

[Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public.]

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 23.28, to read as follows:

SEC. 23.28. SFUSD LEASES TO THE CITY DIRECTLY SERVING THE PUBLIC; PUBLIC NOTICE REQUIRED PRIOR TO TERMINATION OR EXPIRATION OF THE LEASE.

(a) Whenever the City leases property from the San Francisco Unified School District ("the School District") and the City uses the property in a manner directly serving the public, such as for a public parking area or an athletic field, the notification provisions of subsection (b) shall apply.

(b) Not less than 30 days prior to the termination of the lease by the School District, or the expiration of the lease if the parties do not renew the agreement, the City department having jurisdiction over the subject property under the lease shall cause notice of the proposed action be given as follows:

(1) Notice shall be posted on the subject property in accordance with the requirements established by the Zoning Administrator under Planning Code Sections 311 and 312.

1 (2) Written notice of the termination or expiration of the lease shall be mailed to all
2 owners and, to the extent practicable, occupants of properties within 150 feet of the subject property in
3 the same Assessor's Block and on the block face across from the subject property. When the subject
4 property is a corner lot, the notification area shall further include all property on both block faces
5 across from the subject property, and the corner property diagonally across the street. The latest City-
6 wide Assessor's roll for names and addresses of owners shall be used for such notice.


7 (3) Written notice of the termination or expiration of the lease shall also be mailed to
8 persons or organizations that have indicated an interest in the subject property or its area by including
9 their names on a list maintained by the Planning Department.

10 (c) The notification requirements of subsection (b) shall also apply when the City uses or
11 controls School District property by virtue of a permit, license, or similar agreement other than a lease.
12 If the City itself receives less than 45 days notice from the School District of the termination or
13 expiration of a lease or other agreement, the City department having jurisdiction over the subject
14 property under the lease or other agreement shall provide the notice required under subsection (b) to
15 the extent reasonably possible under the circumstances.

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18 APPROVED AS TO FORM:

19 DENNIS J. HERRERA, City Attorney

20
21 By:


THOMAS J. OWEN
Deputy City Attorney



City and County of San Francisco

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Tails

Ordinance

File Number: 070411

Date Passed:

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

June 19, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

June 26, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

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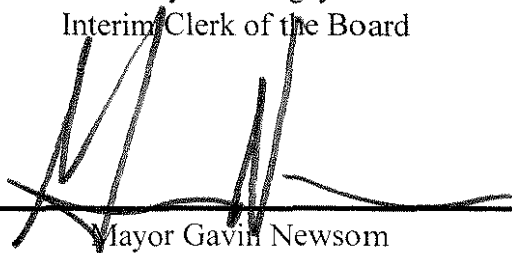
I hereby certify that the foregoing Ordinance was FINALLY PASSED on June 26, 2007 by the Board of Supervisors of the City and County of San Francisco.

JUL 03 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom