

Council Meeting of
June 20, 2006

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

Members of the Council:

SUBJECT: Agreement to Temporarily Lease Water Rights to Roman Catholic Archbishop of Los Angeles

RECOMMENDATION

The Public Works Director recommends that the City Council:

1. Approve an Agreement to temporarily lease water rights to the Roman Catholic Archbishop of Los Angeles during the remaining 05-06 fiscal year.
2. Approve an Agreement to temporarily lease water rights to the Roman Catholic Archbishop of Los Angeles for the 06-07 fiscal year.
3. Authorize the Mayor and City Clerk to execute and attest said Agreements.

Funding

Not Applicable.

BACKGROUND AND ANALYSIS

On January 11, 2005, City Council approved the lease of 450 acre feet of ground water rights to the Roman Catholic Archbishop of Los Angeles (RCALA) for irrigation of the Holy Cross cemetery in Culver City. This lease agreement expired on June 30, 2005.

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, 2006. Water rights not used during the fiscal year will have no value after June 30, 2006.

The Roman Catholic Archbishop of Los Angeles is in need of ground water pumping rights, and would like to lease 130 acre feet of our unused fiscal 05-06 water rights, which will not be used in fiscal 05-06. The RCALA will pay \$75 per acre-foot for the use of water rights until the end of June 2006. The City will be compensated \$9,750 by the RCALA for the temporary use of these water rights.

The Roman Catholic Archbishop of Los Angeles is also in need of ground water pumping rights for fiscal 06-07, and would like to lease 200 acre feet of our unused 06-07 water rights. These 200 acre feet will not be used in fiscal 06-07. The RCALA will pay \$75 per acre-foot for the use of water rights until the end of June 2007. The City will be compensated \$15,000 by the RCALA for the temporary use of these water rights.

Respectfully submitted,

ROBERT J. BESTE
Public Works Director



By Pamela Lewis
Administrative Analyst

CONCUR:



Robert J. Beste
Public Works Director



LeRoy J. Jackson
City Manager

Attachments: A) Agreement for Fiscal 05/06
B) Agreement for Fiscal 06/07

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 130 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, 2005 and continuing to and including June 30, 2006.

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 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 130 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 130 acre-feet during period of July 1, 2005 through June 30, 2006.

CITY OF TORRANCE
a Municipal Corporation

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

Dan Walker, Mayor

By: _____

Dated: _____

ATTEST:

Sue Herbers
City Clerk

Dated: _____

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Tatia Y. Strader
Deputy City Attorney

Dated: _____

WATER RIGHT LICENSE AND AGREEMENT

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The CITY OF TORRANCE warrants that it has 200 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 200 acre-feet during period of July 1, 2006 through June 30, 2007.

CITY OF TORRANCE
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ROMAN CATHOLIC ARCHBISHOP
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Dan Walker, Mayor

By: _____

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