

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

Adjourned Legal and Human Resources Committee

Meeting with Board of Directors*

November 20, 2007

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

Tuesday, November 20, 2007 Meeting Schedule		
7:00-8:00 a.m.	Rm. 2-413	Dir's. 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 October 9, 2007**
3. **CONSENT CALENDAR ITEMS — ACTION**
 - 7-3** Adopt resolution providing for change in Metropolitan's contribution to medical plans for AFSCME employees maintained by Public Employees' Retirement System for the calendar year 2008. (L&HR)
 - 7-4** Approve amendments to the Metropolitan Water District Administrative Code to conform to current laws and practices and make corrections. (L&HR)

4. OTHER BOARD ITEMS — ACTION

- 8-3 Authorize acquisition of an easement required for the Perris Valley Pipeline Project in Riverside County, on property identified by Riverside County Assessor's Parcel No. 294-180-032, Metropolitan's Parcel No. PEVAL1-01-600PEA1, and owners' names, Guy Christensen and Jeanne Christensen, and Rudy Macias and Tina Macias, Trustees **[Conference with real property negotiators; Agency negotiators: Joseph Vanderhorst and Ron Maculans; Negotiating party: Rudy Macias; Under negotiations: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8];** and hearing on adoption of resolution of necessity directing the General Counsel to condemn the easement. (L&HR)
- 8-5 Authorize acquisition of an easement required for the Perris Valley Pipeline Project in Riverside County, on property identified by Riverside County Assessor's Parcel No. 294-190-037, Metropolitan's Parcel No. PEVAL1-01-300TEA1, and owner's name, Robert Allen Schwartz, Trustee, **[Conference with real property negotiators; Agency negotiators: Joseph Vanderhorst and Ron Maculans; Negotiating party: Robert Schwartz; Under negotiations: price and terms of payment; to be heard in closed session pursuant to Gov. Code Section 54956.8];** and hearing on adoption of resolution of necessity directing the General Counsel to condemn the easement. (L&HR)
- 8-8 Report on *Metropolitan Water District of Southern California v. Campus Crusade for Christ*, San Bernardino County Superior Court Case No. SCV 35498; and authorize entering into contract for legal services with Cox, Castle & Nicholson for a maximum amount of \$750,000. (L&HR) **[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(a)]**
- 8-9 Report on *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC313797; and *Lance Charles, Sr. v. Metropolitan*, LASC Case No. BC374779. (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. Report on expenditures for outside counsel
- c. Human Resources' report of monthly activities
- d. Report on adoption of resolution of necessity directing the General Counsel to condemn interests in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-180-017, Metropolitan's Parcel Nos. PEVAL1-01-400PEA1 and PEVAL1-01-400TEA1, and owner's name, Lewis Street Properties, LP. (L&HR)
- e. Report on adoption of resolution of necessity directing the General Counsel to condemn interests in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-180-013, Metropolitan's Parcel Nos. PEVAL1-01-700PEA1 and PEVAL1-01-700TEA1, and owners' names, Randy Zimmer and Norma Zimmer, Trustees. (L&HR)
- f. Report on adoption of resolution of necessity directing the General Counsel to condemn an interest in real property required for the Perris Valley Pipeline Project in Riverside County, identified by Riverside County Assessor's Parcel No. 294-190-038, Metropolitan's Parcel No. PEVAL1-01-200TEA1, and owner's name, FR/Cal Perris II, LLC. (L&HR)
- g. 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)]
- h. 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)]
- i. Report on *Contra Costa Water District v. Sacramento Regional County Sanitation District, et al; Alameda County Water District et al. v. Sacramento County Regional Sanitation District*, Sac. Sup. Ct. Case Nos. 05CS00908 and 05CS00913
[Conference with legal counsel—existing litigation; may be heard in closed session pursuant to Gov. Code Section 54956.9(a)]

- j. 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. (L&HR)
[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(a) and (c)]

- k. Report on Negotiations
[Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Agency representatives: Fidencio Mares and Karen Tachiki. Employee organizations: The Employees Association of the Metropolitan Water District of Southern California/AFSCME Local 1902; the Management and Professional Employees Association MAPA/AFSCME Chapter 1001, the Association of Confidential Employees, and the Supervisors Association.]

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.