

MINUTE ITEM

This Calendar Item No. 30
was approved as Minute Item
No. 30 by the State Lands
Commission by a vote of 3
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

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11/05/91
W 24167 PRC 7600
Reese
Pelkofer

AUTHORIZATION TO ENTER INTERAGENCY AGREEMENT

PARTIES:

California Department of Corrections (CDC)
Attn: George Sifuentes
630 "K" Street
Sacramento, California 95815

California State Lands Commission (SLC)
1807 - 13th Street
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:

The site consists of approximately 20 acres at Washington Boulevard and Santa Fe Avenue west of the Los Angeles River in the City of Los Angeles. Chapter 165/87 authorized the acquisition of a site in Los Angeles for the construction of a prison and required the site, once acquired, to be transferred to the jurisdiction of the State Lands Commission for management until the Department of Corrections completed the CEQA process.

LAND USE:

The site at present has various warehouse buildings located on it and some light manufacturing is done on the premises. Revenue derived from rental of the premises is used to support management costs, particularly security for the site.

TERMS OF THE AGREEMENT:

The Interagency Agreement will provide for removal of the tenants, the demolition of the remaining buildings on the site, and the removal of soil from the site which is contaminated as the result of its long use as a railroad loading spur. SLC, which has responsibility for maintenance and security of the site, will monitor and approve the

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contemplated tasks, but the bidding and contracting for the work will be done and paid for by CDC.

CDC will reimburse the SLC for its costs. The agreement would be effective for 18 months and would not exceed \$180,000. Transfer of the site to CDC is contemplated within the next year. Transfer will terminate the agreement.

AB 884:
N/A

OTHER PERTINENT INFORMATION:

1. The State Land Commission acquired management authority over the LA Prison Site by the provisions of Chapter 165/87 which required the acquisition of the property and its "immediate transfer to the control and jurisdiction of the State Lands Commission until the Department of Corrections has completed an environmental impact report as required by this act". The final EIR was challenged by opponents of the prison site and appeals are pending.
2. The statute transferring the site to SLC also provided "pending the transfer from the Commission" [to CDC] the Commission "may fix and may maintain, improve and care for the property" or "may remove or demolish buildings or other structures or the property". It is under this specific authority that the Commission would oversee the contract under which the buildings onsite would be demolished and the soil remediation work performed.
3. An Environmental Impact Report, SCH #88011301, was prepared and adopted for this project by the California Department of Corrections. The State Lands Commission's staff has reviewed such document.

EXHIBIT:

A. Agreement

IT IS RECOMMENDED THAT THE COMMISSION;

1. FIND THAT AN ENVIRONMENTAL IMPACT REPORT WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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2. ADOPT, PURSUANT TO SECTIONS 15096 (H), AND 15091 OF THE CEQA GUIDELINES, THE CEQA FINDINGS MADE BY THE DEPARTMENT OF CORRECTIONS AS CONTAINED IN THE NOTICE OF DETERMINATION, DATED DECEMBER 11, 1990.
3. ADOPT, PURSUANT TO SECTION 21081.6 OF THE PUBLIC RESOURCES CODE, THE MITIGATION MONITORING PROGRAM ADOPTED BY THE DEPARTMENT OF CORRECTIONS AS CONTAINED IN THE TECHNICAL SPECIFICATIONS BID PACKAGE, PARTS IA AND IB, DEVELOPED BY KENNEDY/JENKS/CHILTON AND DATED 27 AUGUST 1990.
4. AUTHORIZE THE EXECUTION OF THE INTERAGENCY AGREEMENT BETWEEN THE COMMISSION AND THE DEPARTMENT OF CORRECTIONS FOR BUILDING DEMOLITION AND SOIL REMEDIATION AT THE LOS ANGELES RECEPTION CENTER SITE.

INTERAGENCY AGREEMENT

STD. 13 (REV. 9-89)

NUMBER
C90.4004

THIS AGREEMENT is entered into this 1st day of August, 1991
by and between the undersigned State Agencies:

Set forth services, materials, or equipment to be furnished, or work to be performed, and by whom, time for performance including the terms, date of commencement and date of completion, and provision for payment per (1225 and 8752-8752.1 SAM.)

Distribution:

- Agency providing services
- Agency receiving services
- Department of General Services (unless exempt from DGS approval)
- Controller

The California State Lands Commission, hereafter called SLC, and the California Department of Corrections, hereafter called CDC, enter into this agreement to provide site demolition and soil remediation for the California Reception Center, Los Angeles County.

Whereas, SLC has control and jurisdiction of the real property acquired by the State for the Reception Center pursuant to Chapter 165 Statutes of 1987 and by the provisions of Section 3 (b) of that enactment, has authority to "remove or demolish buildings or other structures on the property when in its judgement it is desirable to do so," and "may fix, maintain, improve, and care for the property."

Whereas, CDC has prepared an Environmental Impact Report certified by the statutory certification panel on December 7, 1989, and a Supplemental Environmental Impact Report certified on December 7, 1990.

Whereas, SLC desires to remove or demolish certain buildings, to remove waste materials from the soil and to maintain a clean and secure site until the site can be transferred in compliance with Chapter 165/87.

And, whereas, CDC agrees and will make available funds for this purpose.

(continued)

(Continued on _____ sheets which are hereby attached and made a part hereof)

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|---|---|
| NAME OF STATE AGENCY RECEIVING SERVICES Department of Corrections <small>CALLED ABOVE (SHORT NAME)</small> | NAME OF STATE AGENCY PROVIDING SERVICES California State Lands Commission <small>CALLED ABOVE (SHORT NAME)</small> |
| AUTHORIZED SIGNATURE | AUTHORIZED SIGNATURE |
| PRINTED NAME AND TITLE OF PERSON SIGNING FRANK E. RENWICK Chief, Contract Services Section | PRINTED NAME AND TITLE OF PERSON SIGNING |
| FUND NUMBER AND NAME | FUND NUMBER AND NAME |

| | | | |
|---|---|-----------------------------------|--|
| AMOUNT ENCUMBERED BY THIS DOCUMENT \$ | PROGRAM/CATEGORY (CODE AND TITLE) (OPTIONAL USE) | FUND TITLE | Department of General Services Use Only |
| PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ | ITEM | CHAPTER STATUTE FISCAL YEAR | |
| TOTAL AMOUNT ENCUMBERED TO DATE \$ | OBJECT OF EXPENDITURE (CODE AND TITLE) | | |
| I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above. | | | |
| SIGNATURE OF ACCOUNTING OFFICER X | F.B.A. NO. | B.R. NO. | DATE |

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Now, therefore, SLC and CDC enter into this agreement, effective upon signature of both parties and approval of any required state agencies, through the transfer of the property in compliance with Chapter 165/87, or no longer than 18 months from the effective date, unless extended, modified or terminated by the agreement of both parties.

I. SLC agrees:

- A. To make arrangements for tenants to vacate property.
- B. To provide security to the site until the transfer of the property to CDC. If during the performance of the demolition and/or soil remediation work, the contractor provides site security, SLC will discontinue such security and will reassume the responsibility upon the completion of the work if the property has not been transferred to CDC.
- C. To transfer the property in accordance with Section 3 (b) of Chapter 165/87 upon final resolution of the suit challenging the Environmental Impact Report.
- D. To submit invoices, in triplicate, not more frequently than monthly, to the Department of Corrections, Planning and Construction Division, Contract Management Unit, P.O. Box 942883, Sacramento, CA 94283-0001.

II. CDC agrees:

- A. To reimburse SLC for all services computed in accordance with Sections 8752 and 8752.1 of the State Administrative Manual.
- B. To submit to SLC for review and approval, prior to commencement of work or letting of the contract, all plans, including changes and amendments, and contracts for the demolition and soil remediation work.
- C. To advertise all construction bids, award contracts, and provide Notices to Proceed during the site demolition and remediation work.
- D. To provide various administrative services, which includes but is not limited to, payment of invoices, processing, change order, provide project management, construction management, and inspection services.
- E. To comply with all applicable laws and with the mitigation measures as identified in the December 11, 1990 Notice of Determination for the California Reception Center, Los Angeles.

- F. To reimburse, from funds apart from this agreement, the Department of General Services, Office of Real Estate and Design Services for relocation expenses incurred through the Relocation Assistance Program.

III. Both parties agree:

- A. That this agreement shall be funded from Chapter 532/86, Item 840-746, Section 10 (f) (1986 Prison Construction Fund), and shall not exceed One Hundred Eighty Thousand Dollars (\$180,000.00).
- B. That no site work will commence unless these or other funds are certified as available, and if the designated funds are depleted or become unavailable subsequent to commencement of the work and prior to the transfer of the property, both parties will diligently seek funding to satisfy the terms of this agreement.
- C. That nothing herein shall preclude advance payment to SLC pursuant to Government Code Sections 11256-11263.
- D. That this agreement shall be subject to audit by the State Auditor General for a period of three years after final payment in accordance with California Government Code 10532.
- E. That the project coordinators for this agreement are: George A. Sifuentes for CDC, (916) 323-2254, and Don Reese for SLC, (916) 322-7808. Either party may change its coordinator, without an amendment, upon written notice to the other party.