

L&HR Committee

J. Quiñonez, Chair
 J. Abdo
 S. Anderson
 S. Ballin
 D. De Jesus
 J. Edwards
 A. Fellow
 J. Foley
 H. Hansen
 J. Murray Jr.
 J. Parker
 J. Rez

**Legal and Human Resources
Committee**

Meeting with Board of Directors*

October 9, 2007

8:00 a.m. -- Room 2-145

Tuesday, October 9, 2007 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dirs. Computer Training
8:00 a.m.	Rm. 2-145	L&HR
9:30 a.m.	Rm. 2-456	C&L
12:00 p.m.	Board Room	Board Meeting

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

* The Metropolitan Water District's Legal and Human Resources 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 Human Resources 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 Human Resources Committee will not vote on matters before the Legal and Human Resources Committee.

1. **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).)

2. **Approval of the Minutes of the meeting of the Legal and Human Resources Committee held September 11, 2007**

3. **CONSENT CALENDAR ITEMS — ACTION**

None

4. OTHER BOARD ITEMS — ACTION

- 8-6 Report on *Dewayne Cargill, et al. v. Metropolitan*, LASC Case No. BC191881 (consolidated with LASC Case Nos. BC194444 and BS052318); and authorize increase of \$450,000 for a total of \$1.3 million in maximum amount payable under contract with Burke, Williams & Sorensen to represent Metropolitan in the CalPERS proceedings. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]
- 8-7 Report on *Watershed Enforcers a project of California Sportsfishing Protection Alliance v. L. Ryan Broddrick and California Department of Fish and Game; California Department of Water Resources and Lester A. Snow real parties in interest*, Alameda County Superior Court Case No. RG07326290; *Watershed Enforcers v. California Department of Water Resources*, Alameda County Superior Court Case No. RG06292124; *Pacific Coast Federation of Fishermen's Assoc., et al. v. Carlos M. Gutierrez, et al.*, USDC Case No. 1:06-CV-00245 OWW LJO; and *Natural Resources Defense Council v. Kempthorne*, USDC Case No. 1:05-CV-01207 OWW LJO; and authorize increase of \$750,000 for a total of \$1.25 million in maximum amount payable under contract with Best Best & Krieger to represent Metropolitan in Endangered Species Act litigation impacting the State Water Project. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(a) and (c)]
- 8-8 Report on *Alameda County Flood Control & Water Conservation District Zone 7, et al. v. California Department of Water Resources*, Sac. Sup. Ct. Case No. 05AS01775; and authorize increase of \$1,500,000 in maximum amount payable under contract with Bingham McCutchen LLP for legal services to represent Metropolitan. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. General Counsel's report of monthly activities
- b. Human Resources' report of monthly activities

- c. Report on *Cadiz, Inc., etc. v. Metropolitan*, LASC Case No. BC343232
Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)

- d. Report on San Manuel Band of Mission Indians request for compensation related to the construction of the Arrowhead Tunnels portion of the Inland Feeder project
[Conference with legal counsel—significant exposure to litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(b)]

7. FOLLOW-UP ITEMS

None

8. FUTURE AGENDA ITEMS

9. 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 Board 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.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.