

FORM APPROVED COUNTY COUNSEL 9/26/15  
 BY: GREGORY P. PRIAMOS DATE

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

945



**FROM:** Executive Office

**SUBMITTAL DATE:**  
 August 19, 2015

**SUBJECT:** Adoption of Ordinance No. 553.1: an Urgent Ordinance Amendment of the County of Riverside Temporarily Extending Ordinance No. 553 Granting a Franchise to the Southern California Gas Company (formerly held by the Pacific Lighting Service Company). All Districts; [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Ordinance No. 553.1, an urgent ordinance amendment temporarily extending Ordinance No. 553 to allow completion of new franchise negotiations with Southern California Gas Company no later than January 12, 2016.

**BACKGROUND:**

**Summary**

On August 19, 1975, the County Board of Supervisors adopted Ordinance No. 553, granting Pacific Lighting Service Company the right, privilege and franchise to transmit gas and essentially operate in the County for a period of 40 years. In 1985, the county recognized the merger of Pacific Lighting Service Company into the Southern California Gas Company. All terms remained the same.

Continued on the next page.

*Tina Grande*  
 TINA GRANDE  
 Principal Management Analyst

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

**SOURCE OF FUNDS:** Budget Adjustment: No  
 For Fiscal Year:

**C.E.O. RECOMMENDATION:** APPROVE  
*Debra Cournoyer*  
 Debra Cournoyer  
 County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that Ordinance 553.1 is adopted with waiver of the reading, IT WAS FURTHER ORDERED that the Chairman appoint up to 2 Supervisors to serve on the negotiating committee.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: September 1, 2015  
 xc: E.O.

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

Prev. Agn. Ref.: 6.2 8/19/1975 | District: ALL | Agenda Number:

3-34

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Adoption of Ordinance No. 553.1: an Urgent Ordinance Amendment of the County of  
Riverside Temporarily Extending Ordinance No. 553 Granting a Franchise to the Southern California  
Gas Company (formerly held by the Pacific Lighting Service Company). All Districts**

**DATE: August 19, 2015**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

On February 10, 2014, the formal negotiations began between the County and the Gas Company. The County team is comprised of staff from Purchasing, Clerk of the Board, Transportation Land Management Agency, County Counsel, Executive Office, and outside counsel. Unfortunately, the parties were not able to reach an agreement on all outstanding terms before the franchise expired.

The proposed urgent ordinance amendment extends the current franchise until January 12, 2016. The ordinance amendment requires the County and Gas Company teams to meet at least once a month until a new final franchise agreement is drafted and fully agreed to by both parties.

The request for adoption of this urgent ordinance amendment is made pursuant to Government Code Sections 25123, 25131, which allow the ordinance amendment to be granted without typical notice requirements (if necessary) and without any waiting period for implementation following adoption.

The ordinance has been reviewed and approved as to form by County Counsel. A 4/5<sup>th</sup> vote is required by Government Code Sections 25123, 25131.

**Impact on Residents and Businesses**

The Board of Supervisor's action today allows both the County and the Gas Company to continue to provide uninterrupted service with confidence to the residents and businesses of the County, while continuing to negotiate terms of a new franchise.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

Ordinance No. 553.1






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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on September 1, 2015, the foregoing ordinance consisting of 4 Sections was adopted by the following vote:

AYES:                   Jeffries, Tavaglione, Washington, Benoit and Ashley  
NAYS:                   None  
ABSENT:                 None

DATE:           September 1, 2015

KECIA HARPER-IHEM  
Clerk of the Board  
BY:   
Deputy

SEAL



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

September 3, 2015

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

FAX: (951) 368-9018  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: ADOPTION OF ORDINANCE NO. 553.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, September 9, 2015**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Cecilia Gil*

Board Assistant to:  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

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**From:** PEC Legals Master <legalsmaster@pe.com>  
**Sent:** Thursday, September 03, 2015 9:29 AM  
**To:** Gil, Cecilia  
**Subject:** Re: FOR PUBLICATION: Adoption of Ord. NO. 553.1

Received for publication on Sept. 9. Proof with cost to follow.

Thank you.

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**From:** Gil, Cecilia <[CCGIL@rcbos.org](mailto:CCGIL@rcbos.org)>  
**Sent:** Thursday, September 3, 2015 7:55 AM  
**To:** PEC Legals Master  
**Subject:** FOR PUBLICATION: Adoption of Ord. NO. 553.1

Adoption of Ordinance, for publication on Wednesday, Sept. 9, 2015. Please confirm. THANK YOU!

*Cecilia Gil*  
Board Assistant  
Clerk of the Board  
951-955-8464  
MS# 1010



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
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KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

September 3, 2015

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

FAX: (760) 778-4731  
E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

RE: ADOPTION OF ORDINANCE NO. 553.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, September 9, 2015**.

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NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Cecilia Gil*

Board Assistant to:  
KECIA HARPER-IHEM, CLERK OF THE BOARD



## Gil, Cecilia

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**From:** Email, TDS-Legals <legals@thedesertsun.com>  
**Sent:** Thursday, September 03, 2015 8:42 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. NO. 553.1

Good Morning ☺

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Customer Care Representative / Legals

The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Thursday, September 03, 2015 7:56 AM  
**To:** Email, TDS-Legals <legals@thedesertsun.com>  
**Subject:** FOR PUBLICATION: Adoption of Ord. NO. 553.1

Adoption of Ordinance, for publication on Wednesday, Sept. 9, 2015. Please confirm. THANK YOU!

*Cecilia Gil*  
Board Assistant  
Clerk of the Board  
951-955-8464  
MS# 1010

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

**ORDINANCE NO. 553.1**

**AN URGENT ORDINANCE AMENDMENT OF THE COUNTY OF RIVERSIDE  
EXTENDING ORDINANCE NO. 553 GRANTING A FRANCHISE TO SOUTHERN CALIFORNIA GAS  
COMPANY (FORMERLY HELD BY PACIFIC LIGHTING SERVICE COMPANY)**

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

Section 1. This urgent ordinance amendment extends Ordinance No. 553 as follows:

“This franchise is now held by the Southern California Gas Company (“SCGC”).

The 40-year franchise term stated in Section 1, which expired on or about August 19, 2015, shall be extended through January 12, 2016. The franchise shall be deemed to have been in continuous effect from its initial adoption through January 12, 2016.

Representatives of the County of Riverside (“County”) and SCGC have been working to discuss and resolve issues involved in granting a new franchise to SCGC; but more time is needed to complete the process. Therefore, it is necessary to extend the current franchise through January 12, 2016 to assure SCGC continues to operate under the terms of this ordinance.

In order to complete final negotiations and obtain County Board of Supervisors approval no later than January 12, 2016, County and SCGC representatives shall meet on at least a monthly basis at the County Administrative Center until the final new franchise agreement is drafted and fully agreed upon by the representatives.”

Section 2. The Board of Supervisors finds that this ordinance amendment is urgently needed for the immediate preservation of the public peace, health, or safety; namely, the need for the SCGC franchise and related necessary service to citizens and businesses to continue in effect until the new franchise agreement is approved.

Section 3. All other terms of Ordinance No. 553 shall remain unchanged and in effect.

Section 4. This ordinance amendment is hereby declared to be an urgency measure and shall take effect immediately upon its adoption.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **September 1, 2015**, the foregoing Ordinance consisting of four (4) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, Benoit and Ashley

NAYS: None

ABSENT: None

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant