

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.**

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7 WHEREAS, The Old Mint, located at 88 Fifth Street in San Francisco, is considered
8 one of the last major Greek Revival buildings in the country associated with federal
9 architecture, is San Francisco's oldest stone structure, and was designated a National Historic
10 Landmark in 1961; 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, In August of 2003, the City acquired ownership of the Old Mint from the
23 Federal Government; and,

24 WHEREAS, On July 9, 2003, City staff and SFMH entered into an exclusive negotiating
25 agreement ("ENA"), a copy of which is on file with the Clerk of the Board in File No. 030794,

1 that, among other things, precludes the City from negotiating with any entity other than SFMH
2 for the development of the Old Mint for a period of ten months (the "Initial Term"), which term
3 may be extended for up to two, three-month periods (the "Additional Extensions") without
4 approval of the Board of Supervisors; and,

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

8 WHEREAS, The Board of Supervisors approved an additional extension of the ENA
9 term to May 9, 2005, pursuant to Resolution No. 752-04 adopted by the Board of Supervisors
10 on December 14, 2004, and approved by the Mayor on December 14; and

11 WHEREAS, The Board of Supervisors approved an additional extension of the ENA
12 term to December 31, 2005, pursuant to Resolution No. 515-05 adopted by the Board of
13 Supervisors on June 28, 2005, and approved by the Mayor on June 30, 2005; and

14 WHEREAS, The City and SFMH would like to extend the term of the ENA to July 1,
15 2006 to permit the completion of all required development documents and the satisfaction of
16 other milestones set forth in the ENA for the development of the Old Mint; and

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

20 RESOLVED, That the Board of Supervisors hereby agrees to and approves an
21 additional extension of the term as of December 31, 2005, that the expiration date of the ENA
22 shall be July 1, 2006, that the additional extension does not materially change the terms of the
23 ENA, and that it is in the best interest of the City and is necessary and advisable to effectuate
24 the purpose and intent of this resolution.

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