



REVISED AGENDA

L&C Committee

- D. Fleming, Chair
- R. Wunderlich, V. Chair
- L. Ackerman
- S. Ballin
- M. Camacho
- L. Dick
- J. Edwards
- D. Griset
- V. Mudd
- J. Quiñonez
- R. Record
- F. Steiner
- L. Vasquez

Legal and Claims Committee

Meeting with Board of Directors*

June 11, 2013

8:30 a.m. -- Room 2-145

Tuesday, June 11, 2013 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dir's. Computer Training
8:30 a.m.	Rm. 2-145	L&C
10:00 a.m.	Rm. 2-456	C&L
11:30 a.m.	Board Room	Board Meeting

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

* The Metropolitan Water District's Legal and Claims Committee meeting 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 the Legal and Claims 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 the Legal and Claims Committee will not vote on matters before the Legal and Claims 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. **Approval of the Minutes of the meeting of the Legal and Claims Committee held May 14, 2013**

3. CONSENT CALENDAR ITEMS — ACTION

None

4. OTHER BOARD ITEMS — ACTION

Revised 8-8 Discussion of potential claims and legal actions regarding the Delta Stewardship Council's certification of the Program Environmental Impact Report for the Delta Plan, and its adoption of the Delta Plan and associated regulations. (L&C)
[Conference with legal counsel—initiation of litigation (two potential cases); to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(4)]

- Revised** 8-9 Report on *John Del Toro v. Metropolitan Water District of Southern California*, Los Angeles Superior Court Case No. BC482264; and authorize an increase in the maximum amount payable under contract with Atkinson, Andelson, Loya, Ruud & Romo for legal services by \$25,000 to an amount not to exceed \$125,000. (L&C)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. General Counsel's report of monthly activities
- b. General Counsel's Business Plan
- c. 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.
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

- Added**
- d. Report on existing litigation, *In re QSA Cases*, Sacramento County Superior Court JCCP Proceeding No. 4353.
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov Code Section 54956.9(d)(1)]
 - e. 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 and No. CPF-12-512466.
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

9. ADJOURNMENT

NOTE: At the discretion of the committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the committee.

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.