

# Lloyd W. Pellman

Partner | Los Angeles

lpellman@nossaman.com

213.612.7802

777 South Figueroa Street, 34th Floor

Los Angeles, CA 90017



Bill Pellman has extensive experience in municipal law, governmental litigation, land use, and mediation. Prior to joining Nossaman, he served as the ninth County Counsel of Los Angeles County. His 31 years with the County Counsel's office covered a myriad of responsibilities and legal areas. These included being legal advisor to the Board of Supervisors, County Districts, the Metropolitan Transportation Authority, County Superintendent of Schools, the Superior Courts, and special districts.

For 20 years, Bill was the advisor to the Los Angeles County Local Agency Formation Commission. Subsequent to his service as the County Counsel of Los Angeles, he assisted and advised public agency clients and private clients regarding a variety of government law issues.

## EXPERIENCE

- **Central Basin Municipal Water District.** Served as Assistant General Counsel from June 3, 2015 to September 30, 2019, assisting in responding to a State Legislative Audit of the District's prior improprieties, and implementation of changes to procedures through updating the District's Administrative Code. Also assisted in the implementation of AB 1794 to expand the Board of Directors in furtherance of the State Audit. The District wholesales both potable and recycled water for over two million residents within its boundaries.
- **Foothill Gold Line Construction Authority.** Serves as Assistant General Counsel to this statutory authority responsible for the construction of the extension of the LA Metro Gold Line eastward from Pasadena through the San Gabriel Valley to Montclair.
- **Medical Acquisition Company v. Tri-City Healthcare District.** Served as a designated expert witness rebutting Government Code section 1090 allegations in a five week consolidated trial of lawsuits and cross-complaints with additional claims of breach of contract, eminent domain, and various torts, resulting in a jury award to the client of \$20 million.
- **Rainbow Municipal Water District.** Serves as Assistant General Counsel after serving as special counsel to this San Diego County district in successfully resisting a reorganization in proceedings before the San Diego County Local Agency Formation Commission in which the Fallbrook Public Utility District sought to dissolve the Rainbow Municipal Water District and annex the territory. Despite the strong recommendation of the LAFCO staff, the Commission voted 5 to 3 to reject the reorganization.
- **County of Los Angeles.** Participated in successful defense of proposed class action attacking the County of Los Angeles transient occupancy tax as violating Proposition 62 in a decision that was upheld on appeal in 2014 in an unpublished decision *RAJENDRA PERSHADSINGH v. County of Los Angeles*.
  - Participated in successful defense of a post-election challenge to the County of Los Angeles voter approved measures for transient occupancy taxes and its landfill tax.
  - Participated in successful defense of a lawsuit filed by a city seeking a court order prohibiting the County from including the issue of sales tax sharing in the course of negotiating a property tax exchange pursuant

to California Revenue and Taxation Code section 99 to enable annexation to be processed.

- Successful defense of the Los Angeles County Chief Executive Officer in defeating a lawsuit by a city seeking a court order that negotiations regarding a proposed city annexation exclude sales tax revenue.
- **Confidential Client.** Served as a consultant to provide advice as to compliance with the California Park Preservation Act in a proposed exchange of property.
- **Exposition Metro Line Construction Authority.** Assisted in the successful defense at the trial court, Court of Appeal and California Supreme Court of a challenge to compliance with the California Environmental Quality Act (CEQA) for Phase 2 in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal. 4th 439.
- **Confidential clients.** Assisted an association of homeowners in developing their position regarding property rights resulting from a 1904 tract map which created a marginal or perimeter street which was never timely accepted, never developed and never used by the general public for such purposes.
- **Confidential client.** Drafted two initiatives for an association seeking to establish additional land use regulations and to implement a tax on the newly regulated land uses.
- **Confidential clients.** Assisted a variety of private clients in understanding governmental laws, policies, and procedures in addressing a variety of issues resulting from governmental regulations, permitting procedures, and environmental clearances.
- **Various public agencies.** Assist various public agencies in dealing with issues regarding the Ralph M. Brown Act, the California Public Records Act, the California Political Reform Act, and other statutory mandates.
- **Private Association.** Advised a private association regarding the application of local pandemic driven ordinances addressing the recall rights of employees of certain industries.
- **Chapman v. Superior Court** (Malcolm), (2005) 130 Cal. App. 4th 261, [29 Cal. Rptr. 3d 852]. Served as the designated expert witness as to the standard of care of a public agency attorney in advising officials regarding Government Code section 1090.
- **Monterey County.** Coordinated analysis of general plan initiative and associated compliance with Federal Voting Rights Act. Also successfully defeated a trial court challenge seeking to remove from the ballot a measure proposed by the Board to compete with a land use initiative; ruling was allowed to stand by the Court of Appeal.
- **Napa County.** Coordinated statutory analysis of general plan initiative.
- **Confidential County.** Provided consultation and advice to a County and its County Counsel regarding the Brown Act and subsequent litigation, resulting in a denial of relief to the complaining parties, affirmed on appeal.
- **Confidential Client.** Served as a designated expert witness in cross actions regarding the standard of care of a private attorney representing and advising a public agency, resulting in settlement payment of more than \$1 million to the client for services rendered.
- **Metropolitan Water District.** Served as special counsel in advising the Board during closed session interviews of candidates for General Manager and in reviewing candidates for General Counsel and advising the Board during closed session interviews of selected candidates. Investigated alleged violations of ethics provisions and conflict of interest in a contract. Also conducted a "360 degree" evaluation of a manager in conjunction with Claremont's Peter F. Drucker and Masatoshi Ito Graduate School of Management.
- **Various Clients.** Assisted in analysis and advice regarding a variety of planning and permitting issues.
- **Los Angeles County Local Agency Formation Commission.** Conducted pro bono mandated ethics training at statewide conference hosted by Los Angeles County LAFCO.
- **Confidential City.** Served as special counsel to a city regarding the process for amending its boundary with an adjacent city.
- **Confidential City.** Served as special counsel to conduct limited peer review of representation by another firm in a trial court matter.
- Served as lead counsel in negotiating the settlement of federal litigation attacking the County of Los Angeles ordinance restricting the sale of guns and ammunition on County owned property and the claims for damages by the previous gun show operator at the County fairgrounds located within a city.
- Served as lead counsel in negotiating the settlement of a lawsuit seeking placement on the ballot of an initiative to impose limits of two terms on Los Angeles County Supervisors commencing in December of 2000, resulting in a ballot measure to impose three consecutive terms commencing in December of 2002.

- Served as lead counsel in negotiation of nine class action federal lawsuits alleging damages for over-detentions and strip searches of persons in custody of the Los Angeles County Sheriff's Department on terms favorable to the County as to the amount of damages, payments over time, and portions of the settlement fund to be spent on improving programs for inmates.
- Mediated issues between two groups of shareholders of two closely held corporations (one the holder of a patent and the other the holder of a license to use the patent) resulting in an exchange of shares of one corporation, which then dissolved, for shares of the other corporation, averting a threatened collapse of both corporations. The surviving corporation continues to manufacture and sell its product on a national scale.
- Served as lead counsel in negotiating the settlement of multiple consolidated federal lawsuits contending that Los Angeles County Sheriff's Deputies systematically violated the constitutional rights of individuals within the service area of a particular Sheriff's station with a portion of the settlement amount being set aside for the Sheriff's Department to provide additional training for Sheriff's Deputies.
- Defended the County of Los Angeles in state and federal court in lawsuits alleging failures to comply with the California Environmental Quality Act and the National Environmental Policy Act.
- Represented the County of Los Angeles in a proceeding under the National Historic Preservation Act and negotiated with the State Historic Preservation Officer an agreement on terms which permitted the County project to proceed.
- Reviewed draft environmental documents and advised County departments and elected officials regarding compliance with legal requirements for a number of projects including Kenneth Hahn State Recreation Area, Pan Pacific Park and Santa Fe Dam Recreation Area.
- Retained by the Metropolitan Water District as special counsel to investigate and prepare a written report on an alleged ethics violation.
- Served as an expert witness for the plaintiff' in a lawsuit involving Government Code 1090 conflict issue and as an expert witness for a defendant in a lawsuit regarding the attorney's ethical duties to a public agency.
- Served as the Chair of the Los Angeles County Metropolitan Transportation Authority Settlement Committee from its creation until April 2004.
- Served as a member of the Los Angeles County Claims Board for 20 years.
- Authored State legislation which permits counties to lease its real property to private lessees for revenue purposes and assisted in the negotiation of the first leases utilizing that authority.
- Authored State legislation to prohibit various actions concerning facsimile badges of firefighters.
- Co-authored the first local ordinance to regulate training requirements, equipment standards and Charter boat activities relating to SCUBA diving; and assisted in the successful defense of the lawsuit challenging the ordinance on preemption grounds.
- Co-authored an opinion on a revolving door issue and conducted a session on ethics at an annual conference of the California Association of Local Agency Formation Commissions.

## INSIGHTS

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### SPEAKING ENGAGEMENTS

Speaker, "Legal Reminder: Campaigns & Public Resources," California Association of Councils of Governments' Regional Leadership Forum, Monterey, CA, 03.14.2018

Speaker, "Managing Outside Counsel Within Budget," County Counsels' Association of California Civil Law and Litigation 2012 Conference, Monterey, CA, 04.18.2012

Speaker, "50th Annual Municipal Seminar," California Contract Cities Association, Indian Wells, CA, 05.14.2009

## HONORS & RECOGNITIONS

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Loyola Law School Alumni Association Board of Governors' Award, March 2001

## COMMUNITY & PROFESSIONAL

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State Bar of California

California General Counsel Forum, Founding Executive Committee Member

County Counsels' Association of California, Former Member of the Board of Directors, Former Second Vice President, Former Treasurer, Former Member of Litigation Overview Committee, Opinion Overview Committee and several Ad Hoc Committees

Los Angeles County Management Council, Member, Former President

Chancery Club, Member

## PRACTICES

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Litigation

Water Law

Eminent Domain & Valuation

Employment

Environment & Land Use

Health Law

## INDUSTRIES

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Government & Public Sector

## EDUCATION

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Loyola Law School, J.D., 1972

Ohio State University, B.S., 1965

## ADMISSIONS

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California

U.S. Supreme Court

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Central District of California