

MINUTE ITEM

This Calendar Item No. 21
was approved as Minute Item
No. 21 by the State Lands
Commission by a vote of 3
to 0 at its 6/27/78
meeting.

MINUTE ITEM

6/78
Thompson

21. PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE FOR
EMERGENCY REMEDIAL MAINTENANCE WORK - CITY OF LONG BEACH -
W 10339

Upon motion duly made and carried, the resolution in Calendar
Item 21 was adopted as presented by a vote of 3-0.

Later on during the meeting, N. Gregory Taylor, Assistant
Attorney General, indicated that the staff's recommendation
was revised prior to this meeting to limit the project period
to 90 days. He explained this was done so the staffs of
the State Lands Commission and the Attorney General's office
could meet with the City of Long Beach to discuss a number
of subsidence problems. Mr. Taylor indicated his office
and the Commission's staff have serious problems with the
way the City has used the subsidence funds. He explained
that the City had prematurely used these funds before the
Commission had granted its approval, and it is his opinion
that use was improper. However, he stated the
City and State should meet and discuss this matter during
the next two months, after which a comprehensive package
could be brought to the Commission for its consideration.

Attachment: Calendar Item 21 (four pages)

A 52, 57, 58
S 27, 31

CALENDAR ITEM

21.

6/78
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Thompson

PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE
FOR EMERGENCY REMEDIAL MAINTENANCE WORK
CITY OF LONG BEACH

SUBSIDENCE REMEDIAL PROJECT:
Maintenance, 1978-79 Fiscal Year.

SUBSIDENCE ELEMENTS:

- a. City's Presentation:
Emergency maintenance work will be needed during the 1978-79 Fiscal Year to repair subsidence damage to Harbor District Facilities.
- b. Staff's Analysis:
Subsidence costs for emergency remedial maintenance work may be incurred but not necessarily to the extent estimated by the city.

COST OF PROJECT:

- a. City's Estimate:
\$110,000 consisting of \$65,000 for specific work categories plus \$45,000 for contingencies.
- b. Staff's Analysis:
\$110,000 recommended.

ENVIRONMENTAL CLEARANCE:

The City determined that work under these categories is for emergency maintenance repairs and therefore categorically exempt under 14 California Administration Code 15106.

FISCAL IMPACT:

Cost will be borne 100% by the State.

STATUTORY AUTHORITY:

- a. City Reference: Chapter 138/64, 1st E.S.

A 52, 57, 58

S 27, 31

CALENDAR ITEM NO. 21. (CONTD)

b. Staff Determination: Chapter 138/64,
1st E.S., Section 1(e).

DISCUSSION:

The staff is recommending that the expenditures under this approval should be limited to emergency subsidence remedial maintenance work and for the first quarter of the fiscal year. Meetings are to be held during the month of July, 1978 on several subsidence cost questions between the Long Beach City Attorney's Office, Harbor Department, Commission Staff, and the Attorney General's Office. The prior approval request for emergency remedial maintenance work for the balance of the fiscal year can be put on the August, 1978 Commission calendar.

Also note, an expenditures under the Subsidence Maintenance Contingency Fund, which the Commission established in 1972, are limited to urgent emergency circumstances where time does not permit requesting Commission prior approval of additional funds. The City will notify the Commission's Executive Officer or the Manager, Long Beach Operations, with adequate explanation, prior to using this fund.

EXHIBIT:

A. Cost Estimate.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 14 CAL. ADM. CODE 15106.
2. APPROVE COST PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, AS INDICATED IN EXHIBIT "A" ATTACHED AND

CALENDAR ITEM NO. 21. (CONTD)

BY REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM JULY 1, 1978 TO SEPTEMBER 30, 1978, FOR EMERGENCY SUBSIDENCE REMEDIAL MAINTENANCE WORK, SUBJECT TO THE CONDITIONS THAT THE AMOUNT, IF ANY, OF EACH OF THE ITEMS TO BE ULTIMATELY ALLOWED AS SUBSIDENCE COSTS DEDUCTIBLE UNDER CH 132/1964, 1ST E.S., SEC. 4 (d) WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT AFTER THE WORK UNDER ALL SUCH ITEMS IS COMPLETED, AND THAT THE SCOPE OF THE WORK CONFORM IN ESSENTIAL DETAILS TO THE DEFINITION OF SUCH ITEMS AS PREVIOUSLY SUBMITTED TO THE COMMISSION.

IT IS FURTHER RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S APPROVAL.

Attachment: Exhibit "A"

EXHIBIT "A"

W 10339

LONG BEACH WORK ORDER NUMBER 10339

Project and Estimates Submitted by the City of Long Beach

SUBSIDENCE MAINTENANCE, 1978-79 FISCAL YEAR

<u>ITEM</u>	<u>WORK PROPOSED</u>	<u>LBHD ESTIMATED PROJECT EXPENDITURES JULY 1, 1978 TO JUNE 30, 1979</u>	<u>RECOMMENDED APPROVAL ESTIMATED EMERGENCY SUBSIDENCE REMEDIAL COSTS JULY 1, 1978 TO SEPTEMBER 30, 1978</u>
1	GENERAL SUBSIDENCE MAINTENANCE	\$10,000	\$10,000
2	REPAIRS TO TERMINAL FACILITIES	45,000	45,000
3	REPAIRS TO OTHER FACILITIES	10,000	10,000
4	SUBSIDENCE MAINTENANCE CONTINGENCY	45,000	45,000
	TOTALS:	\$110,000	\$110,000