

RESOLUTION NO. 7623

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE DECLARING ITS INTENTION TO GRANT A TEN (10) YEAR TERM FRANCHISE TO PACIFIC PIPELINE SYSTEM, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("PPS"), TO LAY AND USE PIPES, DITCHES, FLUMES, CONDUITS AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING OIL OR PRODUCTS THEREOF, FOR ANY AND ALL PURPOSES IN, ALONG, ACROSS, UPON AND UNDER THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES, AS THE SAME NOW OR MAY HEREAFTER EXIST, WITHIN THE CITY OF SOUTH GATE, AND SETTING A PUBLIC HEARING FOR OCTOBER 14, 2014 TO CONSIDER THE INTRODUCTION OF AN ORDINANCE GRANTING THE PROPOSED RENEWAL FRANCHISE

WHEREAS, Pacific Pipeline System, LLC, a Delaware limited liability company ("PPS"), has requested, in accordance with California Public Utility Code Section 6231, that the City grant PPS a franchise for the use of one existing pipeline: a 1,363 foot long, 14-inch diameter pipeline located beneath part of Miller Way, Garfield Avenue and ending at the Arco Vinvale Terminal located at 8601 Garfield Avenue ("Pipeline No. 063"); and

WHEREAS, Pipeline No. 063 has been in place since at least 1994 and has been operated by several different oil and pipeline companies under several franchises granted by the City; and

WHEREAS, the most recent franchise pertaining to Pipeline No. 063 was granted on March 10, 2009, when the City Council adopted Ordinance No. 2258 granting a 5-year franchise renewal to PPS; and

WHEREAS, the franchise granted by Ordinance No. 2258 expired on April 8, 2014, and PPS wishes to enter into a new franchise agreement with the City of South Gate relative to Pipeline No. 063; and

WHEREAS, before the City of South Gate can award a franchise, California Public Utility Code Section 6232 *et seq.* requires the City Council to pass a resolution declaring its intent to grant a franchise and to set a public hearing at which all persons having any objection to the granting thereof may appear before the City Council and be heard thereon;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. In accordance with Public Utility Code Section 6232 *et seq.*, the City Council of the City of South Gate declares its intent to grant a franchise to PPS, for it to operate and maintain Pipeline No. 063, for a period of 10 years, commencing retroactively on April 9, 2014 and expiring on April 8, 2024.

SECTION 3. The terms and conditions of the franchise will be in accordance with California Public Utilities Code Section 6201 *et seq.* and will be substantially similar to Ordinance No. 2258. The proposed ordinance will set the franchise payment, the term, and the rules and requirements under which PPS franchise will be required to operate the Pipeline. A copy of the draft proposed ordinance is attached as Exhibit A to this Resolution.

SECTION 4. The public hearing at which the City Council of the City of South Gate shall consider the proposed franchise for first reading and at which the City Council shall hear all objections will take place on October 14, 2014 at 6:30 p.m., or as shortly thereafter as the schedule permits, in the City Council Chambers at 8650 California Avenue, South Gate, CA 90280.

[Remainder of page left blank intentionally]

SECTION 5. The City Clerk is hereby authorized and directed to give notice as required by law by causing a copy of this Resolution to be published in *The Press*, a newspaper of general circulation within the City of South Gate; said publication to be completed not less than fifteen (15) days after the adoption of this Resolution.

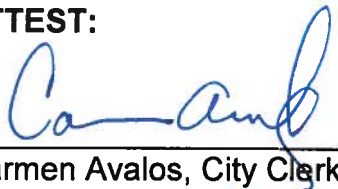
SECTION 6. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 9th day of September 2014.

CITY OF SOUTH GATE:


Henry C. Gonzalez, Mayor

ATTEST:


Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:


Raul F. Salinas, City Attorney



RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7623 was adopted by the City Council at their Regular Meeting held on September 9, 2014, by the following vote:

Ayes: Council Members: Gonzalez, Morales, Davila, De Witt and Hurtado
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Witness my hand and the seal of said City on September 11, 2014.



Carmen Avalos, City Clerk
City of South Gate, California

