

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**ADJOURNED LEGAL AND CLAIMS COMMITTEE**

**August 16, 2022**

Chair Dick called the teleconference meeting to order at 1:05 p.m.

Members present: Chair Dick, Directors Atwater, Camacho, Fellow, Goldberg, Phan (entered after roll call), Record, Smith, Sutley, and Tamaribuchi.

Members absent: None

Other Directors present: Chairwoman Gray, Directors Abdo, Ackerman, Apodaca, Blois, Cordero, De Jesus, Dennstedt, Erdman, Faessel, Fong-Sakai, Jung, Kurtz, Lefevre, McCoy, Miller, Morris, Ortega, Petersen, Peterson, Pressman, Quinn, Ramos, and Repenning.

Committee Staff present: Beatty, Hagekhalil, Miyashiro, Scully, Torres, and Upadhyay.

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

None

**2. MANAGEMENT REPORTS**

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

General Counsel Scully informed the committee she had nothing to add to General Counsel's written report.

**CONSENT CALENDAR ITEMS – ACTION**

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

- A. Approval of the Minutes of the Meeting of the Legal and Claims Committee held July 12, 2022.

No comments on the minutes.

Director Phan entered the meeting.

#### 4. CONSENT CALENDAR ITEMS – ACTION

- 7-16**      Subject:            Report on legal claims alleging equal employment opportunity violations; and authorize an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services as follows: Agreement No. 201897 by \$100,000 to an amount not to exceed \$200,000; Agreement No. 203436 by \$250,000 to an amount not to exceed \$350,000; Agreement No. 203454 by \$60,000 to an amount not to exceed \$160,000; and Agreement No. 203455 by \$75,000 to an amount not to exceed \$175,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel – anticipated litigation; based on existing facts and circumstances of receipt of four legal claims threatening litigation, there is significant exposure to litigation against Metropolitan: four potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)].
- Presented by:        General Counsel Marcia Scully and Jeffrey Wortman of Seyfarth Shaw LLP
- In closed session, General Counsel Marcia Scully and Jeffrey Wortman of Seyfarth Shaw LLP gave a report on this item. No action was taken in closed session.
- Motion:              Authorize an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services in the amounts as listed on the agenda for a total amount of \$485,000 to a total amount not to exceed \$885,000.

Director Record made a motion, seconded by Director Sutley, to approve the consent calendar consisting of items 3A and 7-16:

The vote was:

- Ayes:                    Chair Dick, Directors Atwater, Camacho, Fellow, Goldberg, Phan, Record, Smith, Sutley, and Tamaribuchi
- Noes:                    None
- Abstentions:         None
- Absent:                 None

The motion for Items 3A and 7-16 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 0 absent.

**END OF CONSENT CALENDAR ITEMS**

**5. OTHER BOARD ITEMS – ACTION**

None

**6. BOARD INFORMATION ITEMS**

None

**7. COMMITTEE ITEMS**

None

**8. FOLLOW-UP ITEMS**

None

**9. FUTURE AGENDA ITEMS**

None

Next meeting will be held on September 13, 2022.

Meeting adjourned at 2:08 p.m.

Larry Dick  
Chair