

## ITEM 7

### CHIEF LEGAL COUNSEL'S REPORT New Filings, Recent Decisions, Litigation Calendar

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This public session report is intended only as an information item for the public.<sup>1</sup> Commission communications with legal counsel about pending litigation or potential litigation are reserved for Closed Executive Session, per the Notice and Agenda.

#### New Filings

None.

#### Recent Decisions

- 1. REMAND *Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control Board, San Diego Region v. Commission on State Mandates and County of San Diego, et al.* Sacramento County Superior Court, Case No. 34-2010-80000604 Third District Court of Appeal, Case No. C070357 Discharge of Stormwater Runoff, 07-TC-09 (California Regional Water Quality Control Board, San Diego Region Order No. R9-2007-001)**

On February 6, 2020, the Sacramento County Superior Court issued an Order denying the petition and cross-petition, and affirming the Commission's decision, finding that the sections of the permit pled imposed a new program or higher level of service, and except for the activities related to the Hydromodification Management Plan (in Part D.1.g. of Order No. R9-2007-001) and Low Impact Development (parts D.1.d.(7) & D.1.d.(8) of Order No. R9-2007-001), the activities resulted in increased costs mandated by the state. The parties are in the process of preparing the Judgment.

#### Litigation Calendar

<u>Cases</u>	<u>Date of Hearing</u>
<b><i>Coast Community College District, et al. v. Commission on State Mandates, Department of Finance</i></b> Third District Court of Appeal, Case No. C080349 ( <i>Minimum Conditions for State Aid</i> , 02-TC-25/02-TC-31)	March 16, 2020
<b><i>City of San Diego v. Commission on State Mandates, State Water Resources Control Board, Department of Finance</i></b> Sacramento County Superior Court, Case No. 2019-80003169 <i>Lead Sampling in Schools: Public Water System No. 3710020</i> (17-TC-03)	May 8, 2020

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<sup>1</sup> Based on information available as of March 11, 2020. Release of this litigation report shall not be deemed to be a waiver of any privileged communication or act, including, but not limited to, the attorney-client privilege and the attorney work product doctrine.