



Legislation Text

File #: 16-0298, **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 in 60th Street, from Elm Avenue to the north/south alley west of Linden Avenue, a street that has been resurfaced within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (District 9)

Tesoro Refining & Marketing Company, LLC (Tesoro), has filed for a discretionary permit to excavate on 60th Street west of Linden Avenue, which was resurfaced on October 1, 2011, and is under an excavation moratorium for 60 months, until October 1, 2016 (Exhibit A). Tesoro is requesting the permit to excavate down to their ten-inch pipeline to confirm an anomaly and repair it.

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 been resurfaced 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.

Tesoro states that the proposed excavation is necessary for the general health, safety, and welfare of the City, and cannot be delayed until after the moratorium has expired because of an anomaly that was found inside the pipeline during an internal survey. The anomaly is associated with the thinning of the pipeline's walls.

Tesoro notes that the pipeline's location is in a residential area, which is a high-consequence area. They do not think it is prudent to wait until the excavation moratorium expires on October 1, 2016. They want to be proactive by quickly gaining access to their pipeline in order to perform the necessary repairs.

Tesoro states that there are no other alternatives to excavating that are practical for gaining physical access to the pipeline for repair. An open excavation directly over the pipeline is the only practical method to use.

After the completion of the permitted work, as a permit requirement, Tesoro will slurry seal 60th Street, from curb-to-curb, from Elm Avenue to the north/south alley west of Linden Avenue in order to restore 60th Street back to its original condition (Exhibit B). Tesoro has also agreed to repair any street degradation caused by, or related to, the excavation during the remaining period of the street moratorium, to the satisfaction of the Director of Public Works.

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

This matter was reviewed by Deputy City Attorney Amy R. Webber on March 10, 2016 and by Budget Management Officer Victoria Bell on March 22, 2016.

City Council action on this matter is requested on April 5, 2016, to allow commencement of this work.

If the discretionary permit is approved, a permit fee of approximately \$1,354 will be deposited in the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

Approve recommendation.

CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER