

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**LEGAL AND CLAIMS COMMITTEE**

**April 9, 2019**

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

Members present: Chair McKenney, Vice Chair Quiñonez, Directors Atwater, Dick (entered 9:05 a.m.), Hall, Murray (entered 9:07 a.m.), Record, and Smith.

Members absent: Director Paskett

Other Board members present: Chairwoman Gray, Directors Ackerman, Blois, Butkiewicz, Cordero, Dake, Emrani, Faessel, Goldberg, Hogan, Kurtz, Lefevre, Morris, Peterson, and Pressman.

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 MARCH 12, 2019.**

Motion: Carried  
Moved: Director Atwater                      Seconded: Director Record  
Ayes: Directors Atwater, Hall, McKenney, Quiñonez, Record, and Smith  
Noes: None  
Abstentions: None  
Absent: Directors Dick, Murray, and Paskett

The motion passed by a vote of 6 ayes, 0 no, 0 abstain, and 3 absent.

### **3. MANAGEMENT REPORT**

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

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully referred the committee to her written report.

### **4. CONSENT CALENDAR ITEMS – ACTION**

None

### **5. OTHER BOARD ITEMS – ACTION**

None

### **6. BOARD INFORMATION ITEMS**

None

Director Dick entered the meeting at 9:05 a.m.  
Director Murray entered the meeting at 9:07 a.m.

### **7. COMMITTEE ITEMS**

a. Subject Report on Existing Bay-Delta and State Water Project Litigation

Presented by: Chief Deputy General Counsel Robert Horton

Chief Deputy General Counsel Robert Horton gave a report on this item. No action was taken.

The following Directors provided comments or asked questions:

1. Smith
2. Dick
3. McKenney

b. 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: Assistant General Counsel Heather Beatty

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

**8. FOL  
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UP  
ITEMS**

In closed session, Assistant General Counsel Heather Beatty gave a report on this item. No action was taken.

None

## **9. FUTURE AGENDA ITEMS**

None

Next meeting will be held on May 14, 2019.

Meeting adjourned at 10:05 a.m.

Larry McKenney  
Chair