

## **LEGISLATIVE DIGEST**

[Acceptance and Public Dedication of 12-Kilovolt Power Facilities - Mission Rock]

**Ordinance accepting the irrevocable offer of a 12-kilovolt power line and associated facilities (“12-kV Line”) servicing the Seawall Lot 337 and Pier 48 Mixed-Use Project, bounded by 3rd Street and Mission Rock Street, subject to conditions and limitations; dedicating the 12-kV Line to public use; designating the 12-kV Line for public power purposes; accepting the 12-kV Line for maintenance and liability purposes; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; accepting a Public Works Order recommending various actions regarding the 12-kV Line; and authorizing official acts in connection with this Ordinance, as defined herein.**

### Existing Law

On February 27, 2018, the Board of Supervisors (“Board”) adopted Ordinance No. 33-18 approving a Development Agreement for the Seawall Lot 337 and Pier 48 Mixed-Use Project (“Project”), bounded by 3rd Street and Mission Rock Street, between the City and County of San Francisco (“City”) and Seawall Lot 337 Associates, LLC and adopted the environmental findings set forth in Motion No. 20019, on file with the Clerk of the Board in File No. 171313. Following the Mayor’s signature, Ordinance No. 33-18 became effective on April 6, 2018. On February 13, 2018, the Board adopted Resolution No. 42-18 authorizing the approval of the Project’s Disposition and Development Agreement. The Mayor signed Resolution No. 42-18 on February 23, 2018.

### Amendments to Current Law

By this ordinance, the City would accept the developer’s offer of dedication of a 12-kilovolt power line and associated facilities (“12-kV Line”) servicing the Project, subject to conditions and limitations; dedicate the 12-kV Line to public use; designate the 12-kV Line for public power purposes; and accept the 12-kV Line for maintenance and liability purposes. This ordinance would make certain findings, including environmental findings and findings that the legislation is consistent with the General Plan, and the priority policy findings of the Planning Code Section 101.1.

### Background Information

This ordinance would facilitate the phased development of the Project and provide the Project with construction power and public power. If passed, the ordinance would enable the City to accept the offer of dedication of the 12-kV Line and publicly dedicate the 12-kV Line subject to the following conditions: (1) the acceptance would be expressly contingent upon Subdivider’s

replacement of the 12-kV Line with a permanent underground electrical line in an underground ductbank in the future Bridgeview Street running north from the terminus of the Bay Corridor Transmission Distribution vault at Mission Rock Street and Terry Francois Boulevard within the Mission Rock project ("Permanent Power Line"), consistent with the SFPUC Power Rules and removal of the 12-kV Line, at Subdivider's sole cost, no later than the date that is 90 days after the date the SFPUC has determined that the Permanent Power Line has been electrified and all other electrical service facilities to the 12-kV Line have been disconnected from the 12-kV Line and transferred to the Permanent Power Line; (2) Subdivider's conditional assignment of all warranties and guaranties to the City related to the construction of the 12-kV Line; (3) Subdivider's obligations under the applicable Public Improvement Agreement, as amended; (4) Subdivider's compliance with all conditions and requirements set forth in the applicable street improvement permit and instructional bulletins, including the Subdivider's obligation to hold harmless, defend, and indemnify the City; and (5) developer's compliance with the Subdivision Code and Subdivision Regulations.