

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

October 7, 2024

Chair Luna called the meeting to order at 12:49 pm.

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

Members absent: Directors Dick and Douglas.

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

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 reported on the recent fluoridated drinking water ruling.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Subject: Approval of the Minutes of the Legal and Claims Committee for September 9, 2024.

4. CONSENT CALENDAR ITEMS – ACTION

None

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

The vote was:

Ayes: Directors Camacho, Fellow, Garza, Kurtz, Luna, McCoy, Miller, Ramos, and Seckel.

Noes: None

Abstention(s): Cordero

Absent: Dick and Douglas

The motion for Item 3A passed by a vote of 9 ayes, 0 noes, 1 abstention, and 2 absent.

END OF CONSENT CALENDAR ITEMS

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

Chair Luna called the meeting into closed session.

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

Presented by: Marcia Scully, General Counsel

Directors Goldberg, Fong-Sakai, Miller, and Smith, representing the San Diego County Water Authority, withdrew from the meeting for the report on item 7a.

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

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on November 18, 2024.

Meeting adjourned at 1:50 pm

Miguel Luna
Chair