

MINUTE ITEM

14. APPLICATION OF THE CITY OF LONG BEACH FOR AUTHORITY TO PURCHASE A HEAVY-DUTY TRACK-LAYING TRACTOR FROM ITS SHARE OF THE TIDELAND OIL REVENUES FOR THE PURPOSE OF MAINTAINING TIDELAND BEACHES - I.B.W.O. 10,175.

After consideration of Calendar Item 6 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION GIVES PRIOR APPROVAL TO THE EXPENDITURE OF NOT TO EXCEED \$30,800 BY THE CITY OF LONG BEACH FROM ITS SHARE OF TIDELAND OIL REVENUE FOR THE PURCHASE OF A HEAVY-DUTY TRACK-LAYING TRACTOR FOR USE IN THE OPERATION AND MAINTENANCE OF LONG BEACH TIDELAND BEACH AREAS, SAID EXPENDITURE OF \$30,800 (88% OF \$35,000, THE TOTAL ESTIMATED COST OF SAID TRACTOR) BEING ALLOCABLE TO TIDELAND BEACHES. IF IT IS LATER DETERMINED THAT THE PERCENTAGE OF AREA ALLOCABLE TO TIDELAND BEACHES IS LESSER OR GREATER THAN 88%, AN ADJUSTMENT IN ACCORDANCE WITH SUCH ALLOCATION IS TO BE MADE BETWEEN THE TIDELAND OIL FUND AND THE CITY OF LONG BEACH GENERAL MUNICIPAL FUND.

Attachment

Calendar Item 6 (1 page)

CALENDAR ITEM

6.

APPLICATION OF THE CITY OF LONG BEACH FOR AUTHORITY TO PURCHASE A HEAVY-DUTY TRACK-LAYING TRACTOR FROM ITS SHARE OF THE TIDELAND OIL REVENUES FOR THE PURPOSE OF MAINTAINING TIDELAND BEACHES - L.B.W.O. 10,175.

On April 11, 1963, the City of Long Beach, through the office of its City Attorney, submitted a request to the State Lands Commission for approval of the expenditure of a portion of the City's share of tideland oil revenues for the purchase of a heavy-duty track-laying tractor for beach maintenance.

In Formal Opinion No. 59/125, dated June 17, 1959, the legal propriety of the request appears to have been established where the State Lands Commission was advised as follows: "The City of Long Beach may properly use its tideland oil income to maintain and operate public beaches on its granted tidelands. A public beach is a public park and the use of the Long Beach granted tidelands for purposes of a public park thereon is a proper trust use and purpose and a matter of State-wide interest. However, tideland trust income may be used by the City to finance maintenance and operation only of public beaches on tidelands. General municipal funds may be utilized by the City to maintain and operate that part of the public beaches located on uplands or lands municipally owned by the City free of the tidelands trust."

The tractor will be used exclusively for maintaining beaches which have tentatively been designated as 88% tidelands and 12% uplands, based upon area proration. After the location of the tidelands boundary has been determined, the precise allocation can be made.

In the letter of application, the City Attorney stated: "The proposed replacement tractor will be used exclusively for beach maintenance work and will be capable of performing heavy work, including the erection of dikes and barriers during periods of storms and high tides. We estimate that 88% of the usage of the proposed tractor will be upon the tideland portion of the beach area. As the use of such tractor will be principally for trust purposes, we believe that the purchase should be made from the tideland oil revenues with an appropriate charge to the City for any use of City uplands."

IT IS RECOMMENDED THAT THE COMMISSION GIVE PRIOR APPROVAL TO THE EXPENDITURE OF NOT TO EXCEED \$30,800 BY THE CITY OF LONG BEACH FROM ITS SHARE OF TIDELAND OIL REVENUE FOR THE PURCHASE OF A HEAVY-DUTY TRACK-LAYING TRACTOR FOR USE IN THE OPERATION AND MAINTENANCE OF LONG BEACH TIDELAND BEACH AREAS, SAID EXPENDITURE OF \$30,800 (88% OF \$35,000, THE TOTAL ESTIMATED COST OF SAID TRACTOR) BEING ALLOCABLE TO TIDELAND BEACHES. IF IT IS LATER DETERMINED THAT THE PERCENTAGE OF AREA ALLOCABLE TO TIDELAND BEACHES IS LESSER OR GREATER THAN 88%, AN ADJUSTMENT IN ACCORDANCE WITH SUCH ALLOCATION IS TO BE MADE BETWEEN THE TIDELAND OIL FUND AND THE CITY OF LONG BEACH GENERAL MUNICIPAL FUND.