



**MINUTES OF THE SPECIAL BOARD OF DIRECTORS' MEETING
November 8, 2018**

1. **CALL TO ORDER** Chair Madaffer called the Special Board of Directors' meeting to order at 1:07 p.m.

2. **SALUTE TO THE FLAG** Director Lewinger led the salute to the flag.

3. **ROLL CALL, DETERMINATION OF QUORUM**
Secretary Guerin called the roll. Directors present were Arant, Bebee, Boyle, Butkiewicz, Cherashore, Bebee, Bienes, Boyle, Butkiewicz, Cate, Evans, Fong-Sakai, Gallo, Guerin, Hedberg, Heinrichs, Hilliker, Katz, Kennedy, Lewinger, Madaffer, Miller, Murtland, Saxod, Scalzitti, Smith, Steiner, and Watkins. Directors absent were Ayala, Barnum, Cate, Croucher, Hall (p), Hogan, Morrison, Muir, Preciado, Simpson, Wilson and Supervisor Roberts.

Staff present included General Manager Stapleton, General Counsel Hattam, Deputy General Manager Kerl, Assistant General Manager Cushman, and MWD Program Director Chen.

3-A **Report on proxies received.** Director Lewinger was the proxy for Director Hall.

4. **PUBLIC COMMENT**
There were no members of the public who wished to speak.

5. **CLOSED SESSION(S)**
Mr. Hattam took the Board into Closed Session at 1:09 p.m.

5-A Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(d)(1)
SDCWA v. Metropolitan Water District of Southern California; San Francisco Superior Court Case Nos. CPF-10-510830; CPF-12-512466; CPF-14-514004; CPF-16-515282; CPF-16-515391; CGC-17-563350; California Court of Appeal (1st District) Case Nos. A146901; A148266; A154325; California Supreme Court Case Nos. S243500; S251025; and Los Angeles Superior Court Case No. BS 173868

- 5-B Conference with Legal Counsel – Existing Litigation
Government Code §54956.9(d)(1)
California Department of Water Resources v. All Persons Interested; Sacramento Superior Court Case No. 34-2017-00215965-CU-MC-GDS; and JCCP 4942
- 5-C Conference with Legal Counsel – Existing Litigation/Anticipated Litigation
Government Code §§54956.9(d)(1) and/or (d)(4)
Food & Water Watch and Center for Food Safety v. Metropolitan Water District of Southern California and All Persons Interested in the Matter; Los Angeles Superior Court Case No. BC 720692

Mr. Hattam brought the Board out of Closed Session at 1:58 p.m. and reported that the Board of Directors authorized General Counsel to engage counsel and participate in Los Angeles Superior Court Case No. BC 720692 *Food and Water Watch v. All Persons Interested* as to Proposition 26 issues, including seeking to dismiss the Proposition 26 claim against Metropolitan.

6. **ACTION FOLLOWING CLOSED SESSION**

There was no action following Closed Session.

7. **OTHER COMMUNICATIONS**

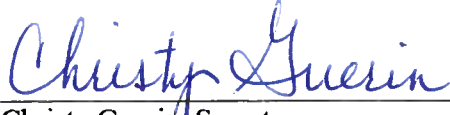
There were no other communications.

9. **ADJOURNMENT**

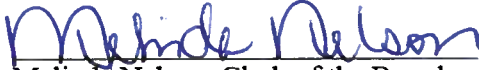
There being no further business to come before the Board, Chair Madaffer adjourned the meeting at 2:00 p.m.



Jim Madaffer, Chair



Christy Guerin, Secretary



Melinda Nelson, Clerk of the Board