

838  
SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Purchasing & Fleet Services

SUBMITTAL DATE: April 22, 2003

SUBJECT: RESOLUTION 2003-217 AND ORDINANCE NO. 390.2 GRANTING A SECOND-YEAR EXTENSION OF FRANCHISE FOR SOUTHERN CALIFORNIA EDISON COMPANY PIPELINE

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution 2003-217 declaring the intent of the Board to hold a public hearing in which it proposes to grant a second-year extension of the franchise currently held by Southern California Edison Company under County Ordinance No. 390.1 to maintain and operate a pipeline in Riverside County for the transportation of oil, petroleum, gas, and other substances.
2. That at the conclusion of the public hearing the Board adopts Ordinance No. 390.2 granting to Southern California Edison Company a second-year extension of the franchise currently held by the company to continue to maintain and operate its pipeline in County Rights of Way for the purposes of transporting oil, petroleum, gas, and other substances.

**BACKGROUND:** In 1952 the County by adopting Ordinance No. 390 granted to Southern California Edison Company a fifty-year franchise for the purpose of laying, maintaining, and operating a pipeline for the transportation of oil, petroleum, gas, and other substances. The pipeline laid by the company is approximately 13,200 feet in length and is located in the northwestern portion of the County. The franchise was granted under provisions in the California Public Utilities Code by which the company pays the County 2% of its annual gross receipts derived from the operation of the pipeline.

(Continued on Page 2)

*Robert J. Howdysshell*  
for ROBERT J. HOWDYSHELL, Director  
Purchasing and Fleet Services

**FINANCIAL DATA:**

CURRENT YEAR COST: \$0  
NET COUNTY COST: \$0

ANNUAL COST: \$0  
IN CURRENT YEAR BUDGET: N/A  
BUDGET ADJUSTMENT: N/A

FORM APPROVED  
COUNTY COUNSEL

**SOURCE OF FUNDS:**

C.E.O. RECOMMENDATION: **APPROVE.**

MAY 05 2003

County Executive Officer Signature *Denis J. Fardis* BY *Lee A. J. [Signature]*

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

03 MAY -1 10:33  
03 MAY -2 10:33  
RECEIVED  
COUNTY OF RIVERSIDE

Prev. Agn. ref.  
Agenda Item 3.5 on 7/2/02

Dist.  
ALL

AGENDA NO.

3.26

**Board of Supervisors**

**Form 11: RESOLUTION 2003-217 AND ORDINANCE NO. 390.2 GRANTING A SECOND-YEAR  
EXTENSION OF FRANCHISE FOR SOUTHERN CALIFORNIA EDISON COMPANY PIPELINE**

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**BACKGROUND (Continued)**

In the first quarter of 2001, representatives from Southern California Edison Company met with the County and advised the County that Southern California Edison Company is now in the process of conducting negotiations and going through the regulatory process to sell most of the pipeline and oil storage facilities located in California. The very limited portion of its pipeline system that is located in an unincorporated portion of Riverside County (which is the subject of the current franchise in Ordinance No. 390), eventually will be transferred to a new owner as part of the sale once the transaction is completed. The decision was approved by the Board on July 2, 2002 to grant a one-year extension to Southern California Edison Company adopting Ordinance 390.1.

As of recent the sale was expected to close by year-end 2002, but the regulatory approval process is taking longer than anticipated. Southern California Edison Company is confident that a favorable decision approving the sale will be issued soon and that the sale will close this year (2003). However, given the revised but still somewhat uncertain, regulatory timeframe, Southern California Edison Company would like to request that the County grant another extension of the current franchise for one-year.

**REVIEW/APPROVAL:** County Counsel has approved the attached Ordinance 390.2.

2 RESOLUTION NO. 2003-217

3 DECLARATION OF INTENTION TO GRANT A ONE-YEAR EXTENSION OF  
4 FRANCHISE PREVIOUSLY ISSUED TO SOUTHERN CALIFORNIA EDISON COMPANY  
ON APRIL 21, 1952, TO MAINTAIN AND OPERATE A PIPELINE IN RIVERSIDE COUNTY

5 WHEREAS, Southern California Edison Company, a California corporation, has filed with the  
6 Board of Supervisors of the County of Riverside, its letter application dated February 21, 2003, requesting  
7 that the exiting franchise issued to it by County Ordinance No. 390 on April 21, 1952, and extended by  
8 Ordinance 390.1 to lay, maintain, and operate a pipeline in County Rights of Way be extended for one  
9 additional year to expire on May 20, 2004; and,  
10

11 WHEREAS, the Board of Supervisors of the County of Riverside believes the public good  
12 requires that said franchise be extended for one additional year as requested;

13 NOW THEREFORE BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the  
14 Board of Supervisors of the County of Riverside, State of California, in regular session assembled on  
15 May 13, 2003, that the Board intends to grant said franchise extension, that the hearing of  
16 objections to the granting thereof will be held at the time and place specified in the form of notice  
17 hereinafter set forth which the Clerk of the Board is hereby directed to publish at least once in the Press  
18 Enterprise, a newspaper of general circulation published in the County of Riverside, within fifteen (15)  
19 days after the passage of this Resolution, and that said notice shall be substantially in the following  
20 words:  
21

22 "NOTICE OF INTENTION TO GRANT EXTENSION OF FRANCHISE  
23

24 NOTICE IS HEREBY GIVEN that Southern California Edison Company, a California  
25 corporation, has filed its letter application dated February 21, 2003, with the Board of Supervisors  
26 requesting that the Board grant to the company a one year extension of the franchise it currently holds  
27 under County Ordinance No. 390.1 for the purpose of laying and maintaining pipeline in County Rights  
28

1 of Way for the transportation of oil, petroleum, gas and other substances.

2 If the franchise is extended as requested, Southern California Edison Company, its successors and  
3 assigns, shall continue to be bound by the terms and conditions in the existing franchise granted to the  
4 company under Ordinance No. 390.2 for one additional year, i.e. from May 20, 2003, to May 20, 2004.

5 The Board of Supervisors of the County of Riverside proposes to grant the one-year extension  
6 requested.

7  
8 NOTICE IS HEREBY FURTHER GIVEN that any and all persons having objections to the  
9 granting of said franchise extension may appear before the Board of Supervisors at the meeting room  
10 located on the 1st Floor, County Administrative Center, 4080 Lemon Street, Riverside, California, at the  
11 hour of 10:00 am on Tuesday, June 3, 2003, and be heard thereon; and,

12 NOTICE IS HEREBY FURTHER GIVEN that at any time not later than the hour set for hearing  
13 objections, any person interested may make written protest stating objections against the granting of said  
14 franchise extension, which protest must be signed by the protestant and be delivered to the Clerk of the  
15 Board of said County. The Board of Supervisors at the time set for hearing said objections shall proceed  
16 to hear and pass upon all protests so made; and,

17  
18 For further particulars, reference is hereby made to the letter dated February 21, 2003, received  
19 from the company which is on file in the office of the Clerk of the Board of Supervisors, and also to the  
20 Resolution proposed to be adopted by said Board of Supervisors on May 13, 2003, declaring its  
21 intention to grant said franchise extension.

22  
23 DATED THIS \_\_\_ day of \_\_\_\_\_, 2003.

24 By order of the Board of Supervisors of the County of Riverside, California."  
25

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27  
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