



**REVISED**

**Legal, Claims and Personnel  
Committee**

Meeting with Board of Directors\*

**September 10, 2001**

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

**LC&P Committee**

- G. Morse, Chair
- J. Parker, Vice Chair
- H. Barbosa
- J. Edwards
- A. Fellow
- J. Foley
- B. Harris
- H. Mejia
- J. Rez
- S. Stanton
- P. Swan
- G. Wein
- B. Wright
- P. Pace (Ex Officio)
- G. Peterson (Ex Officio)
- W. Luddy (Ex Officio)

Monday, September 10, 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
4:00 p.m.	Rm. 2-456	Rate Structure

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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, 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 August 20, 2001**
  
4. **OTHER MATTERS**
  - 6Fa. Oral report on Colorado River matters. (LC&P)

**5. CONSENT CALENDAR ITEMS – ACTION**

8-2 **Withdrawn**

8-7 Approve amendment of contract for legal services with Weston, Benshoof, Rochefort, Rubalcava & MacCuish, LLP in *Metropolitan Water District v. San Diego County Water Authority* (Brown Act). (LC&P)

**6. OTHER BOARD ITEMS - ACTION**

9-5 Authorize amendment to contract for legal services with the law firm of Latham & Watkins to aid in negotiations with the San Manuel Band of Mission Indians and the United States Forest Service re Arrowhead East and West Tunnels of the Inland Feeder Project. (LC&P)  
[Conference with legal counsel—significant exposure to litigation (one matter); to be heard in closed session pursuant to Gov. Code § 54956.9(b)]

9-6 Authorize amendment to contract for legal services with the Law Offices of Charles S. LiMandri in *Metropolitan Water District v. Hartford Fire Insurance Company*, United States Central District Court Case No. 99-03825-GHK (Mcs). (LC&P)  
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code §§ 54956.9(a) and (b)]

Added 9-9 Oral report on settlement discussion regarding *Metropolitan Water District and Atkinson-Washington-Zachry v. Hartford Fire Insurance Company*, U.S. District Court Case No. CV 00-10536-GHK (Mcx) and *Metropolitan Water District v. Hartford Fire Insurance Company*, U.S. District Court Case No. 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)]

**7. BOARD INFORMATION ITEMS**

None

**8. COMMITTEE ITEMS**

a. Oral report on *San Diego County Water Authority v. Metropolitan Water District, et al.*, San Francisco Superior Court Case No. 320217 (Preferential Rights).  
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]

- b. Oral report on *Metropolitan Water District v. San Diego County Water Authority, et al.*, San Francisco Superior Court Case No. 321056 (Brown Act).  
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code § 54956.9(a)]
- c. General Counsel's Report of Monthly Activities

**9. FOLLOW-UP ITEMS**

None

**10. FUTURE AGENDA ITEMS**

**11. ADJOURN TO MEET JOINTLY WITH WATER PLANNING, QUALITY AND RESOURCES COMMITTEE**

**JOINT MEETING OF THE  
LEGAL, CLAIMS AND PERSONNEL COMMITTEE  
AND THE  
WATER PLANNING, QUALITY AND RESOURCES COMMITTEE**

**2:30 P.M. – BOARD ROOM**

**12. OTHER MATTERS**

- 6Fb. Oral report on Bay-Delta and State Water Project matters. (LC&P, WPQ&R)

**13. OTHER BOARD ITEMS - ACTION**

- 9-4 Authorize entering into an agreement to facilitate a water transfer transaction between Western Water Company and the city of San Diego. (LC&P, WPQ&R)

#### 14. COMMITTEE ITEMS

- a. Oral report on the Monterey settlement agreement negotiations. (LC&P, WPQ&R)  
[Discussion of *Planning and Conservation League, et al. v. Department of Water Resources, et al.*, Sacramento County Superior Court Case No. 95CS03216. Any discussion of litigation will be held in closed session—existing litigation—pursuant to Gov. Code § 54956.9(a)]
- b. Status of work plan on State Water Resources Control Board Phase 8 settlement. (LC&P, WPQ&R)

#### 15. 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.