

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

Adopted this Resolution on 01/10/2017 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2017/5

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 California Resources 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, California Resources Corporation has filed a written application with the County, dated November 10, 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, California Resources Corporation has identified two pipelines to be covered under the proposed pipeline franchise as:

1. Ryer Discharge – 12 inch diameter, 1,400 feet, natural gas.
2. Union Island – 12 inch diameter, 42,743 feet, natural gas.

WHEREAS, one of the natural gas pipelines to be covered under the pipeline franchise was covered under a previous County pipeline franchise that has expired. The other natural gas pipeline was covered under a County pipeline franchise that has not expired, however California Resources Corporation has requested that both pipelines are covered under one pipeline franchise. Resolution No. 2013/127 which does not expire until 2017 will be terminated when Resolution No. 2017/5 is approved.

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 California Resources Corporation 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 a 12 inch diameter natural gas pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 1,400 feet (Ryer Discharge) is hereby granted to California Resources Corporation, for a term of 10 years.

3. Pursuant to Ordinance No. 2013-19, a franchise to operate a 12 inch diameter natural gas pipeline bisecting the County from north to south and crossing various County rights of way for a lineal distance of approximately 42,743 feet (Union Island) is hereby granted to California Resources Corporation, for a term of 10 years.

4. The general location of the pipelines are depicted on the maps attached hereto as Exhibit 1.

5. 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.

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

7. The Resolution shall take effect upon the following: Within 30 days of the date of this Resolution, California Resources Corporation 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: January 10, 2017

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

By: , Deputy

cc: