

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 ~~450994~~ 151205 and ~~is~~ are incorporated by reference as though fully set forth herein.

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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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