

1 [Golden State Warriors Events Center at Mission Bay - Delegation of Public Improvement
2 Approvals and Other Actions]

3 **Ordinance delegating to the Director of Public Works the authority to accept required**
4 **public improvements related to the development of the Golden State Warriors Event**
5 **Center and Mixed-Use Development pursuant to the Mission Bay South Redevelopment**
6 **Plan; authorizing the Director of the Real Estate Division to accept any future**
7 **easements, licenses, or grant deeds related to the development project, including a**
8 **public sidewalk easements and grant deeds for property underlying public**
9 **improvements; and adopting findings pursuant to the California Environmental Quality**
10 **Act.**

11 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.
13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
14 **Board amendment additions** are in double-underlined Arial font.
15 **Board amendment deletions** are in ~~strikethrough Arial font~~.
16 **Asterisks (* * * *)** indicate the omission of unchanged Code
17 subsections or parts of tables.

18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. **General Findings.**

20 (a) GSW Arena LLC ("GSW" or "Project Sponsor"), an affiliate of the Golden State
21 Warriors, LLC, which owns and operates the Golden State Warriors National Basketball
22 Association team, proposes to construct a multi-purpose event center and a variety of mixed
23 uses, including office, retail, open space, and structured parking on an approximately 11-acre
24 site on Blocks 29-32 (Assessor's Block 8722, Lots 1 and 8) in Mission Bay South (the
25 "Project"). The Project site is bounded by South Street on the north, 3rd Street on the west,
16th Street on the south, and by the future planned realigned Terry A. Francois Boulevard on

1 the east. In order to implement the Project, the Project Sponsor and/or the Mission Bay
2 Development Group is required to construct specified public improvements pursuant to the
3 Mission Bay South Redevelopment Plan and Plan documents. Various offers of dedication,
4 easements, licenses, and grant deeds are associated with the construction of these public
5 improvements. The Project Sponsor also is proposing to offer ~~various~~ a public sidewalk
6 easements to enlarge the available public sidewalk area along 3rd Street and portions of 16th
7 Street and South Street to improve pedestrian access along these street frontages.

8 (b) In accordance with ~~the actions contemplated herein~~ a tentative subdivision map
9 approval, this Board adopted a ~~resolution concerning~~ motion that included findings pursuant to
10 the California Environmental Quality Act (California Public Resources Code sections 21000 et
11 seq.). For purposes of the actions contemplated herein, the Board relies on the
12 environmental findings in that motion. A copy of said ~~resolution is~~ motion and the
13 environmental findings are on file with the Clerk of the Board of Supervisors in File No.
14 ~~450994151205~~ and is ~~are~~ incorporated by reference as though fully set forth herein.

15
16 **Section 2. Delegation to Public Works of Acceptance of Future Public**
17 **Improvements.**

18 (a) **Findings.**

19 (1) On March 16, 2015, the Department of Public Works ("PW") received an
20 application for tentative subdivision map number 8539 for the Project Sponsor's development.
21 A public improvement agreement for required but as yet unfinished public improvements will
22 accompany the final map for this development and be subject to Board of Supervisors
23 approval. These improvements include portions of South Street, 3rd Street, 16th Street, and
24 Terry A. Francois Boulevard and additional public sidewalk area along South Street, 3rd
25 Street, and 16th Street. The public improvements are not complete at this time; however, the

1 Project Sponsor has submitted to PW draft irrevocable offers of these improvements and real
2 property underlying portions of these areas along with a public sidewalk easement for the
3 additional public sidewalk area.

4 (2) In PW Order No. 184228 dated November 5, 2015, Director of PW recommended
5 that the Board of Supervisors delegate to the Director, in consultation with other affected City
6 departments, the authority to: (A) accept the required but as yet unfinished public
7 improvements when such improvements have been constructed in accordance with the
8 Project Plans and Specifications and all City codes, regulations, standards, and Mission Bay
9 South Redevelopment Plan and Plan Documents governing this development and such
10 improvements are ready for their intended use; (B) acknowledge the Conditional Assignment
11 of Warranties and Guaranties on behalf of the Board of Supervisors in accordance with the
12 Mission South Acquisition Agreement when the Director of PW determines that the
13 improvements have been inspected and are ready for their intended uses; (C) dedicate to
14 public use the lot known as Assessor Block 8722/Lot 7, designate it for street and roadway
15 purposes, and accept the improvements thereon for City maintenance and liability purposes;
16 and (D) take all other official acts necessary for or related to acceptance of the public
17 improvements. The basis for this recommendation is to allow for expedited processing of
18 public improvements required under the Mission Bay South Redevelopment Plan to facilitate a
19 timely construction schedule for the Project. A copy of the PW Order and a diagram of the
20 aforementioned lot are on file with the Clerk of the Board of Supervisors in File No. 150996
21 and incorporated herein by reference. The capitalized terms specifically relating to Mission
22 Bay in this Subsection shall have the definitions ascribed to them pursuant to the Mission Bay
23 South Redevelopment Plan and Plan Documents described therein, approved and adopted by
24 the Board of Supervisors of the City and County of San Francisco by Ordinance No. 335-98,
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1 on November 2, 1998, a copy of which is in the Clerk of the Board of Supervisors File No.
2 981441 and incorporated herein by reference.

3 (3) Based on this recommendation, the Board of Supervisors determines that it
4 would be efficient to eliminate the need for future Board actions related to accepting these
5 improvements by delegating to the Director of PW the authority, upon completion of these
6 future public improvements and the satisfaction of other conditions, to dedicate the
7 improvements to public use, designate the improvements for street and roadway purposes,
8 change or adopt sidewalk widths, adopt any related official PW maps, and accept the
9 improvements for City maintenance and liability purposes, subject to the maintenance
10 responsibility of fronting property owners pursuant to the Public Works Code, including, but
11 not limited to, Public Works Code Section 706, along with other actions necessary for or
12 related to acceptance of the public improvements. The Board of Supervisors also determines
13 that it would be efficient to eliminate the need for future Board actions related to accepting
14 these improvements by delegating to the Director of Real Estate Division of the Office of the
15 City Administrator ("RED") the authority, upon the PW Director's determination of completion
16 of these future public improvements, to accept and record, on behalf of the City and County of
17 San Francisco, a grant deed for the fee title to property underlying the public improvements on
18 3rd Street and Terry A. Francois Boulevard and an easement for additional public sidewalk
19 along South Street, 3rd Street, and 16th Street. Copies of the irrevocable offers of dedication
20 for public improvements and the related grant deeds and public sidewalk easement
21 agreement are on file with the Clerk of the Board in File No. 150996 and are incorporated
22 herein by reference.

23 (b) **Delegation to the Directors of PW and RED of Certain Authority in Regard to**
24 **Required Public Improvements.**

1 (1) Notwithstanding Administrative Code Sections 1.51 et seq. and in
2 furtherance of California Streets and Highways Code Section 1806, tThe Board of Supervisors
3 hereby delegates to the Director of PW, in consultation with other affected City departments,
4 the authority, upon completion of the required but as yet unfinished public improvements
5 associated with the Project Sponsor's final subdivision map and the Mission Bay South
6 Redevelopment Plan and Director of PW's certification that the improvements are ready for
7 their intended use, to: (A) dedicate the improvements to public use; (B) designate the
8 improvements for street and roadway purposes; (C) change or adopt sidewalk widths; (D)
9 accept the improvements for City maintenance and liability purposes, subject to the
10 maintenance responsibility of the Project Sponsor pursuant to the Public Works Code; (E)
11 adopt any related official PW maps, and (F) accept irrevocable offers for the public
12 improvements in substantially the form on file with the Clerk of the Board. The Board of
13 Supervisors also delegates the authority to the Director of PW to take other actions as
14 specified in the PW Order that are necessary for or related to acceptance of the public
15 improvements, including dedicating Assessor Block 8722/Lot 7 to public use, designating it for
16 street and roadway purposes, and accepting the improvements thereon for City maintenance
17 and liability purposes.

18 (2) The Board of Supervisors hereby delegates to the Director of RED the
19 authority, upon the Director of PW's determination of completion of these required but as yet
20 unfinished public improvements, to accept and record, on behalf of the City and County of
21 San Francisco, a grant deed for the fee title to property underlying the public improvements
22 and an easement agreement for public sidewalk purposes, respectively, in substantially the
23 forms on file with the Clerk of the Board of Supervisors in File No. 150996 and incorporated
24 herein by reference.
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1 **Section 3. Official Acts in Furtherance of the Ordinance.** The Board of Supervisors
2 authorizes the Directors of PW and RED, in consultation with the City Attorney's Office, to
3 take all actions necessary to implement the intent of this ordinance, including, but not limited
4 to finalizing and recording the offers of dedication, grant deeds, and a public sidewalk
5 easements, processing construction easements, permits to enter, or licenses, and completing
6 other actions including the filing the City's Official Maps related to streets and sidewalk
7 changes.

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9 **Section 4. Effective Date.** This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

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14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: 
17 John D. Malamut
18 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 150996

Date Passed: December 15, 2015

Ordinance delegating to the Director of Public Works the authority to accept required public improvements related to the development of the Golden State Warriors Event Center and Mixed-Use Development pursuant to the Mission Bay South Redevelopment Plan; authorizing the Director of the Real Estate Division to accept any future easements, licenses, or grant deeds related to the development project, including a public sidewalk easement and grant deeds for property underlying public improvements; and adopting findings pursuant to the California Environmental Quality Act.

November 09, 2015 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

November 09, 2015 Budget and Finance Committee - RECOMMENDED AS AMENDED

December 08, 2015 Board of Supervisors - AMENDED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Peskin

December 08, 2015 Board of Supervisors - PASSED ON FIRST READING AS AMENDED


Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Peskin

December 15, 2015 Board of Supervisors - FINALLY PASSED

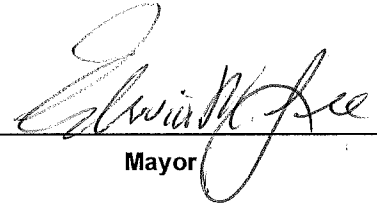
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 150996

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
12/15/2015 by the Board of Supervisors of
the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor



Date Approved