Council Meeting of
February 2, 2010

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

Members of the Council:

SUBJECT: Public Works – Authorize payment of the West Basin Water Association Assessment for litigation expenses associated with the West Coast Basin Water Judgment. Expenditure: $28,194.35

RECOMMENDATION

Recommendation of the Public Works Director that City Council authorize the payment of the West Basin Water Association Assessment for litigation expenses associated with the Amendment to the West Coast Basin Water Judgment in the amount of $28,194.35.

Funding

Funding is available in the Water Enterprise Operating Budget.

BACKGROUND AND ANALYSIS

The City of Torrance lies within the West Coast Basin and is a member of the West Basin Water Association. There exists within the West Coast Basin a substantial amount of dewatered underground storage space which has not been optimally utilized for basin management and for the storage of native and imported waters. The West Basin Water Association is a group of groundwater stakeholders within the West Coast Basin whose purpose is to take an active interest in providing solutions to the deficiency existing in the supply of groundwater in the West Coast Basin.

As a means to be more efficient in the procurement and management of non-native water to replenish supplies and for reasonable storage and recovery of water for the public good, parties within the West Basin Water Association have sought to amend the West Coast Basin Judgment ("Judgment'). The West Coast Basin Judgment is the jurisdictional framework by which all groundwater stakeholders in the West Coast Basin are governed.

Legal proceedings to amend the Judgment began in June 2000 with legal fees being paid by the West Basin Water Association through assessments levied upon its members based on adjudicated water rights holdings. To date, two assessments have

been levied upon West Basin Water Association members, with the City of Torrance having paid $39,472.09. Ongoing litigation and slight opposition to the amendment by two non-West Basin Water Association members has required the West Basin Water Association to levy a third assessment on its members.

At this time, based on the 5,638.87 acre-feet of adjudicated water rights owned by the City of Torrance and a $5 per acre-feet assessment by the West Basin Water Association, the assessment to the City of Torrance is $28,194.35.

It is the recommendation of the Public Works Director that the City Council authorize the payment of the West Basin Water Association Assessment for litigation expenses associated with the Amendment to the West Coast Basin Water Judgment in the amount of $28,194.35.

Respectfully submitted,

ROBERT J. BESTE
Public Works Director

By: Jack van der Linden
Deputy Public Works Director

CONCUR:

Robert J. Beste
Public Works Director

for LeRoy J. Jackson
City Manager

Attachment: A. West Basin Water Association Assessment Invoice

ATTACHMENT A

WEST BASIN WATER ASSOCIATION
c/o 24532 Ladera Drive
Mission Viejo, CA 92691

Additional Assessment Fee
For Completion of Changes to the Judgment

DATE: January 11, 2010

TO: Torrance Municipal Water Department
3031 Torrance Boulevard
Torrance, CA 90503

ATTN: Jack van der Linden

ASSESSMENT FEE: $ 28,194.35
(AF @ $5.00/AF Based On Adjudicated Rights)

Please make your payment as soon as possible. $ 28,194.35

MAKE CHECK PAYABLE TO: WEST BASIN WATER ASSOCIATION

If you have questions, please contact Donna Varner at 949-855-9355 or Jack van der Linden at 310-781-6900.

Thank you.

West Basin Water Association Tax ID #95-1470858