

Council Meeting of  
July 12, 2011

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

Members of the Council:

**SUBJECT: Public Works – Approve Agreement to temporarily lease 150  
acre-feet of groundwater rights. Expenditure: None**

**RECOMMENDATION**

Recommendation of the Public Works Director that City Council approve an Agreement to temporarily lease 150 acre-feet of groundwater rights to the Roman Catholic Archbishop of Los Angeles, a non-profit California Corporation, at \$125 per acre-foot during the 2011-2012 fiscal year.

Funding

Not Applicable.

**BACKGROUND AND ANALYSIS**

The Roman Catholic Archbishop of Los Angeles (RCALA) is requesting to lease 150 acre-feet of ground water pumping rights from the City of Torrance. The City currently has an unused portion of 2011-2012 water rights available for lease in the West Coast Groundwater Basin. The RCALA has agreed to pay \$125 per acre-foot, with a total compensation of \$18,750, for the temporary use of these water rights until the end of June 2012.

In the past, City Council has approved groundwater rights lease agreements with other water rights holders in the West Coast Groundwater Basin. Most recently, the City Council has approved an agreement with the RCALA for the lease of 125 acre-feet of water rights on August 24, 2010. This lease agreement expired June 30, 2011.

The City of Torrance has an annual allocation of 5,640 acre-feet of groundwater pumping rights in the West Coast Groundwater Basin, with the current allocation cycle to expire on June 30, 2012. By the end of the fiscal year, any unused water rights will be lost along with their fair market value. Subsequently, it is projected that the City of Torrance will have unused water rights available, and therefore the Public Works Director recommends the approval of a lease agreement for 150 acre-feet of groundwater rights with the Roman Catholic Archbishop of Los Angeles.

Respectfully submitted,

ROBERT J. BESTE  
Public Works Director



By: Pamela A. Lewis  
Senior Administrative Analyst

CONCUR:



Jack van der Linden  
Deputy Public Works Director



Robert J. Beste  
Public Works Director

CONCUR:



LeRoy J. Jackson  
City Manager

Attachment: A) Agreement

## **WATER RIGHT LICENSE AND AGREEMENT**

### **WEST COAST BASIN**

For a valuable consideration in the amount of \$125.00 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, 2011, and continuing to and including June 30, 2012.

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, 2011 through June 30, 2012.

CITY OF TORRANCE  
a Municipal Corporation

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

\_\_\_\_\_  
Frank Scotto, Mayor

By: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sue Herbers  
City Clerk

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

JOHN L. FELLOWS III  
City Attorney

By: \_\_\_\_\_

Dated: \_\_\_\_\_