

# The Metropolitan Water District of Southern California

# Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

## L&C Committee

N. Sutley, Chair  
J. Garza, Vice Chair  
M. Camacho  
G. Cordero  
L. D. Dick  
C. Kurtz  
T. McCoy  
C. Miller  
G. Peterson  
M. Ramos  
H. Repenning  
K. Sekel

## **Legal and Claims Committee - Final**

Meeting with Board of Directors \*

**March 13, 2023**

**12:00 p.m.**

**Monday, March 13, 2023  
Meeting Schedule**

**09:30 a.m. EOT  
11:00 a.m. LRAC  
11:30 a.m. Break  
12:00 p.m. LC  
12:30 p.m. FAIRP  
02:00 p.m. EOP**

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. A listen only phone line is available at 1-877-853-5257; enter meeting ID: 862 4397 5848. Members of the public may present their comments to the Board or a Committee on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference (833) 548-0276 and enter meeting ID: 815 2066 4276.

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MWD Headquarters Building - 700 N. Alameda Street - Los Angeles, CA 90012

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\* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

1. **Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**
2. **Opportunity for Directors who are not members of the committee to address the committee on matters within the committee's jurisdiction**
3. **MANAGEMENT REPORTS**
  - a. General Counsel's report of monthly activities [21-2008](#)

**Attachments:** [03142023 LC 3a Report](#)

**\*\* CONSENT CALENDAR ITEMS -- ACTION \*\***

4. **CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Legal and Claims Committee for February 13, 2023 (Copies have been submitted to each Director, Any additions, corrections, or omissions) [21-2005](#)

**Attachments:** [03142023 LC \(LC 02132023\) minutes](#)

## 5. CONSENT CALENDAR ITEMS - ACTION

- 7-13 Authorize an increase in the maximum amount payable under contract with Burke, Williams & Sorensen, LLP for legal services related to general real estate and leasing law issues by \$100,000 to a maximum amount payable of \$200,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-1974](#)

**Attachments:** [03142023 LC 7-13 B-L](#)  
[03132023 LC 7-13 Presentation](#)

- 7-14 Authorize increase of \$100,000, to a maximum amount payable of \$400,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA [21-1975](#)

**Attachments:** [03142023 LC 7-14 B-L](#)  
[03132023 LC 7-14 Presentation](#)

- 7-15 Approve amendments to the Metropolitan Water District Administrative Code to provide for the implementation of new legislation authorizing the use of alternative project delivery methods; adopt an organizational conflict-of-interest policy governing the solicitation of a design-build or progressive design-build project; and authorize an increase in the maximum amount payable under contract with Hanson Bridgett LLP, for legal services related to implementation of new legislation, by \$150,000 for an amount not to exceed \$250,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA [21-1976](#)

**Attachments:** [03142023 LC 7-15 B-L](#)  
[03132023 LC 7-15 Presentation](#)

**7-16** Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in maximum amount payable under contract for legal services with Seyfarth Shaw LLP in the amount of \$300,000 for a total amount not to exceed \$400,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. [UPDATED SUBJECT]

[21-2026](#)

**\*\* END OF CONSENT CALENDAR ITEMS \*\***

**6. OTHER BOARD ITEMS - ACTION**

NONE

**7. BOARD INFORMATION ITEMS**

NONE

**8. COMMITTEE ITEMS**

NONE

**9. FOLLOW-UP ITEMS**

NONE

**10. FUTURE AGENDA ITEMS**

**11. ADJOURNMENT**

**NOTE:** This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.