

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

A. Kassakhian, Chair
J. McMillan, Vice Chair
M. Camacho
J. Crawford
D. De Jesus
C. Douglas
M. Katz
C. Kurtz
C. Miller
M. Ramos
G. Shepherd Romey

Legal and Claims Committee

Meeting with Board of Directors *

February 9, 2026

1:00 p.m.

Monday, February 9, 2026 Meeting Schedule

09:00 a.m. EOT
11:30 a.m. LEG
12:30 p.m. BREAK
01:00 p.m. LEGAL
03:00 p.m. OWA

Written public comments received by 3:00 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: 862 4397 5848.

Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference and in-person. To provide public comment by teleconference dial 1-833-548-0276 and enter meeting ID: 815 2066 4276 or to join by computer [click here](#).

Disclaimer: Written and oral public comments are received in compliance with the Ralph M. Brown Act. Please note that Metropolitan does not endorse or ensure the accuracy or reliability of the information provided as public comment or by third parties.

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012
Teleconference Locations:
6227 Shiloh Avenue • Whitefish, MT 59937

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 [21-5390](#)

**** CONSENT CALENDAR ****

3. COMMITTEE ACTION (ONLY)

- A. Approval of the Minutes of the Legal and Claims Committee for January 13, 2026 [21-5391](#)

Attachments: [02092026 LC 3A \(01132026\) Minutes](#)

4. COMMITTEE ITEMS (FOR BOARD CONSIDERATION)

- 7-4 Amend the Metropolitan Water District Administrative Code to conform Employer-Paid Member Contributions for unrepresented employees to CalPERS requirements; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-5429](#)

**** END OF CONSENT CALENDAR ****

5. COMMITTEE ITEMS (ACTION FOR BOARD CONSIDERATION)

- 8-3 Report on litigation in Daffney Iverson v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 24STCV29984; and authorize an increase in the maximum amount payable under contract for legal services with Sheppard Mullin Richter & Hampton, in the amount of \$250,000 for a total amount not to exceed \$500,000; 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)] [21-5370](#)
- 8-4 Amend the Metropolitan Administrative Code regarding contracting provisions and reporting requirements; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-5371](#)
- 8-5 Report on litigation in Systems Integrated, LLC v. Metropolitan Water District of Southern California, Los Angeles County Superior Court Case No. 21STCV18292 [Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Government Code section 54956.9(d)(1)] [21-5426](#)

6. COMMITTEE ITEMS (INFORMATIONAL FOR BOARD CONSIDERATION)

NONE

7. COMMITTEE ITEMS (INFORMATIONAL)

- a. Conference with legal counsel—anticipated litigation; based on existing facts and circumstances of receipt of a claim pursuant to the Government Claims Act (Government Code Section 910 et seq.) threatening litigation, there is significant exposure to litigation against Metropolitan; one potential case; to be heard in closed session pursuant to Government Code Section 54956.9(d)(2)

[21-5427](#)

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

January 13, 2026

Chair Ortega called the meeting to order at 10:32 a.m.

Members present: Directors Crawford, De Jesus, Douglas, Kurtz, McMillan (teleconference posted location), Miller, and Shepherd Romey.

Members absent: Directors Camacho, Kassakhian, Katz, and Ramos.

Other Board Members present: Directors Ackerman, Alvarez, Bryant, Cordero, Crane, Dennstedt, Erdman, Faessel (teleconference posted location), Fellow, Fong-Sakai, McCoy, Ortega, Paule, Pressman (teleconference posted location), Seckel, and Sutley.

Committee Staff present: Boucher, Deshmukh, Hudson, Rubin, and Scully.

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 provided an update on the deferral of Item 7-2.

CONSENT CALENDAR ITEMS – ACTION

3. COMMITTEE ACTION

- A. Subject: Approval of the Minutes of the Legal and Claims Committee for November 17, 2025.

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

The vote was:

Ayes: Directors Crawford, De Jesus, Douglas, Kurtz, McMillan, Miller, and Shepherd Romey
Noes: None
Abstentions: None
Absent: Director Camacho, Kassakhian, Katz, and Ramos

The motion for Item 3A passed by a vote of 7 ayes, 0 noes, 0 abstentions, and 4 absent.

4. COMMITTEE ITEMS (FOR BOARD CONSIDERATION)

- 7-2 Subject Amend the Metropolitan Administrative Code to conform to current policy, law, and practice, and to make other minor, non-substantive changes; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Item 7-2 was deferred.

END OF CONSENT CALENDAR ITEMS

Chair Ortega called the meeting into closed session.

5. COMMITTEE ITEMS (ACTION FOR BOARD CONSIDERATION)

- 8-4 Subject Authorize filing a cross-complaint in Fakhoury v. City of Rancho Cucamonga, San Bernardino County Superior Court Case No. CIVRS 2509398; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel—existing litigation and initiating litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1) and 54956.9(d)(4)]
- Presented by: Bryan Otake, Sr. Deputy General Counsel

Chair Ortega reported there was no reportable action taken in closed session.

6. COMMITTEE ITEMS (INFORMATIONAL FOR BOARD CONSIDERATION)

None

7. COMMITTEE ITEMS (INFORMATIONAL)

None

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Meeting adjourned at 11:03 a.m.

Adán Ortega
Chair of the Board