The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the Public Communications portion of the Meeting. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 310-324-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

SPECIAL MEETING OF THE EL SEGUNDO CITY COUNCIL
FRIDAY, APRIL 4, 2014, 5:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMUNICATIONS - (Related to City Business Only - 5 minute limit per person, 30 minute limit total). Individuals who have received value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves before addressing the City Council. Failure to do so is a misdemeanor and punishable by a fine of $250.

CLOSED SESSION:

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:
1. CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): -8- matters

Agency Designated Representative: City Manager
Employee Organizations: Police Management Association; Police Officers
Association; Police Support Services Employees Association; Fire Fighters
Association; Supervisory and Professional Employees Association; Employees
Association; Executive Management (unrepresented employees);
Management/Confidential (unrepresented employees)

K. REPORTS – CITY COUNCIL MEMBERS

Mayor Pro Tem –

1. Consideration and possible action to authorize the Mayor to send a letter to
Assembly Member Christina Garcia opposing Assembly Bill 2189, which would
establish separate replenishment assessments for the Central and West Coast
Basins as well as new Proposition 218 guidelines for setting the assessments. (Fiscal
Impact: $0)

Recommendation – 1) Authorize the Mayor to send a letter to Assembly Member Christina
Garcia opposing Assembly Bill 2189, which would establish separate replenishment
assessments for the Central and West Coast Basins, as well as establish new Proposition
218 guidelines for setting the assessments; 2) Alternatively, discuss and take other
possible action related to this item.

ADJOURNMENT

POSTED: 4.3.14
TIME: 3:45 pm
NAME: [Signature]
AGENDA DESCRIPTION:

Consideration and possible action to authorize the Mayor to send a letter to Assembly Member Christina Garcia opposing Assembly Bill 2189, which would establish separate replenishment assessments for the Central and West Coast Basins as well as new Proposition 218 guidelines for the setting the assessments. (Fiscal Impact: $0)

RECOMMENDED COUNCIL ACTION:

1. Authorize the Mayor to send a letter to Assembly Member Christina Garcia opposing Assembly Bill 2189, which would establish separate replenishment assessments for the Central and West Coast Basins, as well as establish new Proposition 218 guidelines for setting the assessments.

2. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

None

FISCAL IMPACT: None

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ORIGINATED BY: Stephanie Katsouleas, Public Works Director

REVIEWED BY: Carl Jacobson, City Council Member

APPROVED BY: Greg Carpenter, City Manager

BACKGROUND AND DISCUSSION:

Assembly Member Cristina Garcia, who represents the 58th Assembly District,1 is sponsoring AB-2189, which would create a “split groundwater pumping assessment” (also called a “replenishment assessment” or RA) between the Central and West Coast Basins, as well as establish new Proposition 218 voting guidelines for the pumping assessment. The assessment is collected by the Water Replenishment District (WRD) and used to oversee and monitor the basin, as well as to purchase imported water to artificially charge the aquifers. This imported water supplement is used to offset the difference between natural replenishment and the adjudicated pumping demand. Clearly, passage of this bill would have adverse impacts on replenishment efforts and groundwater management activities in both the local Central and West Coast groundwater basins.

Since the inception of the WRD over 50 years ago, a uniform replenishment assessment has been charged to all groundwater pumpers within these hydraulically conjoined Basins. That uniform

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1 Assembly District 58 includes the cities of Artesia, Bellflower, Bell Gardens, Cerritos, Commerce, Downey, Montebello, Pico Rivera and Norwalk.
assessment was established based on: 1) extensive array of well-documented geotechnical findings showing that the basins “share” many natural and artificial sources of replenishment due to their hydraulic connection, and 2) extensive negotiations between all parties within these basins as the most equitable method for allocating replenishment costs. However, AB-2189 would require the uniform replenishment assessment now levied by the WRD to be based upon the proportion of the costs actually incurred by the operator of a groundwater well in extracting groundwater, without correlating it with the total cost of replenishing the Central Basin such that it ensures that the West Coast Basin receives the underflow volume it is entitled to. Conversely, a uniform RA is the simplest method of ensuring that the health of both basins is protected and it provides the framework necessary for future cooperative efforts in managing both basins. Additionally, enactment of this bill would likely result in actions by West Basin pumpers to adjudicate any lost underflow, which would result in many years of costly and protracted litigation. These additional replenishment and legal costs will ultimately be borne by the water consumers that AB 2189 purports to protect. It will also diminish our ability to address important groundwater initiatives that benefit both basins, a process that has been successfully in place for 50 years.

The bill would also prohibit the Water Replenishment District from imposing any replenishment assessment if a majority protest exists, and it redefines the criteria used to determine voting rights by pumpers. If no assessments were collected, replenishment of both groundwater basins in Southern California would be adversely impacted – basins that provide 40 percent of the water for 4 million residents in our region.

For these reasons, it is recommended that City Council authorize the Mayor to send a letter to Assembly Member Christina Garcia and other members of the committee opposing proposed Assembly Bill 2189.