



## Legislation Text

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**File #:** 16-0907, **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; approve a discretionary permit to excavate nine City streets, which have been resurfaced within the previous 60 months, in accordance with Section 14.08.060 of the Long Beach Municipal Code. (Districts 7,8,9)

Tesoro Refining & Marketing Company LLC (Tesoro) has filed for a discretionary permit to perform a Close Interval Potential Survey (CIPS) of their pipelines in various City streets (listed below). A CIPS is a procedure that is used to monitor underground pipeline corrosion. It is done by drilling a 3/4-inch hole through the street pavement over the pipeline every ten feet, then inserting a probe to read and record the pipeline's electrical potential, and then patching the drilled holes.

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.

The locations where Tesoro proposes to drill the holes in the pavement for CIPS are:

- 1) Linden Avenue between 60<sup>th</sup> Street (S) and 60<sup>th</sup> Street (N), which was resurfaced on October 1, 2013, and is under an excavation moratorium until October 1, 2018. (Vicinity Map 1)
- 2) 60<sup>th</sup> Street between Linden Avenue and the west line of Atlantic Avenue, which was resurfaced on October 1, 2013, and is under an excavation moratorium until October 1, 2018. (Vicinity Map 1)
- 3) 60<sup>th</sup> Street between the east line of Atlantic Avenue and a point  $\pm 60$  feet east of Atlantic Avenue, which was resurfaced on October 1, 2013, and is under an excavation moratorium until October 1, 2018. (Vicinity Map 1)
- 4) Walnut Avenue crossing 60<sup>th</sup> Street, which was resurfaced on July 15, 2014, and is under an excavation moratorium until July 15, 2019. (Vicinity Map 2)
- 5) Webster Avenue between 25<sup>th</sup> Street and a point  $\pm 340$  feet north of 25<sup>th</sup> Street, which was resurfaced on August 15, 2013, and is under an excavation moratorium until August 15, 2018. (Vicinity Map 3)

- 6) Spring Street crossing Golden Avenue, which was resurfaced on February 15, 2014, and is under an excavation moratorium until February 15, 2019. (Vicinity Map 4)
- 7) Obispo Avenue between 59<sup>th</sup> Street and a point  $\pm 350$  feet south of 59<sup>th</sup> Street, which was resurfaced on October 1, 2013, and is under an excavation moratorium until October 1, 2018. (Vicinity Map 5)
- 8) San Antonio Drive between Virginia Road and Long Beach Boulevard, which was resurfaced on December 1, 2013, and is under an excavation moratorium until December 1, 2018. (Vicinity Map 6)
- 9) Fashion Avenue crossing 25<sup>th</sup> Street, which was resurfaced on May 29, 2016, and is under an excavation moratorium until May 29, 2021. (Vicinity Map 7)

These locations are shown on the attached vicinity maps.

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 CIPS's 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 the listed streets need 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 Department of Transportation (DOT) regulations.

Alternatives to excavating these 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. After the completion of the permitted work, as a permit requirement, Tesoro has 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 locations 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.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on September 8, 2016 and by Revenue Management Officer Julissa José-Murray on September 15, 2016.

City Council action on this matter is requested on October 4, 2016, to allow commencement of this work.

If the discretionary permit is approved, a permit fee of approximately \$2,708 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