

MINUTE ITEM

31. PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS, CITY OF RICHMOND, CONTRA COSTA COUNTY - W.O. 2400.45, GEO.-CONTRA COSTA CO.

After consideration of Calendar Item 23 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED:

1. TO NOTIFY THE CITY COUNCIL OF THE CITY OF RICHMOND THAT, PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE TIDE AND SUBMERGED LANDS TO BE ANNEXED UNDER THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY LYING NORTHWESTERLY OF SAN PABLO AVENUE TO BE \$7,220,750.
2. TO NOTIFY THE CITY COUNCIL OF THE CITY OF RICHMOND THAT THE MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY SOUGHT TO BE ANNEXED COMPLY WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 35014, IF APPLICABLE.

Attachment

Calendar Item 23 (1 page)

CALENDAR ITEM

23.

PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS, CITY OF RICHMOND, CONTRA COSTA COUNTY - W.O. 2400.45.

On August 17, 1964, the State Lands Division was informed by the City of Richmond that it proposes to extend its corporate limits by annexation of territory described as "Annexation by the City of Richmond of Uninhabited Territory Lying Northwesterly of San Pablo Avenue." The proposed annexation has been reported satisfactory to the owners of the adjoining private uplands.

Section 35313.1 of the Government Code provides, "When territory proposed to be annexed consists wholly or partly of tide or submerged land owned by the State, the legislative body shall determine the value of such tide or submerged lands for the purpose of this article. For the purpose of such determination the State Lands Commission shall fix the value of tide or submerged lands owned by the State and shall notify in writing the legislative body of its determination." The tide and submerged lands involve approximately 1,700 acres, and have been appraised by the staff of the State Lands Division at \$7,220,750 or an average of \$4,250 per acre.

Section 35014 of the Government Code (Ch. 1894, Stats. 1963) provides for approval or disapproval by the State Lands Commission of the boundaries of an annexation proposal where the annexation includes tide or submerged lands in the Pacific Ocean which are owned by the State (Exhibit "B"). Although there is some question as to whether the State Lands Commission has similar responsibilities under Section 35014 relating to the tide and submerged lands of San Francisco Bay, the staff has reviewed the map and legal description of the proposed annexation and has determined that it would comply with the provisions of Government Code Section 35014, if applicable.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER:

1. TO NOTIFY THE CITY COUNCIL OF THE CITY OF RICHMOND THAT, PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE TIDE AND SUBMERGED LANDS TO BE ANNEXED UNDER THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY LYING NORTHWESTERLY OF SAN PABLO AVENUE TO BE \$7,220,750.
2. TO NOTIFY THE CITY COUNCIL OF THE CITY OF RICHMOND THAT THE MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY SOUGHT TO BE ANNEXED COMPLY WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 35014, IF APPLICABLE.