AMENDMENT NO. __

TO

ORDINANCE NO. BL2026-1295

Madam President –

I hereby move to amend Ordinance No. BL2026-1295 by amending Section 1 as follows:

Section 1. That Section 2.24.230 of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and replacing it with the following:

2.24.230 - Leasing or subleasing conditions.

A. No legislation approving the lease of metropolitan government-owned property, where the appraised land value is greater than five ~~one~~ million dollars, to a private entity for a lease term of more than five years, including permitted extensions, shall be considered on first reading by the metropolitan council unless and until a publicly noticed community meeting about details of the proposed project has been held. The director of public property administration may adjust the five ~~one~~ million dollars threshold annually based upon the percentage increase, if any, by which the consumer price index for the most recent calendar year ending before the beginning of such year exceeds the consumer price index for all urban consumers published by the United States Department of Labor for the previous calendar year.

1. Notice of the community meeting shall be posted on the metropolitan government website, and the proposed lessee shall be responsible for distributing the notice of the community meeting as follows:

i. Notice by mail or e-mail. At least fourteen days prior to the community meeting, the proposed lessee(s) of the subject property shall send written notice to all property owners within one thousand feet and to identified neighborhood associations and community organizations located within a one-mile radius of the subject property or who routinely use the property. Neighborhood associations and community organizations shall include any groups registered with the mayor's office or identified by the district council member or the metropolitan planning department. Routine user community organizations shall be identified from the facility scheduling log of the department owning the property as any weekly or seasonal users from the past year. Such notice shall be sent by email if the property owner's, neighborhood association, or community organization's email address is known to the council member or lessee. Otherwise, such written notice shall be sent by U.S. Mail. Notice shall include the time, date and place of the required community meeting.

ii. Public notice signs. Public notice signs shall be posted by the lessee in accordance with the following provisions on the subject property:

(a) General Requirements. Public notice signs shall be posted on any property subject to the community meeting provisions of this section. Public notice signs shall be installed by the proposed lessee of the property.

(b) Display Period. Public notice signs shall be installed on affected properties no less than fourteen days prior to an established community meeting date and shall be removed by the lessee following conclusion of the first council consideration.

(c) Number and Placement of Public Notice Signs. Public notice signs shall be posted according to the following standards:

(i). Number. Signs shall be posted along each three hundred feet of public street frontage, up to a maximum of five signs per property.

(ii). Location. Whenever practical, signs shall be located within ten feet of a public street right-of-way and positioned in a manner to best inform the motoring public without creating a safety hazard.

(iii). Size and Content. All public notice signs shall be of adequate size and design to be clearly visible and legible to the motoring public. At a minimum, a public notice sign shall specify the time, date and location of the scheduled community meeting, and the general nature of the community meeting.

2. The council member in whose district the property is located, or their designee, shall work in conjunction with the lessee to coordinate the scheduling of the community meeting required by this section. The district council member shall schedule the meeting to be held no later than 45 days after receipt of a written request from the lessee to schedule the meeting. In the event the district council member fails to establish a date, time, and location for the community meeting within 45 days, the lessee shall schedule the community meeting and notify the district council member of the date, time, and location prior to public notices being sent. The meeting shall be held either at a metropolitan government-owned facility or at a facility selected by the district council member. The community meeting may also be held virtually using an online meeting platform if necessary to comply with applicable health orders. A representative from the metropolitan department, board, agency, or commission to whom the property is assigned shall attend the community meeting.

3. An advisory group may be designated by the district council member to meet on a regular basis to advise the Metropolitan Government department, board or commission that is overseeing the lease regarding its implementation and the adherence to any lease terms. ~~to identify protections or benefits that could be considered in conjunction with the lease agreement~~. The advisory group would be composed of representatives of the neighborhood and community groups identified for notification in subsection ~~paragraph~~ 2.24.230 A.1.a., representatives of the department, board or commission that owns the property, and representatives of the lessee. ~~The advisory group may continue to meet on a regular basis to facilitate the efficient implementation of the lease and ensure the new and continued delivery of benefits to all parties~~.

B. A copy of the lease or sublease agreement, including all terms and conditions thereof, shall be filed as a public record with the metropolitan clerk whenever the metropolitan government or any agency thereof leases or subleases real estate to a private individual, partnership, corporation or other private agency.

C. Whenever the lessee or sublessee of real estate leased from the metropolitan government or any agency thereof shall lease or sublease such real estate to another, the original lessee or sublessee shall file a copy of such lease or sublease as a public record with the metropolitan clerk within thirty days after receiving a certified copy of a resolution duly enacted by the metropolitan council requiring the filing of such lease or sublease, or within thirty days after receiving written notification from the mayor requiring the filing of such lease or sublease. A copy of such lease or sublease need not be filed as a public record, however, prior to ninety days after the signing of such lease or sublease without the consent of all of the parties to such lease or sublease.

SPONSORED BY:

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Burkley Allen
Member of Council