

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

January 8, 2019

Chair Quiñonez called the meeting to order at 9:00 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

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

Members absent: Directors Paskett and Sinanyan.

Other Board members present: Directors Ackerman, Blois, Butkiewicz, Dake, Emrani, Faessel, Kurtz, Lefevre, Peterson, Ramos, and Record.

Staff present: Scully, Beatty, Kear, Kightlinger, Miyashiro, and Upadhyay.

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 DECEMBER 11, 2018.

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

The motion passed by a vote of 10 ayes, 0 no, 0 abstain, and 2 absent.

3. MANAGEMENT REPORTS

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

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully announced staff changes with the recent departure of Karen Donovan, Senior Deputy General Counsel. Recruitment is underway for additional staffing for real property, finance, employment, and environmental litigation attorneys. She also informed the committee on the hiring of Stefanie Morris, a partner at Best, Best & Krieger, who is currently outside counsel to the State Water Contractors, and Interim General Counsel of the WaterFix DCA.

Ms. Scully also updated the committee on the Food & Water Watch validation action and schedule for hearings. She also reported on how the Government shutdown is impacting the courts.

The following Directors provided comments or asked questions:

1. Steiner

4. CONSENT CALENDAR ITEMS – ACTION

None

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

a. Subject: Review Settlement Proposal received from SDCWA and 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, CGC-17-563350, and CPF-18-516389; 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; the petition for extraordinary writ in the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case No. A155310; and the petition for extraordinary writ in the second 2016 action, Court of Appeal for the First Appellate District Case No. A154325 and California Supreme Court Case No. S251025.

Presented by: General Counsel Marcia Scully

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

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 February 12, 2019.

Meeting adjourned at 9:25 a.m.

Jesús Quiñonez
Chair