



**L&C Committee**

- J. Quiñonez, Chair
- L. McKenney, V. Chair
- R. Atwater
- M. Camacho
- G. Cordero
- D. Dear
- L. Dick
- J. Murray, Jr.
- L. Paskett
- Z. Sinanyan
- F. Steiner
- R. Wunderlich

**Adjourned Legal and Claims  
Committee**

Meeting with Board of Directors\*

**August 15, 2017**

**9:00 a.m. -- Room 2-145**

Tuesday, August 15, 2017 Meeting Schedule		
9:00 a.m.	Rm. 2-145	L&C
10:00 a.m.	Rm. 2-456	RP&AM
10:30 a.m.	Rm. 2-145	OP&T
12:00 p.m.	Boardroom	Board Meeting

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

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\* 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 meetings of the Legal and Claims Committee held July 11, 2017**
  
3. **MANAGEMENT REPORTS**
  - a. General Counsel’s report of monthly activities
  
4. **CONSENT CALENDAR ITEMS — ACTION**
  - 7-5 Adopt CEQA determination and authorize increase of \$100,000 to an amount not to exceed \$300,000 for contract with GeoPentech, Inc. for consulting services; and report on Nevada Environmental Response Trust Site (former Tronox Site) in Henderson, Nevada. (L&C)

**Recommendation:**

**Option #1:**

**Adopt the CEQA determination that the proposed action is not subject to the provisions of CEQA, and**

**Authorize amendment of the contract for consulting services with GeoPentech, Inc. for the *In Re Tronox Incorporated, et al.* matter to increase the maximum amount payable by \$100,000 to a maximum amount of \$300,000.**

**5. OTHER BOARD ITEMS — ACTION**

None

**6. BOARD INFORMATION ITEMS**

None

**7. COMMITTEE ITEMS**

- a. Report on appellate opinions in Orange County Water District v. Alcoa Global Fasteners, Inc., et al., Case No. D070771, and Orange County Water District v. MAG Aerospace Industries, Inc., Case No. D070562, filed in the Court of Appeal, Fourth Appellate District, Division One.  
**[Conference with legal counsel – existing and anticipated litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1) and (d)(2)]**
  
- b. 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, CPF-12-512466, CPF-14-514004 and CPF-16-515282; the appeal of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901 and A148266; and Los Angeles County Superior Court Case No. BS169881.  
**[Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]**

**8. FOLLOW-UP ITEMS**

**9. FUTURE AGENDA ITEMS**

**10. 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.