

ORDINANCE NUMBER O- 19208

ADOPTED ON SEP 02 2003

AN ORDINANCE GRANTING A NON-EXCLUSIVE PIPELINE FRANCHISE TO SFPP, L.P. FOR A PERIOD OF TWO YEARS, TO INSTALL, CONSTRUCT, MAINTAIN AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF REFINED PETROLEUM PRODUCTS AND OTHER HYDROCARBON SUBSTANCES IN CERTAIN CITY STREETS OF AND WITHIN THE CITY OF SAN DIEGO.

WHEREAS, an ordinance granting a forty-year franchise to San Diego Pipeline Company for petroleum pipelines within the public streets of the City of San Diego was adopted by the City Council in 1963, was amended by Ordinance No. O-10955 (New Series) on November 21, 1972, by Ordinance No. O-12462 (New Series) on October 16, 1978, and by Ordinance No. O-16512 (New Series) on September 30, 1985 [collectively, the Franchise]; and

WHEREAS, the assignment of the Franchise to SFPP, L.P. [SFPP], was approved on April 20, 1992, by Ordinance No. O-17758 [the Assignment]; and

WHEREAS, the Franchise, as well as two leases with SFPP for portions of the pipelines that cross City-owned land in Sorrento Valley and Montgomery Field, expired in January 2003; the leases have been placed on holdover as permitted under their terms, but the Franchise requires City Council approval to extend its term; and

WHEREAS, the City Manager recommends a two-year extension of the Franchise term to give City staff and SFPP additional time to prepare updated mapping of the pipeline locations on

City properties and to negotiate other issues before processing a new long-term franchise for Council consideration; NOW, THEREFORE,

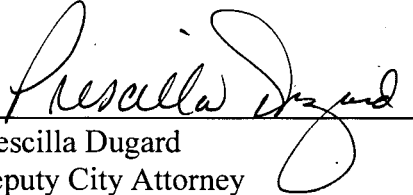
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Council authorizes the granting of a two-year franchise to SFPP, on the terms and conditions contained in the Franchise and the Assignment, such new franchise to expire on January 5, 2005; provided that within 30 days of effective date of this ordinance, SFPP agrees, in writing, to the two-year extension subject to such terms and conditions.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

CLG:PD:mm:dm
05/13/03
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