



City of Carson Report to Mayor and City Council

April 19, 2011
New Business Consent

SUBJECT: CONSIDERATION OF A REPORT ON PIPELINE SAFETY

Submitted by M. Victor Rollinger
Development Services General Manager

Approved by Clifford W. Graves
Interim City Manager

I. SUMMARY

This item is on the agenda at the request of Councilmember Santarina.

On March 1, 2011, the City Council requested information regarding pipeline safety. In general, pipeline safety is within the jurisdiction of the California Public Utilities Commission (Exhibit No. 1).

II. RECOMMENDATION

RECEIVE and FILE.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

On March 1, 2011, the City Council requested information regarding pipeline safety.

On March 28, 2000, city staff conducted a special workshop with the City Council, Carson commissioners, and Carson committee representatives regarding the pipeline franchise and pipeline safety. Representatives from the California Department of Forestry and Fire Protection, the Office of the State Fire Marshal, the City Attorney's office, and the city Revenue Manager conducted the workshop. Key points of that workshop are listed below:

- The Public Utilities Commission (PUC) has extensive regulatory authority over public utilities.
- The State Fire Marshal has exclusive safety regulatory and enforcement authority over "intrastate hazardous liquid" pipelines.
- The California Constitution prohibits municipalities from regulating matters under the jurisdiction of the PUC. The city can only control matters such as the location of pipelines beneath the city streets, the flow of traffic, and the use and repair of public streets.
- State law substantially limits the city's discretion to regulate pipeline safety.

City Council is reminded that the State of California Office of the State Fire Marshal is responsible for regulating pipeline safety. California's state requirements are more stringent than federal requirements, including: all intrastate pipelines undergo hydrotesting every five years after they are ten years old, are tested every two years if they are higher risk pipelines, and all pipelines constructed since 1984 must be capable of accepting an instrumented internal inspection device. Each test is witnessed by an independent third party agency. The test report is sent to Office of the State Fire Marshal.

V. FISCAL IMPACT

None.

VI. EXHIBITS

- 1. Minutes, March 1, 2011, Item No. 8. (pg. 3)

\\Carson_nas\devsvrs\ENGINEERING DIVISION\Agenda1\2011\04-19-11 CC Pipeline Safety.docx

Prepared by: Farrokh Abolfathi, P.E., Principal Civil Engineer

TO:Rev122210

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date _____ Action _____

ITEM NO. (8) PUBLIC HEARING TO CONSIDER GRANTING A PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, L. P. (ORDINANCE NO. 11-1462) (ADMINISTRATIVE SERVICES)

This item was heard at 7:57 P.M.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the Public Hearing, TAKE public testimony and CLOSE the Public Hearing.
2. Waive further reading and INTRODUCE Ordinance No., 11-1462, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, GRANTING A PUBLIC UTILITY PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, L.P."
3. WAIVE further reading and ADOPT Resolution No. 11-005, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DELINEATING CERTAIN LOCATIONS FOR THE INSTALLATION AND OPERATION OF PIPELINES OR OTHER FACILITIES IN CONNECTION WITH A PUBLIC UTILITY PIPELINE FRANCHISE GRANTED TO CRIMSON CALIFORNIA PIPELINE, L.L."

ACTION: Mayor Dear declared the Public Hearing open, heard testimony, and closed the hearing.

Mayor Pro Tem Santarina referred to the testimony provided this evening relative to pipeline safety, and requested a report from staff.

Economic Development General Manager Graves reported that pipeline safety was within the jurisdiction of the California Public Utilities Commission and stated that staff would provide a report at a future meeting, which was accepted without objection.

It was moved to approve staff recommendation Nos. 2 and 3 on motion of Santarina, seconded by Ruiz-Raber and unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes, Council Member Gipson, and Council Member Ruiz-Raber
Noes:	None
Abstain:	None
Absent:	None