

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.
H. Hansen, Ex Officio

Legal and Claims Committee

Meeting with Board of Directors*

June 12, 2000

9:30 a.m. -- Room 2-145

Monday, June 12, 2000 Meeting Schedule		
7:00 a.m.	Room 2-145	Ethics
8:00 a.m.	Room 2-456	Audit
9:30 a.m.	Room 2-145	L&C
*11:30 a.m.	Room 2-456	E&O
* Meeting time approximate – or immediately following L&C Committee		
*1:00 p.m.	Room 2-145	B&F
* Meeting time approximate – or immediately following E&O Committee		
*2:30 p.m.	Room 2-456	WP&R
* Meeting time approximate – or immediately following B&F Committee		
*3:30 p.m.	Room 2-145	Museum Comm.
* Meeting time approximate – or immediately following WP&R Committee		

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, 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 MEETING OF THE LEGAL AND CLAIMS COMMITTEE HELD MAY 17, 2000** (A copy has been mailed to each Director)

4. CONSENT CALENDAR ITEMS – ACTION

- 8-7** Authorize amendment of contract with Mason & Mason, an increase of \$80,000, for eminent domain litigation to acquire property for the Inland Feeder Project. (L&C—Action)

5. OTHER BOARD ITEMS - ACTION

- 9-2** Authorize execution of agreement to facilitate the transfer of water from Western Water Company to Santa Margarita Water District. (L&C—Action)
- 9-11 Report on DeWayne Cargill et al. v. Metropolitan, LACSC Case No. BC 191881 (consolidated with LACSC Case Nos. BC 194444 and BS 052318) and Emirkhanian v. Metropolitan, LACSC Case No. BC 210658; and request for authorization to amend contract with Bergman, Wedner & Dacey to defend Metropolitan in four related lawsuits challenging the employment status of temporary workers. (L&C—Action)
[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code, § 54956.9(a)]

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Consideration of Legal Department Budget for Fiscal Year 2000-2001
- 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)]

- e. Performance Evaluation of General Counsel for Fiscal Year 1999-2000
[Public Employee Performance Evaluation; to be heard in closed session pursuant to Gov. Code § 54957]
- f. General Counsel's Business Plan for Fiscal Year 2000-2001

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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