

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

February 10, 2015

Chair Quiñonez called the meeting to order at 9:33 a.m. in Committee Room 2-145 at Metropolitan’s Headquarters.

Members present: Chair Quiñonez, Vice Chair Dick, Directors Atwater, Ballin (entered 9:41 a.m.), Camacho, Dear, Griset, McKenney, Murray, Steiner, Tu, and Wunderlich.

Member absent: Director Hawkins.

Other Board members present: Directors Ackerman, Barbre, Beard, Blois, Calkins, Dake, Evans, Hogan, Kurtz, Lewinger, Morris, Peterson, Ramos, Record, and Touhey.

Staff present: Scully, Vanderhorst, Breaux, Downing, Ghaly, Hasencamp, Kightlinger, Man, Mares, Miyashiro, Riss, Schlotterbeck, Sims, Stewart, Teraoka, and Zinke.

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

No members responded.

Director Griset withdrew from the meeting at 9:34 a.m.

2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD JANUARY 13, 2015.

Motion:	Carried
Moved as amended:	Director Dear Seconded: Director Steiner
Ayes:	Chair Quiñonez, Vice Chair Dick, Directors Atwater, Camacho, Dear, McKenney, Murray, Steiner, and Tu, and Wunderlich
Noes:	None
Abstentions:	None
Absent:	Directors Ballin, Griset, and Hawkins

The motion passed by a vote of 10 ayes, 0 no, 0 abstain, and 3 absent

Director Camacho requested that the Minutes be amended to reflect that he did vote “aye” on Item 8-7, although his vote was not electronically recorded.

3. CONSENT CALENDAR ITEMS – ACTION

None

Director Griset returned to the meeting at 9:35 a.m.
Director Ballin entered the meeting at 9:41 a.m.

4. OTHER BOARD ITEMS – ACTION

None

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 gave the committee an update on the settlement of the QSA litigation and the oral argument scheduled before the California Court of Appeal in the *Foli v. MWD* case. She also reported on the Delta diversions matter and the Tronox bankruptcy.

b. Subject: 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

Presented by: General Counsel Marcia Scully

In open session, General Counsel Marcia Scully gave an update and noted that this case is concluded. 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 Nos. CPF-10-510830 and CPF-12-512466, and CPF-14-514004.

Presented by: General Counsel Marcia Scully

Directors Hogan, Lewinger, Steiner, and Tu, representing the San Diego County Water Authority, withdrew from the meeting for the report on this item.

In closed session, General Counsel Marcia Scully gave a report on this item. No action was taken.

7. FOLLOW-UP ITEMS

Director Steiner requested a follow-up on the Los Angeles Times public records request regarding the turf replacement program. General Counsel Scully indicated that she had sent the information to Director Steiner, but she would send the information out to the full Board.

8. FUTURE AGENDA ITEMS

None

Next meeting will be held on March 10, 2015.

Meeting adjourned at 10:20 a.m.

Jesùs Quiñonez
Chair