

BOARD of SUPERVISORS



City Hall
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MEMORANDUM

TO: John Rahaim, Director, Planning Department
Jonas Ionin, Commission Secretary, Historic Preservation Commission
Carmen Chu, Assessor-Recorder

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: October 22, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Peskin on October 16, 2018:

File No. 181012

Resolution regarding non-renewal of a Mills Act historical property contract with RCP LLC, the owner of 690 Market Street, The Chronicle Building, Assessor's Parcel Block No. 311, Lot No. 016 (specifically Assessor's Parcel Block No. 311, Lot Nos. 016-069, 73-74, and 78-79) under Chapter 71 of the Administrative Code; notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
Devyani Jain, Planning Department
AnMarie Rodgers, Planning Department
Tim Frye, Planning Department
Joy Navarrete, Planning Department
Georgia Powell, Planning Department
Andrea Ruiz-Esquide, Deputy City Attorney
Nicole Agbayani, Office of the Assessor-Recorder

1 [Non-Renewal of a Mills Act Historical Property Contract - 690 Market Street]

2
3 **Resolution regarding non-renewal of a Mills Act historical property contract with RCP**
4 **LLC, the owner of 690 Market Street, The Chronicle Building, Assessor's Parcel Block**
5 **No. 311, Lot No. 016 (specifically Assessor's Parcel Block No. 311, Lot**
6 **Nos. 016-069, 73-74, and 78-79) under Chapter 71 of the Administrative Code; notifying**
7 **the Assessor Recorder's Office of such non-renewal; and authorizing the Planning**
8 **Director to send notice of the non-renewal of the historical property contract to the**
9 **owner and record a notice of non-renewal.**

10
11 WHEREAS, The California Mills Act (Government Code, Section 50280 et seq.)
12 authorizes local governments to enter into a contract with the owners of a qualified historical
13 property, as defined in the Act, who agree to rehabilitate, restore, preserve, and maintain the
14 property in return for property tax reductions under the California Revenue and Taxation
15 Code; and

16 WHEREAS, Chapter 71 of the Administrative Code was adopted to implement the Mills
17 Act in San Francisco and to preserve these historic buildings; and

18 WHEREAS, Under the Mills Act and Chapter 71, a year is added automatically to the
19 initial term of the contract at the anniversary date of the contract, unless notice of non-renewal
20 is given as provided as prescribed in the Mills Act; and

21 WHEREAS, A Mills Act application for an historical property contract was submitted by
22 RC Chronicle Building LP and 690 Market Master Association, the owners of 690 Market
23 Street Assessor's Parcel Block No. 311, Lot No. 016 (specifically Assessor's Parcel Block
24 No. 311, Lot Nos. 016-069, 73-74, and 78-79), detailing rehabilitation work and proposing a
25 maintenance plan for the property; and

1 WHEREAS, At a public hearing on November 18, 2008, in Resolution No. 482-08, and
2 after reviewing the Historic Preservation Commission's recommendation and the information
3 provided by the Assessor Recorder's Office, the Board of Supervisors approved the historical
4 property contract between RC Chronicle Building LP and 690 Market Master Association, the
5 owners of 690 Market Street, and the City and County of San Francisco; and

6 WHEREAS, When it considered the approval of the historical property contract, the
7 Board of Supervisors balanced the benefits of the Mills Act to the owner of 690 Market Street
8 with the cost to the City of providing the property tax reductions authorized by the Mills Act, as
9 well as the historical value of 690 Market Street and the resultant property tax reductions, and
10 determined that it was in the public interest to enter into a historical property contract with the
11 applicants; and

12 WHEREAS, The historical property contract for 690 Market Street was recorded at the
13 Assessor Recorder Office on July 15, 2009, which is the anniversary date of the contract; and

14 WHEREAS, The historical property contract for 690 Market Street is binding on all
15 successors and assigns, as are all Mills Act contracts; and

16 WHEREAS, The Planning Department has determined that the actions contemplated in
17 this Resolution comply with the California Environmental Quality Act (California Public
18 Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the
19 Board of Supervisors in File No. ____, is incorporated herein by reference, and the Board
20 herein affirms it; and now, therefore, be it

21 RESOLVED, That the Board of Supervisors hereby elects not to renew the historical
22 property contract for 690 Market Street Assessor's Parcel Block No. 311, Lot No. 016
23 (specifically Assessor's Parcel Block 311, Lot Nos. 016-069, 73-74, and 78-79); and, be it
24
25

1 FURTHER RESOLVED, That the Board of Supervisors hereby notifies the Assessor
2 Recorder of the non-renewal of the historical property contract for 690 Market Street; and, be
3 it

4 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning
5 Director to send notice at least 60 days prior to the anniversary date to the current owner of
6 690 Market Street, RCP LLC, informing them that the historical property contract will not be
7 renewed; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning
9 Director to cause a notice of the non-renewal of the contract to be recorded in the City
10 Assessor Recorder's office.

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 OCT 16 PM 4:19
Time stamp
or meeting date

BY [Signature]

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Peskin

Subject:

[Non-Renewal of a Mills Act Historical Property Contract - 690 Market Street]

The text is listed:

Resolution under Chapter 71 of the San Francisco Administrative Code, regarding non-renewal of a Mills Act historical property contract with RCP LLC, the owner of 690 Market Street, The Chronicle Building, Assessor's Block No. 311, Lot No. 016 (specifically Assessor's Block No. 311, Lot Nos. 016-069, 73-74, and 78-79); notifying the Assessor Recorder's Office of such non-renewal; and authorizing the Planning Director to send notice of the non-renewal of the historical property contract to the owner and record a notice of non-renewal.

Signature of Sponsoring Supervisor:

[Signature]

For Clerk's Use Only