

**CALENDAR ITEM
C70**

A	Statewide	04/23/14 C2014-01, C2014-02 C2014-03, C2014-04
S	Statewide	D. Brown, A. Abeleda

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO
EXECUTE AGREEMENTS FOR BUDGET FISCAL YEAR 2014-2015**

PARTY:

California State Lands Commission
100 Howe Avenue, Suite-100 South
Sacramento, CA 95825-8202

PROPOSED ACTIVITY

The Executive Officer requests authority to execute Agreements for Budget Fiscal Year 2014-2015. The following contracts require renewal:

1. Department of Justice C2014-01 \$100,000

Interagency Agreement with the Department of Justice to provide the Commission legal consultative and investigative services to protect the State's interest within Long Beach tidelands under Chapter 29, Statutes of 1956 1st E.S., Chapter 138 Statutes of 1964 1st E.S., and the Alamitos Bay litigation.

2. Board of Equalization C2014-03 \$476,000

Interagency Agreement with the Board of Equalization (BOE) to provide the staff services for the collection of fees specified in the Marine Invasive Species Act, Chapter 491, Statute of 2003. The Act specifies certain fee collection duties be performed by the BOE. The funding for these activities has been placed in the Commission's budget by the Department of Finance. An Interagency Agreement will be required between the agencies for this purpose.

3. Department of Water Resources C2014-02 \$600,000

Interagency Agreement with the Department of Water Resources to provide telecommunications, internet access, network services, equipment, software and support at the California Natural Resources Agency Datacenter. Agreement shall be for three years subject to the availability of funds.

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4. Washington, D.C. Counsel C2014-04 \$100,000

An Agreement to provide legal representation in Washington, D. C. before Congress and the administration concerning federal oil and gas, public land and marine invasive species control matters. The Commission requires assistance with issues before agencies of the federal government, including the Department of the Interior, Bureau of Land Management, Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE) and the Department of Energy. The proposed contract services are neither efficient nor effective for the Attorney General to perform. The firm of Lobel, Novins, and Lamont has been selected to perform this service. Agreement shall be for two years subject to the availability of funds.

All agreements shall be consistent with State policies and procedures as specified in the State Administrative Manual and State Contract Manual. All agreements are subject to sufficient funding provided in the Commission's budget. Multi-year agreements are subject each year to certification of the availability of funds.

The staff recommends that the Commission find that the subject execution of Interagency Agreements does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code section 6106 (Delegation to execute written instruments)
- B. State Administrative Manual section 1200
- C. State Contracting Manual (rev 11/12)
- D. Public Contract Code section 10335 et seq. (Consulting Services Contracts)
- E. Public Resources Code section 71215, subdivision (c) (BOE for Marine Invasive Species Control Fund fee collection)
- F. Public Contract Code section 10335, subdivision (b) and 10335.5, subdivision (c) (4) (Legal Counsel Services)
- G. Business and Professions Code section 6072, subdivision (g) (Legal Counsel Services)

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IT IS RECOMMENDED THAT THE COMMISSION:

1. Find that the subject execution of Interagency Agreements is not subject to the requirements of the CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.
2. Authorize the Executive Officer or her Designee to execute Interagency Agreements described in this staff report in accordance with current State policies and procedures.
3. Authorize the Executive Officer or her Designee to enter into an Agreement for legal services with the firm of Lobel, Novins and Lamont in accordance with current State policies and procedures.