

MINUTE ITEM

This Calendar Item No. C83 was approved as
Minute Item No. 83 by the California State Lands
Commission by a vote of 3 to 0 at its
meeting.

CALENDAR ITEM

C83 2/27/98

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02/27/98

C97080

C97081

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J. Trout

D. Brown

**AUTHORIZATION FOR EXECUTIVE OFFICER
TO SOLICIT BIDS, AWARD AND EXECUTE AGREEMENTS
FOR SITE CLEARANCE, PERIMETER FENCING AND MARKETING OF
STATE PARCEL AT BURLINGAME, CALIFORNIA**

PARTY:

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

PROPOSED ACTIVITY:

The Commission holds title to approximately 8.8 acres of lands in the City of Burlingame. The site was originally leased to the Burlingame Group through three leases PRC 6504.1, 6505.1, and 6506.1. These leases were subject to a second deed of trust to First South Savings Association. Burlingame's successor, Burlingame Joint Venture I, defaulted their obligations to First South, which itself was subsequently placed into conservatorship by the Federal Home Loan Bank Board. The Resolution Trust Corporation was appointed as receiver of First South. The State filed a Proof of Claim for current and future obligations from the original leases. A settlement agreement was reached November 30, 1995 whereby the State received \$700,000 of which \$500,000 was for back rents and \$200,000 was provided for site clean-up, maintenance, security and staff and consultant expenses to market the property. The \$200,000 was placed in the Kapiloff Lands Bank.

The parcel is currently open to public dumping and a sizable amount of trash has accumulated on it. Staff proposes to use the funds designated for this purpose to contract for the removal of all trash and debris and construct a chain-link fence around the perimeter of the property to prevent further dumping.

Staff also proposes to solicit bids and contract with a real estate marketing consultant to prepare a market study and land use analysis. The studies would be preparatory to offering the parcel for development of one or more hotels and/or other commercial uses consistent with the Trust characteristics of the parcel subject to further Commission consideration.

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The bids shall be conducted consistent with procedures as specified in the State Administrative Manual and Public Contract Code. All bids, proposals and evaluation sheets will be available for public inspection at the Commission's Sacramento office, file references C97080 and C97081, in accordance with Public Contract Code requirements. All costs are to be recovered from the Kapiloff Land Bank.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Section 6106 (Delegation to execute written instruments)
- B. Public Contract Code Section 10335 et. seq. (Contracts for Services)
- C. Public Contract Code Section 10355 et. seq. (Consulting Services Contracts)
- D. State Administrative Manual Section 1200 (Contracts)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL CODE REGS. 10561 BECAUSE THIS ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT BIDS AND PROPOSALS, AWARD AND EXECUTE CONTRACTS WITH THE QUALIFIED BIDDERS IN ACCORDANCE WITH COMPETITIVE BIDDING REQUIREMENTS OF THE PUBLIC CONTRACTS CODE AND CURRENT STATE POLICIES AND PROCEDURES.