

MINUTE ITEM

47. PROPOSAL OF THE CITY OF LONG BEACH TO EXPEND TIDELAND OIL REVENUES FOR THE CONSTRUCTION OF A SEA SCOUT BASE - L.B.W.O. 10,210.

Following presentation of Calendar Item 45 attached, Commissioner Champion noted that there had been some discussions with the City Attorney about minor matters in the lease, but that agreement had been achieved and, subject to that agreement, consideration of the item could proceed.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION DETERMINED THAT THE PROPOSED EXPENDITURE BY THE CITY OF LONG BEACH, DATED OCTOBER 21, 1964, OF APPROXIMATELY \$229,845.00, AS SHOWN ON ATTACHED EXHIBIT "A", FROM ITS SHARE OF TIDELAND OIL REVENUES FOR CONSTRUCTION OF A SEA SCOUT BASE AT THE LONG BEACH MARINA IS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 138, STATUTES OF 1964, 1ST E.S.; SAID DETERMINATION TO BE SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED, WITH THE UNDERSTANDING THAT THE LANGUAGE TO BE USED IN THE READJUSTMENT OF THE TERMS OF THE LEASE WILL BE WORKED OUT WITH THE EXECUTIVE OFFICER.

Attachment

Calendar Item 45 (3 pages)

SUPPLEMENTAL CALENDAR ITEM

45.

PROPOSAL OF THE CITY OF LONG BEACH TO EXPEND TIDELAND OIL REVENUES FOR THE CONSTRUCTION OF A SEA SCOUT BASE - L.B.W.O. 10,210.

The Staff recommended to the Commission at its meeting of August 29, 1963, that, pursuant to the authority of Chapter 29, Statutes of 1956, 1st E.S., the Commission approve in principle the application of the City of Long Beach to expend, subsequent to August 29, 1963, not more than \$164,000 from the City's share of tideland oil revenues for the construction of a Sea Scout Base at the Long Beach Marina, subject to the following conditions: (1) that, prior to beginning of construction, a lease between the City and the Sea Scouts for the operation of the building be submitted to the Commission for approval, said lease to qualify and to restrict the operation of the building for trust uses and purposes; (2) that the work conform in essential details to the plans and background material heretofore submitted to the Commission; and (3) that the Executive Officer, the Assistant Executive Officer, or the Supervising Mineral Resources Engineer be authorized to execute appropriate written instruments reflecting the Commission's conditional approval. However, the Commission deferred action on this item to allow time to study the principles involved.

On October 23, 1964, the City of Long Beach, through the office of the City Attorney, filed a Letter of Intent to expend a portion of its share of tideland oil revenues, pursuant to the authority of Chapter 138/64, 1st E.S., for construction of a Sea Scout Base, in the estimated amount of \$229,845.00. Preliminary drawings B-232a, estimates, and a copy of the proposed lease with the Sea Scouts were also transmitted by the City Attorney on October 23, 1964. Refer to Exhibits "A", "B", "C", and "D" for an estimate and description of the work and to Exhibit "E" for a copy of the lease. The City Attorney states that the only difference between the present and earlier applications is the higher cost estimate brought about by general construction cost increases. As required by Chapter 138/64, 1st E.S., the City, in its letter of October 23, 1964, specified Section 6(c) as the particular subdivision which the City deems applicable to an authorization of the work. Section 6(c) of Chapter 138, Statutes of 1964, 1st E.S., is repeated hereinafter for the information and convenience of the Commission. Buildings, structures, recreational facilities and "other improvements" are specifically authorized in the language.

"Sec. 6. The Legislature hereby finds that the remaining oil revenue hereinabove allocated to the City of Long Beach is needed and can be economically utilized by said city for the fulfillment of the trust uses and purposes described in said acts of 1911, 1925 and 1935 and described as follows in this act, which are hereby found to be matters of state, as distinguished from local, interest and benefit.

"(c) The construction, reconstruction, repair, operation and maintenance of the bulkheads, piers, earthfills, streets, roadways, bridges, bridge approaches, buildings, structures, recreational facilities, landscaping, parking lots, and other improvements on or adjacent to the Long Beach tidelands or on or adjacent to the Alamitos Beach Park Lands for the benefit and use of said tidelands or the Alamitos Beach Park Lands."

SUPPLEMENTAL CALENDAR ITEM 45. (CONTD.)

After review of the form of lease recently transmitted by the City and proposed to be used in connection with construction, operation and maintenance of the Sea Scout Base, the Attorney General has advised the staff that the lease meets the requirements set forth in a prior opinion in that the Sea Scouts are not given exclusive use of the premises, nonmembers may participate in the program to be conducted at the building when it is completed, and the Sea Scouts may not discriminate upon the basis of race, color, or creed in conducting their program. In view of the fact that the lease, as transmitted, has been executed by the Sea Scouts but not by the City, it is considered desirable that any Commission approval be contingent upon delivery to the Commission of a certified copy of the identical lease when it has been executed by all parties. Since changes to the lease may be made by the Sea Scouts with approval of the City Manager, said changes or amendments should be submitted to the Commission for review to insure continued compliance with trust uses and restrictions.

IT IS RECOMMENDED THAT THE COMMISSION DETERMINE THAT THE PROPOSED EXPENDITURE BY THE CITY OF LONG BEACH, DATED OCTOBER 21, 1964, OF APPROXIMATELY \$229,845.00, AS SHOWN ON ATTACHED EXHIBIT "A", FROM ITS SHARE OF TIDELAND OIL REVENUES FOR CONSTRUCTION OF A SEA SCOUT BASE AT THE LONG BEACH MARINA IS IN ACCORDANCE AND CONFORMANCE WITH THE PROVISIONS OF CHAPTER 138, STATUTES OF 1964, 1ST E.S.; SAID DETERMINATION TO BE SUBJECT TO THE CONDITIONS, HOWEVER, THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED, THAT A CERTIFIED COPY OF THE LEASE FULLY EXECUTED BE DELIVERED TO THE COMMISSION FOR COMPARISON TO INSURE THAT IT IS IDENTICAL WITH THE LEASE NOW SUBMITTED BY THE CITY, AND THAT ANY FUTURE PROPOSED CHANGES BE SUBMITTED TO THE COMMISSION FOR ITS APPROVAL

Attachments

Exhibit "A:

LBWO 10,210

EXHIBIT "A"

SEA SCOUT HEADQUARTERS BUILDING
AT LONG BEACH MARINA

Preliminary Estimate

<u>Quantity</u>	<u>Unit</u>	<u>Item</u>	<u>Unit Cost</u>	<u>Amount</u>
9,600	Sq. Ft.	Building Construction	\$20.00	\$192,000.00
1	Lump Sum	Site Improvement, including contingencies		<u>\$ 7,000.00</u>
		Subtotal		\$199,000.00
		Architectural and Engineering Fees (10%)		<u>\$ 19,900.00</u>
		Subtotal		\$218,900.00
		5% Escalation		<u>10,945.00</u>
		GRAND TOTAL		<u>\$229,845.00</u>