

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

November 8, 2011

Chair Wunderlich called the meeting to order at 8:32 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair Wunderlich
Directors Ackerman, Ballin, Camacho, Dick, Edwards, Griset, Hawkins,
Heidel, Record and Steiner

Members absent: Vice Chair Quiñonez and Director Fleming

Other Board Members present: Directors Barbre, Blake, Brown, Evans, Foley, Friedman,
Grandsen, Lewinger, Morris, Peterson and Wright

Staff present: Scully, Bennion, Breaux, Burman, Donhoff, Gagar-Downing, Johnson,
Kightlinger, Man, Mares, Miyashiro, Patterson, Philp, Riss, Roberts, Stites,
Upadhyay, von Haam, Waade and Zinke

**1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE
COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION**

None

**2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE
MEETINGS HELD ON OCTOBER 11, 2011**

Approved

Motion: Steiner

Seconded: Edwards

3. CONSENT CALENDAR ITEMS -- ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Subject: Interim General Counsel's report of monthly activities

Presented by: Interim General Counsel Marcia Scully

Interim General Counsel Marcia Scully reported that on October 13, Imperial Irrigation District and San Diego County Water Authority jointly filed a petition with the State Water Resources Control Board seeking to revise the mitigation requirements for the Salton Sea relating to the IID/San Diego transfer. The proposal would eliminate deliveries of mitigation water to the Salton Sea for years 2014 through 2017. Ms. Scully stated that Metropolitan is in support of consideration of modification of the mitigation to the Salton Sea.

Ms. Scully also reported to the committee that former employee Jena Minor has filed an appeal in her lawsuit in which Metropolitan prevailed at the trial court level on a motion for summary judgment. Briefing is expected to commence in February 2012.

Chair Wunderlich briefly reported that Metropolitan has hired Korn/Ferry International to conduct the General Counsel search. The search committee has met with them to discuss job requirements and specifications for the search.

- b.** Subject: **Report on *San Luis & Delta-Mendota Water Authority, et al. v. Salazar, et al.*, USDC Case No. 1:09-CV-407 OWW GSA, and consolidated cases; *San Luis & Delta Mendota Authority, et al. v. Locke, et al.*, USDC Case No. 1:09-CV-1053 OWW DLB, and consolidated cases; *Watershed Enforcers v. California Dept. of Water Resources, et al.*, Alameda County Superior Court No. RG06292124; *State Water Contractors v. California Dept. of Fish & Game, et al.*, Sacramento County Superior Court Case No. 34-2009-80000203; *Central Delta Water Agency v. California Dept. of Water Resources, et al.*, Sacramento County Superior Court Case No. 34-2009-80000269. (Closed Session)**

Presented by: General Manager Jeffrey Kightlinger

Closed Session: In closed session the Committee heard a report on Item 6b. No action was taken.

- c.** Subject: **Report on *San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.*, San Francisco County Superior Court Case No. CPF-10-510830. (Closed Session)**

Presented by: Chief Deputy General Counsel James Roberts

Closed Session: Directors Heidel, Lewinger and Steiner, representing the San Diego County Water Authority, withdrew from the meeting for this item.

In closed session the Committee heard a report on Item 6c. No action was taken.

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

None

Next regular meeting will be held on December 13, 2011.

Meeting adjourned at 10:03 a.m.

Robert Wunderlich
Chair