

1 [Disposition and Development Agreement for the Old Mint.]

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3 **Resolution approving and authorizing an amendment to the Old Mint Disposition and**
4 **Development Agreement between the City and County of San Francisco and the**
5 **San Francisco Museum and Historical Society to extend the dates for performance.**

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7 WHEREAS, The City owns the United States Mint Building located at 88 Fifth Street in
8 San Francisco ("Old Mint") pursuant to a conveyance in August 2003, at no cost from the
9 Federal Government, acting by and through its General Services Administration; and,

10 WHEREAS, Following a competitive process and exclusive negotiations, the City and
11 the San Francisco Museum and Historical Society, a California nonprofit corporation
12 ("Developer"), entered into the Old Mint Lease Disposition and Development Agreement
13 dated as of December 22, 2006 (the "DDA"), which was approved by the Board of
14 Supervisors by Resolution No. 547-06 on September 26, 2006 (the "Project Approval
15 Resolution"); and,

16 WHEREAS, Under the DDA, the Developer intends to rehabilitate the Old Mint into a
17 mixed-use development anchored by a museum celebrating the history of San Francisco;
18 and,

19 WHEREAS, The proposed rehabilitation will be completed in accordance with the
20 Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitating
21 Historic Buildings, and will also include certain seismic and disability access upgrades to the
22 building; and,

23 WHEREAS, The Developer must satisfy certain requirements by certain dates under
24 the DDA as a condition to the City entering into a long-term lease for the property (the
25 "Closing Conditions"); and,

1 WHEREAS, Developer has not satisfied the Closing Conditions on or before the dates
2 required under the DDA, and the parties have agreed to certain extensions and revisions to
3 the Schedule of Performance attached to the DDA as more particularly set forth in an
4 Amendment No. 1 to the DDA, a copy of which is on file with the Clerk of the Board of
5 Supervisors under File No. _____ (the "First Amendment"); and,

6 WHEREAS, Developer has made significant process in architectural designs and
7 programming of the Old Mint and has completed hazardous mitigation of the building and
8 temporary seismic bracing on behalf of the City; and,

9 WHEREAS, Developer has identified over \$30 million in funding for the renovation and
10 reuse of the Old Mint and has requested additional time in order to secure full funding of the
11 projected project costs; and,

12 WHEREAS, The Planning Department issued a Final Revised Mitigated Negative
13 Declaration ("Negative Declaration") for the Project on June 23, 2005, and the Board
14 determined in the Project Approval Resolution that the Negative Declaration was adequate
15 and complete and there was no substantial evidence that the Project could have a significant
16 effect on the environment; and,

17 WHEREAS, The Board of Supervisors has reviewed the Negative Declaration for the
18 Project, has confirmed that the Project as contemplated by the DDA is substantially as
19 described in the Negative Declaration and the Project has not materially changed from the
20 Project as proposed at the time of the Project Approval Resolution, and on the basis of the
21 whole record before it finds that the Negative Declaration remains adequate and complete
22 and there is no substantial evidence that the extensions for satisfaction of the Closing
23 Conditions contemplated by the First Amendment could have a significant effect on the
24 environment; now, therefore, be it

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1 RESOLVED, That the Board of Supervisors hereby finds that there have been no
2 substantial Project changes, no substantial changes to Project circumstances and no new
3 information of substantial importance that would change the conclusions set forth in the
4 Negative Declaration; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors hereby finds that the Project,
6 as contemplated by the DDA, remains consistent with the General Plan and with the Eight
7 Priority Policies of Planning Code Section 101.1 for the same reasons as set forth in the
8 Project Approval Resolution, and hereby incorporates such findings by reference as though
9 fully set forth in this resolution; and, be it

10 FURTHER RESOLVED, That in accordance with the recommendation of the Director
11 of Property, the Board of Supervisors hereby approves the First Amendment and authorizes
12 the Director of Property to execute the First Amendment; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
14 Property and/or the City Administrator or the City Administrator's designee to enter into any
15 additions, amendments or other modifications to the DDA and the Lease (including, without
16 limitation, the attached exhibits) that the Director of Property and/or the City Administrator
17 determine are in the best interest of the City, do not materially decrease the revenue to the
18 City in connection with the Old Mint or otherwise materially increase the obligations or
19 liabilities of the City, and are necessary or advisable to complete the transaction contemplated
20 in the DDA and the Lease and to effectuate the purpose and intent of this resolution; and, be it

21 FURTHER RESOLVED, That any action taken by any City employee or official with
22 respect to the First Amendment are hereby ratified and affirmed.

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1 RECOMMENDED:

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Director of Property,
Real Estate Division of the
Office of Administrative Services

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