan disputes that generators are required to keep copies of manifests on site. Instead, as EPA has stated, generators may keep copies of their manifests at a corporate headquarters, which is what Metropolitan does. On February 16, 2016, LACFD notified Metropolitan that the inspection had been closed with no violations on record. The California Environmental Reporting System (“CERS”) for Rio Hondo shows a “return to compliance” date of December 8, 2015.

By a settlement agreement containing a general release, Metropolitan resolved a charge of discrimination/retaliation filed by an employee with the Department of Fair Employment and Housing. The agreement required Metropolitan to reimburse the employee for out-of-pocket medical expenses related to the charge.

- b. Workers’ Compensation Matters

Workers’ compensation claims settled by the General Manager and the 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 are reported in Attachment B.

- d. SB 90 Claims

There were no SB 90 claims for reimbursement for state-mandated costs collected within this past quarter.

- e. Separation Agreements

Metropolitan did not enter into any separation agreements within this past quarter.

2. Costs collected for claims within this past quarter are reported in Attachment C.
3. Property Damage Claims declared as uncollectible by the General Manager within this past quarter are reported in Attachment D.
4. There were no Accounts Receivables that were written off as uncollectible by the General Manager within this past quarter.

ATTACHMENT A
 Workers' Compensation Matters Resolved During the Period
January 1, 2016 – March 31, 2016

Classification	Control No.	Date of Injury	Amount of Settlement	Nature of Injury	Basis for Settlement
Hydroelectric Specialist I	2015-0513-0534	4/15/15 CT	\$6,680.00	Hearing loss	Stipulated settlement based on consulting otolaryngologist's report
Senior Accounting Technician	2014-1006-0184	10/3/14 CT	\$0	Right hand/wrist	Stipulated settlement providing future medical care based on treating physician's report
Senior Administrative Analyst	1996-1125-0205 2007-0606-0711 2012-0307-0445 2013-0326-0426	11/25/96 CT 5/18/07 CT 3/7/12 CT 3/8/13 CT	\$98,000.00	Neck; upper extremities; both shoulders, elbows, wrists, hands and fingers	Compromise and Release, negotiated settlement
Team Manager VI	2003-0121-0445	1/21/03	\$75,896.25 (\$25,463.12 new money)	Head, neck and hearing loss (right ear only)	Stipulated settlement based on Agreed Medical Evaluators' reports
Team Manager VI	2013-0311-0396	3/8/13	\$690.00	Left shoulder	Stipulated settlement based on Panel Qualified Medical Evaluator's report
O&M Technician IV	2013-0716-0024	7/1/13 CT	\$18,515.00	Right knee	Stipulated settlement based on Panel Qualified Medical Evaluator's report
O&M Technician IV	2010-0512-0655 2015-1102-0202	4/28/10 CT 10/23/15 CT	\$23,000.00	Hearing loss	Compromise and Release, negotiated settlement
O&M Technician IV	2014-0820-0079	8/13/14	\$7,830.00	Right shoulder, left knee	Stipulated settlement based on Panel Qualified Medical Evaluator's report
O&M Supervisor	2013-0909-0119	8/29/13 CT	\$0	Bilateral hearing loss	Stipulated settlement providing future medical care based on consulting otolaryngologist's report

ATTACHMENT B
 Claims Against Metropolitan Resolved by Risk Management During the Period
January 1, 2016 – March 31, 2016

Claimant	Control No. TPA No.	Amount of Settlement	Incident Description	Basis for Resolution
Mike Smith	2015-0701-0002 MEWD-1587A2	\$3,832.21	On 7/1/15, an MWD vehicle backed into a third party vehicle.	The property damage claim was settled based upon an evaluation of the collision, property damage repair and rental costs.
Maria Rojas	2014-0724-0031 MEWD-1530A9	\$3,750.00	On 7/24/14, an MWD vehicle backed into a third party vehicle.	MWD negotiated a settlement of \$3,750.00 based upon an evaluation of the collision, property damage and rental costs.
Sheri Asgari	2015-1201-0225 MEWD-1588A2	\$485.68	On 11/24/15, a third party vehicle was guided down an MWD service road, where it became stuck in a muddy trench and sustained tire damage.	The property damage claim was settled based upon an evaluation of the damage and repair cost.
Roldolfo Quinonez	2015-0520-0543 MEWD-1573A2	\$1,057.91	On 5/5/15, an MWD vehicle rear-ended a third party vehicle.	The property damage claim was settled based upon an evaluation of the damage and repair cost.
Avery Crespin	2015-1209-0237 MEWD-1589A2	\$2,689.81	On 12/8/15, an MWD vehicle struck and pushed a third party vehicle into a guard rail.	The property damage claim was settled based upon an evaluation of the damage and repair cost.
Robert Melamed	2015-0428-0503 MEWD-1562A2	\$1,016.70	On 4/27/15, an MWD vehicle backed into a third party vehicle.	The property damage claim was settled based upon an evaluation of the damage and repair cost.

ATTACHMENT C
 Costs Collected for Claims During the Period
January 1, 2016 – March 31, 2016

Third Party or Cause	Control No. TPA No.	Damage Amount	Incident Description	Basis for Costs Collected
Erique Dominguez	2015-1015-0181 METP-4619A9	\$7,740.06	On 10/14/15, a third party vehicle rear-ended an MWD vehicle.	The property damage claim was paid in full by the third party insurance carrier.
Christopher Hornkey	2015-0908-0117 METP-4613A9	\$3,480.00	On 9/4/15, a third party vehicle struck and damaged a section of MWD fence.	The property damage claim was paid in full by the third party insurance carrier.
Larry Mitchell	2015-0810-0066 METP-4596A9	\$989.00	On 4/25/16, a third party vehicle struck and damaged a section of MWD fence.	The property damage claim was paid in full by the third party insurance carrier.
Marilyn McLaughlin	2015-1021-0189 METP-4620A9	\$1,235.00	On 10/21/15, a third party vehicle struck and damaged a section of MWD fence.	A partial settlement was negotiated and the property damage claim was settled for \$824.00. The uncollected balance of \$411.00 was written off.
Andrew Beltran	2016-0125-0275 METP-4637A9	\$1,391.11	On 1/5/16, a third party vehicle made a u turn and struck an MWD vehicle.	The property damage claim was paid in full by the third party insurance carrier.
West Coast Equipment	2014-1014-0197 METP-4524A9	\$4,987.01	On 10/21/15, a third party vehicle struck and damaged a section of MWD fence.	A partial settlement was negotiated and the property damage claim was settled for \$2,493.50. The uncollected balance of \$2,493.51 was written off.
Patrick Baiza	2015-0803-0055 METP-4601A9	\$1,219.00	On 8/3/15, a third party vehicle rear-ended an MWD vehicle.	The property damage claim was paid in full by the third party.

ATTACHMENT D
 Property Damage Written Off as Uncollectible During the Period
January 1, 2016 – March 31, 2016

Third Party or Cause	Control No. TPA No.	Damage Amount	Incident Description	Basis for Write-Off
Johnny Villalobos	2013-0325-0424 METP-4337A9	\$1,191.96	On 3/13/13, a third party vehicle rear-ended an MWD vehicle.	The property repair costs were written-off because it was no longer cost effective to continue collection efforts.
Karina Vega	2010-0426-0615 METP-3959A9	\$4,238.93	On 4/23/10, a third party party vehicle rear-ended an MWD vehicle.	The property repair costs were written-off because it was longer cost effective to continue collection efforts.
Alfredo Grandos	2010-1109-0241 METP-4028A9	\$1,115.00	On 11/8/10, a third party driver struck and damaged a section of the MWD fence.	The property repair costs were written-off because the third party could not be located.
Robertson's Ready Mix	2012-0126-0361 METP-4256A9	\$2,515.58	On 1/26/12, a third party driver backed into and damaged an MWD chlorine valve.	The property damage costs were written-off because the small claims judgment was made in favor of the defendant.