



Legislation Text

File #: 11-0217, **Version:** 1

Recommendation to find that excavations 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; and approve a discretionary permit to excavate areas in certain City streets, that have been reconstructed within the previous

60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,8,9)

Arco Terminal Services Corporation (Arco) has filed for an excavation permit to perform a Close Interval Potential Survey (CIPS) for their pipelines in certain City streets that have been reconstructed within the previous 60 months (vicinity map attached). A CIPS is a procedure that is used to monitor underground pipeline corrosion, which is done by drilling a 1/2-inch hole through the street pavement over the pipeline every 10 feet, and then inserting a probe to read and record the pipeline's electrical potential. Afterwards, the drilled holes are sealed to the satisfaction of the City Engineer.

Long Beach Municipal Code Section 14.08.060, Public Works permit-issuance, requires that a permit for an excavation in a City street that has undergone reconstruction within the previous 60 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. The route of Arco's proposed CIPS enters into several streets that have recently undergone reconstruction and are now under an excavation moratorium. The streets and the expiration of their 60-month moratoriums are:

<u>Street</u>	<u>Moratorium expiration</u>
60th Street between Jaymills Avenue and Elm Avenue	August 1, 2015
Cherry Avenue between Harding Street and the north city limits	October 1, 2013
25th Street between Adriatic Avenue and Delta Avenue	November 1, 2012
5th Street between Santa Fe Avenue and Adriatic Avenue	February 1, 2015
Easy Avenue at Burnett Street and Easy Avenue at 25th Street	March 16, 2014
Golden Avenue between Burnett Street and Willow Street	February 1, 2013
Golden Avenue between Willow Street and 28th Street	September 21, 2014
Golden Avenue between Spring Street and 34th Street	October 1, 2013
Long Beach Boulevard at San Antonio Drive	February 1, 2013
Atlantic Avenue at San Antonio Drive	December 5, 2015
Oregon Avenue at Burnett Street	February 1, 2013

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 proposed excavations in 60th Street, Cherry Avenue, 25th Street, Easy Avenue, Golden Avenue, Long Beach Boulevard, Atlantic Avenue, and Oregon Avenue are necessary for the general health, safety, and welfare of the City and cannot be delayed until after their moratoriums have expired because the integrity of the pipelines in these streets need to be evaluated, in order to determine if they meet the current standards administered by the California State Fire Marshal, and to determine if they meet Federal DOT regulations.

Alternatives to excavating in the streets, such as slant drilling in the parkway toward the pipelines, have been considered and rejected because adjacent pipelines are blocking direct access. It has been found that, to ensure accurate readings, the holes must be drilled directly over the pipeline, in order to avoid reading other pipelines in the streets.

Arco has agreed to repair any street degradation caused by or related to the CIPS project during the remaining period of the street moratorium to the satisfaction of the City Engineer.

The Department of Public Works has reviewed the application and found the proposed CIPS 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 excavation permit. City-approved liability insurance for the discretionary permit is on file.

This matter was reviewed by Deputy City Attorney Linda Trang on February 10, 2011 and by Budget Management Officer Victoria Bell on February 8, 2011.

City Council action is requested on April 19, 2011 in order for these pipeline safety inspections to be completed in a timely manner.

If the discretionary permit is approved, a permit fee of approximately \$3,813 will be deposited to the General Fund (GP) in the Department of Public Works (PW). There will be no impact to local jobs.

Approve recommendation.

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER