

PROVENCHER & FLATT, LLP  
823 Sonoma Ave. Santa Rosa, CA 95404  
Phone: 707-284.2380 Fax: 707-284.2387

ATTORNEYS AT LAW  
Douglas B. Provencher  
Gail F. Flatt

---

OF COUNSEL  
Janis H. Grattan  
Rachel Mansfield-Howlett  
Roz Bateman Smith

Planning Department  
John Rahaim, Director  
1650 Mission Street Suite 400  
San Francisco, CA 94103

Recreation and Park Department  
501 Stanyan Street  
San Francisco, CA 94117

October 16, 2015

*Via Hand Delivery and U.S. Mail*

Re: Public Notice Violation for Public Hearing on 5M Project

On behalf of South of Market Action Committee (SMAC), Save our SoMa (SOS) and Friends of Boeddeker Park, I'm writing to let you know that the City failed to provide adequate notice for the joint Recreation and Park Commission and Planning Commission public hearing held on September 17, 2015 concerning the 5M Project. The residents who live adjacent to Boeddeker Park and are affected by the decisions taken at the hearing were not apprised of the nature of the approvals and recommendations and were precluded from participating in the public process.

The San Francisco Administrative Code, Chapter 67, The San Francisco Sunshine Ordinance, Article II, Section 67.7-1, requires the following.

Any public notice that is mailed, posted or published by a City department, board, agency or commission to residents residing within a specific area to inform those residents of a matter that may impact their property or that neighborhood area, shall be brief, concise and written in plain, easily understood English.

The City failed to mail and post the required notices within the affected area surrounding Boeddeker Park with the necessary information and therefore did not abide by the provisions of the Sunshine Ordinance. Photographs taken in the affected area show that physical notices were not posted prior to the hearing and Boeddeker area residents and businesses confirm that they did not receive any notices by mail. (Attached Exhibit A, Photos taken on September 16, 2015, Boeddeker Park; Testimony was given at the September 17<sup>th</sup> hearing regarding the lack of notice.)

Sincerely,

  
Rachel Mansfield-Howlett