

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 Events**
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, this Board adopted a
9 resolution concerning findings pursuant to the California Environmental Quality Act (California
10 Public Resources Code sections 21000 et seq.). A copy of said resolution is on file with the
11 Clerk of the Board of Supervisors in File No. 150994 and is incorporated by reference as
12 though fully set forth herein.

13
14 **Section 2. Delegation to Public Works of Acceptance of Future Public**
15 **Improvements.**

16 (a) **Findings.**

17 (1) On March 16, 2015, the Department of Public Works (“PW”) received an
18 application for tentative subdivision map number 8539 for the Project Sponsor’s development.
19 A public improvement agreement for required but as yet unfinished public improvements will
20 accompany the final map for this development and be subject to Board of Supervisors
21 approval. These improvements include portions of South Street, 3rd Street, 16th Street, and
22 Terry A. Francois Boulevard and additional public sidewalk area along South Street, 3rd
23 Street, and 16th Street. The public improvements are not complete at this time; however, the
24 Project Sponsor has submitted to PW draft irrevocable offers of these improvements and real
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1 property underlying portions of these areas along with a public sidewalk easement for the
2 additional public sidewalk area.

3 (2) In PW Order No. 184228 dated November 5, 2015, Director of PW recommended
4 that the Board of Supervisors delegate to the Director, in consultation with other affected City
5 departments, the authority to: (A) accept the required but as yet unfinished public
6 improvements when such improvements have been constructed in accordance with the
7 Project Plans and Specifications and all City codes, regulations, standards, and Mission Bay
8 South Redevelopment Plan and Plan Documents governing this development and such
9 improvements are ready for their intended use; (B) acknowledge the Conditional Assignment
10 of Warranties and Guaranties on behalf of the Board of Supervisors in accordance with the
11 Mission South Acquisition Agreement when the Director of PW determines that the
12 improvements have been inspected and are ready for their intended uses; (C) dedicate to
13 public use the lot known as Assessor Block 8722/Lot 7, designate it for street and roadway
14 purposes, and accept the improvements thereon for City maintenance and liability purposes;
15 and (D) take all other official acts necessary for or related to acceptance of the public
16 improvements. The basis for this recommendation is to allow for expedited processing of
17 public improvements required under the Mission Bay South Redevelopment Plan to facilitate a
18 timely construction schedule for the Project. A copy of the PW Order and a diagram of the
19 aforementioned lot are on file with the Clerk of the Board of Supervisors in File No. 150996
20 and incorporated herein by reference. The capitalized terms specifically relating to Mission
21 Bay in this Subsection shall have the definitions ascribed to them pursuant to the Mission Bay
22 South Redevelopment Plan and Plan Documents described therein, approved and adopted by
23 the Board of Supervisors of the City and County of San Francisco by Ordinance No. 335-98,
24 on November 2, 1998, a copy of which is in the Clerk of the Board of Supervisors File No.
25 981441 and incorporated herein by reference.

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

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

23 (1) Notwithstanding Administrative Code Sections 1.51 et seq. and in
24 furtherance of California Streets and Highways Code Section 1806, The Board of Supervisors
25 hereby delegates to the Director of PW, in consultation with other affected City departments,

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

15 (2) The Board of Supervisors hereby delegates to the Director of RED the
16 authority, upon the Director of PW's determination of completion of these required but as yet
17 unfinished public improvements, to accept and record, on behalf of the City and County of
18 San Francisco, a grant deed for the fee title to property underlying the public improvements
19 and an easement agreement for public sidewalk purposes, respectively, in substantially the
20 forms on file with the Clerk of the Board of Supervisors in File No. 150996 and incorporated
21 herein by reference.

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23 **Section 3. Official Acts in Furtherance of the Ordinance.** The Board of Supervisors
24 authorizes the Directors of PW and RED, in consultation with the City Attorney's Office, to
25 take all actions necessary to implement the intent of this ordinance, including, but not limited

1 to finalizing and recording the offers of dedication, grant deeds, and a public sidewalk
2 easements, processing construction easements, permits to enter, or licenses, and completing
3 other actions including the filing the City's Official Maps related to streets and sidewalk
4 changes.

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

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11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: _____
14 John D. Malamut
15 Deputy City Attorney

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