

MINUTE ITEM

18. (PROPOSED EXPENDITURE OF TIDELAND OIL FUNDS, CITY OF LONG BEACH, CHAPTER 29/1956, 1ST E.S. - W. O. 2323.4.)

Following presentation of Calendar Item 22 attached, Mr. Harold A. Lingle, Deputy City Attorney for Long Beach, appeared and protested the recommendation made by the staff, stating that the only purpose for holding the election in question was to settle tideland oil and gas problems, and that he disagreed with the opinion of the office of the Attorney General.

~~The Chairman commented that the Commission has to be guided in its decisions~~ by the advice given to it by the office of the Attorney General, and upon motion made by Mr. Kirkwood, seconded by Mr. Powers, and unanimously carried, the following resolution was adopted:

THE COMMISSION DETERMINES NOT TO APPROVE THE REQUEST OF THE CITY OF LONG BEACH OF JANUARY 15, 1958, AS TO PROPOSED EXPENDITURES FROM THE CITY'S SHARE OF TIDELAND OIL FUNDS OF SUCH SUMS AS MAY BE NECESSARY TO HOLD A SPECIAL ELECTION ON MARCH 4, 1958.

Attachment

Calendar Item 22 (1 page)

CALENDAR ITEM

MISCELLANEOUS

22.

(PROPOSED EXPENDITURE OF TIDELAND OIL FUNDS, CITY OF LONG BEACH, CHAPTER 29/1956, 1ST E.S. - W. O. 2323.4.)

On January 15, 1958, the City of Long Beach requested that the State Lands Commission approve an expenditure by the City of Long Beach from its tideland oil funds of such sums as may be necessary to hold a special election on March 4, 1958.

The request for approval by the Commission, pursuant to authority in Chapter 29/56, 1st E.S., has been reviewed with the office of the Attorney General, with the conclusion that the particular proposed use of the City of Long Beach share of tideland oil revenues is neither a legitimate cost of oil production nor a permissible use within the meaning of any subdivision of Section 7 of Chapter 29/56, 1st E.S.

Additionally, while the Commission may give prior written approval to expenditures not stated specifically in Chapter 29/56, 1st E.S., pursuant to Section 10 of the STIPULATION AS TO ENTRY OF DECREE in the case of People of the State of California, et al. v. City of Long Beach, Los Angeles County Superior Court Case No. 649466, it also has been concluded by the office of the Attorney General that, because of inability to find any legal justification for the requested approval of the proposed expenditure, the Commission cannot safely approve such requested expenditure.

IT IS RECOMMENDED THAT THE COMMISSION DETERMINE NOT TO APPROVE THE REQUEST OF THE CITY OF LONG BEACH OF JANUARY 15, 1958, AS TO PROPOSED EXPENDITURES FROM THE CITY'S SHARE OF TIDELAND OIL FUNDS OF SUCH SUMS AS MAY BE NECESSARY TO HOLD A SPECIAL ELECTION ON MARCH 4, 1958.