

MINUTE ITEM

This Calendar Item No. 35
was approved as Minute Item
No. 35 by the State Lands
Commission by a vote of 3
to 0 at its 6-26-80
meeting.

CALENDAR ITEM

35.

6/80
W 10354
Thompson

PROPOSED EXPENDITURE OF TIDELANDS OIL REVENUE
FOR SUBSIDENCE REMEDIAL WORK
CITY OF LONG BEACH

SUBSIDENCE REMEDIAL PROJECT:
Van Camp Street Extension.

SUBSIDENCE ELEMENTS:
a. City's Presentation:

Existing streets and related facilities in a subsided area of the Harbor District need to be raised to accommodate the proposed extension of Van Camp Street from Windham Avenue to Pier A Avenue. Subsidence Costs will be incurred for that portion of raising to the pre-subsidence level, as provided under Chapter 138/'64 1st E.S.

b. Staff Analysis:

The purpose of this project is not subsidence remedial; and therefore, the question has been raised as to the extent, if any, of Subsidence Costs involved. However, certain items of work included may be considered subsidence remedial if the City raises this general area as planned, in the future. On that basis, expenditures for this project may be considered Subsidence Costs if the State can be assured that no further Subsidence Costs for past subsidence will be claimed by the City for work on, or replacement of, any element involved in this project.

COST ESTIMATE: Total project cost: \$2,782,000

Subsidence Cost: \$456,870 (2nd phase; 1st phase costs are not reimbursable as the City did not seek prior approval of them.)

A 57, 58

S 27, 31

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CALENDAR ITEM NO. 35. (CONTD)

FISCAL IMPACT: Subsidence costs will be borne 100% by the State.

STATUTORY AUTHORITY:

- a. City's Reference: Chapter 138/'64
1st, E.S.
- b. Staff Determination: Agreement with
City's reference.

ENVIRONMENTAL CLEARANCE:

The Long Beach Board of Harbor Commissioners approved a Negative Declaration for the project on February 26, 1979.

DISCUSSION:

The City of Long Beach proposes to extend Van Camp Street in the Harbor District westerly from Windham Avenue across the Pier A railroad yard to join Pier A Avenue (see Exhibit "C"). The projects purpose is to restore traffic circulation on Pier A that was lost when Panorama Drive, to the south, was closed with northerly expansion of the Pier G container terminal in 1979. The project site and adjoining areas including the railroad yard, Pier A Avenue, and adjoining portion of Pier A has subsided approximately 9 feet (and has not been raised).

The high volume of train movements on the railroad requires that the proposed extension be constructed overhead on bridge structure in order to increase safety and eliminate delays to street traffic. The height of the bridge is governed by minimum track clearance requirements. In order to meet the bridge grade, Pier A Avenue must be elevated about 15 feet average. Windham Avenue was raised as part of a previous subsidence remedial project and will require only minor grade adjustments with this work, which is not subsidence remedial. It should be noted that if the railroad area is raised in the future then it will probably be necessary to raise the bridge.

The City originally claimed that \$732,143 in costs to be incurred for raising from the subsided level to the pre-subsidence

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DISCUSSION:

The City of Long Beach proposes to extend Van Camp Street in the Harbor District westerly from Windham Avenue across the Pier A railroad yard to join Pier A Avenue (see Exhibit "C"). The projects purpose is to restore traffic circulation on Pier A that was lost when Panorama Drive, to the south, was closed with northerly expansion of the Pier G container terminal in 1979. The project site and adjoining areas including the railroad yard, Pier A Avenue, and adjoining portion of Pier A has subsided approximately 9 feet (and has not been raised).

The high volume of train movements on the railroad requires that the proposed extension be constructed overhead on bridge structure in order to increase safety and eliminate delays to street traffic. The height of the bridge is governed by minimum track clearance requirements. In order to meet the bridge grade, Pier A Avenue must be elevated about 15 feet average. Windham Avenue was raised as part of a previous subsidence remedial project and will require only minor grade adjustments with this work, which is not subsidence remedial. It should be noted that if the railroad area is raised in the future then it will probably be necessary to raise the bridge.

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elevation (roughly half the total height involved) are reimbursable as subsidence remedial work under the provisions of Chapter 138/64 1st E.S. The staff disagreed with the City's claim (see the above staff analysis). After extensive discussion by the State and City representatives, a settlement was reached wherein it was agreed, subject to the approval of the Commission, that the maximum Subsidence Costs for this project would be \$456,870. This settlement has been documented in a letter of agreement from the Attorney General's office to the Long Beach City Attorney's office, a copy of which is attached hereto as Exhibit "A". This letter has been accepted by the City by signature of the City Attorney. As this settlement includes agreement by the City that no further cost for past subsidence will be claimed in the future for work on, or replacement of, any of the elements involved in this project (including the potential raising of Van Camp Street bridge and its approaches), staff recommends that the Commission approve this settlement.

- EXHIBITS:
- A. Letter of Agreement with the City, dated June 20, 1980.
 - B. Vicinity Map.
 - C. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION FOR THIS PROJECT WAS APPROVED BY THE LONG BEACH BOARD OF HARBOR COMMISSIONERS ON FEBRUARY 26, 1979.
2. DETERMINE THAT, BASED ON THE NEGATIVE DECLARATION INFORMATION, THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. APPROVE MAXIMUM SUBSIDENCE COSTS OF \$456,870 PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH FOR SECOND PHASE SUBSIDENCE REMEDIAL WORK IN ACCORDANCE WITH THE LETTER OF AGREEMENT WITH THE CITY ON SUCH COSTS, DATED JUNE 20, 1980, WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM JUNE 26, 1980 TO PROJECT TERMINATION SUBJECT TO

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THE CONDITIONS THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO PLANS AND BACKGROUND MATERIAL PREVIOUSLY SUBMITTED TO THE COMMISSION, THAT THE FINAL AMOUNT DEDUCTIBLE UNDER CHAPTER 138, STATUTES OF 1964, 1ST E.S., SEC 4(d), SHALL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT AFTER COMPLETION OF THE WORK.

4. AUTHORIZE THE EXECUTION OF WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S APPROVAL.

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State of California
Department of Justice
George Bruknerjian
(PRONOUNCED DUKE-NAY-GIN)
Attorney General

2880 WILSHIRE BLVD.
LOS ANGELES 90010
(213) 798-2304

June 20, 1980

Robert Parkin
City Attorney
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

EXHIBIT "A"
W-10354

Re: City of Long Beach Request for State Lands
Commission Prior Approval of Subsidence
Costs Expenditures for the Project Known
as "Van Camp Street Extension,"
Application SLC-323

Dear Mr. Parkin:

The purpose of this letter is to confirm and document the agreement reached at the meeting of June 19, 1980, held in the Office of the Long Beach City Attorney relating to the project known as "Van Camp Street Extension."

This meeting was attended by yourself and Mr. Einar Petersen of your Office, Mr. James H. McJunkin, General Manager of the Port of Long Beach, Mr. W. M. Thompson, Chief of Long Beach Operations for the State Lands Commission, and Mr. N. Gregory Taylor and myself of the Attorney General's Office. After extended discussions of this project and various expressions of opinion by the participants as to which elements of the project may constitute "Subsidence Costs" under Chapter 138, Statutes of 1964, First Extraordinary Session, an agreement was reached that the Subsidence Costs for this project would be a maximum of \$456,870. This amount was based on the estimated costs of the various items of work shown on the attached Schedule A. Staff of the State Lands Commission will recommend that the Commission, at its meeting to be held June 26, 1980, give prior approval of this amount as Subsidence Costs for this project.

The City representatives further agreed that no further Subsidence Costs for subsidence which occurred prior

(Added, 6/25/80)

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Robert Parkin
June 20, 1980
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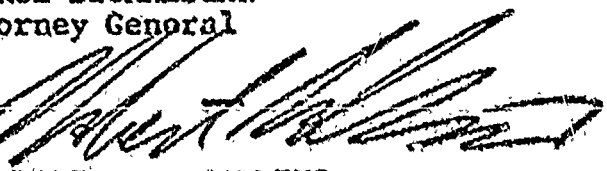
to June 26, 1980, will be claimed by the City in the future for work on, or replacement of, any element involved in this project (including the bridge and its approaches).

Thank you for your cooperation in the settlement of this matter.

Very truly yours,

GEORGE DEUKMEJIAN
Attorney General

By



ROBERT G. COLLINS
Deputy Attorney General

This agreement is accepted by:


ROBERT PARKIN

RGC:ecr
Attachment: Schedule A

cc: James H. McJunkin
Einar Petersen
William F. Northrop
W. M. Thompson
N. Gregory Taylor

(Added, 6/25/80)

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ATTACHMENT "A"

SUBSIDENCE COSTS SCHEDULE
 PROPOSED VAN CAMP STREET EXTENSION
 CITY OF LONG BEACH PROJECT A.F.E. 1180
 LONG BEACH WORK ORDER W10354

<u>ITEM</u>	<u>ESTIMATED SUBSIDENCE REMEDIAL QUANTITY</u>	<u>ESTIMATED COST</u>
Earth Fill	53,048 tons X \$3.15/ton	\$167,100
A.C. Removal	5,888 tons X \$2.99/ton	17,600
New A.C. Pavement	3,352 tons X \$35/ton	117,320
Base Rock	4,100 vol X \$3.68/ton	15,090
Structure Concrete	184 c.y. X \$263/c.y.	48,390
Catch Basins	6 X \$2,000 each	12,000
12-inch Drain Pipe	330 l.f. X \$40/l.f.	13,200
Guard Rail	360 l.f. X \$15/l.f.	5,400
Street Light Raising	lump sum	<u>17,500</u>
	Estimated Direct Subsidence Costs:	\$413,600
Estimated Total Project Direct Costs:	\$2,407,185	
Estimated Total Engr. and Contingency:	\$ 375,000	
Estimated Subsidence Engr. and Contingency	$\frac{\$ 413,600}{\$2,407,185} \times \$375,000 =$	<u>\$ 64,430</u>
Total Estimated Subsidence Costs		\$478,030
Less Depreciation Credit		<u>\$ 21,160</u>
Maximum Allowable Subsidence Costs		\$456,870

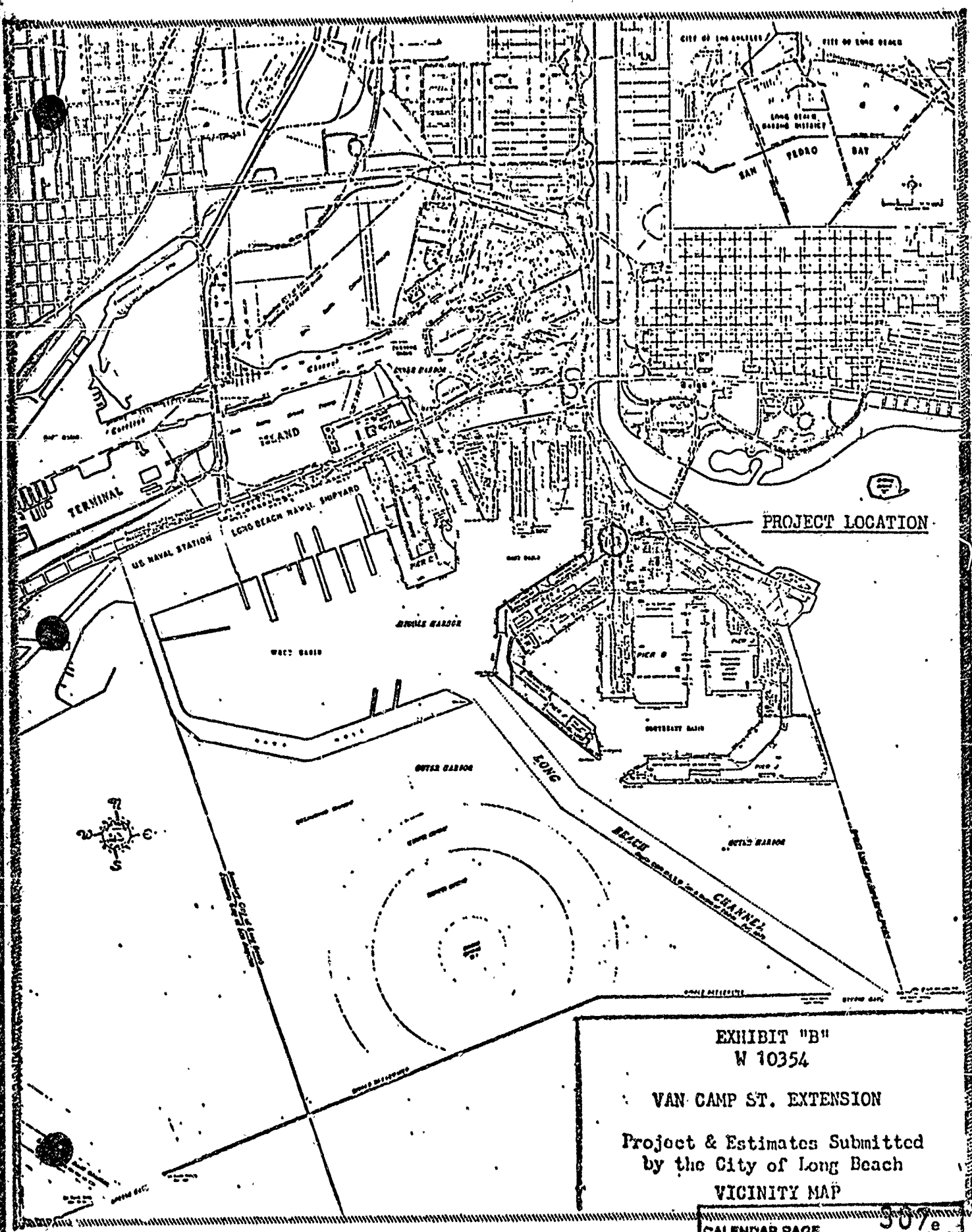


EXHIBIT "B"
W 10354

VAN CAMP ST. EXTENSION

Project & Estimates Submitted
by the City of Long Beach
VICINITY MAP

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(Added, 6/25/80)

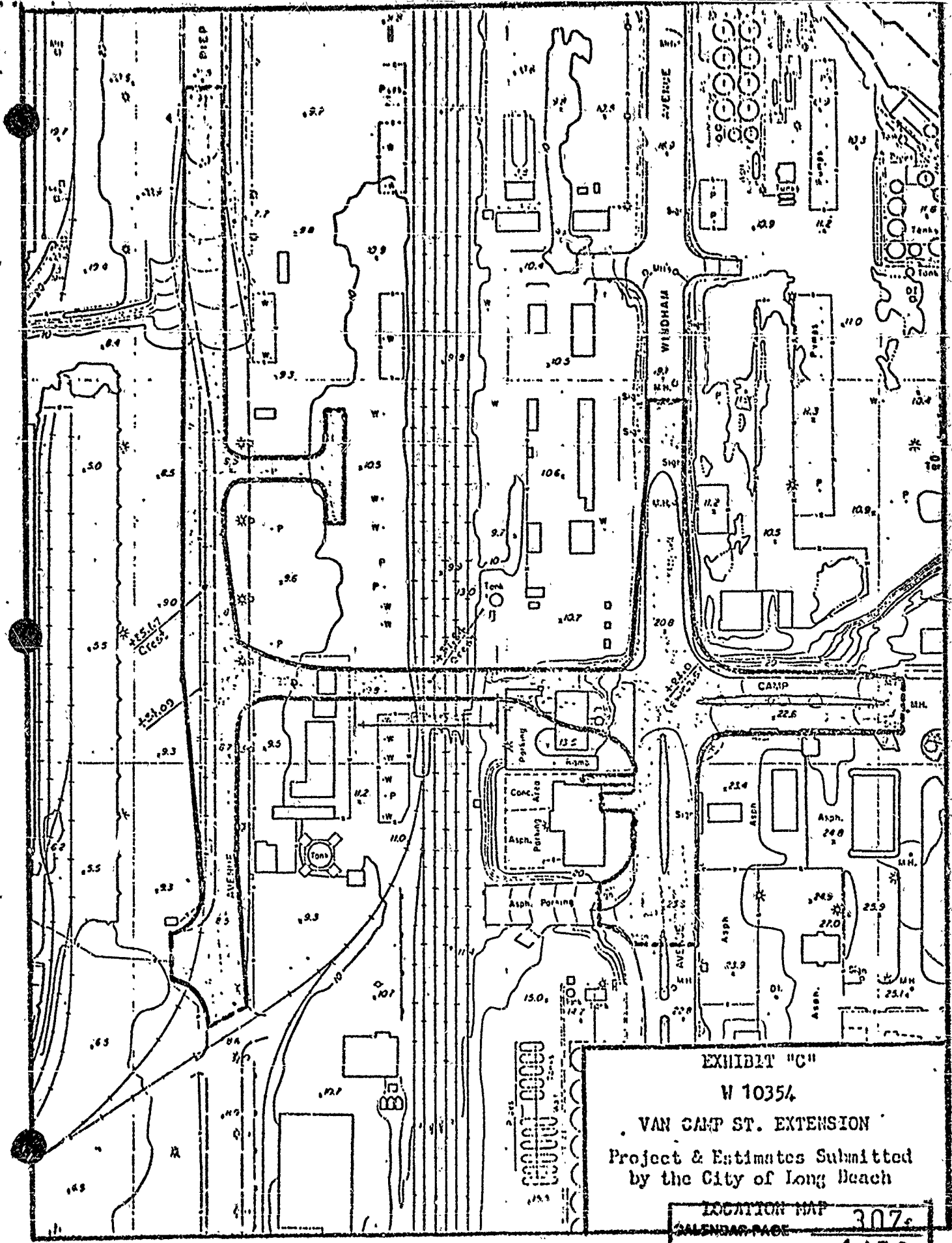


EXHIBIT "C"
 W 10354
 VAN CAMP ST. EXTENSION
 Project & Estimates Submitted
 by the City of Long Beach

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(Added, 6/25/80)