

STATE OF CALIFORNIA

Minutes of the meeting of the
State Lands Commission
Sacramento, California

APPEARANCES

Commissioners Present:

Kenneth Cory, State Controller, Chairman
Roy M. Bell, Commission-Alternate representing
Commissioner Richard T. Silberman, Director of
Finance
Betty Jo Smith, Staff Counsel, Alternate for
Commissioner Mervyn M. Dymally, Lieutenant Governor

Staff Members in Attendance:

William F. Northrop, Executive Officer
R. S. Golden, Assistant Executive Officer
R. C. Hight, Chief Counsel
James F. Trout, Chief, Division of Land Management
and Conservation
D. J. Everitts, Chief, Extractive Development--State
Leases
W. M. Thompson, Chief, Extractive Development--Long
Beach Operations
Diane Jones, Secretary

Representing the Office of the Attorney General:

Jan Stevens, Assistant Attorney General
Robert Collins, Deputy Attorney General

Re Minute Item 18:

Robert Sieglitz, in pro per

MINUTES OF THE STATE LANDS COMMISSION
MEETING OF

DECEMBER 20, 1978

The regular meeting of the State Lands Commission was called to order by Chairman Kenneth Cory at 10:05 a.m., in Room 2170, State Capitol. Also present were Commission Alternates Roy Bell, representing Commissioner Richard T. Silberman; and Betty Jo Smith, representing Commissioner Mervyn M. Dymally.

The minutes of the meeting of November 27, 1978 were approved as presented.

EXECUTIVE OFFICER'S REPORT:

During Mr. William F. Northrop's report, the Commission expressed its appreciation to Commissioner Mervyn M. Dymally, Lieutenant Governor, and his alternate Betty Jo Smith, while serving as members on the State Lands Commission.

ASSISTANT EXECUTIVE OFFICER'S REPORT:

Mr. R. S. Golden's written report is attached as Exhibit "B".

Attachments: Exhibits "A" and "B".

EXHIBIT "A"
EXECUTIVE OFFICER'S REPORT

By

WILLIAM F. NORTHROP
DECEMBER 20, 1978

CALENDAR ITEM 34

THIS CALENDAR ITEM IS BEING PULLED AND NEGOTIATIONS ARE CONTINUING.

ARCO/PRODUCING PROPERTIES CO. ASSIGNMENT

LB ADMIN.

THE COMMISSION ON OCTOBER 11, 1978, APPROVED THE ASSIGNMENT BY ATLANTIC RICHFIELD OF ITS CONTRACTORS' INTEREST IN TRACTS 1 AND 2 OF THE LONG BEACH UNIT TO PRODUCING PROPERTIES Co. (PPCo) OF DENVER, COLORADO. THIS ASSIGNMENT BECOMES EFFECTIVE JANUARY 1, 1979. AS PART OF THAT ASSIGNMENT, CENTURY RESOURCES DEVELOPMENT, INC. (CRD) IN THIS OCTOBER 11 MEETING AGREED TO PROVIDE GUARANTEES IN THE AMOUNTS OF \$625,000 FOR TRACT 1 AND \$375,000 FOR TRACT 2 TO SECURE THE CITY OF LONG BEACH AND THE STATE OF CALIFORNIA AGAINST FAILURE BY PPCo. OR CRD TO FULFILL ALL OBLIGATIONS UNDER THE CONTRACTS.

THREE ALTERNATIVE WAYS OF PROVIDING THESE GUARANTEES ARE SATISFACTORY TO THE STATE. THESE ARE LETTERS OF CREDIT, BLOCKED CASH ACCOUNTS OR TRUST ACCOUNTS UTILIZING CERTIFICATES OF DEPOSIT. THIS THIRD METHOD, CERTIFICATES OF DEPOSITS IN THE SAME PRINCIPAL AMOUNTS HELD IN A TRUST ACCOUNT, WILL BE USED BY CRD WITH THE TRUST AGENCY BEING SECURITY PACIFIC BANK. THE FINAL DOCUMENTS FOR THE CONSENT AND ASSUMPTION AGREEMENTS, CONSENT AND RELEASE AGREEMENT AND TRUST AGREEMENTS ARE BEING EXECUTED AT THE PRESENT TIME. PURSUANT TO THE DELEGATION BY THE

COMMISSION IN YOUR APPROVAL OF THIS ASSIGNMENT, AND CONDITIONED ON FINALIZATION OF THE TRUST AGREEMENT, I WILL SIGN THESE DOCUMENTS FOR THE COMMISSION PRIOR TO DECEMBER 23.

EXHIBIT "B"

ASSISTANT EXECUTIVE OFFICER'S REPORT

BY

R. S. GOLDEN

DECEMBER 20, 1978

THERE ARE TWO ITEMS OF INTEREST FOR YOUR INFORMATION.

PICKLEWEED ASSOCIATES

W 21858

AT LAST MONTH'S MEETING, I REPORTED THAT WE EXPECTED TO BRING THE PROPOSED RESIDENTIAL PROJECT OF PICKLEWEED ASSOCIATES IN MILL VALLEY, MARIN COUNTY, BEFORE YOU THIS MONTH FOR CONSIDERATION. THIS PROJECT HAS BEEN STALLED AT THE LOCAL LEVEL FOR SEVERAL YEARS BEFORE COMING TO OUR ATTENTION THROUGH AN APPLICATION TO THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION. TITLE PROBLEMS WERE PRESENTED BY THE APPLICATION. THIS IS TO REPORT THAT THIS ITEM WAS NOT CALENDARED FOR TODAY'S MEETING BECAUSE THE CITY FAILED TO FILE THE REQUIRED NOTICE OF DETERMINATION WITH THE RESOURCES SECRETARY IN A TIMELY MANNER. THE NOTICE WAS FILED LAST WEEK AND THE PROJECT SHOULD BE ON THIS COMMISSION'S AGENDA FOR THE JANUARY MEETING.

CITY OF BERKELEY LIVE-ABOARDS POLICY

G 01-03.

RECENTLY, THE CITY OF BERKELEY INITIATED A PROPOSAL TO ALLOW LIVE-ABOARDS IN 40 OUT OF NEARLY 1,000 BERTHS AT THE BERKELEY CITY MARINA LOCATED ON GRANTED LANDS. TO IMPLEMENT THIS PROPOSAL, THE CITY HAS ENACTED A NEW LOCAL ORDINANCE. STAFF HAS REVIEWED THE ORDINANCE FOR ITS REGULATORY PROVISIONS AND FOR CONSISTENCY WITH THE PUBLIC TRUST.

THE PURPOSE IN PERMITTING LIVE-ABOARDS IS TO PROVIDE NEEDED SECURITY-SURVEILLANCE SERVICES. FURTHERMORE, CRUISING-TYPE VESSELS ARE DESIGNATED IN THE ORDINANCE AS OPPOSED TO HOUSEBOATS OR ARKS. THESE VESSELS MUST BE KEPT SEAWORTHY AND MUST IN FACT BE MOVED OUT OF THE MARINA EVERY 90 DAYS FOR AT LEAST 6 HOURS TO ASSURE THEIR SEAWORTHINESS. THOSE GRANTED LIVE-ABOARD PRIVILEGES ARE TAKEN ON A FIRST COME-FIRST SERVED BASIS, SPECIFIC CONDITIONS BEING INSERTED TO ASSURE NON-DISCRIMINATORY TREATMENT. BASED ON A CAREFUL REVIEW OF THE PROPOSAL BY BOTH OUR STAFF AND THE ATTORNEY GENERAL'S OFFICE, IT HAS BEEN DETERMINED THAT THIS ORDINANCE WOULD NOT BE IN VIOLATION OF THE PUBLIC TRUST AND THE GENERAL POLICY OF PROHIBITING RESIDENCES ON PUBLIC TRUST LANDS.

RECORD OF ACTION TAKEN BY THE
STATE LANDS COMMISSION
AT ITS MEETING OF DECEMBER 20, 1978

During the meeting, the recommendations of the staff relative to Calendar Items C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 36 and 38 were adopted as resolutions of the Commission by unanimous vote.

Commission action on Calendar Items 18, 33, 35, and 37 is set forth on pages 2753, 2830, 2835 and 2840.

Calendar Item 34 was withdrawn from the agenda prior to the meeting (see page 2803).