

1 GRANTING REVOCABLE PERMISSION TO KAISER FOUNDATION HEALTH PLAN, INC. TO
2 EXCAVATE ACROSS AND WESTERLY ALONG GEARY BOULEVARD AND SOUTHERLY ALONG
3 ST. JOSEPH'S AVENUE TO INSTALL AND OCCUPY A PORTION OF THE PUBLIC RIGHT-OF WAY
4 WITH TWENTY (20) 4-INCH TELECOMMUNICATION CONDUITS AND THREE (3)
5 COMMUNICATION MANHOLES TO ESTABLISH A COMMUNICATIONS LINK FROM THE
6 EXISTING KAISER FACILITIES TO THE NEW MEDICAL OFFICE BUILDING AT 2238 GEARY
7 BOULEVARD AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.
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10 RESOLVED, That permission, revocable at the will of the Board of Supervisors and
11 automatically terminating upon failure to continue in force the insurance protection hereafter referred to,
12 is hereby granted to Kaiser Foundation Health Plan, Inc. to occupy a portion of the street area, under
13 Geary Boulevard and St. Joseph's Avenue, for the purpose of installing and maintaining twenty (20) 4-
14 inch telecommunication conduits and three (3) communication manholes as shown on the plan, a copy of
15 which is on file in the office of the Clerk of the Board of Supervisors..

16 FURTHER RESOLVED, That the project intended by the encroachment is consistent with the
17 eight priority policies of City Planning Code Section 101.1; in that:

- 18 1. The project is for the installation of conduits under Geary Boulevard and St. Joseph's
19 Avenue for a telecommunication system to link existing Kaiser facilities to their new
20 building at 2238 Geary Boulevard, and would have no adverse effect on neighborhood
21 serving retail uses or opportunities for employment in or ownership of such businesses.
- 22 2. The project would have no adverse effect on the City's housing stock or on neighborhood
23 character.
- 24 3. The project would have no adverse effect on the City's supply of affordable housing.
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4. The project would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking. During construction, a limited number of on-street parking spaces would be unavailable; however, any such impact would be temporary.
 5. The project would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.
 6. The project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake and would not affect community safety. The proposed project will be designed and constructed to comply with applicable code standards to ensure public safety in the event of an earthquake
 7. The project would not adverse effect on landmarks or historic buildings.
 8. The project would have no adverse effect on parks and open space or their access to sunlight or vistas.

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

- 15 [a] There shall have been executed and acknowledged by the Permittee; and by it delivered
16 to the City's Controller, who shall have had recorded in the office of the County Recorder
17 a street encroachment agreement, a copy of which is on file with the Clerk of the Board
18 of Supervisors in File No. 000996 and which is hereby declared to be a part of
19 this resolution as if set forth fully herein, and the copy of this resolution attached thereto
20 as Exhibit A.
- 21 [b] There shall have been delivered to the Controller the policy of insurance provided for in
22 said agreement and the Controller shall have had approved same as complying with the
23 requirements of said agreement. The Controller may, at his option accept, in lieu of said
24 insurance policy, the certificate of an insurance company certifying to the existence of
25 such a policy.

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

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

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

FURTHER PROVIDED, That the Permittee shall procure the necessary permits from the Permit Bureau and/or Bureau of Street-Use and Mapping, Department of Public Works, and pay the necessary permit fees and inspection fees before starting work.

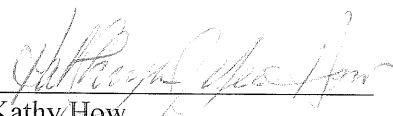
FURTHER PROVIDED, That the Board of Supervisors reserves the right to exact a permit fee, or rental, for the use of said street areas for the purpose of performance of its governmental or proprietary activities, including the constructing, reconstructing, maintaining, operating, repairing, removing and use of public utilities located under, over or along said street area;

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

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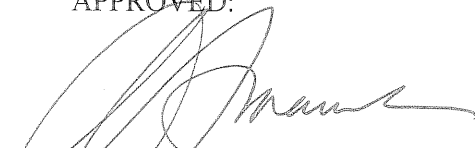
FURTHER PROVIDED, That the Permittee shall assure all costs and maintenance and repair of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San Francisco by reason of this permission granted.

RECOMMENDED:



Kathy How
Acting Deputy Director of Engineering
and City Engineer

APPROVED:



Harlan L. Kelly, Jr.
Acting 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

File Number: 000996

Date Passed:

Resolution granting revocable permission to Kaiser Foundation Health Plan, Inc. to excavate across and westerly along Geary Boulevard and southerly along St. Joseph's Avenue to install and occupy a portion of the public right-of-way with twenty (20) 4-inch telecommunication conduits and three (3) communication manholes to establish a communications link from the existing Kaiser facilities to the new medical office building at 2238 Geary Boulevard and adopting findings pursuant to Planning Code Section 101.1.

June 19, 2000 Board of Supervisors — ADOPTED

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

File No. 000996

I hereby certify that the foregoing Resolution was ADOPTED on June 19, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 30 2000

Date Approved



Mayor Willie L. Brown Jr.