

**THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**MINUTES**

**SPECIAL LEGAL AND CLAIMS COMMITTEE**

**November 18, 2024**

Chair Luna called the meeting to order at 11:33 a.m.

Members present: Directors Cordero, Douglas (teleconference posted location), Kurtz, Luna, McCoy (entered after roll call), Miller, and Ramos (teleconference posted location).

Chair of the Board Ortega was present for purposes of quorum.

Members absent: Directors Camacho, Dick, Fellow, Garza, and Seckel.

Other Directors present: Directors Alvarez, Armstrong, Bryant, Dennstedt, Erdman, Faessel, Fong-Sakai, Goldberg, Lewitt, Morris, Ortega, Pressman (teleconference posted location available), and Smith.

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 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 October 7, 2024.

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

The vote was:

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

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

**4. CONSENT CALENDAR ITEMS – ACTION**

None

**END OF CONSENT CALENDAR ITEMS**

Chair Luna re-ordered the agenda to hear Item 7a first.

## 7. COMMITTEE ITEMS

- a            Subject:            Report on environmental litigation challenging the Department of Water Resources' Delta Conveyance Project approval, certification of the Final Environmental Impact Report and other actions taken under the California Environmental Quality Act, ten consolidated cases pending in Sacramento County Superior Court under the lead case, Tulare Lake Basin Water Storage District v. California Department of Water Resources, Case No. 24WM000006 and appeals in same, Cal. Court of Appeal for the Third Appellate District Case No. C101878

Presented by:        Robert Horton, Principal Deputy General Counsel

Director McCoy entered the meeting.

Chair Luna called the meeting into closed session.

- b            Subject:            Report on Sierra Club et al. v. California Department of Water Resources, Cal. Court of Appeal for the Third Appellate District Case No. C100552 (consolidated with California Department of Water Resources v. All Persons Interested in the Matter, etc., Sacramento County Superior Court Case No. 34-2020-00283112) [Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]

Presented by:        Robert Horton, Principal Deputy General Counsel

## 5. OTHER BOARD ITEMS – ACTION

- 8-7        Subject:            Report on litigation in Ryan Tiegs v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2306176; Dane Crawford v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2304015; and Alicia Lorentzen v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 23STCV19214; authorize increase in the maximum amount payable under a contract for legal services in Ryan Tiegs v. Metropolitan Water District of Southern California with Seyfarth Shaw LLP in the amount of \$275,000 for a total amount not to exceed \$525,000, increase in the maximum amount payable under a contract for legal services in Dane Crawford v. Metropolitan Water District of Southern California with Seyfarth Shaw LLP in the amount of \$275,000 for a total amount not to exceed \$525,000, and increase in the maximum amount payable under a contract for

legal services in Alicia Lorentzen v. Metropolitan Water District of Southern California with Sheppard, Mullin, Richter & Hampton LLP in the amount of \$175,000 for a total amount not to exceed \$425,000; and report on two legal claims alleging equal employment opportunity and other violations; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA. [Conference with legal counsel – (1) as to the three cases: existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1); and (2) as to the two legal claims: anticipated litigation; based on existing facts and circumstances of receipt of legal claim communications on behalf of two individuals 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: Marcia Scully, General Counsel

Chair Luna reported there were no reportable actions taken in closed session.

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

The vote in open session was:

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

The motion for Item 8-7 passed by a vote of 7 ayes, 0 noes, 0 abstentions, and 5 absent.

## **6. BOARD INFORMATION ITEMS**

None

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

None

**9. FUTURE AGENDA ITEMS**

None

Next meeting will be held on December 9, 2024.

Meeting adjourned at 12:48 pm

Miguel Luna  
Chair