

**BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

Resolution No. _____

In the Matter of Forfeiture of the
Public Franchise Agreement, in the
Certain Unincorporated Area of Santa
Barbara County

**RESOLUTION DECLARING
FORFEITURE OF PUBLIC
FRANCHISE AGREEMENT**

CALIFORNIA PUBLIC UTILITY
CODE SECTION 6201 ET. AL. and
SANTA BARBARA COUNTY
CODE SECTION 2-82

WHEREAS, On February 14, 2012, the County of Santa Barbara Board of Supervisors (hereinafter, “County”) granted Ellwood Pipeline, Inc., a California corporation and wholly-owned subsidiary of Venoco, Inc., (collectively hereinafter, “Venoco”), a Public Pipeline Franchise, also known as Ordinance No. 4824 (hereinafter “Franchise”) for a term of twenty (20) years, to allow Venoco use of portions of County road right-of-way known as Calle Real for the operation and maintenance of a 6-inch oil common carrier pipeline, known as New Line 96, in the unincorporated area of Santa Barbara County; and

WHEREAS, On May 19, 2015, the Plains All American Pipeline Oil Spill occurred and disrupted use of New Line 96, and any operators’ use of the pipeline. Thus, New Line 96 has remained idle; and

WHEREAS, Venoco has since filed for bankruptcy; and

WHEREAS, On October 24, 2017, the Bankruptcy Court presiding over Venoco’s bankruptcy matter issued the “Second Omnibus Order (I) Authorizing the Debtors to (A) Reject Certain Unexpired Leases and Executory Contracts and (B) Abandon Certain Property, and (II) Granting Certain Related Relief” (the “Bankruptcy Order”); and

WHEREAS, Pursuant to the Bankruptcy Order, the Franchise was “deemed rejected” by Venoco as of November 30, 2017; and

WHEREAS, Pursuant to Section 8 of the Franchise, Venoco has a bond in a penal sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00); and

WHEREAS, Pursuant to Section 9 of the Franchise, any failure or refusal of Venoco to comply with any term or condition of the Franchise shall be adequate grounds for the County Board of Supervisors to declare by resolution an automatic forfeiture of this franchise; and

NOW, THEREFORE, BE IT RESOLVED, the Santa Barbara County Board of Supervisors does hereby find, determine and order as follows:

1. The above recitals are true and correct; and
2. The Franchise is hereby declared forfeited pursuant to Section 9 of the Franchise; and
3. This action shall not constitute or be construed as a grant of authorization to Venoco, pursuant to Section 15 of the Franchise or any other applicable law, to abandon New Line 96 in place; and
4. The County through this action does not accept title to or responsibility for New Line 96 or its related facilities. For example, this action shall not constitute or be construed as an affirmative election by the County, pursuant to Section 11 of the Franchise or any other applicable law, to transfer or vest title to New Line 96 (or related facilities) in the County.

Passed and adopted by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD

Das Williams, Chair
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

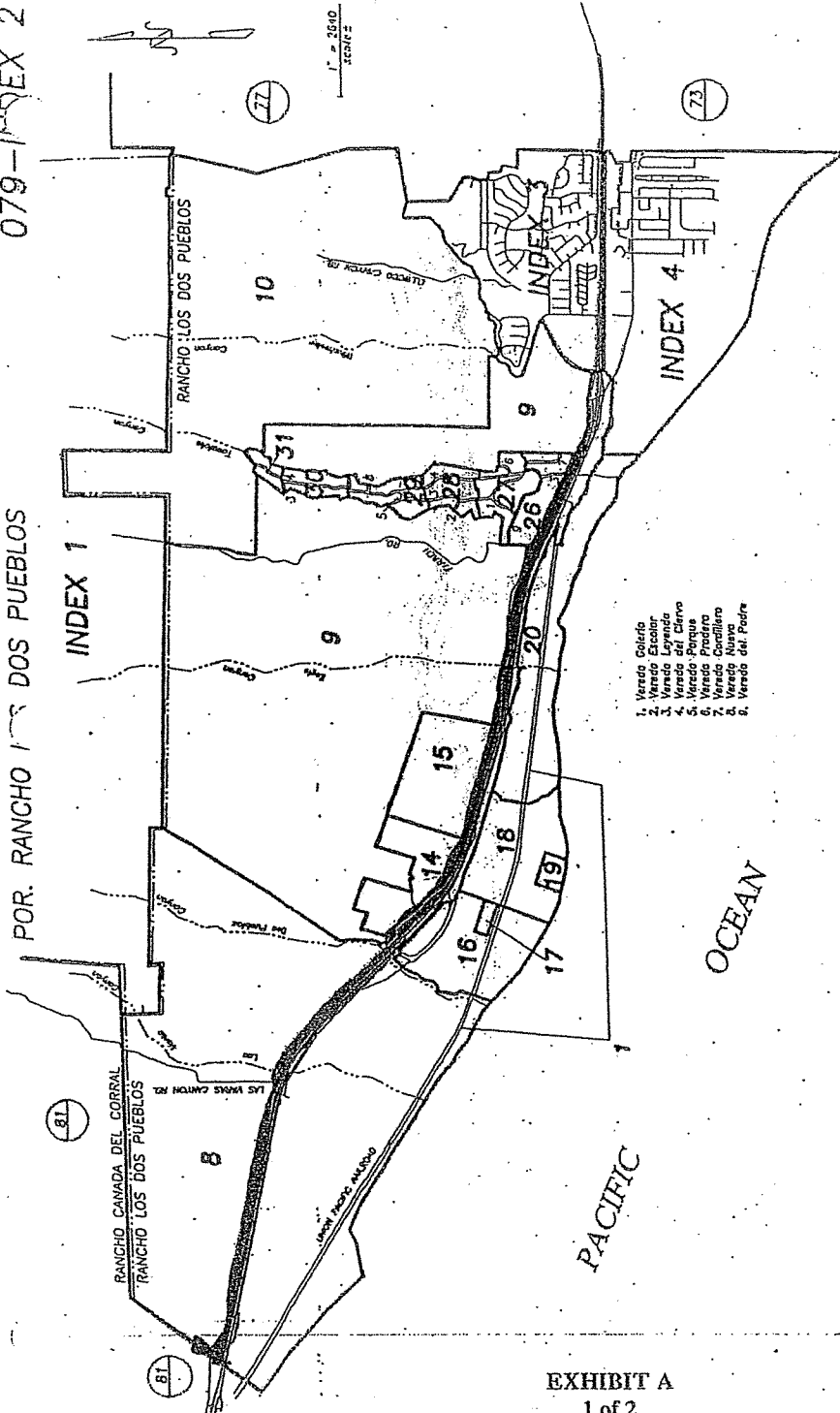
APPROVED AS TO ACCOUNTING:
THEODORE A. FALLATI
AUDITOR-CONTROLLER

By:  _____
Deputy County Counsel

By:  _____
Deputy

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POR. RANCHO LOS DOS PUEBLOS



- 1. Varado Colada
- 2. Varado Escalar
- 3. Varado Leyenda
- 4. Varado del Clero
- 5. Varado Parque
- 6. Varado Padre
- 7. Varado Camino
- 8. Varado Nueva
- 9. Varado del Padre

Assessor's Map Bk, 079-Pg, X2
County of Santa Barbara, Calif.

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EXHIBIT A
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