

1 RESOLUTION NO. C- 28515

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3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH OPPOSING ANY FEDERAL  
5 LEGISLATION WHICH WOULD EXTEND THE AUTHORITY  
6 OF THE FEDERAL ENERGY REGULATORY COMMISSION  
7 IN THE CITY OF LONG BEACH  
8

9 WHEREAS, Sound Energy Solutions (“SES”) proposes to build a liquified  
10 natural gas (LNG) terminal and related facilities on land owned by the City of Long  
11 Beach and located within the Port of Long Beach (“Proposed Project”); and

12 WHEREAS, the plans for the Proposed Project require the siting and  
13 construction of a pipeline over and through lands located within the City of Long Beach  
14 (the “Proposed Pipeline”); and

15 WHEREAS, on May 8, 2003 the Board of Harbor Commissioners entered  
16 into a letter of intent (“LOI”) with SES granting SES the right to pursue permits and  
17 approvals from the Port of Long Beach and other governmental agencies with respect  
18 to the Proposed Project; and

19 WHEREAS, on May 13, 2003 the City Council authorized the City  
20 Manager to enter into a Memorandum of Understanding (“MOU”) with SES for the  
21 purpose of engaging in non-binding discussions regarding the feasibility of constructing  
22 the Proposed Pipeline; and

23 WHEREAS, the LOI and the MOU do not provide SES with permitting,  
24 licensing or entitlement approvals and do not commit the City of Long Beach to any  
25 particular course of action with respect to the Proposed Project or the Proposed  
26 Pipeline; and

27 WHEREAS, the Federal Energy Regulatory Commission (FERC) has  
28 proposed federal legislation which would extend its permitting and siting authority over

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1 LNG terminals and related facilities and has proposed extending its power of eminent  
2 domain; and

3 WHEREAS, this proposed authority, potentially to be exercised in the City  
4 of Long Beach, would encroach upon the authority of the City and the Port of Long  
5 Beach to administer and direct the development of City/Port property; and

6 WHEREAS, the exercise of such authority would have an adverse  
7 national impact in that it could cause a serious disruption in the movement of goods  
8 through one of the largest Ports in the world;

9 WHEREAS, it is of the utmost importance that the City and its Port retain  
10 authority to administer and direct the development of its property;

11 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
12 as follows:

13 Section 1. The City Council is strongly opposed to any federal legislation  
14 which would extend the authority of FERC to permit and site LNG terminals or which  
15 would extend that agency's power of eminent domain.

16 Sec. 2. This resolution shall take effect immediately upon its adoption by  
17 the City Council, and the City Clerk shall certify to the vote adopting this resolution.

18 I hereby certify that the foregoing resolution was adopted by the City  
19 Council of the City of Long Beach at its meeting of February 15, 2005,

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1 by the following vote:

2 Ayes: Councilmembers: Lowenthal, Baker, Colonna, O'Donnell,  
3 Kell, Richardson, Reyes Uranga,  
4 Gabelich, Lerch.

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6 Noes: Councilmembers: None.

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8 Absent: Councilmembers: None.

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12 City Clerk

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26 RES:trb

27 2/16/05/Revised

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