



**L&C Committee**

- L. McKenney, Chair
- J. Quiñonez, Vice Chair
- R. Atwater
- M. Camacho
- L. Dick
- S. G. Goldberg
- A. Kassakhian
- J. Murray, Jr.
- R. Record
- T. Smith
- S. Tamaribuchi

**Legal and Claims Committee**

Meeting with Board of Directors\*

**October 13, 2020**

**9:30 a.m.**

Tuesday, October 13, 2020	
Meeting Schedule	
9:30 AM	L&C
10:30 AM	OP&T
12:00 PM	Board

Live streaming is available for all board and committee meetings on our [mwdh2o.com](http://mwdh2o.com) website  
([Click to Access Board Meetings Page](#))

**Public Comment Via Teleconference Only:** Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and use Code: 9601962.

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**MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012**

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\* 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. MANAGEMENT REPORT**

a. General Counsel’s report of monthly activities

**CONSENT CALENDAR ITEMS — ACTION**

**3. CONSENT CALENDAR OTHER ITEMS – ACTION**

A. Approval of the Minutes of the Adjourned Legal and Claims Committee meeting held September 15, 2020

**4. CONSENT CALENDAR ITEMS – ACTION**

**7-9** Update on Metropolitan Water District of Southern California, Mojave Water Agency, Coachella Valley Water District, San Geronio Pass Water Agency and Municipal Water District of Orange County v. California Department of Fish and Wildlife, California Department of Water Resources and California Natural Resources Agency, Superior Court of the County of Fresno Case No. 20CECG01347 and request for authorization to increase maximum amount payable in contract with the Thomas Law Group by \$150,000 to an amount not-to-exceed \$250,000. The General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

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

**7-10** Report on *Imperial Irrigation District v. Metropolitan Water District of Southern California, et al.*, Los Angeles Superior Court Case No. 19STCP01376; and request to authorize an increase in the maximum amount payable under contract with Meyers, Nave, Riback, Silver & Wilson, PLC for legal services by \$100,000 to an amount not-to-exceed \$200,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA.

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

<b>END OF CONSENT CALENDAR ITEMS</b>
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**5. OTHER BOARD ITEMS — ACTION**

None

**6. BOARD INFORMATION ITEMS**

None

## 7. COMMITTEE ITEMS

- a. 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)]**

## 8. FOLLOW-UP ITEMS

None

## 9. FUTURE AGENDA ITEMS

## 10. ADJOURNMENT

**NOTE:** 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.