

LC&P Committee

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**Legal, Claims and Personnel
Committee**

Meeting with Board of Directors*

February 12, 2001

1:30 p.m. -- Room 2-145

Monday, February 12, 2001 Meeting Schedule		
8:30 a.m.	Rm. 2-456	R&E
10:00 a.m.	Rm. 2-145	EO&RP
11:45 a.m.	Rm. 2-456	AB&F
1:30 p.m.	Rm. 2-145	LC&P
3:15 p.m.	Board Room	WPQ&R

MWD Headquarters Building

• 700 N. Alameda Street •

Los Angeles, CA 90012

* The Metropolitan Water District's Legal, Claims and Personnel 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, Claims and Personnel 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, Claims and Personnel Committee will not vote on matters before the Legal, Claims and Personnel 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 January 8, 2001**

4. OTHER MATTERS

- 6Fa. 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. (LC&P)
[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)]
- 6Fb. 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. (LC&P)
[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

- 8-1 Adopt resolution of intent to amend contract and agreement to pool assets and liabilities to increase to the Fourth Level of the 1959 Survivor Benefits through the Public Employees' Retirement System. (LC&P)

6. OTHER BOARD ITEMS - ACTION

- 9-3 Approve Memorandum of Understanding between The Metropolitan Water District of Southern California and Metropolitan's Supervisors' Association. (LC&P) **(To be distributed at meeting)**
[Any conference with labor negotiators will be heard in closed session pursuant to Gov. Code § 54957.6. Agency representatives: Joseph E. Tait, Debbie Dillon. Employee organization: Supervisors' Association]

- 9-4 Authorization to amend agreement with Geoscience Support Services to increase the maximum amount payable for service in Metropolitan Water District v. Hartford, U. S. District Court Case Nos. CV 00-4040-GHK (Mcx) and CV 00-10536-GHK (Mcx). (LC&P)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-5 Amendment of contract for legal services of The Law Offices of Charles S. LiMandri in Metropolitan Water District v Hartford Financial Services Group, et al., U. S. District Court Case No. CV 00-4040-GHK (Mcx). (LC&P)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- 9-6 Authorize settlement in action entitled Metropolitan Water District v. Hartford Fire Insurance Company, U. S. District Court Case No. CV 99-03825-GHK (Mcx). (LC&P)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a) and (b)]
- 9-7 Report on the recent California Supreme Court decision in Hi-Voltage Wire Works, Inc. v. City of San Jose (November 30, 2000) involving Proposition 209, its effect on Metropolitan's business outreach programs, and recommended action concerning current business outreach programs. (LC&P)
[Any discussion of potential litigation (against Metropolitan) will be held in closed session pursuant to Gov. Code § 54956.9(b)]
- 9-8 Settlement proposal in the matter of Metropolitan Water District v. EOP-Two California Plaza, LLC, Los Angeles Superior Court Case No. BC200673; and amendment of agreements with Bergman, Wedner & Dacey, Inc. and with Fox, Siegler & Spillane, LLP. (LC&P)
(Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a))
- 9-15 Report on San Diego County Water Authority v. Metropolitan Water District, et al., San Diego Superior Court Case No. GIC 761526; and authorize filing of associated litigation. (LC&P)
[Conference with legal counsel—existing and anticipated litigation (one potential case); to be heard in closed session pursuant to Gov. Code § 54956.9(a) and (c)]

7. BOARD INFORMATION ITEMS

None

8. COMMITTEE ITEMS

- a. General Counsel's Report of Monthly Activities.
- b. General Counsel's 2000-2001 Business Plan—Second Quarter Update.
- c. 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)]

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)

	CASE NAME	COUNTY	CASE #
1	Arrowhead Springs Partners	SBD	37085
2	Campus Crusade for Christ	SBD	35498
3	Gomez	SBD	60145
4	San Bernardino Valley Water Conservation District (Sunwest)*	VENT	CIV 190813

THREATENED LITIGATION

1	San Manuel Tribe v. MWD*		
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