

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

February 11, 2025

Chair Luna called the meeting to order at 8:32 a.m.

Members present: Directors Camacho, Cordero, Dick (entered after roll call), Fellow, Garza, Kurtz (entered during roll call), Luna, McCoy, Miller (teleconference posted location), and Seckel.

Members absent: Directors Douglas and Ramos

Other Board Members present: Directors Ackerman (AB2449 “Just Cause”), Armstrong, Bryant, Dennstedt, Erdman, Faessel, Fong-Sakai, Goldberg, Gray (teleconference posted location), Lewitt, McMillan, Morris, Ortega, and Pressman (teleconference posted location).

Director Ackerman indicated she is participating under AB 2449 “just cause” due to recovery from a medical procedure. Director Ackerman appeared by audio and on camera.

Committee Staff present: Beatty, Boucher, Gaxiola, Rubin, and Scully.

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

None

2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

A. Subject: General Counsel’s report of monthly activities

General Counsel Scully provided an update on the settlement negotiations in San Diego County Water Authority v. Metropolitan.

Chair Luna deferred Item 7a to March 2025.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Subject: Approval of the Minutes of the Legal and Claims Committee for January 14, 2025.

4. CONSENT CALENDAR ITEMS – ACTION

None

Director Camacho made a motion, seconded by Director Fellow, to approve item 3A.

The vote was:

Ayes: Directors Camacho, Cordero, Fellow, Garza, Kurtz, Luna, McCoy, Miller, and Seckel
Noes: None
Abstentions: None
Absent: Dick, Douglas, and Ramos

The motion for Item 3A passed by a vote of 9 ayes, 0 noes, 0 abstentions, and 3 absent.

END OF CONSENT CALENDAR ITEMS

Chair Luna called the meeting into closed session.

Director Dick entered the meeting.

5. OTHER BOARD ITEMS – ACTION

- 8-3** Subject Report on litigation in Ryan Tiegs v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2306176, and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$300,000 for a total amount not to exceed \$825,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
[Conference with legal counsel – existing litigation; may be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]
- Presented by: Marcia Scully, General Counsel
- Motion Authorize increase in the maximum amount payable under a contract for legal services in Ryan Tiegs v. Metropolitan Water District of Southern California with Seyfarth Shaw LLP in the amount of \$300,000 for a total amount not to exceed \$825,000.

Chair Luna reported there was no action taken in closed session.

In open session, Director Seckel made a motion, seconded by Director Camacho to approve the contract increase for item 8-3.

The vote was:

- Ayes: Directors Camacho, Cordero, Dick, Fellow, Garza, Kurtz, Luna, McCoy, Miller, and Seckel
- Noes: None
- Abstentions: None
- Absent: Douglas and Ramos

The motion for item 8-3 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 2 absent.

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Report on litigation in San Diego County Water Authority v. 21-4230 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 appeals of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901, A148266, A161144, and A162168, 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; 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; the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and the appeals of the 2014, 2016, and 2018 actions, Court of Appeal for the First Appellate District Case No. A170156; including report on discussions regarding potential settlement of the 2014, 2016, and 2018 actions, including the cross-complaints and appeals, San Francisco County Superior Court Case Nos. CPF-14-514004, CPF-16-515282, and CPF-18-516389 and Court of Appeal for the First Appellate District Case No. A170156 [Conference with legal counsel – existing litigation; may be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]

Item deferred.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on March 11, 2025.

Meeting adjourned at 9:09 am

Miguel Luna
Chair