

MINUTE ITEM

32. (CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,046.)

After presentation of Calendar Item 26 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 IN SEPTEMBER, 1957 FOR PROPERTY PURCHASE, BUILDING REMOVAL, AND AREAL FILL, AND IN OCTOBER, 1957 FOR "FORCE ACCOUNT" AND BUILDING REMOVAL 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 FILL; 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 ACTING EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 26 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

26.

{ CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,046.)

On August 8, 1957 (Minute Item 23, pages 3417-19 - L.B. W.O. 10,042) the Commission approved the costs proposed to be expended by the City of Long Beach in August, 1957 for Property Purchase and Areal Fill, and in September, 1957 for "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 action was 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 requests for current monthly expenditures for property acquisition, force account, building removal, and earth fill contract costs.

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 IN SEPTEMBER, 1957 FOR PROPERTY PURCHASE, BUILDING REMOVAL, AND AREAL FILL, AND IN OCTOBER, 1957 FOR "FORCE ACCOUNT" AND BUILDING REMOVAL 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 FILL; 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 ACTING 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 SEPTEMBER AND OCTOBER, 1957
ON TOWN LOT PROJECT

| | <u>LBHD ESTIMATED EXPENDITURES</u> | <u>SUBSIDENCE AUTHORIZATIONS</u> |
|---|--|--------------------------------------|
| Property Purchases (SEPTEMBER): | | * |
| Area 4 | \$ 50,000 | |
| Area 7 | 152,073 | |
| Miscellaneous, Areas 4 and 7 | 17,127 | |
| | <u>219,200</u> | |
| Areal Fill (SEPTEMBER) | 200,000 | * |
| Building Removal (SEPTEMBER AND/OR OCTOBER) | | * |
| Spec. 504 (Item 2) | 768 | |
| Spec. 519 (Items 1-4, 6-8, and 10) | 4,985 | |
| | <u>5,753</u> | |
| Force Account (OCTOBER) | 25,000 | * |

* Subject to later determination by the State Lands Commission