

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

Adopted this Resolution on 03/29/2016 by the following vote:

John Gioia
Candace Andersen
Karen Mitchoff
Federal D. Glover

AYE: 4

NO:

ABSENT: 1 **Mary N. Piepho**

ABSTAIN:

RECUSE:



Resolution No. 2016/13

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 Chevron U.S.A. Inc., a Pennsylvania Corporation. 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, Chevron U.S.A. Inc. has filed a written application with the County, dated April 8, 2014, wherein it has requested the granting of a pipeline franchise pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305. WHEREAS, Chevron U.S.A. Inc. has identified the following four pipelines, which it owns, and will be covered under the proposed pipeline franchise as:

1. Bay Area Products Line (BAPL) – 8 inch diameter, 790 feet Petroleum Products.
2. Bay Area Products Line (BAPL) – 10 inch diameter, 379 feet Petroleum Products.
3. Northern California Gas (NCG) System – 12 inch diameter, 341 feet Natural Gas.
4. Northern California Gas (NCG) System – 18 inch diameter, 154 feet Natural Gas.

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 Chevron U.S.A. Inc. pursuant to Ordinance No. 2013-19 and Resolution No. 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 790 feet (BAPL pipeline) is hereby granted to Chevron USA, Inc. a Delaware corporation, 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 north to south and crossing various County rights of way for a lineal distance of approximately 379 feet (BAPL pipeline) is hereby granted to Chevron USA, Inc., a Delaware corporation, for a term of 10 years.
4. Pursuant to Ordinance No. 2013-19, a franchise to operate a 12 inch diameter Natural Gas pipeline bisecting the County from east to west and crossing various County rights of way for a lineal distance of approximately 341 feet (NCG System pipeline) is hereby granted to Chevron USA, Inc., a Delaware corporation, for a term of 10 years.
5. Pursuant to Ordinance No. 2013-19, a franchise to operate an 18 inch diameter Natural Gas pipeline bisecting the County from east to west and crossing various County rights of way for a lineal distance of approximately 154 feet (NCG System pipeline) is hereby granted to Chevron USA Inc., a Delaware corporation, for a term of 10 years.
6. The general location of the pipelines is depicted on the maps attached hereto as Exhibit 1.
7. The annual franchise payment to be paid pursuant to County Resolution 2013/305 shall be calculated at the rate of \$1.77 per cubic foot of pipeline within the County right-of-way. The number of cubic feet of pipeline subject to the franchise fee rate will be calculated by taking the area of the inside diameter of the pipeline plus 1” and multiplying it by the length of the pipeline within the County right-of-way. The annual franchise fee rate of \$1.77 per cubic foot 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), with December 2012 (239.53) as the base CPI month.

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

9. The Resolution shall take effect upon the following:

Within 30 days of the date of this Resolution, Chevron USA, Inc. 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: March 29, 2016

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

By: Stacey M. Boyd, Deputy

cc: