



- **Board of Directors**  
***Legal and Claims Committee***

11/18/2025 Board Meeting

---

7-5

## Subject

---

Authorize an increase in the maximum amount payable under contract with Best Best & Krieger LLP for legal advice on environmental review and permitting matters related to Pure Water Southern California by \$100,000 to a maximum amount payable of \$350,000; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA

## Executive Summary

---

Since November 2022, Best Best & Krieger LLP (BBK) has provided Metropolitan with expert legal advice on environmental review and permitting matters related to Pure Water Southern California (Pure Water), including the ongoing environmental assessment being conducted pursuant to the California Environmental Quality Act (CEQA). The funding under the existing agreement is running low, and additional funds are necessary to support anticipated needs.

## Proposed Action(s)/Recommendation(s) and Options

---

### Staff Recommendation: Option #1

#### Option #1

Authorize an increase in the maximum amount payable under contract with Best Best & Krieger LLP for legal advice on environmental review and permitting matters related to Pure Water Southern California by \$100,000 to a maximum amount payable of \$350,000.

**Fiscal Impact:** \$100,000 from existing Pure Water Southern California program funds

**Business Analysis:** Expert special counsel will assist staff with environmental review and permitting matters related to Pure Water Southern California.

#### Option #2

Do not authorize the contract increase.

**Fiscal Impact:** Unknown

**Business Analysis:** Expert special counsel will not assist staff with environmental review and permitting matters related to Pure Water Southern California.

## Alternatives Considered

---

Not applicable

## Applicable Policy

---

Metropolitan Water District Administrative Code Section 6431: Authority to Obtain Expert Assistance

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

## Related Board Action(s)/Future Action(s)

---

Not applicable

## California Environmental Quality Act (CEQA)

---

### CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it will not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines Section 15378(a).)

### CEQA determination for Option #2:

None required

## Details and Background

---

While most of the legal work required for Pure Water has been and continues to be performed by staff attorneys, outside counsel have been retained where necessary to provide specialized legal assistance with specific issues related to the proposed program.

In July 2022, a Request for Qualifications (RFQ) was issued soliciting firms with expertise across a broad range of subject areas, including environmental review, permitting and regulatory compliance under federal, state and local laws. This RFQ was distributed widely through direct mailings to law firms, posting on social media outlets, and the use of the Planet Bids vendor platform. Eighteen law firms responded, of which seven were selected to be interviewed by a panel consisting of both legal and Pure Water staff. Follow up interviews that included the General Counsel were then conducted with the top-ranked firms.

Ultimately, BBK was determined to have the best balance of relevant experience and competitive rates. In addition, BBK had a proven track record, having assisted the General Counsel's office on an array of other matters. Accordingly, in November 2022, BBK was formally retained to provide legal advice on environmental review and permitting matters related to Pure Water, pursuant to the General Counsel's contracting authority. Since that time, BBK has been used in a very focused manner to assist with the environmental review for Pure Water, to research and address specific legal issues arising from such review, and to provide strategic legal advice as needed.

As of the end of September 2025, BBK had incurred just over \$190,000 in legal fees and expenses under its contract, which currently has a maximum amount payable of \$250,000. An increase of \$100,000 is being requested to ensure there are sufficient funds to cover any legal assistance needed with respect to the ongoing environmental review for Pure Water, including certification of the environmental impact report. In addition, should the Board decide to move forward with Pure Water, it is anticipated that these funds would be sufficient to cover the initial response to any legal challenges filed under CEQA.

  
 Marcia Scully  
 General Counsel

11/12/2025  
 Date