



L&C Committee

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

REVISED AGENDA

Legal and Claims Committee

Meeting with Board of Directors*

March 13, 2018

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

March 13, 2018 Meeting Schedule		
8:30 a.m.	Rm. 2-145	L&C
9:30 a.m.	Rm. 2-456	C&LR
10:30 a.m.	Rm. 2-145	OP&T
12:00 p.m.	Boardroom	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 Legal and Claims Committee meeting held on February 13, 2018**

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

4. **CONSENT CALENDAR ITEMS — ACTION**

None

5. OTHER BOARD ITEMS — ACTION

- 8-3** Adopt CEQA determination and report on existing litigation: Brian May v. Metropolitan Water District of Southern California, Los Angeles Superior Court Case No. BC657802; and authorize an increase in the maximum amount payable under contract with Atkinson, Andelson, Loya, Ruud & Romo for legal services by \$445,000 to an amount not to exceed \$545,000. (L&C) **[Conference with legal counsel--existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]**

Added

Recommendation:

Option #1:

Adopt the CEQA determination that the proposed action is not defined as project, and

Authorize amendment of the contract for legal services with Atkinson, Andelson, Loya, Ruud & Romo for legal services by \$445,000 for an amount not to exceed \$545,000.

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

Revised

- a. Report on Francis Bechtel, et al. v. California Department of Water Resources (DWR), Butte County Sup. Ct. Case No. 17CV00298; Whitney v. DWR, Tehama County Sup. Ct. Case No. 17C100209; South Feather Water & Power Agency v. DWR, Butte County Sup. Ct. Case No. 18CV0110; City of Oroville v. DWR, Butte County Sup. Ct. Case No. 18CV00163; JEM Farms L.P., et al. v. DWR, Butte County Sup. Ct. Case No. 18CV00324; People of the State of California v. DWR, Butte County Sup. Ct. Case No. 18CV00415; and Akers, et. al v. DWR, Butte County Sup. Ct. Case No. 18CV00449.
[Conference with legal counsel—potential litigation (seven cases); may be heard in closed session pursuant to Gov. Code Section 54956.9(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, CPF-16-515282, CPF-16-515391 and CGC-17-563350; and 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. **[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

None

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.