

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGAL AND CLAIMS COMMITTEE

June 14, 2022

Director Tamaribuchi called the teleconference meeting to order at 10:57 a.m.

Members present: Directors Atwater, Camacho, Fellow, Phan, Record, Smith, Sutley, and Tamaribuchi.

Members absent: Chair Dick and Director Goldberg.

Other Directors present: Chairwoman Gray, Directors Abdo, Ackerman, Blois, De Jesus, Dennstedt, Erdman, Faessel, Fong-Sakai, Hawkins, Jung, Kurtz, Lefevre, McCoy, Miller, Morris, Ortega, Peterson.

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

Caty Wagner called in to comment on the Organization, Personnel & Technology Committee, item 6a.

Ellen Mackey called in to comment on the Organization, Personnel & Technology Committee, item 6a.

2. MANAGEMENT REPORTS

A. Subject: General Counsel's report of monthly activities

General Counsel had nothing to add to her 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 May 10, 2022.

Director Phan stated that while she was absent at the May 10 Legal & Claims Committee, she did review the Minutes.

4. CONSENT CALENDAR ITEMS – ACTION

None

Director Camacho made a motion, seconded by Director Atwater, to approve the consent calendar consisting of Item 3A:

The vote was:

Ayes:	Directors Atwater, Camacho, Fellow, Phan, Record, Smith, Sutley, and Tamaribuchi
Noes:	None
Abstain:	None
Absent:	Chair Dick and Director Goldberg

The motion for Item 3A passed by a vote of 8 ayes, 0 noes, 0 abstain, and 2 absent.

END OF CONSENT CALENDAR ITEMS

5. OTHER BOARD ITEMS – ACTION

None

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

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| a. | Subject | Report on litigation, including discussions regarding potential settlement, 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; and the Metropolitan Water District of Southern California v. San Diego County Water Authority |
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cross-complaints in the 2014, 2016, and 2018 actions. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)]

Presented by: Barry Lee, Manatt, Phelps & Phillips, LLP

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

Director Phan recused herself for the report on this item because of a financial conflict of interest in that the City of Torrance is a client of her employer Rutan and Tucker.

In closed session, outside counsel Barry Lee, with the law firm of Manatt, Phelps & Phillips, LLP, gave a report on this item. No action was taken in closed session.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on July 12, 2022.

Meeting adjourned at 12:31 p.m.

Satoru Tamaribuchi
Acting Chair