

# The Metropolitan Water District of Southern California

# Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

## L&C Committee

M. Luna, Chair  
J. McMillan, Vice Chair  
M. Camacho  
J. Crawford  
D. De Jesus  
L. Dick  
C. Douglas  
M. Katz  
C. Kurtz  
C. Miller  
M. Ramos

## **Legal and Claims Committee**

Meeting with Board of Directors \*

**September 9, 2025**

**10:30 a.m.**

## **Tuesday, September 9, 2025 Meeting Schedule**

**08:30 a.m. FAAME  
10:30 a.m. LEGAL  
12:30 p.m. Break  
01:00 p.m. OPE  
02:00 p.m. BOD**

**Written public comments received by 3:00 p.m. the business day before the meeting is scheduled will be posted under the Submitted Items and Responses tab available here:**  
**<https://mwdh2o.legistar.com/Legislation.aspx>.**

**The listen-only phone line is available at 1-877-853-5257; enter meeting ID: 873 4767 0235.**

**Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda teleconference and in-person. To provide public comment by teleconference dial 1-833-548-0276 and enter meeting ID: 876 9484 9772 or to join by computer [click here](#).**

**Disclaimer: Written and oral public comments are received in compliance with the Ralph M. Brown Act. Please note that Metropolitan does not endorse or ensure the accuracy or reliability of the information provided as public comment or by third parties.**

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**MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012**

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\* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

## 2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- A. General Counsel's report of monthly activities [21-4988](#)

**\*\* CONSENT CALENDAR \*\***

## 3. COMMITTEE ACTION (ONLY)

- A. Approval of the Minutes of the Legal and Claims Committee for July 8, 2025 [21-4989](#)

**Attachments:** [09092025 LC 3A \(07082025\) Minutes](#)

## 4. COMMITTEE ITEMS (FOR BOARD CONSIDERATION)

NONE

**\*\* END OF CONSENT CALENDAR \*\***

## 5. COMMITTEE ITEMS (ACTION FOR BOARD CONSIDERATION)

- 8-1 Report on litigation in Encarnacion Gutierrez v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 23STCV11052; and authorize an increase in the maximum amount payable under contract for legal services with BDG Law Group, APLC, in the amount of \$400,000 for a total amount not to exceed \$900,000; the General Manager has determined that the proposed action is 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)] [21-5032](#)

- 8-2** Report on litigation in Dane Crawford v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2304015, and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; report on litigation in Dannelle-Mimi Phan v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 25STCV13693, and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; and report on litigation in Gina Chavez v. Metropolitan Water District of Southern California, San Bernardino County Superior Court Case No. CIVSB2521200, and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; 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)]

[21-4990](#)

## **6. COMMITTEE ITEMS (INFORMATIONAL FOR BOARD CONSIDERATION)**

NONE

## **7. COMMITTEE ITEMS (INFORMATIONAL)**

NONE

## **8. FOLLOW-UP ITEMS**

NONE

## **9. FUTURE AGENDA ITEMS**

## **10. ADJOURNMENT**

**NOTE:** This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>.

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**LEGAL AND CLAIMS COMMITTEE**

**July 8, 2025**

Vice Chair McMillan called the meeting to order at 11:00 a.m.

Members present: Directors De Jesus (teleconference posted location), Dick, Douglas, Katz, Kurtz, McMillan, Miller, and Ramos (teleconference posted location).

Members absent: Directors Camacho, Crawford, and Luna

Other Board Members present: Directors Ackerman (AB2449 “Just Cause”), Alvarez, Armstrong, Dennstedt (AB2449 “Just Cause”), Erdman (teleconference posted location), Faessel, Fellow, Garza, Jay, Lewitt, McCoy, Ortega, Seckel, Shepherd Romey, and Sutley.

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

Director Dennstedt indicated she is participating under AB 2449 “just cause” due to a contagious illness. Director Dennstedt appeared by audio and on camera.

Committee Staff present: Beatty, Boucher, 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 had nothing to add to her written report.

**CONSENT CALENDAR ITEMS – ACTION**

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

- A.            Subject:            Approval of the Minutes of the Legal and Claims Committee for June 23, 2025.

**4. CONSENT CALENDAR ITEMS – ACTION**

- |             |         |  |
|-------------|---------|--|
| <b>7-9</b>  | Subject | Approve amendments to the Metropolitan Water District Administrative Code to conform to current policy, law, and practice, and to make other minor, non-substantive changes; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA  |
|             | Motion  | Approve amendments to the Metropolitan Water District Administrative Code to conform to current policy, law, and practice, and to make other minor, non-substantive changes  |
| <b>7-10</b> | Subject | Authorize an increase in the maximum amount payable under contract with Thompson Coburn LLP for legal advice on state and federal energy regulatory and contractual matters by \$300,000 to a maximum amount payable of \$600,000; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA |
|             | Motion  | Authorize an increase in the maximum amount payable under contract with Thompson Coburn LLP for legal advice on state and federal energy regulatory and contractual matters by \$300,000 to a maximum amount payable of \$600,000  |

No presentations were given, Director Dick made a motion, seconded by Director Miller, to approve item 3A, 7-9, and 7-10.

The vote was:

- |              |  |
|--------------|--|
| Ayes:        | Directors De Jesus, Dick, Douglas, Katz, Kurtz, McMillan, and Miller |
| Noes:        | None   |
| Abstentions: | None   |
| Absent:      | Directors Camacho, Crawford, Luna, and Ramos                         |

The motion for Item 3A, 7-9, and 7-10 passed by a vote of 7 ayes, 0 noes, 0 abstentions, and 4 absent.

**END OF CONSENT CALENDAR ITEMS**

Vice Chair McMillan called the meeting into closed session.

Director Ramos entered the meeting.

## 5. OTHER BOARD ITEMS – ACTION

- 8-1**            Subject            Report on litigation in Systems Integrated, LLC v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 21STCV18292; authorize an increase in maximum amount payable under contract for legal services with Internet Law Center, Ltd. in the amount of \$250,000 for a total amount not to exceed \$500,000; and authorize an increase in maximum amount payable under contract for legal services with Kronenberger Rosenfeld, LLP in the amount of \$250,000 for a total amount not to exceed \$500,000; the General Manager has determined that the proposed action is 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:    Tony Zepeda, Sr. Deputy General Counsel
- Motion:            Authorize an increase in maximum amount payable under contract for legal services with Internet Law Center, Ltd. in the amount of \$250,000 for a total amount not to exceed \$500,000; and authorize an increase in maximum amount payable under contract for legal services with Kronenberger Rosenfeld, LLP in the amount of \$250,000 for a total amount not to exceed \$500,000

Vice Chair McMillan reported there was no action taken in closed session.

In open session, Director Douglas made a motion, seconded by Director Katz to approve the contract increases.

The vote was:

Ayes:                Directors De Jesus, Dick, Douglas, Katz, Kurtz, McMillan, Miller, and Ramos  
Noes:                None  
Abstentions:        None  
Absent:              Directors Camacho, Crawford, and Luna

The motion for Item 8-1 passed by a vote of 8 ayes, 0 noes, 0 abstentions, and 3 absent.

**6. BOARD INFORMATION ITEMS**

None

**7. COMMITTEE ITEMS**

None

**8. FOLLOW-UP ITEMS**

None

**9. FUTURE AGENDA ITEMS**

None

Meeting adjourned at 12:02 p.m.

Jacque McMillan  
Vice Chair