



## Legislation Details (With Text)

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**Title:** CONSIDER APPROVAL OF CARSON REFINERY PERIMETER BEAUTIFICATION AGREEMENT BETWEEN THE CITY OF CARSON AND TESORO/MARATHON REFINING AND MARKETING COMPANY, LLC (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Side Letter, 2. NEW EXHIB. 2 Carson - Tesoro Perimeter Beautification Agreement - Final

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, May 21, 2019

Discussion

### SUBJECT:

**CONSIDER APPROVAL OF CARSON REFINERY PERIMETER BEAUTIFICATION AGREEMENT BETWEEN THE CITY OF CARSON AND TESORO/MARATHON REFINING AND MARKETING COMPANY, LLC (CITY COUNCIL)**

### I. SUMMARY

On July 5, 2017, the City and Tesoro Refining and Marketing Company LLC (Tesoro) entered into a Side Letter Agreement to make certain improvements to the perimeter of the Tesoro refinery (Refinery), Exhibit No. 1. At the same time, a Community Benefits Agreement ("CBA") between the parties was approved by the City Council. The Side Letter Agreement also acknowledged that the City will be processing, in good faith, the Conditional Use Permit for the future tank site (Tank Site CUP) at the southeast corner of Sepulveda Boulevard and Wilmington Avenue, which was approved by the Planning Commission on May 14, 2019 by an 8-0 vote. The Side Letter discussed improvements to the perimeter of the Refinery in general terms. City staff has been working with Tesoro staff to refine the improvements. As a result, the proposed Carson Refinery Perimeter Beautification Agreement (Agreement) has been drafted for Council's consideration (Exhibit No. 2). This Agreement solidifies the required improvements and provides a schedule for implementing these improvements. The improvements are generally to the landscaping and fencing for the Refinery perimeter. This Agreement, together with the

Conditions of Approval for the Tank Site CUP, will comprehensively improve the perimeter of the Refinery site with a consistent design.

## **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE Carson Refinery Perimeter Beautification Agreement by and between the City of Carson and Tesoro Refining and Marketing Company, LLC; and
2. AUTHORIZE the Mayor to execute the Carson Refinery Perimeter Beautification Agreement.

1.

## **III. ALTERNATIVES**

TAKE another action the council deems appropriate.

## **IV. BACKGROUND**

Pursuant to the Side Letter, Carson and Tesoro have undertaken a collaborative process, in good faith, to seek agreement regarding the potential improvements in the Side Letter. That process included several in-person meetings and site visits to portions of the Carson Refinery property on May 29, 2018; July 31, 2018, September 13, 2018; and October 23, 2018. As a result of that collaborative process, Tesoro has agreed to make investments at the Carson Refinery perimeter to improve the aesthetic appearance of the facility. Tesoro desires to make such investments to improve the image of the refinery perimeter and allow Carson residents to enjoy a more aesthetically pleasing community.

The Parties are entering into this Agreement to resolve comprehensively all issues between them in a cooperative manner, and thereby allow Tesoro to implement the aesthetic improvements. The improvements under this agreement will complement and will be consistent with the improvements that are required to be installed by the Tank Site CUP. The final design of these improvements shall be developed and agreed upon by the City. It should be noted that the landscape improvements will be somewhat limited due to existing constraints including availability of space, presence of underground and aboveground refinery related infrastructure, and the requirements imposed by various agencies to preserve the public health and safety of the community as it relates to the refinery site.

### **Tesoro Beautification Project includes the following improvements:**

The following provides a summary of the major improvements proposed in this Agreement. A complete list of the improvements is included in the Agreement.

- Wilmington Avenue east side, from E. 223<sup>rd</sup> St. to Sepulveda Boulevard and along Wilmington Avenue on an approximately 750-foot long stretch south of the Tank Site CUP site: Parkway and median landscape and irrigation improvements will be installed. The parkway landscaping will include replacing missing and existing unhealthy juniper trees with bougainvillea shrubs and adding new privacy slats to the existing fence as deemed necessary by staff.

- Wilmington Avenue east side, from E. 223<sup>rd</sup> St. to Sepulveda Boulevard and along Wilmington Avenue on an approximately 750-foot long stretch south of the Tank Site CUP site: Remove all unhealthy existing landscaping and replace with all new upgraded drought-tolerant landscaping and irrigation at the entrances.
- Sepulveda Boulevard at the Carson Refinery perimeter along the north side of Sepulveda Boulevard, approximately 1.0 mile in length: Add new privacy slats to the existing fence as deemed necessary by staff. Install rectangular bump-out fencing, spaced at approximately one thousand feet (1,000') intervals to match the existing medians, install concrete with decorative stones at bump-out locations. Install irrigation and plants and trees for all medians.
- Wilmington Avenue and Sepulveda Boulevard Intersection (north-east corner): Install signage, irrigation, and landscaping, such as palm trees, consistent with the north-west corner, to the extent feasible without impacting existing underground pipelines or utility lines in accordance with California State Fire Marshal regulations.
- Wilmington Avenue and 223<sup>rd</sup> Street Intersection: Install an "urban statement" if deemed feasible and appropriate by staff.
- Repairs to Sidewalks, Curb Gutter, and Driveways: Repair all sidewalks, curb, gutter, and driveways along Wilmington Avenue and Sepulveda Boulevard. To the extent that any such repairs or alterations require enhancements to ensure accessibility pursuant to the Americans with Disabilities Act ("ADA"), Tesoro will make the necessary enhancements and alterations and ensure compliance with all ADA requirements.
- Long Term Maintenance: Tesoro will be responsible for maintaining all improvements located on property owned by Tesoro that are installed for the Beautification Project and all other improvements located on the Carson Refinery.
- Schedule: Tesoro will prepare plans for Beautification Project for City's review and approval and will complete the improvements in accordance with the Project Schedule attached to the Agreement (Exhibit A of the Agreement). The improvements are expected to take approximately 1.5 to 2 years to complete.

## **V. FISCAL IMPACT**

None

## **VI. EXHIBITS**

1. Side Letter Agreement date July 5, 2017 (pgs. 4-8)
2. Carson Refinery Perimeter Beautification Agreement (pgs. 9-20)

1.

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