

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 10/20/2015 by the following vote:

	<b>John Gioia</b>
	<b>Candace Andersen</b>
<b>AYE:</b>	<input checked="checked" type="checkbox"/> <b>Mary N. Piepho</b>
	<b>Karen Mitchoff</b>
	<b>Federal D. Glover</b>
<b>NO:</b>	<input type="checkbox"/>
<b>ABSENT:</b>	<input type="checkbox"/>
<b>ABSTAIN:</b>	<input type="checkbox"/>
<b>RECUSE:</b>	<input type="checkbox"/>



**Resolution No. 2015/381**

IN THE MATTER OF a resolution of the Board of Supervisors of the County of Contra Costa authorizing the granting of a Pipeline Franchise to SFPP, L.P. The Board of Supervisors of the County of Contra Costa finds and declares:

WHEREAS, on August 13, 2013, this Board adopted: Ordinance No. 2013-19 (establishing regulations for granting pipeline franchises in County rights-of-way), which became effective September 12, 2013; and Resolution No. 2013/305 (establishing pipeline franchise fee amounts).

WHEREAS, SFPP, L.P. has filed a written application with the County, dated January 16, 2014, wherein it has requested the granting of a pipeline franchise for a public utility transmitting oil or oil products pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305.

WHEREAS, SFPP, L.P. has identified the following eight pipelines, which it owns, and will be covered under the proposed pipeline franchise:

1. Line Section No. 8 Pipeline – 8 inch diameter, 2,252 feet petroleum products.
2. Line Section No. 9 Pipeline – 10 inch diameter, 11,815 feet petroleum products.
3. Line Section No. 32 Pipeline – 4 inch diameter, 525 feet petroleum products.
4. Line Section No. 32 Pipeline – 8 inch diameter, 525 feet petroleum products.
5. Line Section No. 37 Pipeline – 12 inch diameter, 575 feet petroleum products.
6. Line Section No. 72 Pipeline – 8 inch diameter, 110 feet petroleum products.
7. Line Section No. 90 Pipeline – 12 inch diameter, 100 feet petroleum products.
8. Line Section No. 130 Pipeline – 20 inch diameter, 4,275 feet petroleum products.

WHEREAS, the petroleum products pipelines to be covered under the pipeline franchise were covered under previous County pipeline franchises that have expired.

WHEREAS, the County has reviewed the application as well as relevant documents, staff reports and recommendation and it is the intent of the Board to grant a pipeline franchise to SFPP, L.P. pursuant to Ordinance 2013-19 and Resolution 2013/305.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Supervisors of Contra Costa County finds and declares that the foregoing recitals are true and correct.
2. Pursuant to Ordinance No. 2013-19, a franchise to operate an 8 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 2,252 feet (Line Section No. 8 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
3. Pursuant to Ordinance No. 2013-19, a franchise to operate a 10 inch diameter petroleum products pipeline bisecting the County from east to west and crossing various County rights of way for a lineal distance of approximately 11,815 feet (Line Section No. 9 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.

4. Pursuant to Ordinance No. 2013-19, a franchise to operate a 4 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 525 feet (Line Section No. 32 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
5. Pursuant to Ordinance No. 2013-19, a franchise to operate an 8 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 525 feet (Line Section No. 32 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
6. Pursuant to Ordinance No. 2013-19, a franchise to operate a 12 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 575 feet (Line Section No. 37 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
7. Pursuant to Ordinance No. 2013-19, a franchise to operate an 8 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 110 feet (Line Section No. 72 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
8. Pursuant to Ordinance No. 2013-19, a franchise to operate a 12 inch diameter petroleum products pipeline bisecting the County from east to west and crossing various County rights of way for a lineal distance of approximately 100 feet (Line Section No. 90 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
9. Pursuant to Ordinance No. 2013-19, a franchise to operate a 20 inch diameter petroleum products pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 4,275 feet (Line Section No. 130 Pipeline) is hereby granted to SFPP, L.P., a Delaware Limited Partnership for a term of 10 years.
10. The general location of the pipelines is depicted on the maps attached hereto as Exhibit 1.
11. The annual franchise payment is to be paid pursuant to County Resolution No. 2013/305 and Public Utilities Code Section 6231.5 and shall be calculated utilizing the base rates shown in the table below for pipelines within the County right-of-way. The annual franchise fee rate will be increased annually by the change in the Consumer Price Index, all Urban Consumers for the San Francisco-Oakland-San Jose Area (1982-84 = 100) for the month of September immediately preceding the month in which payment is due and payable, with June 1989 (126.20) as the base CPI month.

Pipe size (internal diameter in inches)	Base rate (per lineal foot)
0-4	\$0.088
6	\$0.132
8	\$0.176
10	\$0.220
12	\$0.264
14	\$0.308
16	\$0.352
18	\$0.396
20	\$0.440
22	\$0.484
24	\$0.528
26	\$0.572
28	\$0.616
30	\$0.660

12. The Director of Public Works, or her designee, is authorized to administer the pipeline franchise granted pursuant to this resolution.

13. The Resolution shall take effect upon the following:

Within 30 days of the date of this Resolution, SFPP, L.P. must file with the Public Works Department the following: (1) a written acceptance of the terms and conditions of the franchise granted pursuant to this Resolution, Ordinance No. 2013-19, and Resolution No. 2013/305; (2) a performance bond in the form approved by the Board; insurance coverage as required by Ordinance 2013-19.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Carrie Ricci, 925-313-2235**

**ATTESTED: October 20, 2015**

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

**cc:**