

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

October 8, 2019

Chair McKenney called the meeting to order at 9:37 a.m. in Committee Room 2-145 at Metropolitan's Headquarters.

Members present: Chair McKenney, Vice Chair Quiñonez, Directors Atwater, Dick, Goldberg, Hall, Murray, Paskett (entered 10:02 a.m.), Record, and Smith.

Members absent: None.

Other Directors present: Board Chairwoman Gray, Directors Ackerman, Barbre, Blois, Cordero, Hogan, Lefevre, McCoy, Morris, Ortega, Peterson, Quinn, and Treviño.

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

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

None

2. APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD SEPTEMBER 10, 2019

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

The motion passed by a vote of 9 ayes, 0 no, 0 abstain, and 1 absent.

3. MANAGEMENT REPORT

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

Presented by: General Counsel Marcia Scully

General Counsel Marcia Scully provided an update on the Drought Contingency Plan CEQA litigation brought by IID.

4. CONSENT CALENDAR ITEMS – ACTION

None

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

Director Paskett entered the meeting at 9:38 a.m.

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.

[Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

Presented by: General Counsel Marcia Scully

Directors Goldberg, Hogan, and Smith, 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 report on this item. No action was taken.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on November 5, 2019.

Meeting adjourned at 10:34 a.m.

Larry McKenney
Chair