

**Date:** July 29, 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, August 16, 1999, at 9:30 a.m.

Committee Chairman Morse requests you be present at an adjourned meeting of the Legal and Claims Committee on **Monday, August 16, 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

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

August 16, 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 JULY 12, 1999** (a copy has been mailed to each Director)
4. **CONSENT CALENDAR ITEMS - ACTION**  
  
None.
5. **OTHER BOARD ITEMS - ACTION**  
  
9-6 Hearing on and Amendment to Resolution of Necessity and Authorization for Agreement for Joint Public Use of Land Owned by San Bernardino Valley Water Conservation District (Santa Barbara Superior Court Case No. 225737) (L&C—Action)

← To Yellow Sheet

- 9-7 Report on Metropolitan Water District v. Hartford Fire Insurance Company, United States District Court Case No. 99-03825-GHK (Mcx) and Amendment of Contract for Legal Services  
**[Conference with Legal Counsel—Existing Litigation; to be heard in closed session pursuant to Gov.Code § 54956.9(a) and (b)]**  
(L&C—Action)
- 9-8 Authorize Settlement of Eminent Domain Action Entitled The Metropolitan Water District of Southern California v. H. Jay Cozzolino, et al., San Bernardino County Superior Court Case No. SCV 42816, 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)
- 9-9 Authorize Settlement of Eminent Domain action Entitled The Metropolitan Water District of Southern California v. Rafael Fletes, et al. San Bernardino County Superior Court Case No. SCV 44155, 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)
- 9-10 Report on Anvar Alfi, et al. v. Metropolitan, LASC Case No. BC 191881; Dwayne Cargill v. Metropolitan, LASC Case No. BC 194444; Dewayne Cargill et al. v. Metropolitan et al, LASLC No. BS 052318 and Lee Ann Emirkhanian v. Metropolitan, LASC Case No. BC 210658; and Authorization to Amend Contracts with Special Counsel to Finance Costs of Litigation  
**[Conference with Legal Counsel—Existing Litigation (three cases pending); to be heard in closed session pursuant to Gov.Code, § 54956.9 (a)]** (L&C—Action)

6. BOARD INFORMATION ITEMS

- 10-6 Stewardship Report on Metropolitan Operations Insurance for Fiscal Year 1998-99 (B&F, L&C—Info)

7. 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)]**
- b. Report on Issues Related to Wheeling Legislation (L&C, WP&R)
- c. Report Under Administrative Code Section 6433 for the Quarter Ended June 30, 1999 (L&C; O&P)

**← To Yellow Sheet**

d. General Counsel's 1999-2000 Business Plan

10-1 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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