

MINUTE ITEM

24. (CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,057.)

After presentation of Calendar Item 25 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONDITIONALLY APPROVES THE COSTS EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK UNDER PROJECTS AS INDICATED ON EXHIBIT "A" ATTACHED, AND HEREBY MADE A PART HEREOF, FOR THE PERIOD FROM APRIL 1, 1956 TO JULY 5, 1956; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON A FINAL ENGINEERING REVIEW AND AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL AS SUBMITTED TO THE COMMISSION; THAT SPECIFICALLY FOR THE TOWN LOT PROJECT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID PROPERTY ACQUISITIONS AND SAID WORK AND THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE MINERAL RESOURCES ENGINEER IS AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 25 (4 pages)

CALENDAR ITEM

MISCELLANEOUS

25.

(CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,057.)

By Supplementary Decree and Order (Subsidence Costs) No. 649466 of the Superior Court of the State of California dated June 6, 1957, it was ordered, adjudged and decreed that the State Lands Commission may lawfully approve subsidence expenditures disbursed by the City of Long Beach from April 1, 1956 through July 5, 1956 so as to qualify the same as "subsidence costs" within the meaning of Section 1(f) of Chapter 29, Statutes of 1956, 1st E.S.

Accordingly, on February 3, 1958 the Port of Long Beach requested approval of costs, including subsidence costs, of work done in the period from April 1, 1956 to July 5, 1956 within the Long Beach Harbor District.

The projects have received initial staff review, and are considered to include some "subsidence costs" as defined in Section 1(f) of Chapter 29, Statutes of 1956, 1st E.S., but not necessarily all of those costs as estimated by the Port of Long Beach.

After initial review by the staff, disagreement exists with the Long Beach Harbor Department on the degree of subsidence costs contained in the work in the Town Lot Project. Pending receipt and review by the staff of additional background material on the Town Lot Project, procedures have been followed by the State Lands Commission on monthly approvals subsequent to July 1957, whereby no estimate is presently made of the amount of subsidence deduction, and no deductions can be made by the City of Long Beach until Commission approval has been had. Such procedure is contained in the following recommendation.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE COSTS EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK UNDER PROJECTS AS INDICATED ON EXHIBIT "A" ATTACHED, AND HEREBY MADE A PART HEREOF, FOR THE PERIOD FROM APRIL 1, 1956 TO JULY 5, 1956; SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON A FINAL ENGINEERING REVIEW AND AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED; THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL AS SUBMITTED TO THE COMMISSION; THAT SPECIFICALLY FOR THE TOWN LOT PROJECT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID PROPERTY ACQUISITIONS AND SAID WORK AND THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE EXECUTIVE OFFICER, THE ASSISTANT EXECUTIVE OFFICER, OR THE MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment
Exhibit "A"

EXHIBIT "A"

LONG BEACH WORK ORDER NO. 10,057 - PROJECT & ESTIMATES SUBMITTED BY THE PORT OF LONG BEACH, LONG BEACH HARBOR DISTRICT SUBSIDENCE EXPENDITURES FROM APRIL 1, 1956 TO JULY 5, 1956.

<u>AFE</u>	<u>WORK DESCRIPTION</u>	<u>TOTAL PROJECT EXPENDITURES APRIL 1, 1956 TO JULY 5, 1956</u>	<u>LBHD ESTIMATED SUBSIDENCE COSTS</u>
<u>PIER A</u>			
37	Berths 1-2, Transit Shed Reconstruction	\$ 890.15	\$ 890.15 (100%)
39	Berths 3-4, Transit Shed Raising	2,289.07	2,289.07 (100%)
45	Berth 6, Back Area Cotton Shed	124.00	2.48 (2%)
50	Berth 10, Back Area Cotton Shed	141,446.42	1,414.46 (1%)
51	Berth 11, Wharf Rehabilitation	55,132.77	55,132.77 (100%)
206	Harbor Scenic Drive	32,181.42	13,516.19 (42%)
207	Anabas, Windham & Tank Streets	524.73	41.98 (8%)
208	Windham Avenue	45.21	21.70 (48%)
264	Panorama Drive	6,104.10	2,563.72 (42%)
	TOTALS	\$238,737.87	\$ 75,872.52
<u>PIER B</u>			
30	Berths 12-13, Wharf	\$227,693.67	\$179,877.99 (79%)
33	Berths 12-19, Pier Reconstruction	1,991.38	1,991.38 (100%)
	TOTALS	\$229,685.05	\$181,869.37
<u>PIER C</u>			
2	Pier C Development	\$150,771.54	\$ 57,293.18 (38%)
7	Berth 27, Wharf	45,344.94	45,344.94 (100%)
10	Berths 20-22, Wharf	1,687.75	573.83 (34%)
13	Berths 20-21, Transit Shed	282,328.32	19,762.98 (7%)
14	Berth 22, Fire & Survey Boat Landing	3,052.30	91.57 (3%)
	TOTALS	\$483,184.85	\$123,066.50
<u>PIER D</u>			
21	Berth 34, Transit Shed	\$ 39.16	\$ 24.28 (62%)
23	Pier D, Reconstruction	12,554.44	10,922.36 (87%)
	TOTALS	\$ 12,593.60	\$ 10,946.64

EXHIBIT "A" (CONTD)BACK AREAS A TO D

6	Pier D, Back Area Railroad Approaches	\$ 248,691.41	\$ 223,822.27 (90%)
8	Berth 27, Back Area Reconstruction	3,530.54	3,318.52 (94%)
9	Pier C, Back Area Raising	11,419.17	11,419.17 (100%)
24	Pier D, Back Area Reconstruction	19,070.27	11,442.16 (60%)
35	Pier B, Back Area Railroad Approaches	137.44	137.44 (100%)
36	Pier B, Back Area Reconstruction	48,615.98	47,643.66 (98%)
44	Berth 11, Back Area Reconstruction	183.65	183.65 (100%)
252	Pier D, Back Area Gear Shed	4,811.81	4,811.81 (100%)
255	Administration Area Access & Parking	19,341.60	19,341.60 (100%)
	TOTALS	\$ 355,801.67	\$ 322,120.28

PIER E

223	Berths 118-127, Additional Fill	\$ 89,756.84	\$ 89,756.84 (100%)
226	Berths 118-127, Dredging, Fill, Raising	19,568.37	5,870.51 (30%)
227	Berths 122-124, Concrete Cap	199,906.87	29,986.03 (15%)
253	Berths 118-120, Bulkhead & Wharf	108.59	36.92 (34%)
	TOTALS	\$ 309,340.67	\$ 125,650.30

PIER 1

116	Pier 1, Approaches	\$ 89,334.53	\$ 89,334.53 (100%)
118	Pier 1, Transit Shed	167,143.80	140,400.79 (84%)
	TOTALS	\$ 256,478.33	\$ 229,735.32

TOWN LOT AREA

162	Condemnation Area No. 4	\$ 323,242.91	*	*
163	Condemnation Area No. 7	4,289.76	*	*
219	Eldorado Pump Station Rehabilitation	1,805.02	*	*
254	Entrance Channel Fire Station No. 2	6,053.00	*	*
	TOTAL	\$ 335,390.69		

EXHIBIT "A" (CONTD.)ROADS AND STREETS

70	Pontoon Bridge Relocation	\$ 17,191.28	\$ 4,469.73 (26%)
200	L.B. Freeway & Pico Ave., Service Road	<u>3,638.43</u>	<u>982.38</u> (27%)
	TOTALS	\$ 20,829.71	\$ 5,452.11

MISCELLANEOUS

155	Spreckels, General Fill	\$ 13,271.23	\$ 13,271.23 (100%)
202	Eighth Street Improvement	191.74	19.17 (10%)
241	7th Street Storm Drain Pump Station	2,013.13	2,013.13 (100%)

Work Orders

24	Pier A, Various work	5,243.92	5,243.92 (100%)
55	Upland Subsidence, Termo Lease	997.27	997.27 (100%)
61004	Entrance Channel Tide Gauge	<u>203.93</u>	<u>203.93</u> (100%)
	TOTALS	\$ 21,921.22	\$ 21,748.65

	Subsidence Studies	\$ 10,127.56	\$ 10,127.56 (100%)
	Subsidence Maintenance	<u>25,610.19</u>	<u>25,610.19</u> (100%)
	TOTALS	\$ 35,737.75	\$ 35,737.75

GRAND TOTAL \$2,299,701.41 \$1,132,199.44

* Subject to later determination by the State Lands Commission