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MEMORANDUM OF UNDERSTANDING NO. C-7-0028

FOR

RELOCATION OF GAS TRANSMISSION LINE

BY AND BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF LONG BEACH

THIS MEMORANDUM OF UNDERSTANDING (hereinafter referred to as "MOU") is made and entered into on this 9th day of March, 2007 by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584, a public corporation of the State of California (hereinafter referred to as "AUTHORITY") and the City of Long Beach, 333 W. Ocean Boulevard, Long Beach, California 90802, a charter city and municipal corporation (hereinafter referred to as "CITY").

WITNESSETH:

WHEREAS, CITY owns a 14-inch natural gas transmission line (line no. 1228) (hereinafter referred to as "PIPELINE"), located in a 6-meter access or frontage road on United States Naval Property, south of the I-405/SR-22 interchange, between Seal Beach Boulevard and Bolsa Chica Road; and

WHEREAS, relocation of PIPELINE shall be required prior to start of State Route 22 (SR-22) Phase II construction project; and

WHEREAS, CITY has been leasing the PIPELINE to Southern California Gas Company (hereinafter referred to as "SCG"), since 1992, and SCG operates and maintains PIPELINE within its natural gas pipeline boundary in accordance with California Public Utilities Commission general rules; and

WHEREAS, PIPELINE conveys natural gas from two sources, Dos Cuadras Offshore Resources and Aera Energy, to Huntington Beach Power Plant and Los Alamitos Power Plant; and

1 **WHEREAS**, CITY has requested AUTHORITY to work with CITY to come up with funding
2 scenarios for relocation of PIPELINE; and

3 **WHEREAS**, both parties wish to enter into this MOU to identify general responsibilities of
4 AUTHORITY and CITY in relocation of PIPELINE;

5 **NOW, THEREFORE**, the parties enter into this MOU with respect to the matters set forth
6 herein:

7 1. AUTHORITY and CITY agree that PIPELINE shall be relocated or an existing pipeline
8 may be acquired by CITY if one is confirmed to be located in the surrounding area meeting the
9 following criteria: (1) meets pipeline testing (710 psg); (2) meets operating pressures (150 psig), and (3)
10 meets CITY requirements with SCG.

11 2. AUTHORITY and CITY agree that a new 12-inch welded steel pipe could be used in lieu
12 of the 14-inch pipe size.

13 3. CITY shall be responsible for all operations, maintenance, and lease issues arising with
14 SCG pertaining to the relocated or acquired PIPELINE.

15 4. Provided that AUTHORITY contributes funding to the relocation of PIPELINE,
16 AUTHORITY shall review and approve all pipeline relocation plans prior to installation by CITY's
17 Contractor.

18 5. AUTHORITY and CITY agree to work in good faith towards development of a
19 Cooperative Agreement defining specific roles and responsibilities and payment terms between the
20 parties.


21 6. The above understandings are a guide to the intent and policies of the parties involved
22 in this MOU. This MOU shall be effective upon execution by both parties.

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1 **IN WITNESS WHEREOF**, the parties hereto have caused this Memorandum of Understanding
2 to be executed on the date first above written.

3 **CITY OF LONG BEACH**

ORANGE COUNTY TRANSPORTATION AUTHORITY

4 By: 

By: 

5 Gerald R. Miller
6 City Manager

 Virginia Abadessa, Manager
 Contract Administration and Materials Management

7 **APPROVED AS TO FORM:**

APPROVED AS TO FORM:

8 By: 

By: 

9 Robert E. Shannon
 City Attorney

 Kennard R. Smart, Jr.
 General Counsel

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