

**RESOLUTION NO. 22-232**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DELINEATING CERTAIN LOCATIONS FOR THE INSTALLATION AND OPERATION OF PIPELINES OR OTHER FACILITIES IN CONNECTION WITH A NONPUBLIC UTILITY PIPELINE FRANCHISE AWARDED TO TESORO REFINING & MARKETING COMPANY LLC**

**WHEREAS**, on December 5, 2000, the City Council of the City of Carson (“City Council”) adopted Resolution No. 00-112 delineating certain locations for the installation and operation of seven (7) pipelines and other facilities in connection with a nonpublic utility pipeline franchise awarded to Equilon Enterprises LLC (“Equilon”); and

**WHEREAS**, on December 19, 2000, the City Council approved Ordinance No. 00-1208, granting to Equilon a 25-year franchise (“Equilon Franchise”) to construct, lay, operate, maintain, use, renew, repair, replace, remove, change the size and number of, and remove or abandon in place a pipes and pipelines for conducting, transporting, conveying and carrying oil, gas, petroleum, wet gas, hydrocarbon substances, water, waste water, mud, steam and other liquid substances not more hazardous than the aforesaid substances on, along, in, under and across designated public streets, ways, alleys and places within the City of Carson; and

**WHEREAS**, on May 10, 2007, Equilon sold part of the Equilon Franchise to Tesoro Refining & Marketing Company, LLC (“Franchisee”), a Delaware corporation; and

**WHEREAS**, on December 3, 2009, the City Council adopted Ordinance No. 09-1416, granting to Franchisee a nonpublic utility pipeline franchise (“Franchise”) for a period of 25 years to lay or construct from time to time, and maintain, operate, renew, repair, change the size of, remove or abandon in place pipes and pipelines for the collection, transportation or distribution of oil, gas, gasoline, petroleum, wet gas, hydrocarbon substances, water, wastewater, mud, steam and other liquid substances not more hazardous than the aforementioned substances, together with all manholes, valves, appurtenances and service connections necessary or convenient for the operation of such pipes or pipelines including conduits, cathodic protection devices, wires, cables and other appurtenances necessary or convenient for the exercise of the franchisee' s business, in, under, along or across any and all streets within the City of Carson, as approved from time to time by Resolution of the City Council; and

**WHEREAS**, on July 18, 2017, the City Council adopted Ordinance No. 17-1629, which amended Ordinance No. 09-1416 by reducing the 25-year Franchise term to 15 years commencing on the date such Ordinance No. 17-1629 became effective, and amended other terms of said ordinance; and

**WHEREAS**, on September 6, 2022, the City Council approved Resolution No. 22-184 to allow Franchisee to install and operate two (2) additional pipelines and appurtenant facilities (“New Pipelines”) limited to those certain streets, highways, roads, alleys and other public places dedicated to public use. The New Pipelines were required to be installed and operated pursuant to the Franchise granted under the authority of Ordinance No. 17-1629 together with the pipelines or other facilities which locations were delineated for installation and operation as authorized under Resolution No. 00-112; and

**WHEREAS**, the locations, lengths and descriptions of the New Pipelines, which have not yet been installed, were to be as follows: (1) Alameda Street - Fuel Gas Line (8-inch in 12-inch casing) at 90 feet in length; and (2) Alameda Street - Steam Line (18-inch in 32-inch casing) at 90 feet in length. However, as the project design developed, Franchisee determined that due to the design of the above-ground portion of the pipelines on its property on either side of Alameda Street, the Alameda Street underground crossing needed to be relocated 105 feet south. Additionally, during a constructability review, Franchisee determined that the diameters of the casings protecting the New Pipelines need to be increased; and

**WHEREAS**, now Franchisee seeks City Council approval to allow Franchisee to install and operate the two (2) additional pipelines and appurtenant facilities approved by the City Council through Resolution No. 22-184 with increased casing diameters, one increased from 12 to 24 inches and the other from 18 to 36 inches, while relocating the pipelines and appurtenant facilities 105 feet south of the locations approved through Resolution No. 22-184.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The recitals above are true and correct and are incorporated herein by this reference.

**SECTION 2.** The City Council hereby approves the installation and operation of two (2) additional pipelines and appurtenant facilities (“Updated Pipelines”) limited to those certain streets, highways, roads, alleys and other public places dedicated to public use, as described and depicted in Exhibit “A” and Exhibit “B” attached hereto and incorporated herein by this reference, as nonpublic utility pipelines, which shall be installed and operated pursuant to the Franchise granted under the authority of Ordinance No. 17-1629 together with the pipelines or other facilities which locations were delineated for installation and operation as authorized under Resolution No. 00-112. The length of the Updated Pipelines will be as follows:

<u>Locations</u>	<u>Length</u>
Alameda Street - Fuel Gas Line (8-inch in 24-inch casing)	90 feet
Alameda Street - Steam Line (18-inch in 36-inch casing)	90 feet

**SECTION 3.** The Franchise granted under the authority of Ordinance No. 17-1629 remains in full force and effect.

**SECTION 4.** The City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**SECTION 5.** The City Council hereby revokes and rescinds Resolution No. 22-184 which will hereinafter be of no further force or effect.

**SECTION 6.** The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**SECTION 7.** This Resolution shall take effect immediately upon its adoption.

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PASSED, APPROVED, and ADOPTED this 15th day of November, 2022.

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Lula Davis-Holmes, Mayor

ATTEST:

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Dr. Khaleah R. Bradshaw, City Clerk

APPROVED AS TO FORM:

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Sunny K. Soltani, City Attorney

## **EXHIBIT “A”**

### **DESCRIPTIONS**

#### **Description of the franchise area for Tesoro Refining & Marketing Company LLC’s 8-inch Fuel Gas Line in a 24-inch Casing within the City of Carson, California**

Exiting Tesoro Refining & Marketing Company LLC’s private property and continuing northwesterly for a distance of 90 feet across Alameda Street approximately 2,476 feet northerly of the centerline of the Sepulveda Boulevard Overpass and then exiting to Union Pacific Railroad right of way.

#### **Description of the franchise area for Tesoro Refining & Marketing Company LLC’s 18-inch Steam Line in a 36-inch Casing within the City of Carson, California**

Exiting Tesoro Refining & Marketing Company LLC’s private property and continuing northwesterly for a distance of 90 feet across Alameda Street approximately 2,486 feet northerly of the centerline of the Sepulveda Boulevard Overpass and then exiting to Union Pacific Railroad right of way.

# EXHIBIT "B"

## MAP

