

## RESOLUTION NO. 82-2011

*Adopted June 21, 2011*

**AUTHORIZING A FIRST AMENDMENT TO THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS ARTS COMMISSION, AND THE MEXICAN MUSEUM, A CALIFORNIA NONPROFIT CORPORATION, TO EXTEND THE TERM TO DECEMBER 31, 2012, WITH ONE ADDITIONAL SIX-MONTH EXTENSION AT THE DISCRETION OF THE AGENCY'S EXECUTIVE DIRECTOR, TO COLLABORATIVELY IMPLEMENT A PREDEVELOPMENT PLAN FOR A NEW MUSEUM ASSOCIATED WITH A NEW MIXED-USE PROJECT ON A SITE THAT INCLUDES 706 MISSION STREET (ASSESSOR'S BLOCK 3706, LOT 93) AND AGENCY DISPOSITION PARCEL CB-1-MM (ASSESSOR'S BLOCK 3706, PORTION OF LOT 277)**

### BASIS FOR RESOLUTION

1. On May 4, 2010, by Resolution No. 48-2010, the Agency Commission authorized an Amended and Restated Memorandum of Understanding (the "MOU") with The Mexican Museum (the "Museum") and the San Francisco Arts Commission (the "SFAC") to provide \$820,000 in grant funds for predevelopment and planning activities related to a new museum (the "Museum Space") associated with a new mixed-use project on a site at Third and Mission Streets in the now-expired Yerba Buena Center Redevelopment Project Area (the "Project"). The site includes a parcel owned by 706 Mission Street Co LLC (the "Developer") and an Agency-owned parcel, identified as Agency disposition parcel CB-1-MM.
2. The MOU, which expires on July 15, 2011, requires the Museum, with assistance from the SFAC, to develop and implement a predevelopment plan for the Museum Space. The Museum has spent much of the last year developing a detailed predevelopment plan, which is currently being reviewed by the SFAC and the Agency.
3. Additional time is needed to fully review, approve, and implement the predevelopment plan. Therefore, staff recommends a First Amendment to the MOU to extend the term for a period of approximately 18 months to December 31, 2012, with an additional six-month extension at the discretion of the Agency's Executive Director, which coincides with the timeline in other Project documents with the Museum and the Developer (the "First Amendment").
4. The First Amendment changes the terms of the MOU by extending the term for an additional 18-month period, plus one six-month extension; however, these changes have no effect on the activities permitted under the MOU. Agency authorization of the First Amendment is an Agency administrative activity that

will not have any direct physical effects on the environment and is not a "Project" as defined by California Environmental Quality Act ("CEQA") Guidelines Section 15378(b)(5).

## RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into a First Amendment to the Amended and Restated Memorandum of Understanding with the City and County of San Francisco, acting by and through its Arts Commission, and The Mexican Museum, a California nonprofit corporation, to extend the term to December 31, 2012, with one additional six-month extension at the discretion of the Agency's Executive Director, to collaboratively implement a predevelopment plan for a new museum associated with a new mixed-use project on a site that includes 706 Mission Street and Agency disposition parcel CB-1-MM, and to enter into any and all ancillary documents or take any additional actions necessary to consummate the transaction.

### APPROVED AS TO FORM:



*for* James B. Morales  
Agency General Counsel