



Legislation Details (With Text)

File #: 21-0282 **Version:** 1 **Name:** CD2 - Transfer of Operation of Pier H
Type: Agenda Item **Status:** Approved
File created: 3/29/2021 **In control:** City Council
On agenda: 4/6/2021 **Final action:** 4/6/2021

Title: Recommendation to discuss the possible transfer of the operation and control of “Pier H” (including the Queen Mary) from the City Council to the Harbor Commission; request Harbor Commission to review and consider acceptance of the transfer of Pier H as outlined in the memo from the City Attorney, dated March 10, 2021; and request City Manager to work with Harbor Department staff on providing necessary information and documentation for review and to report back to the City Council in 60 days.

Sponsors: COUNCILWOMAN CINDY ALLEN, SECOND DISTRICT, COUNCILWOMAN MARY ZENDEJAS, FIRST DISTRICT, COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT

Indexes:

Code sections:

Attachments: 1. 040621-R-18sr&att.pdf, 2. 040621-R-18 TFF Memo. 6.9.21.pdf

Date	Ver.	Action By	Action	Result
4/6/2021	1	City Council	approve recommendation	Pass

Recommendation to discuss the possible transfer of the operation and control of “Pier H” (including the Queen Mary) from the City Council to the Harbor Commission; request Harbor Commission to review and consider acceptance of the transfer of Pier H as outlined in the memo from the City Attorney, dated March 10, 2021; and request City Manager to work with Harbor Department staff on providing necessary information and documentation for review and to report back to the City Council in 60 days.

The Mayor and City Council recently requested the City Attorney to prepare a memo which addressed whether there would be any legal impediments or restrictions that would prohibit the transfer of control over an area known as Pier H in the Long Beach Harbor District from the City of Long Beach to the Harbor Department of the City of Long Beach ("Harbor Department"). On March 10, 2021 the City Attorney submitted the requested memo to the Mayor and Council (Copy is attached).

As discussed in the memo, in 1992, the Harbor Department transferred control of approximately 230.9 acres of tide, reclaimed and submerged lands, commonly referred to as Pier H, to the City of Long Beach. The area had primarily been developed for hotel, restaurant, retail commercial, and recreational purposes. This transfer of control was subject to certain restrictions and limitations as set forth in the legislative grants of tide and submerged lands from the State to the City and certain provisions of the City Charter. The City had sought control over this area in order to develop a multi-faceted visitor serving destination centered around the Queen Mary which has been docked at Pier H since 1967.

Since the determination in 1992, two things have changed that support the transfer of Pier H back to the Harbor Department. First, a primary port use has been developed at Pier H with the Carnival Cruise Ship facilities. Second, the Port Master Plan Update 2020 has increased the focus on visitor-serving and recreational uses provided within the Harbor District at the direction of the California Coastal Commission, and these are generally located in Pier H. In addition, basic efficiency in operations would support the transfer from the City back to the Port because currently the City and Port both exercise control over certain aspects of actions and activities at Pier H. For this and other reasons, it would be more efficient for one department to manage this property. Since the property is within the Harbor District and the Harbor Commission has jurisdiction over certain aspects of the maintenance and use of the property that cannot be delegated pursuant to the City Charter and applicable state laws, it would be more efficient if the Harbor Department was the sole department managing and controlling Pier H.

This matter was reviewed by Budget Manager Grace H. Yoon on March 29, 2021.

This recommendation requests the Harbor Commission to consider the acceptance of Pier H and also requests the City Manager to provide the necessary information and documentations to the Harbor Department and for the Harbor Commission to provide a report back on this subject to the City Council in 60 days. The requested action is anticipated to require significant level of staff hours on Harbor staff beyond the budgeted scope of duties and a significant impact on meeting other Harbor Commission priorities in order to meet the requested time frame. The requested action is also anticipated to require no more than a moderate level of staff hours for other impacted City departments, including the City Attorney's Office, beyond the budgeted scope of duties and is expected to have a moderate impact on existing City Council priorities. There is no local job impact associated with the recommendation.

Approve recommendation.

CINDY ALLEN
COUNCILWOMAN, SECOND DISTRICT

MARY ZENDEJAS
COUNCILWOMAN, FIRST DISTRICT

SUZIE PRICE
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