

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

May 8, 2012

Chair Wunderlich called the meeting to order at 9:02 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

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

Members absent: Directors Ackerman and Fleming

Other Board Members present: Directors Barbre, Blake, Brick, Evans, Foley, Friedman,
Grandsen, Lewinger, Millard, Morris, J. Murray, Peterson and Wilson

Staff present: Scully, Bennion, Arakawa, Beatty, Breaux, Burman, Donhoff, Gagar-Downing,
G. Johnson, Kightlinger, Man, Masouredis, Miyashiro, Patterson, Riss, Roberts,
Upadhyay, 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
MEETING HELD ON APRIL 10, 2012**

Approved

Motion: Edwards

Seconded: Heidel

3. CONSENT CALENDAR ITEMS -- ACTION

None

4. OTHER BOARD ITEMS -- ACTION

8-8 Subject: **Authorize increase in maximum amount payable under contract with Morrison & Foerster for legal services by \$600,000 to a maximum of \$6,925,000; and report on *Consolidated Delta Smelt Cases*, USDC Case No. 1:09-CV-407 LJO-DLB, and *Consolidated Salmonid Cases*, USDC Case No. 1:09-CV-1053 LJO-DLB. (Closed session)**

Presented by: Chief Deputy General Counsel Linus Masouredis

Closed Session: In closed session the committee heard a report on Item 8-8. In open session, the committee voted to adopt the CEQA determination and authorize an increase in the maximum amount payable under contract with Morrison & Foerster for legal services by \$600,000 to a maximum of \$6,925,000

Motion Carried: Moved: Steiner Seconded: Edwards

8-10 Subject: **Authorize entering into settlement of *Solano County Water Agency, et al. v. Department of Water Resources*, Sacramento Superior Court Case No. 34-2008-0001338 CU-BC-GDS. (Closed session)**

Presented by: Chief Deputy General Counsel James Roberts and Unit Manager Kevin Donhoff, WRM Group

Closed Session: In closed session the committee heard a report on Item 8-10 and authorized settlement in this matter.

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

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

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully referred committee members to her written monthly report.

b. 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: Senior Deputy General Counsel Heather Beatty

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

In closed session the committee heard a report on Item 6b.
No action was taken.

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

None

Next regular meeting will be held on June 12, 2012.

Meeting adjourned at 10:00 a.m.

Robert Wunderlich
Chair