

AMENDED IN ASSEMBLY JULY 16, 2015

AMENDED IN ASSEMBLY JUNE 25, 2015

SENATE BILL

No. 399

Introduced by Senator Hall

February 25, 2015

An act to amend Section 1 of Chapter 651 of the Statutes of 1929, relating to tidelands and submerged lands.

LEGISLATIVE COUNSEL'S DIGEST

SB 399, as amended, Hall. Tidelands and submerged lands: City of Los Angeles.

Existing law grants to the City of Los Angeles all the right, title, and interest of the State of California in and to all tidelands and submerged lands situated below the line of mean high tide of the Pacific Ocean within the boundaries of the city in trust for certain purposes, including promotion of commerce, navigation, and fishery, and for certain specific uses relating to these purposes. Existing law authorizes the City of Los Angeles to grant franchises and permits on, and leases of, those lands, or any part thereof, for specified purposes and for a term not exceeding 50 years.

This bill would authorize the City of Los Angeles to renew a franchise or permit on, or lease of, those lands for those specified purposes for an additional ~~such term or terms~~ *term, not to exceed 25 years*.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1 of Chapter 651 of the Statutes of 1929,
2 as amended by Section 1 of Chapter 1130 of the Statutes of 2002,
3 is amended to read:

4 Sec. 1. There is hereby granted to the City of Los Angeles,
5 hereinafter called "city," a municipal corporation of the State of
6 California, and to its successors, all the right, title, and interest of
7 the State of California, held by the state by virtue of its sovereignty,
8 in and to all tidelands and submerged lands, whether filled or
9 unfilled, situated below the line of mean high tide of the Pacific
10 Ocean, within the present boundaries of the city, or of any harbor,
11 estuary, bay, or inlet within those boundaries, except as hereinafter
12 provided, to be forever held by the city, and by its successors, in
13 trust for the following uses and purposes, and upon the following
14 conditions:

15 (a) The lands shall be held by the city, and by its successors, in
16 accordance with the provisions of this act, for purposes in
17 connection with, or for the promotion and accommodation of,
18 commerce, navigation, and fishery, and for those purposes specified
19 in Section 3 of this act.

20 (b) Except as otherwise provided in this act, the city, or its
21 successors, shall not grant, convey, give, or alienate the lands, or
22 any part thereof, to any individual firm or corporation for any
23 purpose whatsoever; provided that the city, or its successors, may
24 grant franchises and permits thereon for ~~a limited terms, term,~~ not
25 to exceed 50 years, subject to the right of renewal by the city for
26 a further ~~such term or terms, term, not to exceed 25 years,~~ for
27 purposes in connection with, or for the promotion and
28 accommodation of, commerce, navigation, fishery, and for any
29 purposes specified in Section 3 of this act, and may lease the lands,
30 or any part ~~thereof thereof,~~ for ~~a limited terms, term,~~ not to exceed
31 50 years, subject to the right of renewal by the city for a further
32 ~~such term, or terms term, not to exceed 25 years,~~ for any and all
33 purposes which shall not interfere with the trusts upon which the
34 lands are held by the ~~State of California~~ state.

35 (c) The tide and submerged lands shall be improved by the city
36 without expense to the state, and any harbor constructed thereon
37 shall always remain a public harbor for all purposes of commerce
38 and navigation, and the state shall have, at all times, the right to

1 use, without charge, all wharves, docks, piers, slips, quays, and
2 other improvements constructed by the city on the lands, or any
3 part thereof, for any vessel or other watercraft, or railroad, owned
4 or operated by the state.

5 (d) In the management, conduct, or operation of any harbor, or
6 of any of the utilities, structures, or appliances constructed in
7 connection therewith, no discrimination in rates, tolls, or charges,
8 or in facilities, for any use or service in connection therewith shall
9 ever be made, authorized, or permitted by the city, or by its
10 successors.

11 There is reserved in the people of the State of California the
12 absolute right to fish in the waters, with the right of convenient
13 access to the waters over the lands for those purposes. The grant
14 herein made shall not include those tidelands or submerged lands
15 within those certain areas known as the Westgate addition acquired
16 by the City of Los Angeles by annexation on June 14, 1916, or the
17 Santa Monica canyon addition acquired by the City of Los Angeles
18 by annexation on April 28, 1925, or the Venice addition acquired
19 by the City of Los Angeles by consolidation on November 25,
20 1925.