

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
MINUTES

ADJOURNED LEGAL AND CLAIMS COMMITTEE

August 16, 2022

Chair Dick called the teleconference meeting to order at 1:05 p.m.

Members present: Chair Dick, Directors Atwater, Camacho, Fellow, Goldberg, Phan (entered after roll call), Record, Smith, Sutley, and Tamaribuchi.

Members absent: None

Other Directors present: Chairwoman Gray, Directors Abdo, Ackerman, Apodaca, Blois, Cordero, De Jesus, Dennstedt, Erdman, Faessel, Fong-Sakai, Jung, Kurtz, Lefevre, McCoy, Miller, Morris, Ortega, Petersen, Peterson, Pressman, Quinn, Ramos, and Repenning.

Committee Staff present: Beatty, Hagekhalil, Miyashiro, Scully, Torres, and Upadhyay.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

None

2. MANAGEMENT REPORTS

- a. Subject: General Counsel's report of monthly activities

General Counsel Scully informed the committee she had nothing to add to General Counsel's written report.

CONSENT CALENDAR ITEMS – ACTION

3. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Meeting of the Legal and Claims Committee held July 12, 2022.

No comments on the minutes.

Director Phan entered the meeting.

4. CONSENT CALENDAR ITEMS – ACTION

- 7-16** Subject: Report on legal claims alleging equal employment opportunity violations; and authorize an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services as follows: Agreement No. 201897 by \$100,000 to an amount not to exceed \$200,000; Agreement No. 203436 by \$250,000 to an amount not to exceed \$350,000; Agreement No. 203454 by \$60,000 to an amount not to exceed \$160,000; and Agreement No. 203455 by \$75,000 to an amount not to exceed \$175,000; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel – anticipated litigation; based on existing facts and circumstances of receipt of four legal claims threatening litigation, there is significant exposure to litigation against Metropolitan: four potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)].
- Presented by: General Counsel Marcia Scully and Jeffrey Wortman of Seyfarth Shaw LLP
- In closed session, General Counsel Marcia Scully and Jeffrey Wortman of Seyfarth Shaw LLP gave a report on this item. No action was taken in closed session.
- Motion: Authorize an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services in the amounts as listed on the agenda for a total amount of \$485,000 to a total amount not to exceed \$885,000.

Director Record made a motion, seconded by Director Sutley, to approve the consent calendar consisting of items 3A and 7-16:

The vote was:

Ayes: Chair Dick, Directors Atwater, Camacho, Fellow, Goldberg, Phan, Record, Smith, Sutley, and Tamaribuchi

Noes: None

Abstentions: None

Absent: None

The motion for Items 3A and 7-16 passed by a vote of 10 ayes, 0 noes, 0 abstentions, and 0 absent.

END OF CONSENT CALENDAR ITEMS

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

None

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on September 13, 2022.

Meeting adjourned at 2:08 p.m.

Larry Dick
Chair