

COUNCIL POLICY

SUBJECT: POLITICAL ACTIVITIES BY SUBSIDIZED LESSEES OF
CITY PROPERTIES
POLICY NO.: 700-11
EFFECTIVE DATE: April 17, 1989

PURPOSE:

The purpose of this policy is to prohibit political activities on City-owned property if the property or facilities are leased at less than fair market value. This policy is based on the City Council's position that it is not appropriate to use facilities leased at a subsidized rate for political activities.

POLICY:

1. It is the policy of the City that the City facilities leased at less than fair market value shall not be used for political activities, as defined below.
2. Political activities are defined as activities primarily focused on publicly endorsing or actively campaigning for or against the nomination or election of any person to any public office (partisan or non-partisan), or for the adoption or defeat of any ballot measure. For purposes of this policy, this definition shall not include political activities which take place outside the lease area, or incidental lobbying for legislation consistent with expressed goals of the organization as set out in its bylaws.
3. Subsidy is defined as renting property at less than its fair market rent from the City.
4. This policy shall be a condition of leases and subleases that, if violated, the violation shall constitute a breach of the lease which may result in forfeiture of the leasehold.
5. This restriction shall not apply to public forums or open debate by candidates, or to such forums for proponents and opponents of election issues, if such actions are authorized by the lease. This policy shall not preclude use of open public areas, including parks, by persons exercising their free speech rights and who comply with all applicable laws and regulations. This policy shall not apply to agreements of less than 30 days or to leases which are not subsidized by the City.

OTHER POLICIES:

This policy shall also apply to leases granted in accordance with the following Council Policies, and it shall be included as a covenant in all future leases granted pursuant to said policies:

700-3 Use of City-owned Land by Youth Sports Organizations

700-4 Balboa Park Uses and Occupancy

700-9 Leases to Noncommercial, Nonprofit Organizations in Mission Bay Park

700-12 Disposition of City Property to Nonprofit Organizations

HISTORY:

“Lease Assignment”

Adopted by Resolution R-169965 03/15/1962

Repealed by Resolution R-212957 04/04/1975

“Political Activities By Subsidized
Lessees of City Properties”

Amended by Resolution R-250076 08/20/1979

Adopted by Resolution R-273263 04/17/1989