

LC&P Committee

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**Legal, Claims and Personnel
Committee**

Meeting with Board of Directors*

March 12, 2001

12:30 p.m. -- Room 2-145

Monday, March 12, 2001 Meeting Schedule		
8:30 a.m.	Rm. 2-145	EO&RP
10:30 a.m.	Rm. 2-456	AB&F
12:30 p.m.	Rm. 2-145	LC&P
2:30 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, Claims and Personnel Committee held February 12, 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, WPQ&R)
[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

- 8-5 Adopt final resolution to amend contract to increase to the Fourth Level of the 1959 Survivor Benefits through the Public Employees' Retirement System. (LC&P) **(To be mailed separately)**
- 8-6** Approve Cesar Chavez's birthday as a recognized Metropolitan holiday and a paid holiday for all regular full-time employees. (LC&P)
- 8-7** Authorize entering into agreements with GeoPentech to perform feasibility investigations of the Chuckwalla Groundwater Basin and Kennedy Jenks/Todd to perform additional aquifer tests in the Hayfield Groundwater Basin. (LC&P, WPQ&R)

6. OTHER BOARD ITEMS - ACTION

- 9-4 Amendment of contract for legal services with the Law Offices of Charles S. LiMandri, and Gibbs, Giden, Locher & Turner and amendment of contract for expert services with PriceWaterhouseCoopers in Metropolitan Water District v. Hartford Fire Insurance Company, U.S.D.C. Case No. 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 Ratify intervention in Natural Resources Defense Council, Inc., et al. v. United States Department of the Interior, et al., United States District Court for the Central District of California, Case No. CV-99-5246 SVW (CTx). (LC&P)
[Conference with legal counsel—initiation of litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(c)]
- 9-10 Approval of negotiations with Management and Professional Employees Association on revised terms of Memorandum of Understanding. (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: Management and Professional Employees Association]

7. BOARD INFORMATION ITEMS

- 10-7 Report on settlement with Sacramento Valley upstream interests as a potential means of resolving the State Water Resources Control Board's Phase 8 Water Rights Hearings. (LC&P)
[Conference with legal counsel—existing litigation; parties: water rights holders in Bay-Delta watershed; to be heard in closed session pursuant to Gov. Code § 54956.9(a); SWRCB consideration of alternatives to implement water quality objectives for the Bay-Delta Estuary and related matters]

8. COMMITTEE ITEMS

- a. Report on San Diego County Water Authority v. Metropolitan Water District, et al., San Diego Superior Court Case No. GIC 761526.
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- b. Oral report 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.

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	San Bernardino Valley Water Conservation District (Sunwest)*	VENT	CIV 190813

THREATENED LITIGATION

1	San Manuel Tribe v. MWD*		
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