

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

July 8, 2024

Chair Luna called the meeting to order at 1:36 pm.

Members present: Directors Cordero, Dick (entered after roll call), Kurtz, Luna, McCoy, Miller, and Seckel.

Members absent: Directors Camacho, Douglas, Garza, and Ramos.

Other Directors present: Directors Abdo, Alvarez, Armstrong, Bryant, De Jesus (teleconference posted location), Dennstedt, Erdman, Faessel, Fellow, Goldberg, Lefevre, Lewitt, McMillan, Morris, Ortega, Pressman (teleconference posted location), and Quinn.

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

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

	Name	Affiliation
1.	Ellen Mackey	MWD employee

2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

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

General Counsel Scully reported on the Chevron Doctrine decision.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Subject: Approval of the Minutes of the Legal and Claims Committee for June 10, 2024.

4. CONSENT CALENDAR ITEMS – ACTION

None

Director Miller made a motion, seconded by Director Seckel, to approve consent calendar consisting of item 3A.

The vote was:

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

The motion for Item 3A passed by a vote of 6 ayes, 0 noes, 0 abstentions, and 5 absent.

END OF CONSENT CALENDAR ITEMS

Directors Dick entered the meeting.

Chair Luna called the meeting into closed session.

5. OTHER BOARD ITEMS – ACTION

- 8-3** Subject Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan’s CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize an increase in the maximum amount payable under contract with Musick, Peeler & Garrett LLP, for legal services by \$750,000 to an amount not-to-exceed \$3,250,000; and authorize an increase in the maximum amount payable under contract with Exponent, Inc. for consulting services by \$120,000 to an amount not-to-exceed \$720,000; the General Manager has determined that the proposed actions are 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)]

Presented by: Patrick Rohen, Sr. Deputy General Counsel

Chair Luna reported the committee discussed and conferred with legal counsel regarding Item 8-3. No action was taken in closed session.

In open session, Director Seckel made a motion, seconded by Director Cordero, to authorize the contract increases.

The vote in open session was:

Ayes: Directors Cordero, Dick, Kurtz, Luna, McCoy, Miller, and Seckel

Noes: None

Abstentions: None

Absent: Directors Camacho, Douglas, Garza, and Ramos

The motion for Item 8-3 passed by a vote of 7 ayes, 0 noes, 0 abstentions, and 4 absent.

