

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

ADJOURNED LEGAL AND CLAIMS COMMITTEE

September 15, 2020

Chair McKenney called the teleconference meeting to order at 9:03 a.m.

Members present: Chair McKenney, Vice Chair Quiñonez, Directors Atwater, Camacho (entered after roll call), Dick, Goldberg, Murray, Record, Smith, and Tamaribuchi.

Members absent: Kassakhian

Other Directors present: Board Chairwoman Gray, Directors Abdo, Ballin, Blois, Cordero, De Jesus, Faessel, Galleano, Hogan, Kurtz, Lefevre, Morris, Peterson, and Quinn.

Committee Staff present: 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. MANAGEMENT REPORT

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

Presented by: General Counsel Marcia Scully

General Counsel Scully reported on the *Orange County Water District v. Northrop* litigation. Additionally, General Counsel Scully reported that the Orange County North Basin site was added to the Superfund National Priorities List and on litigation involving the regulation of perchlorate in drinking water. She also provided an update on the Delta Conveyance Project validation proceedings.

The following Director provided comments or asked questions:

1. Chair McKenney

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Adjourned Legal and Claims Committee meeting held August 18, 2020.

Director Dick made a motion, seconded by Director Record to approve the consent calendar Item 3A.

The vote was:

Ayes:	Directors Atwater, Camacho, Dick, McKenney, Murray, Quiñonez, and Record
Noes:	None
Not Voting:	Director Tamaribuchi
Abstain	Directors Goldberg and Smith
Absent:	Director Kassakhian

The motion passed by a vote of 7 ayes, 0 noes, 1 present but not voting, 2 abstain, and 1 absent.

4. CONSENT CALENDAR ITEMS – ACTION

None

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- b. 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, 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: Assistant General Counsel Heather Beatty

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, Assistant General Counsel Heather Beatty 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 October 13, 2020.

Meeting adjourned at 9:38 a.m.

Larry McKenney
Chair