

49. AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE AGREEMENT WITH THE CITY OF LONG BEACH SETTLING A NUMBER OF MATTERS RELATING TO THE LONG BEACH TIDELAND TRUST; I.E., EXPENDITURES FOR TIDELAND BEACH OPERATION AND MAINTENANCE; INTEREST RECEIVED FROM TIDELAND OIL REVENUE; MARINE STADIUM, MUNICIPAL AUDITORIUM, AND AUDITORIUM PARKING LOT; TIDELAND RECREATIONAL PROGRAMS; LOS ANGELES COUNTY FINANCIAL ASSISTANCE TO CITY OF LONG BEACH FOR MAINTENANCE OF RECREATIONAL FACILITIES; FIRE AND POLICE PROTECTION OF TIDELAND TRUST FACILITIES; ADMINISTRATIVE OVERHEAD CHARGE OF THE CITY AS UNIT OPERATOR; HARBOR REVENUE FUND CASH RECEIPTS; SALT WATER SALES; ROLLER COASTER; MAGNOLIA AND PINE STREET PARKING LOTS; REVENUE FROM BELMONT PIER CONCESSIONS; ANNUAL REPORT, DEPARTMENT OF OIL PROPERTIES; AND CITY LEGAL EXPENSES - L.A.W.O. 5200.403, L.B.W.O. 10098, W.O. 2323.4.3, AND W.O. 396.358.

During consideration of Supplemental Calendar Item 48 attached, the Executive Officer explained that the proposed authorization outlined would provide a method for handling similar problems in the future, in addition to resolving past problems. He reported that a letter had been received from Assemblyman Vincent Thomas, Chairman of the Joint Legislative Audit Committee, indicating that the proposed agreement had been reviewed and concluding that it should be executed.

Assistant Attorney General Jay L. Shavelson assured the Commission that the proposed agreement was legally proper, whereas the consequences of litigation, other than direct results, would be adverse to the over-all close and amicable relationship that has been maintained with the City of Long Beach in supervising the oil field in Long Beach.

Deputy Attorney General N. Gregory Taylor pointed out that this would be a binding agreement, inasmuch as it was in the Commission's power, both by the decree in People v. City of Long Beach and according to the provisions of Ch. 29/56, 1st E.S., that there be a general supervisory administration or check by the State Lands Division. Also, as allowed by provisions of the decree in People v. City of Long Beach, the office of the Attorney General will sign the agreement, as well as the Harbor Department and the Council of the City of Long Beach, and, in addition, it will be signed by the Governor.

UPON MOTION DULY MADE AND CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE THE AGREEMENT WITH THE CITY OF LONG BEACH SETTLING A NUMBER OF MATTERS RELATING TO THE LONG BEACH TIDELAND TRUST; I.E., EXPENDITURES FOR TIDELAND BEACH OPERATION AND MAINTENANCE; INTEREST RECEIVED FROM TIDELAND OIL REVENUE; MARINE STADIUM, MUNICIPAL AUDITORIUM AND AUDITORIUM PARKING LOT; TIDELAND RECREATIONAL PROGRAMS; LOS ANGELES COUNTY FINANCIAL ASSISTANCE TO CITY OF LONG BEACH FOR MAINTENANCE OF RECREATIONAL FACILITIES; FIRE AND POLICE PROTECTION OF TIDELAND TRUST FACILITIES; ADMINISTRATIVE OVERHEAD CHARGE OF THE CITY AS UNIT OPERATOR; HARBOR REVENUE FUND CASH RECEIPTS; SALT WATER SALES; ROLLER COASTER; MAGNOLIA AND PINE STREET PARKING LOTS; REVENUE FROM BELMONT PIER CONCESSIONS; ANNUAL REPORT, DEPARTMENT OF OIL PROPERTIES; AND CITY LEGAL EXPENSES.

Attachment

Calendar Item 48 (1 page)

48.

AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE AGREEMENT WITH THE CITY OF LONG BEACH SETTLING A NUMBER OF MATTERS RELATING TO THE LONG BEACH TIDELAND TRUST, I.E.; EXPENDITURES FOR TIDELAND BEACH OPERATION AND MAINTENANCE; INTEREST RECEIVED FROM TIDELAND OIL REVENUE; MARINE STADIUM, MUNICIPAL AUDITORIUM, AND AUDITORIUM PARKING LOT; TIDELAND RECREATIONAL PROGRAMS; LOS ANGELES COUNTY FINANCIAL ASSISTANCE TO CITY OF LONG BEACH FOR MAINTENANCE OF RECREATIONAL FACILITIES; FIRE AND POLICE PROTECTION OF TIDELAND TRUST FACILITIES; ADMINISTRATIVE OVERHEAD CHARGE OF THE CITY AS UNIT OPERATOR; HARBOR REVENUE FUND CASH RECEIPTS; SALT WATER SALES; ROLLER COASTER; MAGNOLIA AND PINE STREET PARKING LOTS; REVENUE FROM BELMONT PIER CONCESSIONS; ANNUAL REPORT, DEPARTMENT OF OIL PROPERTIES; AND CITY LEGAL EXPENSES - L.A.W.O. 5200.403, L.B.W.O. 10098, W.O. 2323.4.3, & W.O. 396.358.

At its meeting on April 28, 1966, the Commission withheld approval of Calendar Item No. 37 that requested authorization for the Executive Officer to refer to the Attorney General for any action deemed appropriate the problem concerning the sum of \$1,306,347.42 transferred by the City of Long Beach from the Tideland Oil Fund to the General Purpose Fund. The Commission's action was based on agreement by Long Beach representatives present at the meeting to toll the Statute of Limitations in order to give parties time to negotiate settlement of the problem instead of litigating. On May 26, 1966 (Minute Item 29, page 12,699), the Commission authorized approval of an agreement and stipulation tolling the Statute of Limitations and other similar defenses. Following approval of the Agreement and Stipulation, settlement negotiations were commenced immediately between representatives of the City, the State Lands Division, and the Attorney General's Office. During these negotiations it was found to be advantageous to include additional questioned matters relating to the Long Beach tideland trust which had been raised by the Division, by the City, or by the Auditor General, in order to settle as many of these as possible and to avoid situations similar to the aforementioned transfer. The result has been a proposed agreement, attached hereto as "Exhibit A", that settles and resolves the problems specifically included therein. The entire agreement has been reviewed with the Auditor General's staff.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE THE AGREEMENT WITH THE CITY OF LONG BEACH SETTLING A NUMBER OF MATTERS RELATING TO THE LONG BEACH TIDELAND TRUST, I.E.; EXPENDITURES FOR TIDELAND BEACH OPERATION AND MAINTENANCE; INTEREST RECEIVED FROM TIDELAND OIL REVENUE; MARINE STADIUM, MUNICIPAL AUDITORIUM AND AUDITORIUM PARKING LOT; TIDELAND RECREATIONAL PROGRAMS; LOS ANGELES COUNTY FINANCIAL ASSISTANCE TO CITY OF LONG BEACH FOR MAINTENANCE OF RECREATIONAL FACILITIES; FIRE AND POLICE PROTECTION OF TIDELAND TRUST FACILITIES; ADMINISTRATIVE OVERHEAD CHARGE OF THE CITY AS UNIT OPERATOR; HARBOR REVENUE FUND CASH RECEIPTS; SALT WATER SALES; ROLLER COASTER; MAGNOLIA AND PINE STREET PARKING LOTS; REVENUE FROM BELMONT PIER CONCESSIONS; ANNUAL REPORT, DEPARTMENT OF OIL PROPERTIES; AND CITY LEGAL EXPENSES.

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