



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

3/10/2026 Board Meeting

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7-3

## **Subject**

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Authorize an increase in the maximum amount payable under contract with Van Ness Feldman LLP, for legal advice on Colorado River matters by \$250,000 to an amount not to exceed \$500,000; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA

## **Executive Summary**

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Since 2023, Van Ness Feldman LLP (Van Ness) has provided Metropolitan with expert legal advice on Colorado River matters. The funding under the current agreement is running low, and additional funds are necessary to support current and anticipated needs.

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

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### **Staff Recommendation: Option #1**

#### **Option #1**

Authorize an increase in the maximum amount payable under contract with Van Ness Feldman LLP, for legal advice on Colorado River matters by \$250,000 to an amount not to exceed \$500,000.

**Fiscal Impact:** \$250,000, authorized legal services funded within the FY 2026/27 budget

**Business Analysis:** Expert special counsel will assist staff with Colorado River matters.

#### **Option #2**

Do not authorize the contract increase.

**Fiscal Impact:** Additional \$250,000 will not be spent. It may be necessary to seek other assistance.

**Business Analysis:** Metropolitan will not have the continued assistance of special counsel on Colorado River matters.

## **Alternatives Considered**

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Not applicable

## **Applicable Policy**

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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)**

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Not applicable

**California Environmental Quality Act (CEQA)**

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**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**


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**Background**

Van Ness has extensive expertise in western water law as well as a variety of other substantive areas including constitutional law, federal law and regulation, environmental, including the National Environmental Policy Act and Endangered Species Act, and procedural law. Members of the firm have previously served as counsel to the House Committee on Interior and Insular Affairs (now the Committee on Natural Resources) and in the Department of the Interior.

In May 2023, the General Counsel engaged the firm to provide advice, assistance and potential litigation support for Colorado River matters. The firm works with Legal and other members of the Colorado River staff to provide information and analysis on specific legal issues as requested.

The costs are approaching the contract maximum. Staff anticipates that the work will increase during this year and requests authorization to increase the contract maximum by \$250,000 to a not-to-exceed amount of \$500,000.

  
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Marcia Scully  
General Counsel

3/3/2026  
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Date