

1 [Public Works Encroachments under Hooper and Carolina Streets.]

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3 **Resolution granting revocable permission to California College of the Arts, to occupy a**
 4 **portion of the public right-of-way to install one sub-surface conduit under Hooper**
 5 **Street between 07th and 08th Streets; and, one sub-surface conduit under Carolina**
 6 **Street between Channel and 15th Streets to connect with fiber optic cables three college**
 7 **sites for the college computer network located at 1111 -08th Street (Block 3820, Lot 003)**
 8 **conditioned upon the payment of an annual assessment fee as set forth in Public**
 9 **Works Code Sec. 2.1.1 (h) (iii) and making findings of consistency with the General**
 10 **Plan and the priority policies of Planning Code Section 101.1.**

11 WHEREAS, Pursuant to Public Works Code Section 786, permission was requested by
 12 David Meckel, President, California College of the Arts, to occupy a portion of the public right-
 13 of-way to install one sub-surface conduit under Hooper Street between 07th and 08th Streets;
 14 and, one sub-surface conduit under Carolina Street between Channel and 15th Streets as
 15 shown on the plans, a copy of which is on file in the office of the Clerk of the Board of
 16 Supervisors in File No. ; and,

17 WHEREAS, The Planning Department, by letter dated August 30, 2006, declared that
 18 the proposed encroachment is in conformity with the General Plan and with the priority
 19 policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the
 20 Board of Supervisors in File No. , and is incorporated herein by reference; and,

21 WHEREAS, In the abovementioned letter, the Planning Department also
 22 determined that the actions contemplated in this Resolution are in compliance with the
 23 California Environmental Quality Act (California Public Resources Code sections 21000 et
 24 seq.). Said determination is incorporated herein by reference; and,

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1 WHEREAS, At a duly noticed public hearing on November 8, 2006, the Department of
2 Public Works recommended approval of the proposed encroachments; and,

3 WHEREAS, The permit and associated encroachment agreement shall not become
4 effective until the Permittee executes and acknowledges the permit and delivers said permit to
5 the Department of Public Works. A copy of the permit and agreement are on file with the
6 Clerk of the Board of Supervisors in File No. , and are incorporated herein by
7 reference; and,

8 WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a
9 result of this permit, shall make the following arrangements:

10 (a) To provide for the support and protection of facilities belonging to the Department of
11 Public Works, San Francisco Water Department, the San Francisco Fire Department and
12 other City Departments, and public utility companies; and

13 (b) To remove or relocate such facilities and provide access to such facilities for the
14 purpose of constructing, reconstructing, maintaining, operating, or repairing such facilities;
15 and ,

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

20 WHEREAS, The Board of Supervisors shall implement an annual assessment fee as
21 set forth in Public Works Code Sec. 2.1.1 (h) (iii) for the use of said right-of-ways, which shall
22 be increased at the beginning of each fiscal year based upon the Consumer Price Index
23 quotient, and shall be re-evaluated by DPW every five (5) years; and,

24 WHEREAS, No structures shall be erected or constructed within said street right-of-
25 way except as specifically permitted herein; and,

1 WHEREAS, The Permittee shall become a member of, participate in and share in the
2 costs associated with Underground Service Alert (U.S.A.) Northern California Region; and,

3 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
4 encroachments and no cost or obligation of any kind shall accrue to the Department of Public
5 Works by reason of this permission granted; now, therefore be it

6 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
7 Supervisors hereby grants permission, revocable at the will of the Director of the Department
8 of Public Works, to the property owner, California College of the Arts, to install one sub-
9 surface conduit under Hooper Street between 07th and 08th Streets; and, one sub-surface
10 conduit under Carolina Street between Channel and 15th Streets to occupy a portion of the
11 public right-of-way to connect with fiber optic cables three college sites for the college
12 computer network, located at 1111 -08th Street (Block 3820, Lot 003) conditioned upon the
13 payment of an annual assessment fee as set forth in the Public Works Code Sec. 2.1.1 (h) (iii)
14 and, be it;

15 FURTHER RESOLVED, That this Board adopts the findings of the Planning
16 Department, which determined that said permit is consistent with the General Plan and the
17 priority policies of Planning Code Section 101.1.

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RECOMMENDED:

APPROVED:

Robert P. Beck
Deputy Director for Engineering

Fred V. Abadi, Ph.D.
Director of Public Works