

ITEM 8
CHIEF LEGAL COUNSEL’S REPORT
New Filings, Recent Decisions, Litigation Calendar

This public session report is intended only as an information item for the public.¹ 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

- *City of San Diego v. Commission on State Mandates, State Water Resources Control Board, Department of Finance,*
Third District Court of Appeal, Case No. C092800
Sacramento County Superior Court, Case No. 2019-80003169
(*Lead Sampling in Schools: Public Water System No. 3710020 (17-TC-03)*)

On April 29, 2022, the Third District Court of Appeal issued an unpublished decision reversing the Commission’s decision, finding that the permit imposes a new program or higher level of service. The court remands the claim back to the Commission to determine whether the remaining elements required for reimbursement under article XIII B, section 6 of the California Constitution are satisfied.

Litigation Calendar

<u>Cases</u>	<u>Date of Hearing/ Oral Argument</u>
<i>Nothing Scheduled At This Time.</i>	

¹ Based on information available as of May 12, 2022. 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.