

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

March 11, 2025

Chair Luna called the meeting to order at 10:15 a.m.

Members present: Directors Camacho, Dick, Douglas, Fellow, Kurtz, Luna, McCoy, McMillan, Miller, Ramos (entered after roll call), and Seckel.

Members absent: Director Cordero

Other Board Members present: Directors Ackerman, Alvarez, Armstrong, Bryant, De Jesus, Dennstedt, Erdman, Faessel, Fong-Sakai, Garza, Goldberg, Gray (teleconference posted location), Katz, Lefevre, Lewitt, Morris, Ortega, and Pressman (teleconference posted location).

Committee Staff present: Beatty, Boucher, Gaxiola, Rubin, 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General Counsel Scully addressed changes to the agenda regarding Items 7-10 deferred, 8-3 withdrawn, and 7a deferred; provided an update on the Tieg v. Metropolitan litigation and an update on the settlement negotiations in San Diego County Water Authority v. Metropolitan; and reported on federal regulations affecting NEPA.

The following Directors provided comments or asked questions:

1. Dick
2. Morris
3. De Jesus
4. Garza

Chair Luna announced no closed session for Item 7a.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

A. Subject: Approval of the Minutes of the Legal and Claims Committee for February 11, 2025.

No comments on the minutes.

4. CONSENT CALENDAR ITEMS – ACTION

7-11 Subject Authorize an increase of \$100,000, to an amount not-to-exceed \$600,000, for a contract for legal services with Hanson Bridgett LLP to provide legal advice on deferred compensation plans, other employee benefits, taxes, and CalPERS matters; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

No presentation was given.

Motion Authorize the General Counsel to increase the amount payable under its contract with Hanson Bridgett LLP by \$100,000 to an amount not to exceed \$600,000

7-12 Subject Approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of various committees and the roles of specified board and committee officers; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

No presentation was given.

Motion Approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of various committees and the roles of specified board and committee officers

The following Directors provided comments or asked questions:

1. Ortega
2. Douglas

Director Fellow made a motion, seconded by Director Camacho, to approve item 3A, 7-11 and 7-12.

The vote was:

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

The motion for Item 3A, 7-11 and 7-12 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 2 absent.

END OF CONSENT CALENDAR ITEMS

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; 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)]

Item withdrawn.

6. BOARD INFORMATION ITEMS

None

Vice Chair McMillan called the meeting into closed session.

7. COMMITTEE ITEMS

- a. Subject: 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.

Director Ramos entered the meeting.

Director Pressman entered the meeting.

- b. Subject: Report on Katano Kasaine v. Metropolitan Water District of Southern California et al., Los Angeles County Superior Court Case No. 25STCV05250 [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

- c. Subject: Conference with legal counsel regarding anticipated litigation based on existing facts and circumstances, including receipt of two separate government claims threatening litigation, there is significant exposure to litigation against Metropolitan: two potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)

Presented by: Tony Zepeda, Sr. Deputy General Counsel

Chair Ortega, Committee Chair Luna, and Director Kurtz withdrew from the meeting for the report on item 7c.

Vice-Chair McMillan chaired that portion of the closed session meeting.

Chair Ortega, Committee Chair Luna, and Director Kurtz re-entered the meeting.

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

8. FOLLOW-UP ITEMS

Director Dick requested staff to research agendaizing meetings earlier so the next meeting can begin upon the completion of the prior meeting.

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on April 8, 2025.

Meeting adjourned at 11:47 a.m.

Miguel Luna
Chair