



## Legislation Text

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**File #:** 17-0058, **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, boring or excavation of the parkway, are not possible; and approve a discretionary permit to excavate Spring Street at Claremore Avenue and 31st Street between Pine Avenue and Locust Avenue, which have been reconstructed within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 5,7)

Plains All American Pipeline, L. P. (Plains), has filed for a discretionary permit to excavate their 16-inch crude oil transmission pipeline in Spring Street at Claremore Avenue and 31<sup>st</sup> Street between Pine Avenue and Locust Avenue (Exhibit A). A recent electronic inspection of the pipeline under 31<sup>st</sup> Street and Spring Street revealed anomalies in the pipeline's walls that may jeopardize its safety and integrity. Plains has an obligation to excavate the pipeline, inspect it, and make the necessary repairs, if needed.

The portion of 31<sup>st</sup> Street was resurfaced on August 15, 2015, and is under an excavation moratorium until August 15, 2020. The portion of Claremore Avenue was resurfaced on August 1, 2013, and is under an excavation moratorium until August 1, 2018. 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 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.

Plains states that the proposed excavation is 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 pipeline needs to be evaluated to determine if it meets the current standards administered by the California State Fire Marshal, and to determine if it meets federal Department of Transportation (DOT) regulations.

Alternatives to excavating the streets, such as excavating from the parkway toward the pipeline, have been considered and determined to be unfeasible because adjacent pipelines are blocking direct access. Excavating directly over the pipeline is the only practical method to gain access. After the completion of the permitted work, as a permit requirement, Plains will slurry seal, from curb-to-curb, 31<sup>st</sup> Street and Spring Street in order to restore both streets to their original condition. Plains has also agreed to repair any street degradation cause by, or related to, the excavation and slurry all areas to the satisfaction of the City Engineer.

Traffic control requirements, stipulated by the Traffic 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.

Staff will work with Plains to ensure appropriate information about the project is mailed to residents within a 500-foot radius.

This matter was reviewed by Deputy City Attorney Linda T. Vu on January 12, 2017 and by Budget Analysis Officer Julissa José-Murray on January 23, 2017.

City Council action on this matter is requested on February 7, 2017, to allow commencement of this work.

If the discretionary permit is approved, a permit fee of approximately \$2,761 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