



● December 31, 2021 Quarterly Report

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 Administrative Code Section 6431.

Attachments

- ATTACHMENT A: Workers' Compensation Matters Resolved During the Period
October 1, 2021 – December 31, 2021 - NONE.
- ATTACHMENT B: Claims Against Metropolitan Resolved by Risk Management During the Period
October 1, 2021 – December 31, 2021.
- ATTACHMENT C: Costs Collected During the Period
October 1, 2021 – December 31, 2021.
- ATTACHMENT D: Property Damage Written Off as Uncollectible During the Period
October 1, 2021 – December 31, 2021 - NONE.
- ATTACHMENT E: Accounts Receivables Written Off as Uncollectible During the Period
October 1, 2021 – December 31, 2021 - 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:

Aecus Law

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Aecus Law

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct and EEO-based complaints brought forward by an employee.

Atkinson, Andelson, Loya, Ruud & Romo – Agreement No. 185892

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Atkinson, Andelson, Loya, Ruud & Romo – Agreement No. 201893

Metropolitan retained the services of Special Counsel to provide legal advice and negotiation services concerning the expiration of the current memoranda of understanding and the adoption of successor memoranda of understandings with Metropolitan.

Ronald D. Bremen

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct against an employee.

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Cislo & Thomas LLP

This agreement was amended this quarter to modify the fee schedule.

Exponent, Inc.

Metropolitan retained the services of Consultant to provide consulting services including on-site documentation of work to replace electrical cable terminations ta several Metropolitan pumping plants.

Geosyntec Consultants, Inc.

This agreement was amended this quarter to reflect the deletion and replacement of tasks 6 through 10 within the scope of work.

Hausman & Sosa LLP

Metropolitan retained the services of Special Counsel to provide legal advice and representation regarding an employee's discharge hearing.

Michael Heider

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct against an employee.

Oppenheimer Investigations Group LLP

Metropolitan retained Consultant for legal services to investigate facts and provide analysis as directed, on allegations of employee misconduct and EEO-based complaints brought forward by an employee.

Public Interest Investigations, Inc. Agreement No. 200483

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Public Interest Investigations, Inc. Agreement No. 201894

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on EEO-based complaints brought forward by an employee.

Public Interest Investigations, Inc. Agreement No. 203437

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on EEO-based complaints brought forward by an employee.

Public Interest Investigations, Inc. Agreement No. 203438

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct and EEO-based complaints brought forward by an employee.

Reddock Law Group

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Seyfarth Shaw LLP – Agreement No. 201897

Metropolitan retained the services of Special Counsel to provide legal representation, advice and consultation regarding the claim of damages submitted by an employee.

Seyfarth Shaw LLP – Agreement No. 203436

Metropolitan retained the services of Special Counsel to provide legal representation, advice and consultation regarding the claim of damages submitted by an employee.

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Theodora Oringher PC

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Thompson Coburn LLP

This agreement was amended this quarter to reflect an increase in the maximum amount payable.

Thomas Law Group

Metropolitan retained the services of Special Counsel to provide legal advice on general land use and Surface Mining and Reclamation Act issues.

Tryco Electric, Inc.

Metropolitan retained the services of Consultant to provide consulting services for a construction project currently in litigation.

Van Dermyden Makus Law Corporation

Metropolitan retained the services of Consultant to investigate and provide analysis and recommendations as directed, on allegations of employee misconduct and EEO-based complaints brought forward by an employee.

Claims and Other Matters

1. Between October 1, 2021 – December 31, 2021, 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 did not enter into any settlement agreement within this past quarter.
 - b. Workers' Compensation Matters
No Workers' Compensation claims were settled by the General Manager and the General Counsel within this past quarter.
 - 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
No SB 90 claims for reimbursement for state-mandated costs collected were reported within this past quarter.
 - e. Separation Agreements
Within this past quarter Metropolitan entered into a separation agreement with a program manager to allow employee to remain within the current assignment until retirement which was effective at the end of 2021.
2. Costs collected for claims within this past quarter are reported in Attachment C.
3. No Property Damage Claims were declared as uncollectible by the General Manager within this past quarter.
4. No Accounts Receivables were written off as uncollectible by the General Manager within this past quarter.

ATTACHMENT B
 Claims Against Metropolitan Resolved by Risk Management During the Period
October 1, 2021 – December 31, 2021

Claimant	Control No. TPA No.	Amount of Settlement	Incident Description	Basis for Resolution
Ha, Joshua	2021-0921-0115 027-000148	\$3,500.00	On 9/21/2021, an MWD vehicle struck and damaged the front end of an unoccupied third party vehicle.	The initial third party property claim demand to repair the vehicle exceeded its fair market value. The claim was negotiated and settled based upon an evaluation of the accident, impact, damage and reasonable repair costs.

ATTACHMENT C
 Costs Collected During the Period of
October 1, 2021 – December 31, 2021

Third Party or Cause	Control No. TPA No.	Costs Collected	Incident Description	Basis for Costs Collected
Securitas	2021-0628-0542 026-000383	\$2,800.00	On 6/25/2021, a third party vehicle collided with a chain link fence causing damage to one pole and a six-foot section of the fence.	The property damage claim was paid in full by the third party.