

June 24, 1999

**To: LEGAL AND CLAIMS COMMITTEE**

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

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**From: Executive Secretary**

**Subject: Meeting of Monday, July 12, 1999, at 9:30 a.m.**

Committee Chairman Morse requests you be present at a meeting of the Legal and Claims Committee on **Monday, July 12, at 9:30 a.m.** in Committee 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\*

**JULY 12, 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 JUNE 7, 1999** (a copy has been mailed to each Director)
  
4. **OTHER MATTERS**
  - 6I Report on Issues Related to Wheeling Legislation—SB506 (Peace) (L&C, C&L)

← To Yellow Sheet

5. CONSENT CALENDAR ITEMS - ACTION

8-4 Authorize Entering into an Agreement with Cox, Castle & Nicholson LLP for Selection of Disclosure Counsel Services (L&C, Sub. on O&P—Action)

6. OTHER BOARD ITEMS - ACTION

9-9 Report on Eminent Domain Actions (Metropolitan v. Fletes, San Bernardino County Superior Court Case No. SCV 44155; and Metropolitan v. Cozzolino, San Bernardino Superior Court Case NO. SCV 42816) for the Inland Feeder Project and Authority to Amend Agreement with Special Counsel  
**[Conference with Legal Counsel—Existing Litigation (two cases pending) to be heard in closed session pursuant to Gov.Code, § 54956.9 (a)] (L&C—Action)**

7. BOARD INFORMATION ITEMS

None

8. COMMITTEE ITEMS

a. Oral Update on Inland Feeder Property Condemnation Matters and Threatened Litigation, Identified by Owners' Names on Attachment  
**[Conference with Legal Counsel—Existing and Threatened Litigation; to be heard in closed session pursuant to Gov.Code, § 54956.9(a) and (b)]**

10-2 Legal Department Report for June 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.

**Attachment A**

**ATTACHMENT A**

**INLAND FEEDER EMINENT DOMAIN ACTIONS  
(Open Cases)**

|    | <b>CASE NAME</b>                                                | <b>COUNTY</b> | <b>CASE #</b> |
|----|-----------------------------------------------------------------|---------------|---------------|
| 1  | Arrowhead Springs Partners                                      | SBD           | 37085         |
| 2  | Blessed Hope                                                    | SBD           | 42457         |
| 3  | Campus Crusade for Christ                                       | SBD           | 35498         |
| 4  | Cozzolino                                                       | SBD           | 42816         |
| 5  | De Blauw                                                        | SBD           | 44065         |
| 6  | DeHaan                                                          | RIV           | 293062        |
| 7  | Farquhar, L.                                                    | SBD           | 42815         |
| 8  | Farquhar, M.                                                    | SBD           | 44067         |
| 9  | Fletes                                                          | SBD           | 44155         |
| 10 | Machain                                                         | SBD           |               |
| 11 | McPeters*                                                       |               |               |
| 12 | Ray                                                             | RIV           | 293041        |
| 13 | Ryan                                                            | SBD           | 42670         |
| 14 | San Bernardino Flood Control                                    | SBD           | 37086         |
| 15 | San Bernardino Valley Water Conservation District (Robertson's) | SBD           | 52048         |
| 16 | San Bernardino Valley Water Conservation District (Sunwest)*    |               |               |
| 17 | Shoemaker                                                       | RIV           | 315405        |
| 18 | Southern Pacific Railroad                                       | SBD           | 41579         |
| 19 | Stubblefield Construction Co.                                   | SBD           | 29132         |
| 20 | Tyler*                                                          |               |               |

**THREATENED LITIGATION**

|   |                          |  |  |
|---|--------------------------|--|--|
| 1 | San Manuel Tribe v. MWD* |  |  |
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