

RESOLUTION NO. R-250029 (R. 80-195)

RESOLUTION AMENDING COUNCIL POLICY 700-4
REGARDING BALBOA PARK LEASES AND AGREEMENTS. AUG 14 1979

BE IT RESOLVED, by the Council of The City of San Diego,
as follows:

That Council Policy 700-4, adopted on April 11, 1967
by Resolution No. 190056, regarding Balboa Park Leases and
Agreements be, and it is hereby amended as set forth in the
amended Council Policy filed in the office of the City Clerk
as Document No. RR-250029.

BE IT FURTHER RESOLVED, that the City Clerk is hereby
instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By Thomas Steinke
Thomas F. Steinke, Deputy

TFS:lco:263.1
Or. Dept.:PF&R Comm.
7/31/79

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

SUBJECT

BALBOA PARK LEASES AND AGREEMENTS

700-4

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BACKGROUND

Balboa Park has played a significant role in the recreational, educational, and cultural enrichment of the citizens of San Diego for the past eighty years. The Park and Recreation Board and City Council have encouraged non-profit organizations to develop cultural, educational, and recreational programs through the utilization of buildings constructed for the Exposition of 1915 and 1935, or the construction of new facilities in accordance with the Master Plan for Balboa Park.

PURPOSE

To set forth guidelines for the usage of buildings within Balboa Park.

POLICY

It shall be the policy of the City Council to:

- A. Encourage non-profit organizations, whose purpose is to provide a desired recreational, cultural, or educational service to a broad segment of the citizens of San Diego, to occupy and operate facilities in Balboa Park.
- B. Consider for tenancy, only those organizations whose memberships are open to the public and who do not discriminate in any manner against any person on account of race, marital status, sex, religious creed, color, ancestry, national origin or physical handicap.
- C. Preserve the cultural/recreational/educational environment of Balboa Park by maintaining a higher proportion of non-commercial uses than commercial uses.
- D. Require Park and Recreation Board review and an affirmative recommendation to the City Manager and the City Council on all uses in Balboa Park, both commercial and non-commercial.

PROCEDURE

I. Tenant Selection Criteria

All uses shall fall into one of the following categories to be considered for tenancy in Balboa Park and shall comply with the following requirements.

- A. City Subsidized, Non-Profit Cultural/Recreational Institutions -
i.e. Museums, art galleries and performing arts functions.
 1. Shall carry public liability and property damage insurance in the amount required by the City.
 2. Shall maintain regular operating hours with a minimum of 6 days per week open to the public including Saturdays and

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3. Shall provide all maintenance of the facility, except for major electrical, major plumbing, major structural and exterior maintenance, in lieu of rental payments.
4. Shall pay all utility costs and comply with all public safety and building codes.
5. Shall be governed by a written operating agreement for an indefinite term subject to annual review by the City Manager or his designee.

B. Non-City Subsidized, Non-Profit, Cultural/Recreation Organizations -

1. Shall carry public liability and property damage insurance in the amount required by the City.
2. Shall maintain regular operating hours and be open to the public a minimum of two days per week including Saturday and Sunday.
3. Shall provide all maintenance of the facility, excluding major electrical, major plumbing, major structural and exterior maintenance, in lieu of rental payments.
4. Shall pay all utility costs and comply with all public safety and building codes. The San Diego Blind Center shall be exempt from the requirement of paying all utility costs pursuant to Council Resolution No. 250029.
5. Shall be governed by an annual written preferential, non-exclusive, use and occupancy permit granted by the City Manager or his designee.

C. Commercial Leasees

1. Shall carry public liability and property damage insurance in the amount required by the City.
2. Shall maintain regular hours and be open to the public a minimum number of days as designated by the Park and Recreation Board.
3. Shall provide all maintenance of the facility, excluding major electrical, major plumbing, major structural and exterior maintenance.
4. Shall pay all utility costs and comply with public safety and building codes.
5. Shall pay rental to the City as determined by appropriate Council Policies and schedules.
6. Shall be governed by a written lease agreement for an appropriate term commensurate with the investors amortization requirements. Rental rates shall be adjusted periodically to reflex current rental values and inflationary increases in building maintenance costs.

PROPOSED AGREEMENTS BY CATEGORY

City Subsidized, Non-Profit, Cultural Institutions
(Operating Agreement)

Centro Cultural de la Raza
Hall of Champions
International Aerospace Hall of Fame
Natural History Museum
*Old Globe Theatre
San Diego Aero-Space Museum
San Diego Museum of Art
San Diego Historical Society
San Diego Zoological Society
Veterans War Memorial Association

Non-City Subsidized, Non-Profit, Cultural/Recreational Organizations
(Preferential Non-Exclusive Use and Occupancy Permit)

Balboa Tennis Club
Botanical and Floral Associations
Boy Scouts
Camp Fire Girls
Girl Scouts
*House of Pacific Relations
Model Railroad
San Diego Blind Center
Senior Citizens Centers (4)
Southern California Association of Camera Clubs
*Starlight Opera
Timkin Art Gallery

Commercial Leases (Profit or Non-Profit Organizations)
(Standard Lease or Operating Agreement)

Carrousel Operator
Golf Course Concessionaire
House of Hospitality
Miniature Railroad
*Reuben Fleet Space Theatre
San Diego Art Institute
Snack Bar Concessionaire
Spanish Village Association
Tennis Shop Concessionaire
United Nations Association

*Explanation

Old Globe - Not subsidized through T.O. Fund
House of Pacific Relations - Currently, paying minimal rent
Starlight Opera - Currently, may use rental payment credits for
improvement of Starlight Bowl
Reuben Fleet Space Theatre - Pays percentage of revenue to City.

Passed and adopted by the Council of The City of San Diego on AUG 14 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By Valerie Blodgett, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-250029</u>	Adopted <u>AUG 14 1979</u>