

MINUTE ITEM

24. LEASE REGARDING MODIFIED USE OF LONG BEACH NAVY LANDING FACILITY -
L.B.W.O. 10,192 AND W.O. 396.331.

Based upon an informal opinion from the Office of the Attorney General, it was the consensus that the City of Long Beach had every right to proceed with the proposed leasing of the Navy Landing Facility without seeking approval of the Lands Commission. The Commission acknowledged, however, that it did have the right of subsequent review and directed the staff to watch this item and advise the Commission should any violation of the trust occur.

Mrs. James Crowley, speaking for the Citizens Committee for the Preservation of Public Beaches and Parks, and for Mrs. Charlene D. Roberts, Chairman of the Long Beach Navy Landing Subcommittee, pointed out that this group felt the Commission had a responsibility to review the proposed lease, and submitted a written statement to the Commission to this effect.

No formal action was taken.

Attachment

Calendar Item 38 (1 page)

CALENDAR ITEM

INFORMATIVE

38.

LEASE REGARDING MODIFIED USE OF LONG BEACH NAVY LANDING FACILITY - L.B.W.O. 10,192 AND W.O. 396.331.

Various citizens and organizations have communicated orally and in writing with the State Lands Commission questioning the solicitation by the City of Long Beach of bids from private persons for lease and operation of parts of the Navy Landing facility.

The proposal contemplates investment of approximately \$700,000 of private capital for development of the facility for a small-craft marina, dry-boat storage, related marina-type facilities, and restaurants. It appears that the Navy has no objection to the modified use of the Navy Landing Basin as the proposed changes would complement continued use by the Navy.

The objection by the protestants is that the facility should be operated by the City of Long Beach itself rather than by a lessee of the City, and mainly concerns the small-craft marina phase of the proposal. The protestants urge that the State Lands Commission review the transaction and exercise jurisdiction because the facility was originally constructed with tideland oil trust funds.

The City of Long Beach has not filed an application with the State Lands Commission for advance approval of the proposal since it is their opinion that the project is not of the type requiring review by the State Lands Commission under applicable law.

Pursuant to the request of the Commission at its meeting of July 28, 1964, the office of the Attorney General was asked for an opinion as to whether the proposed lease for the modified use of the Navy Landing facility required advance approval of the State Lands Commission in order to be valid.

The office of the Attorney General has issued an informal opinion which concludes that under present laws advance approval of the lease by the State Lands Commission is not required. (See Exhibit "A".)