

# James MARKMAN

## Shareholder

### ORANGE COUNTY

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Jim Markman is a leading expert in California water rights and water law and one of the most experienced city attorneys in California. In his more than 40 years as an advocate for and advisor to public agencies, he has handled virtually every facet of being a public lawyer.

As a litigator, Jim combines a professional and civil demeanor with a passionate approach to advocacy. His primary areas of litigation expertise are extraordinary writs challenging the actions of public entities and water rights disputes, particularly the adjudication of groundwater basins. Jim has been involved in virtually every significant groundwater adjudication which has occurred in several decades, including the Chino Basin, the Main San Gabriel Basin, the Central Basin of Los Angeles County, the Mojave River Basin, the Santa Maria Basin and the Antelope Valley Basin.

As an advisor, Jim identifies the client's objective and structures a legal approach that best assists the client in reaching it while minimizing legal exposure. Jim is known for his ability to provide creative legal assistance which results in the completion of projects.

## WORK FOR CLIENTS

Jim has served as City Attorney for the City of La Mirada since 1980 and was City Attorney for the City of Rancho Cucamonga from 1985 to 2022. He is also General Counsel to the Beaumont-Cherry Valley Water District, the Central Basin Water Rights Panel, and the Antelope Valley East Kern Water Agency. Jim also has served as City Attorney for the cities of Buena Park, Hesperia, and Upland. He served as City Attorney for the City of Brea for more than four decades. For that service, in 2019 he received the International Municipal Lawyers Association award for Longevity of Service to a Community. He also currently represents public agencies involved in active water negotiations and

### PRACTICE AREAS

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Municipal & Public Agency Law

Water Rights and Water Law

### FOCUS AREAS

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Brown Act & Open Government

Conflicts of Interest and Local Government Ethics

Groundwater Management

Land Use Planning & Zoning (Municipal)

Validation Actions (Litigation)

Water Rights

Water Rights & Water Law

Writs & Appeals

### EDUCATION

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J.D., Cornell University

A.B., Dartmouth College

related matters in the Counties of Los Angeles, San Bernardino, Orange, Riverside, Santa Barbara, and San Luis Obispo.

## PROFESSIONAL EXPERIENCE

Jim serves as the Chair of the Firm's Water Rights and Water Law Practice Group, is a member of the Firm's Public Law Department, and spent sixteen years on the Firm's Management Committee.

Jim also served as Deputy Attorney General for the State of California from 1968 through 1970, where he specialized in water rights and pollution matters. While with the Attorney General's office, he handled 53 cases in the state appellate courts, including three before the California Supreme Court. Jim personally represented California Regional Quality Control Boards, and, in that capacity, instituted four of the initial cases brought under the Porter-Cologne Water Quality Control Act, all related to the pollution of Monterey Bay.

## HONORS & AWARDS

Jim has been accorded the highest peer rating of AV Preeminent provided by the Martindale-Hubbell nationwide legal directory.

## PROFESSIONAL AND COMMUNITY AFFILIATIONS

Jim is an active member of the Association of California Water Agencies and has presented papers on legal issues at its conferences. He also has made presentations at League of California Cities conferences and has served on that organization's Legal Advocacy Committee. That committee determines when the League will provide support to a city engaged in significant municipal litigation.

## EXPERIENCE

Jim represents groundwater producers in the adjudication of water rights in many groundwater basins and has been involved in virtually every significant groundwater adjudication that has commenced since 1969. One such case concerned the Mojave River Basin, which underlies an area the size of the State of Connecticut, and each of these cases involves economically vital water resources, concern numerous water producers including agricultural producers, public entity water suppliers and private, regulated water companies, and the production and distribution of thousands of acre feet of water per year needed to supply water to hundreds of thousands of residents as well as business and industrial complexes annually.

Jim also regularly negotiates and drafts a variety of complex legal documents, including Development Agreements, Participation Agreements and Disposition and Development Agreements. Representative matters are the construction of two of Southern California's major regional malls: the Brea Mall located in north Orange County, and the Victoria Gardens Mall in the City of Rancho Cucamonga. He also drafted an ordinance for the City of Newport Beach in order to balance the rights of residents to enjoy a residential atmosphere with the rights of persons in alcohol and narcotics recovery to be housed in an environment conducive to their recovery. The ordinance required existing recovery uses to undergo an administrative process to determine whether there was a harmful proliferation of the uses in a particular area zoned single family residential and whether the uses in that area generated negative secondary effects, thereby depreciating the quality of residential life for the residents. The application of the ordinance has significantly reduced the conflict between the two uses and achieved the City Council's objective of balancing the rights in issue.

## NEWS

RWG Secures Appellate Victory Upholding Public Agency Fees in SGMA Case

05.28.2024

California Supreme Court Provides Clarity on California Voting Rights Act Voter Dilution Requirement

08.28.2023

California Supreme Court Grants Review of Landmark Voting Rights Decision

11.23.2020

Challengers to At-Large Elections Must Prove Effect on Election Outcomes

07.16.2020

## RECENT PRESENTATIONS

City Attorneys' Spring Conference

League of California Cities, May 2-4, 2018

## PUBLICATIONS

The California Legislature Should Establish Water Courts

*California Water Law & Policy Reporter*, 02.2005