

1 [Street Encroachment - Atlantic Richfield Company - 2 Richardson Avenue]

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3 **Resolution granting revocable permission to Atlantic Richfield Company to occupy a**
4 **portion of the public right-of-way to install and maintain four soil vapor extraction**
5 **conduits connecting to two new vapor extraction wells crossing under Broderick Street**
6 **fronting 2 Richardson Avenue (Assessor's Block No. 0934, Lot No. 019), conditioned**
7 **upon the payment of an annual assessment fee, and making environmental findings,**
8 **and findings of consistency with the General Plan and the priority policies of Planning**
9 **Code, Section 101.1.**

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11 WHEREAS, Pursuant to Public Works Code Section 786, Stantec Consulting Services,
12 on behalf of Atlantic Richfield Company, the Permittee, requested permission to occupy a
13 portion of the public right-of-way to install and maintain four (4) soil vapor extraction conduits
14 connecting to two (2) new vapor extraction wells crossing under the Broderick Street frontage
15 of 2 Richardson Street. The encroachment is shown on plans filed with the Department of
16 Public Works. Copies of such plans are on file in the office of the Clerk of the Board of
17 Supervisors in File No. 130524; and

18 WHEREAS, The Transportation Advisory Staff Committee (TASC), at its meeting of
19 August 6, 2009, recommended the proposed encroachment for approval; and

20 WHEREAS, The Planning Department by letter dated November 6, 2012, found the
21 project, on balance, to be in conformity with the General Plan. This letter also includes a
22 determination relating to the encroachment pursuant to the California Environmental Quality
23 Act (California Public Resources Code sections 21000 et seq.). Copies of said letters are on
24 file with the Clerk of the Board of Supervisors in File No. 130524, and are incorporated herein
25 by reference; and,

1 WHEREAS, The Department of Public Health in a letter letter dated July 12, 2012,
2 approved a soil remediation system expansion that is required said encroachments. Copies
3 of said letters are on file with the Clerk of the Board of Supervisors in File No. 130524, and
4 are incorporated herein by reference; and

5 WHEREAS, After a duly noticed public hearing on December 19, 2012, the Department
6 of Public Works recommended approval of the proposed encroachment as set forth in DPW
7 Order No. 181055, approved February 25, 2013. A copy of said DPW Order is on file with
8 Clerk of the Board of Supervisors in File No. 130524, and is incorporated herein by reference;
9 and

10 WHEREAS, The permit and associated Street Encroachment Agreement, which are
11 incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in
12 File No. 130524, shall not become effective until:

13 (a) The Permittee executes and acknowledges the permit and delivers said permit to
14 the City's Controller,

15 (b) Permittee delivers to the City Controller a policy of insurance provided for in said
16 agreement and the Controller shall have had approved the same as complying with the
17 requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said
18 insurance policy, the certificate of an insurance company certifying to the existence of such a
19 policy; and

20 (c) The Department of Public Works records the permit and associated agreement in
21 the office of the County Recorder; and

22 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a
23 result of this permit, shall make the following arrangements:
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1 (a) To provide for the support and protection of facilities belonging to the Department
2 of Public Works, Public Utilities Commission, the San Francisco Fire Department and other
3 City Departments, and public utility companies;

4 (b) To provide access to such facilities to allow said entities to construct, reconstruct,
5 maintain, operate, or repair such facilities; and

6 (c) To remove or relocate such facilities if installation of the encroachment requires
7 said removal or relocation and to make all necessary arrangements with the owners of such
8 facilities, including payment for all their costs, should said removal or relocation be required;
9 and

10 WHEREAS, The Permittee shall procure the necessary permits from the Central Permit
11 Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping,
12 Department of Public Works, and pay the necessary permit fees and inspection fees before
13 starting work; and

14 WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-
15 way occupancy assessment pursuant to Public Works Code Section 786 and the initial
16 amount of said fee shall be \$341.00; and

17 WHEREAS, No structure shall be erected or constructed within said street right-of-way
18 except as specifically permitted herein; and

19 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
20 encroachments and no cost or obligation of any kind shall accrue to the City and County of
21 San Francisco by reason of this permission granted; now, therefore, be it

22 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
23 Supervisors hereby grants revocable permission to Atlantic Richfield Company to occupy a
24 portion of the public right-of-way to install and maintain four (4) soil vapor extraction conduits,
25 connecting to tow (2) new vapor extraction wells crossing under the Broderick Street frontage

1 of 2 Richardson Street (Block No. 0934, Lot No. 019), conditioned upon the payment of an
2 annual occupancy assessment fee and other conditions set forth herein; and, be it

3 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency
4 with the General Plan and Planning Code Section 101.1 as set forth in the Planning
5 Department letter dated November 6, 2012, and affirms the environmental determination
6 contained in said letter.

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8 APPROVED:

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11 Mohammed Nuru

12 Director of Public Works

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