



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

Legal and Claims Committee

Meeting with Board of Directors*

September 12, 2017

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

| Tuesday, September 12, 2017 Meeting Schedule | | |
|---|---------------|-----------|
| 9:00 a.m. | L&C | Rm. 2-145 |
| 10:00 a.m. | C&LR | Rm. 2-456 |
| 11:00 a.m. | OP&T | Rm. 2-145 |
| 12:00 p.m. | Board Meeting | Boardroom |

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 August 15, 2017**

3. **MANAGEMENT REPORT**
 - a. General Counsel’s report of monthly activities

4. **CONSENT CALENDAR ITEMS — ACTION**

None

5. OTHER BOARD ITEMS — ACTION

None

6. BOARD INFORMATION ITEMS

- 9-3** Claim for attorneys' fees and costs involving investigation of executive manager - one potential case. (L&C)
[Conference with legal counsel—anticipated litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]

7. COMMITTEE ITEMS

- a. Report on *Palo Verde Irrigation District v. Metropolitan Water District*, Riverside County Superior Court, Case No. RIC1714672
[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 California WaterFix Litigation**

Federal District Court Cases: *Bay.org, et al. v. Zinke, et al.*, Case No. 17-cv-3739-YGR (N.D. Cal., filed June 29, 2017); *Golden Gate Salmon Assn. v. Ross, et al.*, and Case No. 17-cv-3742-YRG (N.D. Cal., filed June 29, 2017) **California Superior Court Cases:** *Anderson-Cottonwood Irrigation District & Reclamation District 1004 v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002670-CU-WM-GDS; *California Sportfishing Protection Alliance, et al. v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002674-CU-WM-GDS; *City of Brentwood v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002672-CU-WM-GDS; *City of Antioch v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002664; *City of Folsom, et al. v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002669-CU-WM-GDS; *City of Sacramento v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002675-CU-WM-GDS; *City of Stockton v. Cal. Dept. of Water Resources*, San Joaquin County Superior Ct. Case No. STK-CV-UWM-2017-8624; *County of Butte v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002678-CU-WM-GDS; *County of Sacramento & Sacramento County Water Agency v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002666-CU-WM-GDS; *County of San Joaquin, et al. v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002677-CU-WM-GDS; *Glenn-Colusa Irrigation District, et al. v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002673-CU-WM-GDS; *North Coast Rivers Alliance, et al. v. Cal. Dept. of Water Resources, U.S. Bureau of Reclamation, Metropolitan Water District, and Kern County Water Agency*, Sacramento County Superior Ct. Case No. 34-2017-80002667-CU-WM-GDS; *North Delta Water Agency, et al. v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002680-CU-WM-GDS; *Placer County Water Agency v. Cal. Dept. of Water Resources*, Placer County Superior Ct. Case No. SCV0039871; *Sacramento Municipal Utility District v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002679-CU-WM-GDS; *Sacramento Regional County Sanitation District v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002671-CU-WM-GDS; *Save the California Delta Alliance v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-80002676-CU-WM-GDS

[Conference with legal counsel—existing litigation, potential litigation (unknown number), and initiation of litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1), (d)(2), and (d)(4)]

- c. Report on *San Diego County Water Authority v. Metropolitan Water District, 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 California Supreme Court Case No. S243500; 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.