

Committee Members:

G. Morse, Chair
J. Rez, Vice Chair
W. Bannister
H. Barbosa
G. Battey, Jr.
J. Borenstein
J. Edwards
S. Freeman
B. Harris
B. Herman
F. Krauel
L. Krieger
W. McMurray
L. Owen
J. Parker
G. Peterson
S. Rascon
C. Record, Jr.
E. Royce, Sr.

**Adjourned Legal and Claims
Committee**

Meeting with Board of Directors*

May 17, 2000

*** 8:00 a.m. -- Room 1-102**

May 17, 2000 Meeting Schedule		
8:00 a.m.*	Room 1-102	Legal & Claims
9:30 a.m.	Board Room	Board Meeting

* Committee Meeting Time Changed
(previously scheduled at 8:30 a.m.)

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

* 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(b))
2. **Opportunity for members of the public to address the committee on matters within the committee's jurisdiction** (As required by Gov. Code, § 54954.3(a))
3. **APPROVAL OF THE MINUTES OF THE MEETING OF THE LEGAL AND CLAIMS COMMITTEE HELD APRIL 10, 2000** (A copy has been mailed to each Director)
4. **CONSENT CALENDAR ITEMS – ACTION**

None.

5. OTHER BOARD ITEMS - ACTION

- 9-5 Authorize Making of a Final Offer and/or Settlement in Eminent Domain Action for Metropolitan's Inland Feeder Project Entitled Metropolitan v. Blessed Hope Fellowship, et al., San Bernardino Court Case No. SCV 42457 [**Conference with Legal Counsel – Existing Litigation (one case pending), to be heard in closed session pursuant to Gov. Code § 54956.9(a)**] (L&C—Action)
- 9-6 Authorize Making of a Final Offer and/or Settlement in Eminent Domain Actions for Metropolitan's Inland Feeder Project Entitled Metropolitan v. Walter J. DeBlauw, San Bernardino Superior Court Case No. SCV 44065, Metropolitan v. Louise Farquhar, San Bernardino Superior Court Case No. SCV 42815, and Metropolitan v. Margaret Farquhar, San Bernardino Superior Court Case No. 44067 [**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)
- 9-7 Authorize Making of a Final Offer and/or Settlement in Eminent Domain Action for Metropolitan's Inland Feeder Project Entitled Metropolitan v. Larry DeHaan, et al., Riverside County Superior Court Case No. 293062 [**Conference with Legal Counsel – Existing Litigation (one case pending), to be heard in closed session pursuant to Gov. Code § 54956.9(a)**] (L&C—Action)
- 9-8 Authorize Filing of Appropriate Responsive Pleadings, Including Interpleader of Additional Parties in Soboba Band of Mission Indians v. The Metropolitan Water District of Southern California (U.S.D.C., Central District, Civil No. 00-04208 [GAF]; and Principles for Settlement of Issues Relating to Impacts of Colorado River Aqueduct's San Jacinto Tunnel Upon Soboba Tribe [**Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code, § 54956.9(a)**] (L&C--Action)
- Added** 9-9 Adopt Policy Principles and Authorize the General Manager to Enter Into a Memorandum of Understanding Affecting Potential Litigation Regarding Inland Feeder Tunneling Activities [**Conference with Legal Counsel--Significant Exposure to Litigation (one matter); to be heard in closed session pursuant to Gov. Code, § 54956.9(b)**] (L&C--Action)

- Added** 9-10 Briefing on Mediation with Kiewit-Granite on Diamond Valley Lake (Eastside Reservoir Project) Construction Claims for Construction of the East Dam and Amendment to Contract for Consulting Services to Finance Costs of Continued Claims Analysis, Negotiations and Litigation [**Conference with Legal Counsel--Significant Exposure to Litigation (one potential case); to be heard in closed session pursuant to Gov. Code, § 54956.9(b)**] (L&C--Action)

6. BOARD INFORMATION ITEMS

- 10-3 Omega Chemical Corporation Superfund Site – U.S. v. Abex Aerospace Division, et al., Consent Decree (L&C--Info.)

7. COMMITTEE ITEMS

- Added**
- a. Consideration of the Legal Department Budget for Fiscal Year 2000-01
 - b. Oral Update on Inland Feeder Property Condemnation Matters and Threatened Litigation, Identified by Owners' Names on Attachment A [**Conference with Legal Counsel--Existing and Anticipated Litigation; to be heard in closed session pursuant to Gov. Code, §§ 54956.9(a) and (b)**]
 - c. General Counsel's Report of Monthly Activities
 - d. Report on Diamond Valley Lake (Eastside Reservoir Project) Construction Claims Filed by Kiewit-Granite for Construction of the East Dam [**Conference with Legal Counsel—Significant Exposure to Litigation (one matter); to be heard in closed session pursuant to Gov. Code § 54956.9(b)**]

8. FOLLOW-UP ITEMS

None

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

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

	CASE NAME	COUNTY	CASE #
1	Arrowhead Springs Partners	SBD	37085
2	Blessed Hope	SBD	42457
3	Campus Crusade for Christ	SBD	35498
4	De Blauw	SBD	44065
5	DeHaan	RIV	293062
6	Farquhar, L.	SBD	42815
7	Farquhar, M.	SBD	44067
8	Gomez	SBD	60145
9	Kirkland	SBD	61260
10	Ryan	SBD	42670
11	San Bernardino Valley Water Conservation District (Sunwest)*	VENT	CIV 190813
12	Stubblefield Construction Co.	SBD	29132

THREATENED LITIGATION

1	San Manuel Tribe v. MWD*		
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