

RESOLUTION NO. 7716

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 FIVE-YEAR FRANCHISE TO TORRANCE PIPELINE COMPANY, LLC, TO USE, MAINTAIN, REPAIR AND REPLACE A SINGLE PIPELINE BENEATH SPECIFIED PUBLIC STREETS, TOGETHER WITH RELATED APPURTENANCES, FOR TRANSMITTING AND DISTRIBUTING OIL AND OIL PRODUCTS; AND SCHEDULING A PUBLIC HEARING FOR AUGUST 23, 2016, TO CONSIDER THE INTRODUCTION OF AN ORDINANCE GRANTING THE PROPOSED FRANCHISE

WHEREAS, on August 14, 2012, the South Gate City Council adopted Ordinance No. 2297, granting ExxonMobil Oil Corporation, a New York corporation ("Exxon"), a franchise for the use of a 8,960 foot long, 12-inch diameter pipeline (located beneath Santa Fe Avenue from Independence Avenue to Southern Avenue, beneath Southern Avenue from Santa Fe Avenue to Alameda Street, and beneath Alameda Street from Southern Avenue to Seminole Avenue) commonly referred to by Exxon as Pipeline No. M-145 (the "Pipeline"); and

WHEREAS, the Pipeline 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, Exxon has sold the Pipeline to Torrance Pipeline Company, LLC, a Delaware limited liability company ("TPC"); and

WHEREAS, in connection with that sale, TPC has asked that the City award a new franchise to TPC for the operation of the Pipeline; and

WHEREAS, the City of South Gate, pursuant to applicable federal, state and local law, is authorized to grant franchises within the City of South Gate; and

WHEREAS, before the City of South Gate can award a franchise, California Public Utility Code Sections 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 TPC, for it to operate and maintain the Pipeline, for a period of five (5) years, commencing on September 13, 2016 and expiring on September 13, 2021.

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. 2297. The proposed ordinance will set the franchise payment, the term, and the rules and requirements under which TPC 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 August 23, 2016 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; 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.

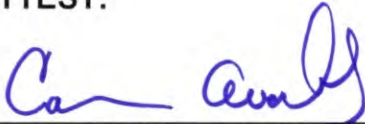
PASSED, APPROVED and ADOPTED this 12th day of July 2016.

CITY OF SOUTH GATE:



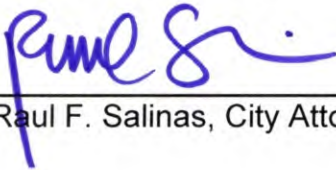
W.H. (Bill) De Witt, Mayor

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. 7716 was adopted by the City Council at their Regular Meeting held on July 12, 2016, by the following vote:

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

Witness my hand and the seal of said City on July 25, 2016.



Carmen Avalos, City Clerk
City of South Gate, California