



## Legislation Text

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**File #:** 13-0373, **Version:** 1

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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 street, that have been reconstructed within the previous

60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (District 2)

Southern California Edison has filed for a discretionary excavation permit to install a manhole and approximately 115-feet of electrical conduits in Walnut Avenue between 4<sup>th</sup> Street and 5<sup>th</sup> Street. This installation is part of a larger installation as shown on the attached vicinity map. Walnut Avenue, between 3<sup>rd</sup> Street and 10<sup>th</sup> Street, was reconstructed on February 1, 2012, and is under a 60-month excavation moratorium, which expires February 1, 2017.

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.

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 reason this installation is necessary for the general health, safety, and welfare of the City and cannot be delayed until after the moratorium has expired, is that the existing underground structures have exceeded their capacity for cables and need to have new structures installed to help carry the excessive cables. Excessive cables in a structure will shorten the life of the cables and equipment. This will cause unplanned outages, which will directly affect the users; therefore, Southern California Edison needs to improve the circuit reliability.

Alternatives to excavating in the streets by boring or excavating the parkways have been considered and rejected because it has been found that there are too many interfering underground utilities in the parkways.

Southern California Edison has agreed to repair any street degradation caused by or related to the installation 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 installation 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. Southern California Edison has an approved certificate of self-insurance for the discretionary permit on file.

This matter was reviewed by Deputy City Attorney Linda Vu on March 27, 2013 and by Budget Management Officer

Victoria Bell on April 12, 2013.

City Council action is requested on May 7, 2013 in order for this installation to be completed in a timely manner.

If the discretionary permit is approved, a permit fee of approximately \$2,250.99 will be deposited to the General Fund (GP) in the Department of Public Works (PW). Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

ARA MALOYAN  
ACTIING DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER