

## LEGISLATIVE DIGEST

[Amendments to Recreation and Park Department Leases - Forgive Tenant Rent and Extend Lease Terms During COVID-19 Pandemic]

**Ordinance authorizing the Recreation and Park Department to amend certain leases to forgive rent and extend the lease term without Board of Supervisors' approval under Administrative Code, Chapter 23, and Charter, Section 9.118, and waiving for said leases any Administrative Code and Environment Code requirements enacted after the most recent modification of the lease, in order to address tenant financial hardships caused by the public health emergency related to the COVID-19 pandemic.**

### Existing Law

Charter Section 9.118 and Administrative Code Chapter 23 require the Board of Supervisors to review and approve certain types of leases and lease amendments. In addition, the City's Administrative and Environment Codes require departments to include specific terms in their leases. When departments amend their leases, they generally are required to incorporate Code changes that were enacted after the initial lease execution into the amendments.

### Amendments to Current Law

The ordinance would authorize the Recreation and Park Department to amend certain leases to forgive rent and/or extend the period of time that the lease remains in effect, without further Board of Supervisors approval under Charter Section 9.118 and Administrative Code Chapter 23, and without the need to incorporate contracting provisions in the Administrative and Environment Codes that might otherwise be required, in order to address tenant financial hardships caused by the COVID-19 pandemic.

The ordinance would not mandate that the Recreation and Park Department forgive the rent or extend the duration of any particular lease. Rather, it would give the Department the option to approve such lease amendments, provided the tenant has suffered financial harm due to the COVID-19 pandemic, will comply with their other obligations under the lease, and that the lease amendment will enhance the stability of the Department's operations or the long-term financial viability of the property, and will not impair the long-term financial health of the Department.

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