

1 [Exclusive Negotiating Agreement for Development of the Old Mint]

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3 **Resolution extending the expiration date of the Exclusive Negotiating Agreement**  
4 **between the City and the San Francisco Museum and Historical Society for the**  
5 **development of the Old Mint.**

6 WHEREAS, The Old Mint, located at 88 Fifth Street in San Francisco, is considered  
7 one of the last major Greek Revival buildings in the country associated with federal  
8 architecture, is San Francisco's oldest stone structure, and was designated a National Historic  
9 Landmark in 1961; and,

10 WHEREAS, On August 1, 2001, the Mayor established the Old Mint Task Force to  
11 gather public input and provide expert advice regarding the development of the Old Mint, and  
12 opinion; and,

13 WHEREAS, The Old Mint Task Force advised City staff on the form and content of a  
14 Request for Proposals ("RFP") soliciting development plans for the rehabilitation and reuse of  
15 the Old Mint and, in April of 2002, the City issued the RFP; and,

16 WHEREAS, After a review committee established by the City evaluated all three  
17 responses to the RFP, on January 29, 2003, the Task Force recommended that the City  
18 commence exclusive negotiations with the San Francisco Museum and Historical Society  
19 ("SFMH"), the highest ranked respondent to the RFP, for the development of the Old Mint;  
20 and,

21 WHEREAS, In August of 2003, the City acquired ownership of the Old Mint from the  
22 Federal Government; and,

23 WHEREAS, On July 9, 2003, City staff and SFMH entered into an exclusive negotiating  
24 agreement ("ENA"), a copy of which is on file with the Clerk of the Board in File No. 030794,  
25 that, among other things, precludes the City from negotiating with any entity other than SFMH

1 for the development of the Old Mint for a period of ten months (the "Initial Term"), which term  
2 may be extended for up to two, three-month periods (the "Additional Extensions") without  
3 approval of the Board of Supervisors; and,

4 WHEREAS, The Initial Term of the ENA expired on May 9, 2004, and the Director of  
5 the Mayor's Office of Economic and Workforce Development waived the \$25,000 extension  
6 fee payment and consented to and approved the Additional Extensions, resulting in an ENA  
7 expiration date of November 9, 2004; and

8 WHEREAS, The City and SFMH would like to extend the term of the ENA by an  
9 additional six months to permit the completion of all required environmental review and  
10 development documents and the satisfaction of other milestones set forth in the ENA for the  
11 development of the Old Mint; and

12 WHEREAS, Pursuant to Section 13 of the ENA, any cumulative extension of the ENA  
13 term beyond the Additional Extensions shall require the approval of the Board of Supervisors;  
14 now, therefore, be it

15 RESOLVED, That the Board of Supervisors hereby agrees to and approves an  
16 additional six-month extension of the term as of November 9, 2004, that the expiration date of  
17 the ENA shall be May 9, 2005, that the additional six-month extension does not materially  
18 change the terms of the ENA, and that it is in the best interest of the City and is necessary  
19 and advisable to effectuate the purpose and intent of this resolution.

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