

MINUTE ITEM

24. APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR MARITIME AND COMMERCE MUSEUM SITE CONSTRUCTION PHASE OF SHORELINE DEVELOPMENT PROJECT - L.B.W.O. 10,138.

After consideration of Calendar Item 28 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION APPROVES IN PRINCIPLE THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., TO CONSTRUCT A SITE FOR A PROPOSED MARITIME AND COMMERCE MUSEUM, AND SPECIFICALLY APPROVES AN EXPENDITURE SUBSEQUENT TO JUNE 22, 1961, OF NOT MORE THAN \$500,000 FROM THE CITY'S SHARE OF THE TIDELAND OIL REVENUES FOR ENGINEERING SITE INVESTIGATIONS, DESIGN, CONTRACT ADMINISTRATION AND ADVERTISING, AND SIMILAR PRECONSTRUCTION WORK NECESSARY FOR THE CONSTRUCTION OF THE FIRST PHASE OF THE SHORELINE DEVELOPMENT PROJECT, WHICH PRIMARILY IS A SITE FOR A PROPOSED MARITIME AND COMMERCE MUSEUM; SUBJECT TO THE CONDITION THAT THE WORK SHALL CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; AND TO THE FURTHER CONDITION THAT ALL COSTS HEREIN CONSIDERED ARE FOR EXPENDITURES ON TIDE AND SUBMERGED LANDS.

Attachment

Calendar Item 28 (3 pages)

SUPPLEMENTAL CALENDAR ITEM

28.

APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR MARITIME AND COMMERCE MUSEUM SITE CONSTRUCTION PHASE OF SHORELINE DEVELOPMENT PROJECT - L.B.W.O. 10,138.

On October 18, 1960, the City of Long Beach, through the Office of the City Attorney, requested State Lands Commission approval of the use of the City's portion of the Tideland Oil revenues to defray the cost estimated at \$5,000,000 for the Maritime and Commerce Museum site construction phase of the Shoreline Development Project.

An attachment to the above referred letter entitled "Purpose and Use of the Proposed Maritime and Commerce Museum" issued by the office of the City Manager supplies information regarding the museum and its site as follows:

"The primary purpose of the proposed Maritime and Commerce Museum is the promotion of interest and understanding of maritime affairs including commerce, transportation, shipping, navigation, and naval operations, with the objective of promoting the development and operation of the Port of Long Beach and the maritime activities of the State of California in general.

"These objectives would be met by display of exhibits such as History of the Ocean, Science of Oceanography, Naval Science, History and Technology of United States Navy, History and Development of Maritime Commerce, History of Ships, Development and Science of Navigation, Fisheries and Fishing Industry, and related exhibitions and displays pertaining to maritime affairs. Westerly from the museum structure, it is proposed to construct a small harbor in which would be displayed actual vessels of historical or educational significance. The museum would include a restaurant and related facilities essential or desirable to create for California a nationally recognized cultural, educational and tourist attraction.

"The Maritime and Commerce Museum would be constructed on a proposed marine fill southerly of the Long Beach Municipal Auditorium. The initial cost estimate for the proposed museum building is \$4,500,000, including \$500,000 as initial financing of the exhibition program. It is contemplated that an additional \$2,000,000 would be raised from private funds to augment the exhibits.

"It is proposed that this facility would be constructed by the City of Long Beach from the Tideland Oil Fund and that the museum would be leased to the Sixth Agricultural District, State of California, to be operated specifically by the California Museum Foundation.

"The proposed marine fill between Alamitos Avenue and Pine Avenue on tidelands and submerged lands in the vicinity of the Municipal Auditorium would provide a suitable site for the museum facility, with a harbor for display of marine vessels. The fill would be

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adequate to provide vehicular access to serve the museum and sufficient off-street parking facilities. Overlooking the Pacific Ocean to the south, with a stillwater lagoon and the City skyline to the north, this would be an ideal setting for a major cultural facility. This project will be of great significance to the State of California and the City of Long Beach."

The question of the legal propriety of the proposed expenditure was directed to the office of the Attorney General for analysis.

In opinion No. 61/42 dated June 14, 1961, the Attorney General concludes that "the State Lands Commission has the legal power to approve the request of the City for the expenditure of approximately \$5,000,000 to construct and prepare a site for a Commerce and Maritime Museum. This site will be used exclusively for Tidelands Trust purposes. By far the larger portion of the land to be artificially created falls within the definition of 'public park' purposes and while no firm plans have yet been prepared, the proposed museum may qualify as incidental to 'commerce and navigation'. The State Lands Commission must satisfy itself that the proposed facility is reasonably necessary or convenient for the promotion of commerce and navigation. If the Commission approves of the proposed museum in principle, the City must secure advance Commission approval for site construction, and when appropriate, construction of the museum proper. The Commission has the duty also to determine that the engineering plans submitted by the City are reasonable and technically adequate and no approval for the proposed project should be forthcoming until precise plans and specifications with accompanying cost estimates have been submitted to the Commission for review. Naturally, the State Lands Commission has the power to influence the final form of the proposed Commerce and Maritime Museum facility as it will be asked to approve whatever further expenditure of money may be necessary for its final construction. There is no objection to authorizing the City to spend a designated amount of money to hire professional help to prepare the descriptions of the proposed structure."

No construction plans or site investigations have been started for the site construction specified in this application. The City is awaiting approval of the Commission before incurring the costs of engineering work.

In order that the City may recover preliminary engineering and other preliminary costs, and design plans and specifications costs, it is proposed that the Commission give prior approval in principle to the execution of the project with specific approval for expenditure from tideland oil revenues to be limited to pre-construction costs. After review of precise plans and specifications with accompanying cost estimates, as outlined in the opinion of the Attorney General, recommendations on approval of construction costs would be presented to the Commission.

Exhibits "B" and "C" are vicinity and detail sketches; Exhibit "D" includes photographs of the site.

The preliminary estimate of the City in the total amount of \$5,000,000 consists of the following items of construction: Quarry waste rock dike;

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dredged fill behind dike; sheet pile in lagoon; tide gate structure; excavation of lagoon; sheet pile in harbor; top soil fill in museum area; sand fill in beach area (east); sand fill west beach area. The estimate was based on contours taken approximately two years ago. After action on the current request the City proposes to take soundings as a first order of work toward the preparation of construction drawings.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE IN PRINCIPLE THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., TO CONSTRUCT A SITE FOR A PROPOSED MARITIME AND COMMERCE MUSEUM, AND SPECIFICALLY TO EXPEND SUBSEQUENT TO JUNE 22, 1961 NOT MORE THAN \$500,000 FROM THE CITY'S SHARE OF THE TIDELAND OIL REVENUES FOR ENGINEERING SITE INVESTIGATIONS, DESIGN, CONTRACT ADMINISTRATION AND ADVERTISING AND SIMILAR PRE-CONSTRUCTION WORK NECESSARY FOR THE CONSTRUCTION OF THE FIRST PHASE OF THE SHORELINE DEVELOPMENT PROJECT, WHICH PRIMARILY IS A SITE FOR A PROPOSED MARITIME AND COMMERCE MUSEUM; SUBJECT TO THE CONDITION THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; AND THAT ALL COSTS HEREIN CONSIDERED ARE FOR EXPENDITURES ON TIDELANDS.