

MINUTE ITEM

This Calendar Item No. 36
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 2
to 0 at its 8.23.79
meeting.

CALENDAR ITEM
36.

8/79
G01-02
Horton

CONSIDERATION OF LEASING POLICY,
GRANTED LANDS, CITY OF ALBANY

TRUSTEE: City of Albany
1000 San Pablo Avenue
Albany, California 94706

LOCATION: Tide and submerged lands granted in trust
to City of Albany, County of Alameda.

BACKGROUND: Chapter 211, Statutes of 1919, as amended
by Chapter 1223, Statutes of 1977, granted
the City of Albany certain designated tide
and submerged lands, both filled and unfilled,
in the County of Alameda, in trust for
commerce, navigation and fisheries and
for purposes and uses in conformity with
the Albany Waterfront Plan. In addition
Section 5(a) required the City Council
to develop and submit to the State Lands
Commission for its approval, procedures,
rules and regulations to govern the issuance,
making, renewal, or renegotiation of any
lease, agreement, or franchise concerning
granted tide and submerged lands.

CONSULTATION AND REVIEW:
In March, 1979, City officials and the
State Lands Commission staff discussed
leasing policy and award of concessionaire
contracts. The City reviewed examples of
policy adopted by a trustee under a similar
statute and guidelines furnished by Department
of Boating and Waterways. A draft was submitted
May 11, 1979. The City Council adopted
a leasing policy on June 25, 1979 and formally
submitted a copy to the State Lands Commission.

SUMMARY OF PROVISIONS:
Ordinance No. 79-05 declares any development
plan, lease and/or concession upon lands
within the Albany Waterfront Plan shall
be in accord with the enabling legislation,
and the 1976 Plan as may be modified after
appropriate consultation and approval,

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| CALENDAR PAGE | 233 |
| MINUTE PAGE | 1565 |

CALENDAR ITEM NO. 36. (CONTD)

the City Charter, Ordinances and General Plan, and California statutory provisions assuring balance between fish and wildlife resources and environment, nature studies, recreational activities, public navigation, fishing and selected development, in the Statewide public interest. It states procedures for inviting bids for leases or proposals, placing them on the City Council agenda, publishing notices and notifying interested parties, opening sealed bids at a public meeting, and awarding contracts according to established criteria. Copies of the ordinance are on file in the principal office of the Commission.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF ALBANY "ADOPTING THE ALBANY WATERFRONT PLAN OF PROCEDURES, RULES AND REGULATIONS FOR ISSUING LEASES, AGREEMENTS OR FRANCHISES ON THE GRANTED LANDS", ON JUNE 25, 1979, CONFORMS WITH THE REQUIREMENTS OF THE GRANTING STATUTE.
2. APPROVE THE ORDINANCE ADOPTED BY THE CITY COUNCIL.

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| CALENDAR PAGE | 234 |
| MINUTE PAGE | 1566 |