

CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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December 16, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Request the City Attorney to prepare amendments to Chapter 14.08 of the Long Beach Municipal Code, relating to excavations within and adjacent to public rights-of-way, as recommended by the City Engineer. (Citywide)

DISCUSSION

Under the existing Municipal Code, Chapter 14.08, related to excavations within and adjacent to public rights-of-way, an excavation could occur without a determination by the City Engineer that the surrounding walls of the excavation site have been properly supported, or shored. When an excavation occurs, particularly for high-rise buildings and basements, the surrounding walls of the excavation site must be properly supported. Improper shoring, or lateral support, of the surrounding embankments could lead to a collapse, causing damage to the street, sewer, water, and utility lines underground if the excavation occurs adjacent to the public right-of-way. Further, even if an excavator uses the appropriate lateral support, the shoring system could have detrimental and costly effects on the right-of-way. For example, if the shoring system uses steel tieback rods, these rods could interfere with any future work in the right-of-way and/or potentially damaging City equipment and exposing the City to costly repairs.

With the economic changes that are beginning to occur, and the potential for more private development, in particular high-rise development, staff recommends that the City Attorney be requested to prepare an ordinance that would require a permit for excavations within or adjacent to the public right-of-way, so that the City Engineer can ensure appropriate shoring plans by the excavator. The proposed permit fee in the ordinance would be \$1,130 per sheet to cover the cost associated with the review by the City Engineer.

This matter was reviewed by Deputy City Attorney Linda Vu on December 5, 2014 and by Revenue Management Officer Julissa José-Murray on December 5, 2014.

TIMING CONSIDERATIONS

City Council action on this matter is requested on December 16, 2014 to protect the public right-of-way from improper excavations adjacent to the public right-of-way.

FISCAL IMPACT

The proposed permit fee is \$1,130 per sheet and will require an update to the Citywide Master Fee and Charges Schedule. Staff will return to the City Council in March 2015 to formally request the fee implementation as part of the biannual update to the Citywide Master Fee and Charges Schedule. Following implementation, fee revenue will accrue to the General Fund (GF) in the Public Works Department (PW). The revenue impact is currently unknown, and will depend on the number of applicants and the requirements of drawings under the proposed ordinance. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

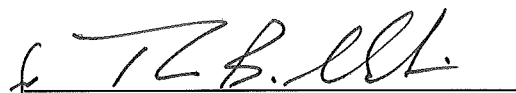
Approve recommendation.

Respectfully submitted,



ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST
CITY MANAGER