

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

August 19, 2024

Chair Luna called the meeting to order at 1:34 pm.

Members present: Directors Camacho, Cordero (teleconference posted location), Dick, Douglas (teleconference posted location), Fellow, Garza, Kurtz, Luna, Miller, and Seckel.

Members absent: Directors McCoy and Ramos.

Other Directors present: Directors Ackerman, Alvarez, Armstrong, Bryant, De Jesus (teleconference posted location), Dennstedt, Faessel, Goldberg, Lewitt, McMillan, Morris, Ortega, Smith, and Sutley.

Committee Staff present: Beatty, Gaxiola, Scully, and Upadhyay.

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 reported on the Brown Act webinar update, sponsored by one of Metropolitan's outside counsel.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Subject: Approval of the Minutes of the Legal and Claims Committee for July 8, 2024.

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

The vote was:

Ayes: Directors Camacho, Cordero, Dick, Douglas, Fellow, Garza, Kurtz, Luna, Miller, and Seckel.

Noes: None

Abstentions: None

Absent: McCoy and Ramos

The motion for Item 3A passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 2 absent.

4. CONSENT CALENDAR ITEMS – ACTION

None

END OF CONSENT CALENDAR ITEMS

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

Director Miller recused himself on Item 7a because he is a director on the San Diego County Water Authority Board and left the room.

Director Goldberg made a disclosure, but it was inapplicable to this meeting.

The SDCWA directors left the room.

Chair Luna called the meeting into closed session.

7. COMMITTEE ITEMS

- a. Subject Report on litigation in 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 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; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

Presented by: Heather Beatty, Assistant General Counsel

Chair Luna reported the committee discussed and conferred with legal counsel regarding Item 7a. No action was taken in closed session.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on September 9, 2024.

Meeting adjourned at 2:45 pm

Miguel Luna
Chair