



Legislation Text

File #: 16-1015, **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, boring or excavation of the parkway, are not possible; and approve a discretionary permit to excavate on 61st Street, between Linden Avenue and Atlantic 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)

Plains All American Pipeline L. P. (Plains), has filed for a discretionary permit to excavate their 14-inch crude oil transmission pipeline in 61st Street between Linden Avenue and Atlantic Avenue (map attached). A recent electronic inspection of the pipeline under 61st 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. This portion of 61st Street was resurfaced on October 1, 2013, and is under an excavation moratorium until October 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 slurry sealing within the previous 24 months, or 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 moratorium has 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 street, such as excavating from the parkway toward the pipeline, has been considered and rejected because adjacent pipelines are blocking direct access. Excavating directly over the pipeline is the only practical method to gain access to it. After the completion of the permitted work, as a permit requirement, Plains will slurry seal 61st Street, from curb-to-curb, from Linden Avenue to Atlantic Avenue in order to restore 61st Street back to its original condition. Plains 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 City Engineer.

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 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 October 18, 2016 and by Budget Analysis Officer Julissa José-Murray on October 25, 2016.

City Council action on this matter is requested on November 15, 2016, to allow commencement of this work.

If the discretionary permit is approved, a permit fee of approximately \$1,380 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