

1 GRANTING REVOCABLE PERMISSION TO SACRED HEART CATHEDRAL PREPARATORY TO  
2 INSTALL FOUR (4) 4-INCH COMMUNICATION CONDUITS AND THREE (3) PULL BOXES  
3 WITH A BOLT COVER FOR STATE-OF-THE-ART COMMUNICATIONS SYSTEM, FROM  
4 LASALLE CAMPUS TO DEPAUL CAMPUS SCHOOL BUILDINGS AT THE ELLIS STREET  
5 FRONTAGE OF 1055 AND 1100 ELLIS STREET (BLOCK 737, LOT 1). AND ADOPTING  
6 FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.  
7

8 RESOLVED, That permission, revocable at the will of the Board of Supervisors and  
9 automatically terminating upon failure to continue in force the insurance protection hereafter referred to is  
10 hereby granted to Sacred Heart Cathedral Preparatory to occupy a portion of in street area, under Ellis  
11 Street, three hundred eight feet east and 100 feet west of Gough Street, for the purpose of installing and  
12 maintaining conduits for telecommunication (as shown on the plan, a copy of which is on file in the office  
13 of the Clerk of the Board of Supervisors.)  
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15 FURTHER RESOLVED, That the project intended by the encroachment is consistent with the  
16 eight priority policies of Planning Code Section 101.1; in that:

- 17 1. The project is for the installation of conduits under Ellis Street for a state of the art  
18 telecommunication system for the Sacred Heart Cathedral Preparatory, and will have no  
19 adverse effect on neighborhood serving retail uses or opportunities for employment in or  
20 ownership of such business.
- 21 2. The project would have no adverse effect on the City's housing stock or on neighborhood  
22 character.
- 23 3. The project would have no adverse effect on the City's supply of affordable housing.
- 24 4. The project would not result in commuter traffic impeding MUNI transit service or  
25 overburdening the streets or neighborhood parking.

1 The project would not adversely affect the industrial or service sector or future opportunities  
2 for resident employment or ownership in these sectors.

- 3 5. The project would not adversely affect achieving the greatest possible preparedness against  
4 injury and loss of life in an earthquake.
- 5 6. The project would have no adverse effect on landmarks or historic buildings.
- 6 7. The project would have no adverse effect on parks and open space or their access to sunlight  
7 or vistas.

8 PROVIDED HOWEVER, That this permission shall not become effective until:

- 9 (a) There shall have been executed and acknowledge by the Permittee; and by it  
10 delivered to the City's Controller, who shall have had recorded in the Office of the  
11 County Recorder a street encroachment agreement, a copy of which is on file with  
12 the Clerk of the Board of Supervisors in File No. 991572 and which is  
13 hereby declared to be a part of this resolution as if set fourth fully herein, and the  
14 copy of this resolution attached thereto as Exhibit A.
- 15 (b) There shall have been delivered t the Controller the policy of insurance
- 16 (c) provided for in said agreement and the Controller shall have had approved same as  
17 complying with the requirements of said agreement. The Controller may, at his  
18 option accept, in lieu of said insurance policy, the certificate of an insurance  
19 company certifying to the existence of such a policy.
- 20

21 FURTHER PROVIDED, That the Permittee, in accordance with Government Code Section  
22 4216.1, shall become a member of, participate in, and share in the costs of Underground Service Alert –  
23 Northern California (U.S.A.) regional notification center.

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1 FURTHER PROVIDED, The rights granted here do not constitute a cable TV franchise and do  
2 not authorize transmission of video programming over City right-of-way or any other signals that would  
3 constitute Cable TV service.

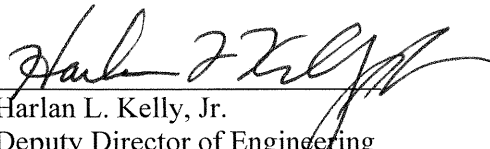
4 FURTHER PROVIDED, The Permittee, at the permittee's sole expense, and as is necessary as a  
5 result of this permit, shall make arrangements: (1) to provide for the support and protection of facilities  
6 belonging to the Department of Public Works, public utility companies, the San Francisco Water  
7 Department, the San Francisco Fire Department and other City departments; (2) to remove or change the  
8 location of such facilities and provide access to such facilities for the purpose of constructing,  
9 reconstructing, maintaining, operating or repairing such facilities.

10 FURTHER PROVIDED, That the Board of Supervisor reserves the right to exact a permit fee, or  
11 rental, for the use of said street areas for the purpose of performance of its governmental or proprietary  
12 activities, including the constructing, reconstructing, maintaining, operating, repairing, removing and use  
13

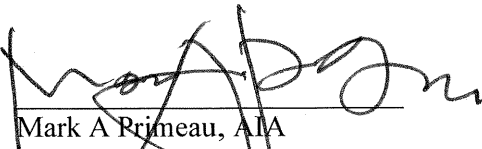
14 FURTHER PROVIDED, That no structure shall be erected or constructed within said street right-  
15 of-way except as specifically permitted herein;

16 FURTHER PROVIDED, That the Permittee shall assure all costs and maintenance and repair of  
17 the encroachments and no cost or obligation of any kind shall accrue to the City and County of San  
18 Francisco by reason of this permission granted.

19  
20 RECOMMENDED:

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22   
23 Harlan L. Kelly, Jr.  
24 Deputy Director of Engineering  
25 and City Engineer

APPROVED:

  
Mark A Primeau, AIA  
Director of public Works



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

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**File Number:** 991572

**Date Passed:**

Resolution granting revocable permission to Sacred Heart Cathedral Preparatory to install four (4) 4-inch communication conduits and three (3) pull boxes with a bolt cover for state-of-the-art communications system, from La Salle campus to De Paul campus school buildings at the Ellis Street frontage of 1055 and 1100 Ellis Street (Block 737, Lot 1) and adopting findings pursuant to Planning Code Section 101.1.

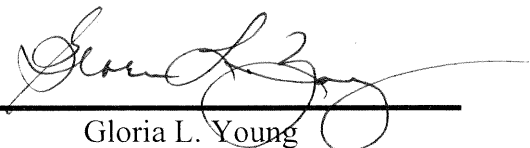
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September 21, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 991572

I hereby certify that the foregoing Resolution was ADOPTED on September 21, 1999 by the Board of Supervisors of the City and County of San Francisco.



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Gloria L. Young  
Clerk of the Board

SEP 28 1999

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Date Approved



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Mayor Willie L. Brown Jr.