

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 - Final

Meeting with Board of Directors *

June 10, 2025

10:30 a.m.

Tuesday, June 10, 2025 Meeting Schedule

08:00 a.m.	FAAME
10:30 a.m.	LC
12:30 p.m.	Break
01:00 p.m.	BOD
03:00 p.m.	CWC

Written public comments received by 5:00 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](#).

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

Teleconference Locations:

Conference Room • 1545 Victory Boulevard • Glendale, CA 91201

Hotel Raphael • Largo Febo Piazza Navona • Rome, Italy

* 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

[**21-4628**](#)

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

- A. Approval of the Minutes of the Legal and Claims Committee for April 8, 2025 [21-4629](#)

Attachments: [06102025 LC 3A \(04082025\) Minutes](#)

4. CONSENT CALENDAR ITEMS - ACTION

NONE

**** END OF CONSENT CALENDAR ITEMS ******5. OTHER BOARD ITEMS - ACTION**

- 8-2 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 \$TBD for a total amount not to exceed \$TBD; and authorize an increase in maximum amount payable under contract for legal services with Kronenberger Rosenfeld, LLP in the amount of \$TBD for a total amount not to exceed \$TBD; 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)] [21-4604](#)

6. BOARD INFORMATION ITEMS

NONE

7. COMMITTEE ITEMS

- a. Report on the Department of Water Resources' Petition to the State Water Resources Control Board for the Addition of Point of Diversion for the State Water Project [21-4630](#)

- b. 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 Sections 54956.9(d)(1)] [21-4631](#)
- c. Discussion of Department Head Performance and Goal Setting
[Public employee performance evaluation – General Counsel; to be heard in closed session pursuant to Gov. Code Section 54957] [21-4632](#)

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

April 8, 2025

Chair Luna called the meeting to order at 10:16 a.m.

Members present: Directors Camacho, Crawford, De Jesus, Dick, Douglas, Katz, Kurtz, Luna, McMillan, and Miller.

Members absent: Director Ramos

Other Board Members present: Directors Ackerman, Alvarez, Armstrong, Bryant, Cordero, Dennstedt, Erdman, Fellow, Fong-Sakai (teleconference posted location), Garza, Goldberg, Gray (teleconference posted location), Lefevre (teleconference posted location), Lewitt, McCoy, Ortega, Pressman, Seckel, Shepherd Romey, and Sutley.

Committee Staff present: Beatty, Boucher, 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 reported that settlement negotiations in San Diego County Water Authority v. Metropolitan are ongoing and there will be no closed session report.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

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

4. CONSENT CALENDAR ITEMS – ACTION

- | | | |
|-------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7-8 | Subject | Approve amendments to the Metropolitan Water District Administrative Code to conform oversight of the General Auditor and Audit Department duties and responsibilities to the current committee structure, to streamline reporting on professional services agreements, and make a minor non-substantive change; 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 oversight of the General Auditor and Audit Department duties and responsibilities to the current committee structure, streamline reporting on professional services agreement, and make a minor non-substantive change |
| 7-18 | Subject | Authorize increase in the maximum amount payable under contract with outside counsel, Liebert Cassidy Whitmore, in the amount of \$200,000 for a total amount not to exceed \$450,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA |
| | Motion | Authorize the General Counsel to increase the amount payable under contract with outside counsel, Liebert Cassidy Whitmore, in the amount of \$200,000 for a total amount not to exceed \$450,000 |

The following Directors provided comments or asked questions:

1. Miller

Staff responded to the Directors questions and comments.

No presentations were given, Director Camacho made a motion, seconded by Director Douglas, to approve item 3A, 7-8, and 7-18.

The vote was:

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

The motion for Item 3A, 7-8 and 7-18 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 1 absent.

END OF CONSENT CALENDAR ITEMS

Chair Luna called the meeting into closed session.

5. OTHER BOARD ITEMS – ACTION

8-2 Subject Report on litigation in Maria Carmen Zarate v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 23STCV15786; and authorize an increase in the maximum amount payable under contract for legal services with Seyfarth Shaw LLP, in the amount of \$250,000 for a total amount not to exceed \$750,000; 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: Henry Torres, Assistant General Counsel

Motion: Authorize an increase in the maximum amount payable under contract for legal services with Seyfarth Shaw LLP, in the amount of \$250,000 for a total amount not to exceed \$750,000

Chair Luna reported there was no action taken in closed session.

In open session, Director Camacho made a motion, seconded by Director De Jesus to approve the contract increase.

The vote was:

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

The motion for Item 8-2 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 1 absent.

6. BOARD INFORMATION ITEMS

None

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; may be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]

Item deferred.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

Director McMillan asked whether the question regarding setting agenda items-having one agenda, which was raised at the March meeting, had been looked into. Chair Luna suggested that there should be a presentation at an upcoming meeting. Chair Ortega stated that it is a subject appropriate to the Executive Committee and should be considered there.

Next meeting will be held on June 10, 2025.

Meeting adjourned at 11:00 a.m.

Miguel Luna
Chair