

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

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3 **Resolution endorsing the City entering into an Exclusive Negotiating Agreement with**
4 **the San Francisco Museum and Historical Society for the development of the Old Mint.**

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

9 WHEREAS, The City is seeking to acquire ownership of the Old Mint from the Federal
10 Government; and,

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

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

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

22 WHEREAS, The Task Force's recommendation that the City enter into an exclusive
23 negotiating agreement with SFMH was specifically conditioned on the SFMH agreeing to a
24 strict schedule of performance with specific milestones requiring, among other things, that the
25 SFMH demonstrate that (i) its design plans comply with the Secretary's Standards, and (ii) it

1 has sufficient financial resources, including predevelopment funding, to complete the
2 rehabilitation and reuse of the Old Mint; and,

3 WHEREAS, City staff and the SFMH have negotiated the terms and conditions of an
4 exclusive negotiating agreement ("ENA"), a copy of which is on file with the Clerk of the Board
5 in File No. _____, that, among other things, precludes the City from negotiating
6 with any entity other than the SFMH for the development of the Old Mint for a period of ten
7 months, subject to up to two additional three-month extensions, provided that the SFMH
8 meets certain milestones related to preparing final development agreements for the Old Mint
9 for the Board of Supervisors' consideration after the completion of all required environmental
10 review; and,

11 WHEREAS, in entering into the ENA the City is not entering into any binding
12 development agreement and will not do so until all required environmental review and other
13 public review and hearing processes are complete and retains the absolute discretion to
14 revise development proposals for the Old Mint to mitigate significant environmental impacts,
15 select a feasible development alternative to avoid impacts, balance benefits against any
16 significant impacts prior to taking any final action on a development proposal if significant
17 impacts cannot otherwise be avoided, or not proceed with a development project based on
18 information generated by the environmental review process; now, therefore, be it

19 RESOLVED, That the Board of Supervisors hereby endorses the Director of the Office
20 of Economic Development ("Director of OED") and the Director of the Real Estate Division of
21 the City's Department of Administrative Services (the "Director of Property") entering into the
22 ENA with the SFMH, subject to such modifications to the ENA (including, without limitation,
23 the attachment or modification of exhibits) that the Director of OED and the Director of
24 Property agree are in the best interests of the City, do not materially change the terms of the
25 ENA and are necessary and advisable to effectuate the purpose and intent of this resolution.