CONSIDERATION OF LEASING POLICY, GRANTED LANDS, CITY OF ALBANY

TRUSTEE: City of Albany
1000 San Pablo Avenue
Albany, California 94706

LOCATION: Tide and submerged lands granted in trust to City of Albany, County of Alameda.

BACKGROUND: Chapter 211, Statutes of 1919, as amended by Chapter 1223, Statutes of 1977, granted the City of Albany certain designated tide and submerged lands, both filled and unfilled, in the County of Alameda, in trust for commerce, navigation and fisheries and for purposes and uses in conformity with the Albany Waterfront Plan. In addition Section 3(a) required the City Council to develop and submit to the State Lands Commission for its approval, procedures, rules and regulations to govern the issuance, making, renewal, or renegotiation of any lease, agreement, or franchise concerning granted tide and submerged lands.

CONSULTATION AND REVIEW: In March, 1979, City officials and the State Lands Commission staff discussed leasing policy and award of concessionaire contracts. The City reviewed examples of policy adopted by a trustee under a similar statute and guidelines furnished by Department of Boating and Waterways. A draft was submitted May 11, 1979, The City Council adopted a leasing policy on June 25, 1979 and formally submitted a copy to the State Lands Commission.

SUMMARY OF PROVISIONS: Ordinance No. 79-05 declares any development plan, lease and/or concession upon lands within the Albany Waterfront Plan shall be in accord with the enabling legislation, and the 1976 Plan as may be modified after appropriate consultation and approval,
the City Charter, Ordinances and General Plan, and California statutory provisions assuring balance between fish and wildlife resources and environment, nature studies, recreational activities, public navigation, fishing and selected development, in the Statewide public interest. It states procedures for inviting bids for leases or proposals, placing them on the City Council agenda, publishing notices and notifying interested parties, opening sealed bids at a public meeting, and awarding contracts according to established criteria. Copies of the ordinance are on file in the principal office of the Commission.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF ALBANY "ADOPTING THE ALBANY WATERFRONT PLAN OF PROCEDURES, RULES AND REGULATIONS FOR ISSUING LEASES, AGREEMENTS OR FRANCHISES ON THE GRANTED LANDS", ON JUNE 25, 1979, CONFORMS WITH THE REQUIREMENTS OF THE GRANTING STATUTE.

2. APPROVE THE ORDINANCE ADOPTED BY THE CITY COUNCIL.