

MINUTE ITEM

This Calendar Item No. 26
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 2
0 at its 2-28-80
Meeting.

MINUTE ITEM

2/28/80
Thompson

26. PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE FOR A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LONG BEACH DRY STACK STORAGE FACILITY FOR SMALL BOATS - W 10353.

During consideration of Calendar Item 26 attached, Jan Stevens, Assistant Attorney General, raised the question of Chapter 138 notice requirements. It was pointed out that \$30,000 of the \$122,700 requested by the City had already been expended for this project without prior authorization from the Commission.

Mr. Einar Petersen, Deputy City Attorney, City of Long Beach, explained that before the City could proceed with the project, they had to have a feasibility study which amounted to \$30,000. Normally, Chapter 138 would not require the City to come before the Commission with this type of notification. That chapter refers to capital improvements in excess of \$50,000. However, the City and State have an understanding that the City advises the State when they intend to employ consultants. This project, though, was inadvertently not considered to be an expenditure of tideland oil funds and notice was not given. This error was finally recognized, but before timely notice could be given and after the money had been expended. Mr. Petersen pointed out, though, that it was agreed by both the City and the State that the expenditures were permissible and were an appropriate tideland trust expenditure; the dispute was merely over the notice.

Mr. Stevens advised he was satisfied with Mr. Petersen's explanation, but noted previous advice given to the City by the State in 1976 which stated that the cost of preliminary studies would be part of the cost of the project itself, but planning expenditures would be treated separately.

Acting Chairman Roy Bell stated if the staff did not feel the Commission would be violating any of its past actions, he would be in favor of approving the full \$122,700 requested by the City instead of the \$90,700 recommended by the staff. Commission-Alternate David Ackerman agreed but pointed out even though both parties are in agreement with this project, it is important to note in future transactions, in case agreement cannot be reached, that the City ensure that prior Commission approval is acquired before expenditures are made to avoid the possibility of the City not being reimbursed for its expenses.

Upon motion duly made and carried, the following resolution, as amended, was approved by a vote of 2-0:

THE COMMISSION DETERMINES THAT THE EXPENDITURE OF \$122,700 BY THE CITY OF LONG BEACH FROM ITS SHARE OF TIDELAND OIL REVENUES FOR CONSULTANT ENGINEERING SERVICES CONNECTED WITH THE PROPOSED DRY STACK STORAGE FACILITY FOR SMALL BOATS IS IN ACCORD WITH

MINUTE ITEM NO. 26 (CONTD)

CHAPTER 138/64, 1ST E.S., SECTION 6(f); SAID DETERMINATION TO BE SUBJECT TO THE CONDITION THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO BACKGROUND MATERIAL SUBMITTED WITH THE CITY'S LETTER OF NOTIFICATION DATED JANUARY 24, 1980, AND THE CONDITION THAT THE CITY SHALL FILE A STATEMENT OF EXPENDITURES WITH THE COMMISSION WITHIN 180 DAYS AFTER THE COMPLETION OF THE WORK.

Attachment:
Calendar Item 26

CALENDAR PAGE _____

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CALENDAR ITEM

26.

2/80
W 10353
Thompson

PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE
FOR A CAPITAL IMPROVEMENT PROJECT BY THE CITY OF LONG BEACH
DRY STACK STORAGE FACILITY FOR SMALL BOATS

CAPITAL IMPROVEMENT PROJECT:

Dry Stack Storage Facility for Small Boats

PURPOSE OF PROJECT:

To provide a facility to house approximately
300-350 power boats.

PROPOSED EXPENDITURE:

- a. City Estimate: \$122,700
- b. Staff Review: Reasonable

PURPOSE EXPENDITURE:

For consultant engineering services to
conduct an operational and economic study,
preliminary design, and plans and specifi-
cations for a dry stack storage facility
for small boats in the vicinity of the
Catalina Landing Terminal of Long Beach,
California.

FISCAL IMPACT:

Costs for the consultant engineering services
will be borne by the City of Long Beach
from its share of tideland oil revenues.

STATUTORY AUTHORIZATION:

- a. City's Reference: Section 6(f) of
Chapter 138/'64,
1st E.S.
- b. Staff Review: Agreement.

COMPLIANCE WITH CEQA 1970, AS AMENDED:

The City of Long Beach has prepared an
environmental impact report, E-6-78 Downtown
Shoreline Development. The dry boat storage
facility for small boats is included in
the shoreline development plan and is addressed
in the environmental impact report.

A 52, 57, 58

S 27, 31

OTHER PERTINENT INFORMATION:

The proposed dry stack storage facility for small boats is part of the City's Downtown Shoreline Development being implemented in compliance with the California Coastal Act.

The facility will include a building to house approximately 300-350 small boats, a gangway and handling dock to accommodate 34 boats, equipment to launch, retrieve and stack boats, parking for approximately 150 vehicles and landscaping. A preliminary estimate of the construction cost is \$2,095,775.

The City intends to solicit a developer and operator for the facility. The developer will be required to purchase the plans and specifications, which will be prepared by the City's consulting engineer, as part of the consideration for leasing the site upon which the facility is to be located.

The City advises that the consultant has completed the operational and economic study, for which the City has paid the sum of \$30,000. This leaves the sum of \$92,700 for consultant's services for the final design and construction phase of the project.

The item now before the Commission is to determine whether the expenditure of \$92,700 of the City's share of tideland oil revenues for consultant engineering services on the Dry Stack Storage Facility for Small Boats, a capital improvement project described in the City's letter of intent dated January 24, 1980, is authorized by Chapter 138/'64 1st E.S., Sections 6(a) through 6(f). The Commission may either (1) take no action, (2) determine that the proposed project is authorized by one or more of sub-sections 6(a) through (f) or, (3) determine that the project is not authorized by any of the sub-sections 6(a) through (f). The

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staff recommends action (2) because the rendition of services reasonably necessary for the construction of small boat harbors and related facilities on Long Beach Tidelands is authorized by Section 6(f). Either action (1) or (2) would allow the City to disburse funds from its share of tideland oil revenues on the project.

EXHIBITS: A. Vicinity Map
 B. Site Plan

IT IS RECOMMENDED THAT THE COMMISSION:

DETERMINE THAT THE EXPENDITURE OF \$92,700 BY THE CITY OF LONG BEACH FROM ITS SHARE OF TIDELAND OIL REVENUES FOR CONSULTANT ENGINEERING SERVICES CONNECTED WITH THE PROPOSED DRY STACK STORAGE FACILITY FOR SMALL BOATS IS IN ACCORD WITH CHAPTER 138/'64, 1ST E. SECTION 6(f); SAID DETERMINATION TO BE SUBJECT TO THE CONDITION THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO BACKGROUND MATERIAL SUBMITTED WITH THE CITY'S LETTER OF NOTIFICATION DATED JANUARY 24, 1980, AND THE CONDITION THAT THE CITY SHALL FILE A STATEMENT OF EXPENDITURES WITH THE COMMISSION WITHIN 180 DAYS AFTER THE COMPLETION OF THE WORK.

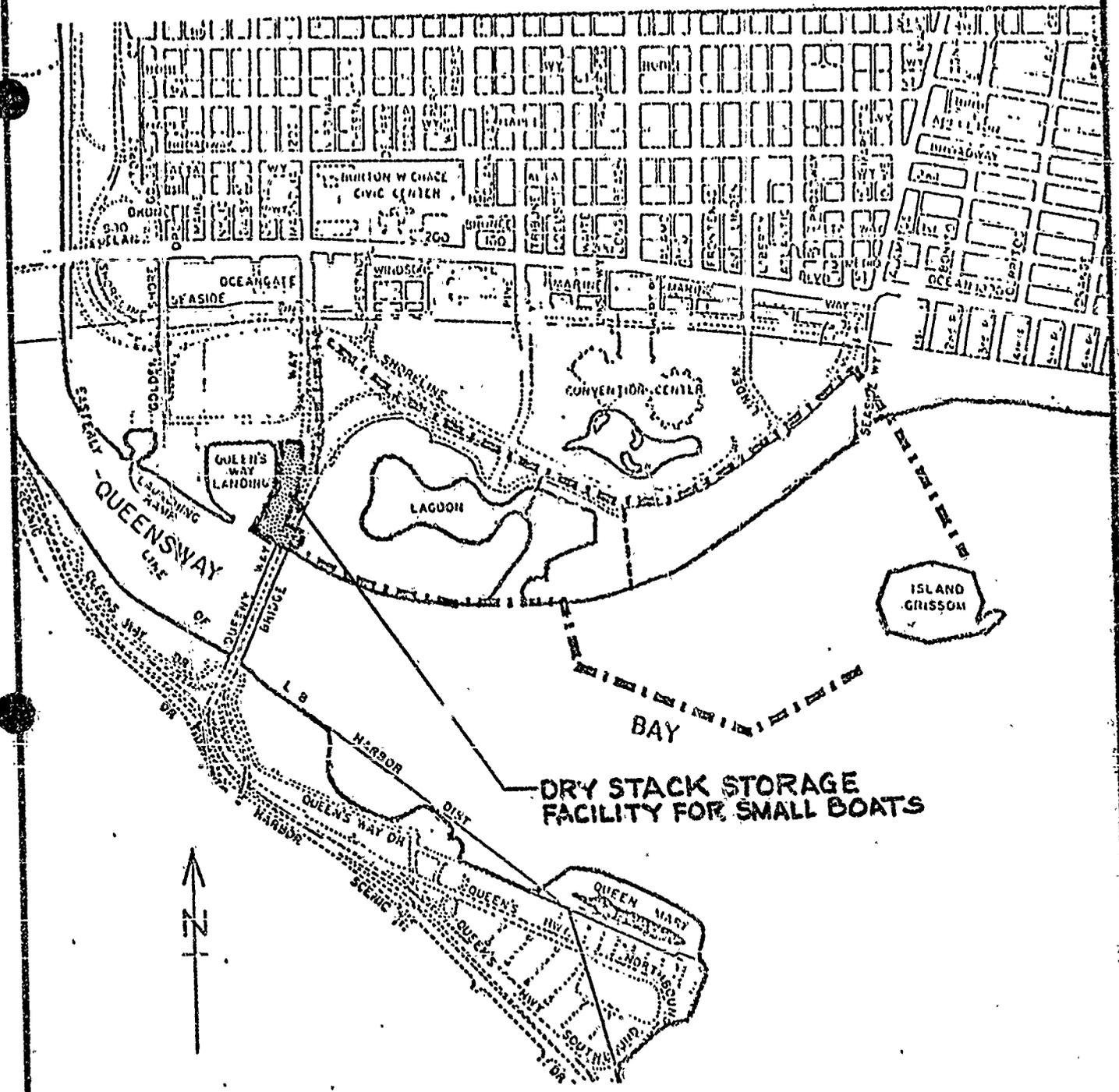


EXHIBIT "A"
 W10353
 VICINITY MAP
 Project and Estimates Submitted
 by the City of Long Beach

DRY STACK STORAGE FACILITY
 FOR SMALL BOATS

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