

MINUTE ITEM

This Calendar Item No. C56 was approved as Minute Item No. 56 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM
C56

A) 04/17/06
Statewide C2006-01, C2006-02
S) C2006-03, C2006-04, C2006-05
D. Brown, A. Abeleda

REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO
EXECUTE AGREEMENTS FOR BUDGET FISCAL YEAR 2006-2007

PARTY:

California State Lands Commission
100 Howe Avenue, Suite-100 South
Sacramento, CA 95825-8202

PROPOSED ACTIVITY

The Executive Officer requests authority to execute Agreements for Budget Fiscal Year 2006-2007. The following contracts require renewal:

1. Department of Justice \$100,000 Contract No. C2006-01

Interagency Agreement with the Department of Justice to provide the Commission legal consultative and investigative services to protect the State's interest within Long Beach tidelands under Chapter 29, Statutes of 1956 1st E.S., Chapter 138 Statutes of 1964 1st E.S., and the Alamitos Bay litigation.

2. Teale Data Center \$ 75,000 Contract No. C2006-02

Interagency Agreement with Teale Data Center to provide the Commission telecommunications, Internet access, local area network and system development services, equipment, software and support.

3. Board of Equalization \$407,000 Contract No. C2006-03

Interagency Agreement with the Board of Equalization (BOE) to provide the staff services for the collection of fee specified in the Marine Invasive Species Act, Chapter 491, Statutes of 2003. The Act specifies certain fee collection duties be performed by the BOE. The funding for these activities has been placed in the Commission's budget by the Department of Finance. An

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Interagency Agreement will be required between the agencies for this purpose.

4. Washington D.C. Counsel \$100,000 Contract No. C2006-04

Enter into an Agreement to provide legal representation in Washington D. C. before Congress and the administration concerning federal oil and gas and public land matters. The Commission requires assistance with issues before agencies of the federal government, including the Department of the Interior, Bureau of Land Management, Minerals Management Service and the Department of Energy. The proposed contract services are neither efficient nor effective for the Attorney General to perform. The firm of Lobel, Novins, and Lamont has been selected to perform this service. Agreement shall be for three years subject to the availability of funds

5. County Assessor's Records \$100,000 est. Contract No. C2006-05

Solicit for a Contractor that will provide on-line access through an Internet connection to a real property search database of current county tax assessor's plat maps and ownership records for all 58 counties of California. Agreement shall be for three fiscal years subject each year to the availability of funds.

The Commission has jurisdiction and management over the State's navigable and tidal waterways as well as certain lands granted to the State of California by the federal government under various Act of Congress. Public and private entities may apply to the Commission for leases or permits on State lands for a variety of purposes. Land Management Division routinely conducts title research, boundary determination, appraisals, and leasing as part of the management of lands under its jurisdiction.

All agreements shall be consistent with State policies and procedures as specified in the State Administrative Manual and State Contract Manual. All agreements are subject to sufficient funding provided in the Commission's budget. Multi-year agreements are subject each year to certification of the availability of funds.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Section 6106 (Delegation to execute written instruments)
- B. State Administrative Manual Section 1200

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- C. State Contracting Manual (rev 10/05)
- D. Public Contract Code Section 10335 et seq. (Consulting Services Contracts)
- E. Public Resources Code section 71215 (c) (BOE for Marine Invasive Species Control Fund fee collection)
- F. Public Contract Code section 10335 (b) and 10335.5 (c) (4) (Legal Counsel Services)
- G. Business and Professions Code section 6072 (g) (Legal Counsel Services)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION FIND:

1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. 15060(c)(3) BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.
2. AUTHORIZE THE EXECUTIVE OFFICER OR DESIGNEE TO EXECUTE INTERAGENCY AGREEMENTS IN ACCORDANCE WITH CURRENT STATE POLICIES AND PROCEDURES.
3. AUTHORIZE THE EXECUTIVE OFFICER OR DESIGNEE TO ENTER INTO AN AGREEMENT FOR LEGAL SERVICES WITH THE FIRM OF LOBEL, NOVINS AND LAMONT IN ACCORDANCE WITH CURRENT STATE POLICIES AND PROCEDURES.
4. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT BIDS AND PROPOSALS, AWARD AND EXECUTE CONTRACT WITH THE QUALIFIED BIDDER IN ACCORDANCE WITH COMPETITIVE BIDDING REQUIREMENTS OF THE PUBLIC CONTRACTS CODE AND CURRENT STATE POLICIES AND PROCEDURES.