

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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TDD/TTY No. 554-5227

## 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: September 10, 2018

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Peskin on September 4, 2018:

**File No. 180869**

**Resolution regarding non-renewal of a Mills Act historical property contract with Alta Laguna, LLC, the owner of 215 & 229 Haight Street (Assessor's Parcel Block No. 0857, Lot No. 002), under Chapter 71 of the San Francisco 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.**

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 - 215 and 229 Haight Street]

2  
3 **Resolution regarding non-renewal of a Mills Act historical property contract with Alta**  
4 **Laguna, LLC, the owner of 215 & 229 Haight Street (Assessor's Parcel Block No. 0857,**  
5 **Lot No. 002), under Chapter 71 of the San Francisco Administrative Code, notifying the**  
6 **Assessor-Recorder's Office of such non-renewal; and authorizing the Planning Director**  
7 **to send notice of the non-renewal of the historical property contract to the owner.**

8  
9 WHEREAS, The California Mills Act (Government Code, Section 50280 et seq.)  
10 authorizes local governments to enter into a contract with the owners of a qualified historical  
11 property, as defined in the Act, who agree to rehabilitate, restore, preserve, and maintain the  
12 property in return for property tax reductions under the California Revenue and Taxation  
13 Code; and

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

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

19 WHEREAS, A Mills Act application for an historical property contract was submitted by  
20 Alta Laguna, LLC, the owner of 215 and 229 Haight Street (Assessor's Block No. 0857, Lot  
21 No. 002), detailing rehabilitation work and proposing a maintenance plan for the property; and

22 WHEREAS, At a public hearing on December 12, 2017, in Resolution No. 453-17, and  
23 after reviewing the Historic Preservation Commission's recommendation and the information  
24 provided by the Assessor's Office, the Board of Supervisors approved the historical property  
25

1 contract between Alta Laguna, LLC, the owner of 215 and 229 Haight Street, and the City and  
2 County of San Francisco; and

3 WHEREAS, When it considered the approval of the historical property contract, the  
4 Board of Supervisors balanced the benefits of the Mills Act to the owner of 215 and 229  
5 Haight Street with the cost to the City of providing the property tax reductions authorized by  
6 the Mills Act, as well as the historical value of 215 and 229 Haight Street and the resultant  
7 property tax reductions, and determined that it was in the public interest to enter into a  
8 historical property contract with the applicants;

9 WHEREAS, At the time, the Boad of Supervisors also expressed interest in the  
10 historical property contract for 215 and 229 Haight Street having a term of ten years, no more,  
11 in order to better achieve such balance between the benefits of the Mills Act and the costs to  
12 the City; and

13 WHEREAS, The historical property contract for 215 and 229 Haight Street was  
14 recorded at the Assessor Recorder Office on December 22, 2017, and therefore under the  
15 contract, that is the anniversary date of the contract;

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 decides not to renew the historical  
22 property contract for 215 and 229 Haight Street (Assessor's Block No. 0857, Lot No. 002);  
23 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 215 and 229 Haight Street;  
3 and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning  
5 Director to send notice to the owner of the historical property contract for 215 and 229 Haight  
6 Street, informing them of the non-renewal of the contract at least 90 days prior to the  
7 anniversary date.

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2018 SEP -4  
BY \_\_\_\_\_  
Time stamp  
or meeting date

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 - 215 & 229 Haight 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 Alta Laguna, LLC, the owner of 215 & 229 Haight Street (Assessor's Block No. 0857, Lot No. 002); 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.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only

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