



**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  
H. Mejia  
L. Owen  
J. Parker  
G. Peterson  
C. Record, Jr.  
E. Royce, Sr.  
H. Hansen, Ex Officio

**Adjourned Legal and Claims  
Committee**

Meeting with Board of Directors\*

**November 13, 2000**

**\* 9:00 a.m. -- Room 2-456**

*\*Meeting time is approximate or following  
Museum Committee.*

Monday, November 13, 2000 Meeting Schedule		
8:00 a.m.	Rm. 2-145	Museum
*9:00 a.m.	Rm. 2-456	L&C
*10:30 a.m.	Rm. 2-145	E&O
*12:00 p.m.	Rm. 2-456	C&L
*1:00 p.m.	Rm. 2-145	B&F
*2:30 p.m.	Board Room	WP&R
* Meeting times are approximate – Meeting may begin immediately following preceding one		

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**MWD Headquarters Building • 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(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 October 16, 2000**

#### 4. OTHER MATTERS

- 6Ga. Report on Colorado River matters, including negotiations to develop a California plan for river operations, settlement of the San Luis Rey water rights dispute, Salton Sea issues, and resolution of remaining issues in Arizona v. California before U.S. Supreme Court. (L&C)  
[Any discussion of real property negotiations will be held in closed session. Conference with Real Property Negotiators; Agency Negotiator: Paul Cunningham; Negotiating Parties: United States Department of the Interior, State of California, State of Nevada, State of Arizona, Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley Water District, Los Angeles Department of Water and Power, San Diego County Water Authority, Colorado River Indian Tribes Coalition, San Luis Rey Settlement Parties; Property: Water Rights, Colorado River Allocations; Under Negotiation: Price and Terms; to be heard in closed session pursuant to Gov. Code § 54956.8. Any discussion of existing litigation will be heard in closed session. Conference with Legal Counsel--pursuant to Gov. Code § 54956.9(a)]
- 6Gb. Discussion of Bay-Delta related issues; including progress on developing and implementing the CALFED program; potential litigation regarding the EIR/EIS for the CALFED program and the EIR for the Monterey Amendments to the State Water Contract; and State Water Resources Control Board's Phase 8 hearings to allocate responsibility to meet Bay-Delta environmental obligations. (L&C)  
[Any discussion of litigation will be held in closed session. Conference with Legal Counsel—(1) Existing Litigation; Parties: Water Right Holders in Bay-Delta Watershed; to be heard in closed session pursuant to Gov. Code § 54956.9(a); (2) Initiation of Litigation (two potential cases); to be heard in closed session pursuant to Gov. Code § 54956.9(c)]

#### 5. CONSENT CALENDAR ITEMS – ACTION

- 8-2 Approve amendment to professional services contract with the law firm of Duncan, Weinberg, Genzer & Pembroke in the amount of \$200,000 for electric industry restructuring legal services. (L&C)

#### 6. OTHER BOARD ITEMS - ACTION

- 9-3 Approve amendment of contract for legal services of McCutchen, Doyle, Brown & Enersen, LLP, in Soboba Band of Mission Indians v. Metropolitan Water District, United States Central District Court Case No. 00-04208 GAF (MANx). (L&C)  
[Conference with Legal Counsel--Existing Litigation; to be heard in closed session pursuant to Gov. Code §§ 54956.9(a) and (b)]

- 9-4 Authorize making of a final offer and/or settlement authority in eminent domain action entitled The Metropolitan Water District of Southern California v. Ruffen B. Kirkland, et al., San Bernardino Superior Court Case No. SCVSS 61260. (L&C)  
[Conference with Legal Counsel--Existing Litigation (one case pending); to be heard in closed session pursuant to Gov. Code § 54956(a)]

**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 A**.  
[Conference with Legal Counsel--Existing and Anticipated Litigation; to be heard in closed session pursuant to Gov. Code §§ 54956.9(a) and (b)]
- b. General Counsel's Report of Monthly Activities.

**9. FOLLOW-UP ITEMS**

None

**10. ADJOURNMENT**

**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)**

	<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	De Blauw	SBD	44065
5	Farquhar, L.	SBD	42815
6	Farquhar, M.	SBD	44067
7	Gomez	SBD	60145
8	Kirkland	SBD	61260
9	Ryan	SBD	42670
10	San Bernardino Valley Water Conservation District (Sunwest)*	VENT	CIV 190813

**THREATENED LITIGATION**

1	San Manuel Tribe v. MWD*		
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