

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

December 12, 2017

Chair Quiñonez called the meeting to order at 8:34 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair Quiñonez, Vice Chair McKenney, Directors Atwater, Camacho, (arrived 9:15 a.m.), Dear, Dick, Murray (arrived 8:37 a.m.), and Steiner.

Members absent: Directors Cordero, Paskett, and Sinanyan.

Other Board members present: Board Chairman Record, Directors Ackerman, Blois, Faessel, Gedney, Hogan, Kurtz, Lefevre, Morris, Peterson, Pressman, and Saxod.

Staff present: Scully, Breaux, Donhoff, Hudson, Jankovic, Kightlinger, Kuo Brinton, Mares, Miyashiro, Pitman, Tubbs, Upadhyay, and Zinke.

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

No members responded.

2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD NOVEMBER 14, 2017

Motion: Carried
Moved: Director Dear Seconded: Atwater
Ayes: Chair Quiñonez, Vice Chair McKenney, Directors Atwater, Dear, and Dick
Noes: None
Abstentions: Director Steiner
Absent: Directors Camacho, Cordero, Murray, Paskett, and Sinanyan

The motion passed by a vote of 5 ayes, 0 no, 1 abstain, and 5 absent.

3. MANAGEMENT REPORTS

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

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully provided the committee with updates on ongoing litigation. The California WaterFix has ongoing motions, hearings and a petition to coordinate. Delta Wetlands CEQA litigation has a trial set for April. Over 50 depositions have been taken related to the Shimmick construction litigation. She also mentioned the PVID litigation, reported on a products liability negligence lawsuit and a water rights lawsuit brought by an individual.

4. CONSENT CALENDAR ITEMS – ACTION

None

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

a. 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, 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

Presented by: General Counsel Marcia Scully

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

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on January 9, 2018.

Meeting adjourned at 9:19 a.m.

Jesus Quiñonez
Chair