



Legislation Text

File #: 09-0172, **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, which have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,9)

Arco Terminal Services Corporation (Arco) has filed for an excavation permit to perform a Close Interval Potential Survey (CIPS) for their pipeline in Willow Street from Fashion Avenue west to the City's boundary and for their pipeline in Cherry Avenue from Artesia Boulevard north to the City's boundary (see attached vicinity maps). A CIPS is a procedure that Arco uses to monitor corrosion in a pipeline by drilling a 1/2"-inch hole through the street pavement every 10 feet over the buried pipeline, and then inserting a probe to read and record the pipeline's electrical potential. Afterwards, the holes are patched with a crack filler.

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.

Willow Street from Fashion Avenue west to the City's boundary was reconstructed in May 2005 and has an excavation moratorium until May 2010. Cherry Avenue from Artesia Boulevard north to the City's boundary was reconstructed in October 2008 and has an excavation moratorium until October 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.
- 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 of Willow Street and Cherry Avenue are necessary for the general health, safety, and welfare of the City and cannot be delayed until after the moratoriums have expired because the integrity of the pipelines in these two streets needs to be evaluated 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.

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 January 27,2009 and Budget Management Officer Victoria Bell on January 28, 2009.

City Council action on this matter is not time critical.

If the discretionary permit is approved, a permit fee of approximately \$2,500 will be deposited to the General Fund (GP) in the Department of Public Works (PW).

Approve recommendation.

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER