

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

April 10, 2018

Chair Quiñonez called the meeting to order at 9:04 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair Quiñonez, Vice Chair McKenney, Directors Atwater, Camacho, Dick, Murray, and Steiner.

Members absent: Directors Cordero, Paskett, and Sinanyan.

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

Staff present: Scully, Beatty, Kear, Arakawa, Breaux, Donhoff, J. Green, M. Greene, Hudson, Jankovic, G. Johnson, Kightlinger, Kuo Brinton, Miyashiro, Patterson, Shraibati, Sims, Spradling, Stites, Tonsick, Upadhyay, Yamasaki, and Zinke.

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

Dr. Tom Williams of the Sierra Club Angeles Chapter, Water Committee, commented on item 8-8.

2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD MARCH 13, 2018

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

The motion passed by a vote of 7 ayes, 0 no, 0 abstain, and 3 absent.

CDWR Environmental Impact Cases, Sacramento County Superior Ct. Case No. JCCP 4942 (20 coordinated cases); *City of Antioch v. Cal. Dept. of Water Resources*, Sacramento County Superior Ct. Case No. 34-2017-00218154-CU-BC-GDS; *County of Sacramento, et al. v. State Water Resources Control Board*, Sacramento County Superior Ct. Case No. 34-2018-80002812-CU-WM-GDS

Presented by: Assistant General Counsel Adam Kear

Motion: Adopt the CEQA determination that the proposed action is not defined as a project and is not subject to CEQA, and
Authorize the General Counsel to amend the existing agreement with Van Ness Feldman LLP to increase the maximum amount payable by \$500,000 to \$750,000.

In closed session, Assistant General Counsel Adam Kear gave a presentation on item 8-8.

In open session, the committee voted.

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

The motion passed by a vote of 7 ayes, 0 noes, 0 abstain, and 3 absent.

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, 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

Presented by: General Counsel Marcia Scully

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

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

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

Director Dake requested an item regarding the legal and regulatory issues governing employees of Metropolitan taking jobs or contracts at Joint Powers Authorities (JPAs) in which Metropolitan participates, including those Metropolitan employees who have among their duties at Metropolitan the creation of those JPAs.

Next meeting will be held on May 8, 2018.

Meeting adjourned at 10:02 a.m.

Jesús Quiñonez
Chair