

MINUTE ITEM

20. CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS TO L.B.W.O. 10,092.

After consideration of Calendar Item 23 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 EXPECTED TO BE EXPENDED THEREUNDER FOR WATER MAIN CONSTRUCTION AND FOR INTERIM STREET CONSTRUCTION FOR THE PERIOD AUGUST 27, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND ~~HEREBY MADE A PART HEREOF,~~ 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; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF 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 SUPERVISING MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 23 (2 pages)

CALENDAR ITEM

23.

CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS TO L.B.W.O. 10,092.

On June 25, 1959 (Minute Item 23, pages 4964-68), the Commission conditionally approved the costs to be expended in the 1959-60 Fiscal Year by the Harbor Department of the City of Long Beach, including subsidence remedial work for the TOWN LOT area project. Subsequent to the above-mentioned approval, it developed that additional expenditures will be incurred by the Harbor Department. These costs will cover construction of water main on Mitchell Avenue between Third Street and Ocean Boulevard, AFE 319; clearance of the site before installation of water main on Mitchell Avenue between Ocean Avenue and El Embarcadero, AFE 347; and construction of portions of the Interim Street System, AFE 351.

At the meeting of the Commission on March 25, 1959, the Chairman of the Commission directed that the opinion of the Attorney General be obtained as to the establishment of the principles of costs deductions by the City of Long Beach and for State participation of any enhanced values of properties acquired by the City with the aid of subsidence deduction.

Pending receipt of the opinion of the Attorney General, it is thought desirable that the present status of conditional approval continue.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS EXPECTED TO BE EXPENDED THEREUNDER FOR WATER MAIN CONSTRUCTION AND FOR INTERIM STREET CONSTRUCTION FOR THE PERIOD AUGUST 27, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, 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; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF 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 SUPERVISING MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment  
Exhibit "A"

EXHIBIT "A"

LONG BEACH WORK ORDER NO. 10,092 - ADDITION NO. 2 to Project and Estimate  
Submitted by the Port of Long Beach, TOWN LOT.

<u>ITEM</u>	<u>AFE</u>	<u>WORK PROPOSED</u>	LBHD ESTIMATED SUBPROJECT EXPENDITURE <u>AUGUST 27, 1959</u> <u>TO JUNE 30, 1960</u>	<u>SUBSIDENCE</u> <u>AUTHORIZATION</u>
1	319	Public Utilities - Area 4 30-inch water line on Mitchell Avenue between Third Street and Ocean Boulevard	\$ 77,000	*
2	347	Public Utilities - Area 4 Mitchell Avenue water main between Ocean Boulevard and El Embarcadero	9,500	*
3	351	Interim Street System	48,800	*

\* - Subject to later determination by the State Lands Commission.