



# **CITY OF LONG BEACH**

## **DEPARTMENT OF PUBLIC WORKS**

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

August 9, 2016

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### **RECOMMENDATION:**

Request the City Attorney to prepare an Ordinance amending the Long Beach Municipal Code, Section 14.08.170, related to the removal of tieback rods from subsurface shoring systems within, and adjacent to, public right-of-ways. (Citywide)

### **DISCUSSION**

On January 15, 2015, the City adopted Ordinance 15-0003 regulating the placement of tieback rods and requiring removal after the construction is complete. Multistory buildings typically extend underground to maximize space. This involves the use of subsurface shoring systems requiring tieback rods that extend into the City right-of-way. Tieback rods allow for construction to occur without impacting the structural integrity of the public right-of-way or surrounding properties.

As multistory buildings continue to be constructed citywide, tieback rods continue to be utilized. The development community has requested that the City of Long Beach review the requirements relating to tieback rod removal. The Departments of Public Works, Long Beach Gas and Oil and the Water Department have determined that the ordinance should be updated to reflect current standards within the construction industry.

Staff recommends that the City Attorney prepare an Ordinance amending Section 14.08.170 to allow tieback rods to remain in place when certain conditions are met, as outlined in Exhibit A.

Staff proposes to establish a mitigation fee reflecting the cost of staff time to review and inspect tieback rod removal. This mitigation fee will be included in the annual Master Fee and Charges Schedule Resolution to be adopted by the City Council during the budget process, which is a more appropriate method to set and manage this type of fee. This mitigation fee will be refunded upon proof of tieback rod removal. However, this fee will be forfeited upon failure to remove the tieback rods.

This matter was reviewed by Deputy City Attorney Amy R. Webber on July 18, 2016 and by Budget Analysis Officer Rhutu Amin Gharib on July 20, 2016.

### **TIMING CONSIDERATIONS**

City Council action is requested on August 9, 2016, so Public Works may begin enforcing these new tieback rod conditions in a timely manner.

HONORABLE MAYOR AND CITY COUNCIL  
August 9, 2016  
Page 2

FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

 for  
CRAIG A. BECK  
DIRECTOR OF PUBLIC WORKS

P/CLs/Tieback Ordinance Revision CL.doc  
CB:SC:GK:av

APPROVED:

ATTACHMENT: EXHIBIT A

  
PATRICK H. WEST  
CITY MANAGER

**EXHIBIT A**  
**Proposed Modifications to LBMC 14.08.170**

**14.08.170 - Subsurface installations—Depths.**

**A.**

No person shall install any conduit, duct, shoring structure or tunnel within three feet (3') below established grade of any right-of-way. Installations such as manholes, culverts, and catch basins within three feet (3') below the established grade of the right-of-way will require the City Engineer's approval. For all other installations below the established grade of the right-of-way, the City Engineer may, at his or her discretion, upon receipt of sufficient evidence of necessity or public benefit, grant a special permit for these installations.

A shoring structure shall include, but is not limited to, tiebacks, excavation, Caisson/Solider piles, and Raker/Brace system. Tieback shall include, but is not limited to, the steel tendon, coupler, bearing plate, anchor plate, and element made of cementitious or similar material anchoring the tieback tendon in the soil or rock.

For any structure left in place within the public right-of-way, applicants shall provide to the satisfaction of the City Engineer the as-built construction drawings and electronic files in current Geographic Information System (GIS) format, as per the latest official City datum plane to be used to update the City's GIS.

**B.**

This Subsection shall apply to a proposed subsurface shoring system requiring tiebacks pursuant to a permit issued under this Chapter.

When the tiebacks are no longer required due to the construction of a permanent retaining structure to maintain the stability of the subterranean structure, the tiebacks shall comply with the following:

1. Remove the tiebacks installed within eight (8) feet below the established grade of the right-of-way.
2. For any proposed tieback left in place between eight (8) feet and twenty (20) feet below the established grade of the right-of-way, applicants shall pay to the Public Works Department a mitigation fee as determined by the City Council Resolution for each tieback or portion thereof. This fee will be refunded upon proof of the entire tieback removal.

3. Where the tieback is allowed to remain in place at more than eight (8) feet below the established grade of the right-of-way, detension, decouple and remove the last extension of the tendon installed.
4. For any portion of the tieback made of cementitious or similar material left in place between eight (8) feet and twenty (20) feet below the established grade of the right-of-way, the compressive strength shall not exceed 2,000 pounds per square inch (psi).
5. Tiebacks shall maintain a minimum of two (2) feet clearance from any existing utility line or subsurface structure.
6. The City Engineer may modify the tieback requirements if extensive utility lines are present in the area or the street is on the Paving Moratorium List.

EXCEPTION: The City Engineer shall have the authority to exempt City-owned projects.

The City may issue an administrative citation and impose administrative penalties for violation of and failure to satisfy these requirements in accordance with Chapter 9.65 of this Code.