Council Meeting of
June 17, 2008

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Public Works - Agreement to temporarily lease water rights to the Roman Catholic Archbishop of Los Angeles, a non-profit California corporation. Expenditure: None

RECOMMENDATION

Recommendation of the Public Works Director that the City Council approve an Agreement to temporarily lease water rights to the Roman Catholic Archbishop of Los Angeles, a non-profit California corporation, during the 2008-2009 fiscal year.

Funding

Not Applicable.

BACKGROUND AND ANALYSIS

The Roman Catholic Archbishop of Los Angeles (RCALA), a non-profit California corporation, is in need of groundwater pumping rights and has requested to lease 150 acre feet of our unused 2008-2009 water rights. The RCALA will pay $75 per acre-foot for the use of water rights until the end of June 2009. The City will be compensated $11,250 by the RCALA for the temporary use of these water rights.

On September 11, 2007, City Council approved an agreement to lease 366 acre feet of groundwater rights to the Roman Catholic Archbishop of Los Angeles for irrigation of the Holy Cross cemetery in Culver City. This lease agreement will expire on June 30, 2008.

The City of Torrance has an annual allocation of 5,640 acre-feet of groundwater pumping rights. The City currently has unused water rights which will expire on June 30, 2009. Water rights not used during the fiscal year will have no value after June 30, 2009.

Respectfully submitted,

ROBERT J. BESTE
Public Works Director

CONCUR:

Robert J. Beste
Public Works Director

LeRoy J. Jackson
City Manager

By: Pamela A. Lewis
Senior Administrative Analyst

Attachment: A) Agreement

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ATTACHMENT A

WATER RIGHT LICENSE AND AGREEMENT

WEST COAST BASIN

For a valuable consideration in the amount of $75.00 per acre-foot, the CITY OF TORRANCE, a Municipal Corporation ("LICENSOR") hereby grants to ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, a Non-Profit California Corporation, ("LICENSEE") a license to extract 150 acre-feet of licensor's Adjudicated Right allocated to licensor (or predecessors in interest) pursuant to a Judgment dated August 18, 1961, and entered in Los Angeles Superior Court Case No. 506806 entitled *"California Water Service Company, et al. vs. City of Compton, et al."* During the period commencing July 1, 2008, and continuing to and including June 30, 2009.

Said license is granted, subject to the following conditions:

(1) Licensee shall exercise said right and extract the same on behalf of the CITY OF TORRANCE during the period above specified and put the same to beneficial use and licensee shall not by the exercise hereunder of said right acquire and right to extract water independent of the rights of Licensor.

2) Licensee shall pay assessments levied on the pumping of said ground waters by the Water Replenishment District of Southern California.

3) Licensee shall notify the District and the Watermaster that said pumping was done pursuant to the license and provide the Watermaster with a copy of this document.

4) Licensee shall note, in any recording of water production for the period of the agreement, that said pumping was done pursuant to this license.

5) Licensee's Adjudicated Right shall be increased by the amount hereby leased when computing carry-over or allowable or extraction as provided by Paragraph V (1) in said Judgment.

The CITY OF TORRANCE warrants that it has 150 acre-feet of Adjudicated Right and that it has not pumped and will not pump or permit or license any other person to pump any part of said 150 acre-feet during period of July 1, 2008 through June 30, 2009.

CITY OF TORRANCE
a Municipal Corporation

_____
Frank Scotto, Mayor

Dated: _____

ATTEST:

_____
Sue Herbers
City Clerk

Dated: _____

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____

Dated: _____

ROMAN CATHOLIC ARCHBISHOP
OF LOS ANGELES
a California Non-profit Corporation

By:_____