



San Francisco Public Works
General – Director’s Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 208839

Recommending the formal acceptance of irrevocable offers of public improvements associated with the Treasure Island / Yerba Buena Island Project, Sub-Phases 1B, 1C, 1E, 1YA and 1YB, including improvements located within portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Seven Seas Avenue, Trade Winds Ave, and Treasure Island Road on Treasure Island; Macalla Road, Signal Road, Treasure Island Road, and Yerba Buena Island Road on Yerba Buena Island; Yerba Buena Island potable water storage tanks; electrical substructures serving a new 12 kilovolt switchyard on Treasure Island (“Switchyard Improvements”); and City utilities in private streets and service maintenance roads on Yerba Buena Island; dedicating this Infrastructure for public use; accepting the Infrastructure for City maintenance and liability purposes, subject to specified limitations, establishing official street grades; and amending Ordinance No. 1061 entitled “Regulating the Width of Sidewalks” to establish official sidewalk width on the abovementioned street areas; and delegating limited authority to the Director to accept specified infrastructure.

WHEREAS, This Public Works Order addresses the City’s acceptance of certain streets on Treasure Island (also “TI”) and Yerba Buena Island (also “YBI”), potable water storage tanks on Yerba Buena Island (the “Water Tanks”) and electrical substructures serving a new 12 kilovolt switchyard on Treasure Island (the “Switchyard Improvements”), and City utilities in private streets and service maintenance roads on Yerba Buena Island (the “City Utilities”). This Order refers to these improvements collectively as the “Required Infrastructure”; and

WHEREAS, This Order also recognizes that there are existing public utility easements associated with the City Utilities that the Real Estate Division has approved and recorded associated with final subdivision maps for YBI. These easements offers of improvements mentioned below may be amended to address as-built conditions; and

WHEREAS, TREASURE ISLAND SERIES 1, LLC, a Delaware limited liability company and TREASURE ISLAND SERIES 2, LLC, a Delaware limited liability company (collectively, “Subdividers”) have irrevocably offered the Required Infrastructure to the City and County of San Francisco (“City”) as set forth in the approximately 65 Irrevocable Offers of Improvement (about 35 related to Treasure Island and 30 related to Yerba Buena Island), starting on March 22, 2018 (as amended) and recorded April 19, 2018 and thereafter (collectively, the “Offers”); and

WHEREAS, Public Works completed inspections of the Required Infrastructure and the City Engineer, by issuance of multiple Notices of Completion letters dated February 3, 2023, May 18, 2023, July 11, 2023, July 17, 2023, September 22, 2023, and September 28, 2023 (collectively, the “Notices of Completion”), determined it to be complete in accordance with the Plans and Specifications and all City codes, regulations, and standards governing the

Required Infrastructure and ready for its intended use as documented in Conditional Notices of Completion dated; and

WHEREAS, The Public Works Director (hereinafter the "Public Works Director" or "Director") recommends and the City Engineer certifies to the Board of Supervisors that the Required Infrastructure as shown in Street Improvement Permit Nos. 18IE-0330, 18IE-0941, and #22IE-00277 and Department of Building Inspection Permit Nos. #E202203108893 and #201706300838R2 be accepted for public use. Public Works recommends that the Board of Supervisors accept the Required Infrastructure for City maintenance and liability purposes in accordance with Streets and Highways Code Section 1806 and San Francisco Administrative Code 1.51 et seq. and subject to the exceptions specified herein; and

WHEREAS, The Director determined that Subdivider has satisfied all conditions of approval of the Notices of Completion, or that any such conditions not addressed as of the date of this Order have been deferred in writing. In addition, the Director finds that the Department of Building Inspection (DBI) has issued certificates of completion for the Required Infrastructure, including the Water Tanks and Switchyard Improvements that are structures subject to the Building Codes and City Utilities; and

WHEREAS, The official public right-of-way widths for the applicable portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Macalla Road, Seven Seas Avenue, Signal Road, Trade Winds Avenue, Treasure Island Road, and Yerba Buena Island Road and sidewalk widths established as shown on Drawings Q-20-1200 (Yerba Buena Island) and Q-20-1201 (Treasure Island) do not obviate, amend, alter, or in any other way affect the maintenance obligations of the adjacent property owners as set forth in the Public Works Code; and

WHEREAS, Drawings A-17-226 (Yerba Buena Island) and A-17-227 (Treasure Island) show the street grades and official right-of-way width for the applicable portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Macalla Road, Seven Seas Avenue, Signal Road, Trade Winds Avenue, Treasure Island Road, and Yerba Buena Island Road; and

WHEREAS, The Director finds that because Signal Road has not been built to City standards, the Board of Supervisors should not accept this street for City maintenance and liability purposes. Instead, Signal Road should be a dedicated public right-of-way, subject to Public Works Code, Article 9, Sections 400 et seq. for unaccepted public streets and shall be the maintenance and liability responsibility of the Treasure Island Development Authority (TIDA) as a TIDA asset. The recommendation further finds that the City should accept the City utilities, including the street lights, that are located in or on Signal Road for City maintenance and liability; and

WHEREAS, The Director recommends that in regard to Macalla Road, the Board delegate the authority to the Director, in consultation with the Municipal Transportation Agency Traffic Engineer, to approve changes from the current two-way street configuration to a one-way configuration once construction related to the San Francisco-Oakland Bay Bridge West Side

Bridges project and related detours (collectively, “West Side Bridges Project”) are complete to the satisfaction of the Director; and

WHEREAS, The Director recommends that in regard to Treasure Island Road on Yerba Buena Island which includes portions of road that cannot be finished to its permanent condition due to construction related to the West Side Bridges Project, the Board delegate authority to the Director, in consultation with applicable City agencies, to approve and accept the outstanding roadway surface and related improvements once these improvements are complete to the satisfaction of the Director; and

WHEREAS, The Director recommends that in regard to certain other deferred improvements, including various concrete and landscape improvements and the auxiliary water supply system line connection to make the line operable for fire boat use (approved by the PW Director in PW Order No. 208576, dated September 15, 2023, for Treasure Island and PW Order No. 208263, dated June 23, 2023, for Yerba Buena Island) (collectively, the “Deferred Improvements”), the Board delegate authority to the Director, in consultation with applicable City agencies, to approve and accept the finalized Deferred Improvements once they are complete to the satisfaction of the Director; and

WHEREAS, In letters dated November 1st, 2023, the Department of City Planning determined that the acceptance of the public infrastructure and easements associated with the Required Infrastructure and associated actions are, on balance, in conformity with the General Plan and Planning Code Section 101.1; and

WHEREAS, Public Works recommends that the Board of Supervisors find that the actions specified in this Order are consistent with the General Plan and Planning Code Section 101.1 for the reasons set forth in the Planning Department letter dated November 1, 2023; and

WHEREAS, Public Works recommends that for purposes of these same actions, the Board of Supervisors rely on the environmental findings under the California Environmental Quality Act in the abovementioned Planning Department letter; and

WHEREAS, Public Works also recommends that TIDA adopt these same findings set forth in this Order in regard to public street acceptance actions as set forth in the City/TIDA MOU regarding public improvements and the Planning Department letter in regard to its actions related to these public improvements

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Offers of Improvements for the Required Infrastructure, including First Amendments to certain Offers of Improvements originally dated March 22, 2018

2. Certain New or Amended Easements (about 10 on Treasure Island and 3 on Yerba Buena Island)
3. Ordinance to accept the Required Infrastructure for City maintenance and liability purposes, including the Water Tanks and Switchyard Improvements that DBI reviewed and approved and for which it issued certificates of completion and occupation, various streets and City Utilities.
4. Official Street Dedication and Grade Map A-17-226 (Yerba Buena Island) and A-17-227 (Treasure Island)
5. Official Sidewalk and Roadway Width Q-20-1200 (Yerba Buena Island) and Q-20-1201 (Treasure Island)

The Director recommends that the Board of Supervisors approve the legislation to accept the Offers. Hereinafter, the Director's recommendation also includes the City Engineer's certification of actions under the City Engineer's authority.

The Director further recommends that the Board of Supervisors approve the legislation to dedicate the Required Infrastructure to public use, designate it as open public right-of-way for permit and roadway purposes, and accept it for City maintenance and liability purposes subject to the following:

1. The portions of streets being designated as open public right of way for street and roadway purposes are from back of sidewalk to back of sidewalk, unless specified otherwise or as shown on the Plans and Specifications for the Required Infrastructure;
2. Acceptance of the Required Infrastructure for City maintenance and liability purposes is from back of curb to back of curb, unless specified otherwise, and sidewalk maintenance is the responsibility of the adjacent property owners in accordance with the Public Works Code;
3. Acceptance of City utilities that are within portions of private streets (Forest Road and Northgate Road on Yerba Buena Island) for City maintenance and liability, unless specified otherwise;
4. Encroachments that are permitted, not permitted, or both, are excluded from acceptance;
5. The abovementioned encroachments include TIDA assets on the public right of way that will be TIDA responsibility for maintenance and liability and the Board of Supervisors will consider future legislative action for these encroachment;
6. Signal Road shall be dedicated to public use and designated for street and roadway purposes, but the City shall not accept it for maintenance and liability purposes. Instead, it shall remain a TIDA asset and TIDA shall be responsible for maintenance

and liability in accordance with Public Works Code Sections 400 et seq. The City shall accept the City utilities in and on Signal Road for City maintenance and liability.

7. The acceptance of the streets does not obviate, amend, alter, or in any way affect existing maintenance agreements between the City and parties to such agreements; and
8. Subdivider's conditional assignment of all warranties and guaranties to the City related to the construction of the Treasure Island and Yerba Buena Island Required Infrastructure and its warranty obligations under Street Improvement Permit Nos. 18IE-0330, 18IE-0941 and 22IE-0277 and Department of Building Inspection Permit Nos. 201706300838R2 and E202203108893.

Notwithstanding California Streets and Highways Code Sections 8000 et seq., and in accordance with San Francisco Administrative Code Sections 1.51 et seq. the Director recommends that the Board of Supervisors rely on the abovementioned legislation as its own procedures for the establishment of street grades.

The Director recommends that the Board of Supervisors approve the legislation to amend Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, by adding thereto new sections to read as follows:

Section 1641. The width of sidewalks on portions of Macalla Road, Signal Road (sidewalk only on northern side), Treasure Island Road, and Yerba Buena Island Road shall be as shown on Public Works Drawings Q-20-1200 (Yerba Buena Island) dated December 6, 2023.

Section 1642. The width of sidewalks on portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street, Seven Seas Avenue, Trade Winds Avenue, and Treasure Island Road on Treasure Island shall be as shown on Public Works Drawings Q-20-1201 (Treasure Island) dated December 6, 2023.

The Director recommends that the Board of Supervisors approve the legislation and direct Public Works to revise the Official Public Right-of-Way, Sidewalk Width, and Street Grade drawings in accordance with the legislation.

The Director recommends that the Board of Supervisors delegate authority to the Director to approve and accept outstanding improvements on Macalla and Treasure Island Roads after completion of the West Side Bridges Project and certain Deferred Improvements.

X

DocuSigned by:

Denny Phan

Phan, Denny C907BA0BD82C4E6...

Acting Manager, Infrastructure Task Force

X

DocuSigned by:

Albert Ko

Ko, Albert J 281DC30E04CF41A...

City Engineer

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DocuSigned by:

Carla Short

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Short, Carla

Director of Public Works