



## Legislation Text

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**File #:** 14-0673, **Version:** 1

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Recommendation to find that excavations on Maine Avenue, between Roble Way and 6th Street, are immediately required for the general health, safety, and welfare of the City and cannot be delayed; that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible; approve a discretionary permit to excavate areas in certain City streets that have been slurry sealed within the previous 24 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (District 1)

The Long Beach Water Department (LBWD) has filed for a discretionary permit to excavate in Maine Avenue, between Roble Way and 6<sup>th</sup> Street, which was slurry sealed December 1, 2013, and is under an excavation moratorium for 24 months, until December 1, 2015. (See the attached map for the location of the excavations.) They are requesting the permit to excavate and install new water mains and service laterals, to replace the existing mains and laterals that are experiencing a high number of breaks.

Long Beach Municipal Code (LBMC) Section 14.08.060, Public Works permit-issuance, requires that a permit for an excavation in a City street that has been slurry sealed within the previous 24 months, and is not for an emergency repair or for a new utility service connection, be deemed discretionary and subject to the approval of the City Council.

Section 14.08.060 further states that the City Council may authorize a discretionary permit if:

- The applicant can demonstrate that the permit for excavation is immediately required for the general health, safety, and welfare of the City and cannot be delayed until after the street's moratorium has expired; and
- The applicant can demonstrate that alternatives to excavating, such as alternative routing, or construction methods, such as boring or excavation of the parkway, are not possible.

The LBWD states that the proposed excavations are necessary for the general health, safety, and welfare of the City and cannot be delayed until after the moratorium has expired because the existing water main lines and laterals are experiencing a high number of breaks. Installing new water mains and service laterals will save water and help prevent property damage.

The LBWD wishes to be proactive by replacing the existing water system now and does not think it is prudent to wait until the excavation moratorium expires on December 1, 2015.

The LBWD states that there are no other alternatives to excavating that are practical for installing the water main system. An open cut trench in the pavement is the most practical

method to use.

After the completion of the water system installation, as a permit requirement, the LBWD will slurry seal the full width of Maine Avenue from curb-to-curb between Roble Way and 6<sup>th</sup> Street, and then restripe it in order to restore the street surface of Maine Avenue back to its original condition. (See the attached map for the limits of the slurry sealing and restriping.) The LBWD has also agreed to repair any street degradation caused by or related to the excavations, during the remaining period of the street moratorium to the satisfaction of the Director of Public Works/City Engineer.

The Public Works Department has reviewed the application and found the proposed excavations to be compatible with existing installations and not an obstacle to any street use or any known proposed developments. Traffic control requirements, stipulated by the Traffic and Transportation Engineering Division, will be made a part of the special conditions for the discretionary excavation permit.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 7, 2014 and by Budget Management Officer Victoria Bell on August 8, 2014.

City Council action on this matter is requested on September 2, 2014 to allow commencement of this work.

If the discretionary permit is approved, LBMC Section 14.08.110 exempts the LBWD from all fees and bonds. Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

ARA MALOYAN, PE  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER