

May 27, 1999

**To: LEGAL AND CLAIMS COMMITTEE**

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Langdon W. Owen, Chairman	Bonny L. Herman
Helen Z. Hansen, Vice Chair	Francesca M. Krauel
Wesley M. Bannister	Lois B. Krieger
Henry S. Barbosa	Wayne T. McMurray
George E. Battey, Jr.	Glen D. Peterson
Jeffrey A. Borenstein	Sergio Rascon
James T. Edwards	James M. Rez
S. David Freeman	Dan Webster

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**From: Executive Secretary**

**Subject: Meeting of Monday, June 7, 1999, at 9:30 a.m.**

Committee Chairman Owen requests you be present at a meeting of the Legal and Claims Committee on **Monday, June 7, at 9:30 a.m.** in Conference Room **1-102 (First Floor)**, in the District's Headquarters Building, 700 North Alameda Street, Los Angeles.

**Dawn Chin**

# AGENDA

## LEGAL AND CLAIMS COMMITTEE MEETING WITH BOARD OF DIRECTORS\*

June 7, 1999

9:30 AM

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MWD Headquarters Building • Room 1-102, 1st Floor • 700 N. Alameda Street • Los Angeles, CA 90012

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\*The Metropolitan Water District's Legal and Claims Committee meeting is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to the Legal and Claims Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to the Legal and Claims Committee will not vote on matters before the Legal and Claims Committee.

1. **ADDITIONS TO THE AGENDA** (As required by Gov. Code, § 54954.2, subd. (b).)
2. **OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEES ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION** (As required by Gov. Code, § 54954.3, subd.(a).)
3. **APPROVAL OF THE MINUTES OF THE LEGAL AND CLAIMS COMMITTEE MEETING HELD MAY 10, 1999** (a copy has been mailed to each Director)
4. **CONSENT CALENDAR ITEMS - ACTION**  
  
None.
5. **OTHER BOARD ITEMS - ACTION**  
  
9-8 Adopt Resolution of Necessity Directing the General Counsel to Condemn Property Required for the Inland Feeder Project in San Bernardino County, Identified by **Assessor's Parcel Numbers**, MWD's Right-of-Way Parcel Numbers and Owners' Names **Attached hereto** (Cheeley, Miller, et al and Kreutzer) L&C—Action)

- 9-9 Adopt Resolution of Necessity Directing the General Counsel to Condemn Property Required for the Inland Feeder Project in San Bernardino County, Identified by Assessor’s Parcel Numbers, MWD’s Right-of-Way Parcel Numbers and Owners’ Name **Attached Hereto** (Delameter, Gomez, et al.) (L&C—Action)
  
- 9-10 Adopt Resolution of Necessity Directing the General Counsel to Condemn Property Required for the Inland Feeder Project in San Bernardino County, Identified by Assessor’s Parcel Numbers, MWD’s Right-of-Way Parcel Numbers and Owners’ Names **Attached Hereto** (McPeters, Persian International) (L&C—Action)
  
- 9-11 Authorize Settlement of Eminent Domain Action Entitled The Metropolitan Water District of Southern California v. James Reineman, et al., San Bernardino County Superior Court Case No. SCV 42065, for the Inland Feeder Project **[Conference with Legal Counsel—Existing Litigation, to be heard in closed session pursuant to Gov. Code § 54956.9(a)]** (L&C—Action)
  
- 9-12 Authorize Settlement of Eminent Domain Action Entitled The Metropolitan Water District of Southern California v. Craig S. Banta, et al., San Bernardino County Superior Court Case No. SCV 42671, for the Inland Feeder **[Conference with Legal Counsel—Existing Litigation, to be heard in closed session pursuant to Gov.Code § 54956.9(a)]** (L&C—Action)
  
- 9-13 Authorize Settlement in Metropolitan v. San Bernardino Valley Water Conservation District, Robertson’s Ready Mix, Inc., et al., (Santa Barbara Superior Court No. 225737) with Robertson Ready Mix, Inc. **[Conference with Legal Counsel—Existing Litigation, to be heard in closed session pursuant to Gov.Code § 54956.9(a)]** (L&C—Action)
  
- 9-14 Discussion of Potential Legal Strategies for Phase 8 (Allocation of Bay/Delta Flow Obligations) of State Water Resources Control Board Hearings **[Conference with Legal Counsel--Existing Litigation; Parties: Water Right Holders in Bay/Delta Watershed; to be heard in closed session pursuant to Gov.Code § 54956.9(a); SWRCB Consideration of Alternatives to Implement Water Quality Objectives for the Bay/Delta Estuary and Related Matters]** (L&C; WP&R—Action)

**6. BOARD INFORMATION ITEMS**

None.

7.

**COMMITTEE ITEMS**

- a. Oral Update on Inland Feeder Property Condemnation Matters and Threatened Litigation, Identified by Owners' Names on **Attachment A** [Conference with Legal Counsel--Existing and Threatened Litigation; to be heard in closed session pursuant to Gov.Code, § 54956.9(a) and (b)]
- b. Report on Issues Related to Wheeling Legislation (L&C, WP&R)

10-2 Legal Department Report for May 1999

NOTE:

At the discretion of the committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the committee.

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. Agendas for the meeting of the Board of Directors may be obtained from the Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

<b>ASSESSOR'S PARCEL NO.</b>	<b>MWD PARCEL NO.</b>	<b>PROPERTY OWNERS</b>
155-482-17	INFED1-31-111TEA1, and -PEA1	James E. and Michelle Cheeley
155-482-16	INFED1-31-112TEA1, and -PEA1	Carol J.G. Miller, Vicki E. Gutzwiller and Patricia G. Zaya.
155-482-05	INFED1-31-113TEA1, and -PEA1	Donald R. Kruetzer
1210-211-18	INFED1-28-170PEA1	Charles M. Delameter, Jr., and Thomas W. Delameter
1210-211-11, -12, -12, and -14	INFED1-28-210PEA1	Hector G. Gomez, Maria J. Gomez, Juan Manuel Gomez, Antonio Ayala, Juana Ayala, Charles M. Delameter and Thomas W. Delameter
0155-361-24	INFED1-30-111TEA1	Thomas H. McPeters and Jules J. Frimmer
0155-361-18	INFED1-30-123TEA1	Persian International Enterprises