

MINUTE ITEM

3. LONG BEACH BOUNDARY DETERMINATION, CHAPTER 2000/57 - W.O. 2716.

Following presentation by the Executive Officer of Calendar Item 16 attached, the following reports were made and discussion held:

Mr. S. M. Roberts, Administrator of Subsidence Control and Repressuring, Long Beach Harbor Department, expressed appreciation for the patience which had been shown by the State Lands Commission, and advised that although a joint conscientious effort was made by the City and State to arrive at a solution to the problem, they (the City) were not encouraged with the prospects and that the matter probably could not be settled without litigation. He asked that any legal action be deferred for at least three to four months because of the possible adverse effect that litigation would have on other parts of their program, particularly on their relationships with the Navy and the Federal Government in connection with the Long Beach Naval Shipyard, and stated that the stipulation entered into in effect waives the statute of limitations, and therefore the State could not suffer from such a postponement. The pending election of councilmen, the City's desire to concentrate on Block IV unitization, and the City's limited legal staff were cited as further reasons for postponement.

In response to a question by Commissioner Cranston, Mr. Roberts explained that the House Appropriations Committee is expected to visit Long Beach shortly to substantiate the funds needed for remedial work and operation of the shipyard.

Deputy Attorney General Jay L. Shavelson had nothing to report as to progress on negotiations, and said that his office had not heard from the City in many months on any counter-proposal. He indicated that if action is delayed, it should be based on the hope that a negotiated settlement can be effected.

Commissioner Carr asked if the State's position would be prejudiced by further delay, and was informed by Mr. Shavelson that, in light of the waiver of the statute of limitations, he did not think so, and that, although only a small part of the revenues from lands in question is being impounded, the City could pay the State out of its own resources if this should be necessary; also, that if the Commission believes there will be a severe prejudice to the over-all repressurization problems, then his office would not urge immediate commencement of litigation.

UPON MOTION MADE BY COMMISSIONER CRANSTON, DULY SECONDED, AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED TO POSTPONE UNTIL THE NEXT MEETING OF THE COMMISSION ANY ACTION ON THE LONG BEACH BOUNDARY DETERMINATION, PURSUANT TO CHAPTER 2000 OF THE STATUTES OF 1957, IN VIEW OF THE EXPRESSIONS BY THE REPRESENTATIVES OF THE CITY OF LONG BEACH AND THE OFFICE OF THE ATTORNEY GENERAL.

Attachment
Calendar Item 16 (1 page)

CALENDAR ITEM

16.

LONG BEACH BOUNDARY DETERMINATION, CHAPTER 2000/57 - W.O. 2716.

On February 25, 1960, the Commission continued consideration of the Long Beach tideland boundary problem to its next scheduled meeting on March 24, 1960.

A status report will be given by the Commission's staff and members of the Attorney General's office. Representatives from the City of Long Beach have been invited again to comment on the prospects of a negotiated settlement of this matter.