

MINUTE ITEM

24. (CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,056.)

After presentation of Calendar Item 9 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONDITIONALLY APPROVES THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS PROPOSED TO BE EXPENDED THEREUNDER FOR PROPERTY PURCHASE, BUILDING REMOVAL, AREAL FILL, UTILITY WORK, PONTOON BRIDGE EAST APPROACH CONSTRUCTION, OIL FACILITY RELOCATION AND RAISING, AND THE FORCE ACCOUNT ASSOCIATED WITH THESE ITEMS AS SHOWN ON EXHIBIT "A" ATTACHED, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER IS AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 9 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

9.

(CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,056.)

On September 13, 1957 (Minute Item 32, pages 3510-12, L.B. W.O. 10,046); on October 8, 1957 (Minute Item 16, pages 3561-63, L.B. W.O. 10,048); on November 12, 1957 (Minute Item 23, pages 3645-47, L.B. W.O. 10,050); on December 12, 1957 (Minute Item 25, pages 3724-26); and on January 13, 1958 (Minute Item 25, pages 3778-80) the Commission approved the costs proposed to be expended by the City of Long Beach in September 1957, October 1957, November 1957, December 1957, January 1958 and in February 1958 for Property Purchase, Areal Fill, Building Removal, Utility Work, East Approach to the Pontoon Bridge, and Force Account in the Town Lot area project with the provisions that no estimate shall presently be made of the amount of subsidence deduction, and that no deductions be made by the City of Long Beach until Commission approval has been had. The above actions were made on a monthly basis rather than the 1957-58 Fiscal Year basis since the Town Lot project was not processed sufficiently to be proposed in its entirety and had not been reviewed in all its aspects by the staff. Information necessary for the above review had previously been requested from the Long Beach Harbor Department and is being prepared by them.

Since the Town Lot project is not currently processed sufficiently to be proposed in its entirety, the Long Beach Harbor Department has again submitted a request for current expenditures for property acquisition, building removal, earth fill contract costs, utility work, pontoon bridge east approach construction, oil facility relocation and raising, and the force account costs associated with these items.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS PROPOSED TO BE EXPENDED THEREUNDER FOR PROPERTY PURCHASE, BUILDING REMOVAL, AREAL FILL, UTILITY WORK, PONTOON BRIDGE EAST APPROACH CONSTRUCTION, OIL FACILITY RELOCATION AND RAISING, AND THE FORCE ACCOUNT ASSOCIATED WITH THESE ITEMS AS SHOWN ON EXHIBIT "A" ATTACHED, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment
Exhibit "A"

EXHIBIT "A"

TABULATION OF COSTS PROPOSED TO BE EXPENDED BY THE CITY OF
LONG BEACH DURING FEBRUARY 1958 AND MARCH 1958 ON THE
TOWN LOT PROJECT

	<u>LBHD ESTIMATED EXPENDITURES (INCLUDING FORCE ACCOUNT)</u>	<u>SUBSIDENCE AUTHORIZATIONS</u>
<u>Property Purchases**</u>		*
Miscellaneous Costs (Appraisal, engineering, negotiating, legal, and recording costs)		
AFE 310, Area 7	\$ 5,000	
AFE 316, Area 4	\$ 5,000	
<u>Building Removal (Spec. HD 530)</u>		*
AFE 311 for March 1958	\$ 5,000	
<u>Fill</u>		*
AFE 312 for March 1958	\$ 20,000	
AFE 318 (Spec. 404) (March 1958)	\$200,000	
<u>Utility Work</u>		*
AFE 313 for March 1958	\$ 10,000	
<u>Temporary East Approach to Pontoon Bridge</u>		*
AFE 314 for March 1958	\$ 20,000	
<u>Oil Facility Relocation and Raising (Feb. 11, 1953 to March 31, 1958)</u>		*
AFE 315 (Area 7)	\$150,000	
AFE 320 (Area 4)	\$240,000	

* Subject to later determination by the State Lands Commission

** Expenditures approved hereunder to be completed by June 30, 1958