

13. AMENDMENT TO APPROVAL OF EXPENDITURES OF TIDELAND FUNDS BY THE CITY OF LOS ANGELES (TRUST GRANTEE) PURSUANT TO CHAPTER 1046, STATUTES OF 1970; LOS ANGELES COUNTY - G05-04(A).

The Executive Officer announced the following changes in the recommendation on page 3 of Calendar Item No. 11:

Paragraph 1, line 1, after the word "construction" strike the words "and landscaping".

Paragraph 2, line 1, strike "\$207,000" and insert "\$100,000", and line 2, after the word "construction" strike the words "and landscaping".

The following individuals appeared before the Commission to present testimony in connection with the proposed bikeway:

In Favor:

Mr. William Campbell
Mr. Marvin Braude
Mr. Seymour Greben
Mrs. Alfred DuFay
Mr. Alfred DuFay
Mr. John Nyhan

In Opposition:

Ms. Catherine Sullivan
Mr. O. J. Freed
Mr. Anthony Greenberg
Mr. Ellis Gelman

The following documents were introduced for the record:

In Favor:

Letter dated July 23, 1973, from Leo Markman, a resident of Marina del Rey, California.
Letter dated July 23, 1973, from Michael J. Semmelmann, a resident of Venice, California.
Letter dated July 24, 1973, from Myrna Alrich, a resident of Venice, California.
Letter dated July 25, 1973, from Gertrude Simon, a resident of Venice, California.
Letter dated July 23, 1973, from Mitchell L. Moss, Instructor, School of Public Administration, University of Southern California.

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Letter dated July 20, 1973, from P. John Nyhan of Los Angeles, California.

Letter dated July 25, 1973, from Sierra Club--Angeles Chapter, Los Angeles, California.

Photographs, 8" x 10", color and black and white.

In Opposition:

Petition bearing approximately 1,500 signatures.

Photographs, 6" x 8½", black and white.

Lengthy testimony was presented by proponents and opponents of the proposed bikeway.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT THE CONSTRUCTION OF A BIKEWAY-WALKWAY EXTENDING FROM WASHINGTON STREET SOUTHERLY TO THE MARINA CHANNEL ARE CONSISTENT WITH THE TIDELAND TRUST, ARE IN THE STATEWIDE INTEREST, AND ARE CONSISTENT WITH THE PROVISIONS OF CHAPTER 51, STATUTES OF 1929, AS AMENDED BY CHAPTER 1046, STATUTES OF 1970.
2. APPROVES THE EXPENDITURE BY THE CITY OF LOS ANGELES OF APPROXIMATELY \$100,000 IN TIDELAND TRUST FUNDS OF THE CITY, FOR CONSTRUCTION OF THE BIKEWAY-WALKWAY IN LIEU OF DEVELOPMENT AND ESTABLISHMENT OF A TRAM SYSTEM.

Attachment:

Calendar Item 11 (3 pages)

CALENDAR ITEM

11.

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G05-04(A)

AMENDMENT TO APPROVAL OF EXPENDITURES OF TIDELAND FUNDS
BY THE CITY OF LOS ANGELES PURSUANT TO
CHAPTER 1046, STATUTES OF 1970

GRANTEE: City of Los Angeles.

BACKGROUND: Section 5 of Chapter 1046, Statutes of 1970, provides in part, as follows:

"Sec. 5. As to the accumulation and expenditure of revenues for any single capital improvement on the granted lands involving an amount in excess of two hundred fifty thousand dollars (\$250,000) in the aggregate, the city shall file with the State Lands Commission a detailed description of such capital improvement not less than 90 days prior to the time of any disbursement therefor or in connection therewith, excepting preliminary planning. The State Lands Commission may, within 90 days after the time of such filing, determine and notify the city that such capital improvement is not in the statewide interest and benefit or is not authorized by the provisions of Section 3 of this act"

On May 27, 1971, the Commission approved expenditure of approximately \$2.8 million in tideland funds by the City of Los Angeles for the purposes of the capital beach improvement program (\$2,576,400) and for development and establishment of a tramway system to service Venice Beach (\$250,000). The Commission found that these expenditures were consistent with the trusts of commerce, navigation and fisheries; were in the statewide interest and benefit; and were consistent with the provisions of the legislative grant to the city.

On March 30, 1972, the Commission approved a request from the Grantee for construction and landscaping of a bikeway in lieu of development and establishment of the previously approved tramway system. At the same time, the Commission found that the proposed bikeway was consistent with the tideland trust and with the provisions of Chapter 651, Statutes of 1929, as amended by Chapter 1046, Statutes of 1970. Since that time the bikeway was constructed and landscaped on the beach between the south boundary of the City of Santa Monica and Washington Street in the Venice area of the City of Los Angeles.

CALENDAR ITEM NO. 11. (CONTD)

PRESENT SITUATION:

After considering many different alternative locations both landward and seaward, on May 29, 1973, the City of Los Angeles adopted a resolution, recommending in part, that a bikeway-walkway (bikeway 14 feet wide, walkway 8 feet wide, with a 4-foot wide divider strip) be constructed approximately 30 to 50 feet seaward from the eastern boundary of Venice Beach and extending from above-mentioned Washington Street south 1.1 mile to the Marina Channel. Other improvements to be made in conjunction with the bicycle path are sanitary facilities at the south end and athletic game courts at the north end. The project cost is estimated to be \$206,388.

STAFF REVIEW:

The purpose of staff review is to determine whether the proposed project is consistent with the terms of the granting statute. Section 3, Chapter 1046, Statutes of 1970, provides in part, as follows:

"Sec. 3. Notwithstanding any other provision of law to the contrary, the city, acting either alone or jointly with another local or state agency, may use revenues accruing from or out of the use of the granted tide-lands for any or all of the following purposes; provided, that they comply with the terms of the trust and are matters of statewide, as distinguished from local or purely private, interest and benefit:

(e) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, public parks, public playgrounds, public bathhouses and public bathing facilities, public recreation and public fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses."

The proposed bikeway is a public recreation facility which will greatly enhance and broaden the use of public beach lands for all citizens of this state, and appears to be consistent with the statute. At the present time, because of limited access, Venice Beach is the least used in the City of Los Angeles. This bikeway-walkway will alleviate this condition by opening the beach and marina peninsula area to a larger segment of the general public. The project, in effect, will draw people to the area who would otherwise crowd other high use density beaches.

CALENDAR ITEM NO. 11. (CONTD)

An environmental impact study, which has been reviewed by appropriate agencies, is on file in the office of the State Lands Commission. Staff has conducted an on-site investigation on June 19, 1973.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CONSTRUCTION AND LANDSCAPING OF A BIKEWAY-WALKWAY EXTENDING FROM WASHINGTON STREET SOUTHERLY TO THE MARINA CHANNEL ARE CONSISTENT WITH THE TIDELAND TRUST, ARE IN THE STATEWIDE INTEREST, AND ARE CONSISTENT WITH THE PROVISIONS OF CHAPTER 51, STATUTES OF 1929, AS AMENDED BY CHAPTER 1046, STATUTES OF 1970.
2. APPROVE THE EXPENDITURE BY THE CITY OF LOS ANGELES OF APPROXIMATELY \$207,000 IN TIDELAND TRUST FUNDS OF THE CITY, FOR CONSTRUCTION AND LANDSCAPING OF THE BIKEWAY-WALKWAY IN LIEU OF DEVELOPMENT AND ESTABLISHMENT OF A TRAM SYSTEM.