



DATE ISSUED: September 20, 2006 REPORT NO: 06-130

ATTENTION: Council President and City Council
Docket of September 26, 2006

SUBJECT: Balboa Park Informational Kiosk Donation and Operating Agreement

REPORT TO THE CITY COUNCIL

REQUESTED ACTION:

Authorization to accept from the Friends of Balboa Park (Friends) the donation of up to five interactive informational kiosks for Balboa Park, and authorization to enter into a Donation and Operating Agreement with the Friends for the kiosks, including authorization to enter into two five-year extensions of the Agreement should the project prove successful and satisfactory to all parties. (The Donation and Operating Agreement is included as an attachment to this report.)

STAFF RECOMMENDATION:

Authorize the acceptance from the Friends of Balboa Park the donation of up to five interactive informational kiosks for Balboa Park, and authorize the Donation and Operating Agreement for a three year trial period, including authorization enter into two five-year extensions to the Agreement should the project prove successful and satisfactory to all parties.

SUMMARY:

Balboa Park is a heavily used regional park, a unique cultural center and an internationally known visitor destination. An estimated ten million visitors each year attend special events, plays, art exhibits, scientific and historic displays and view the collections housed in park institutions. There has been awareness for a number of years that an effective system of information dissemination within the park would enhance visitor knowledge and provide a more positive experience. Installation of information kiosks is recommended in the Balboa Park Master Plan and the subsequent Central Mesa Precise Plan, both adopted by City Council. The Friends of Balboa Park, a non-profit group whose mission is to preserve and promote Balboa Park's resources, have expressed an interest in meeting this need. To that end, the Friends have developed a concept of interactive visitor information kiosks based on electronic information technology. They propose to build, install and donate the kiosks to the City, and to ensure their continued operation and management.

Working with the City Attorney and staff, the Friends have drafted a Donation and Operating Agreement that addresses the responsibilities of both the Friends and the City, and delineates a program of revenue generation through various services provided at or via the kiosks. This revenue would support the ongoing operation and maintenance of the kiosk systems. Excess revenue generated would be directed by the Friends into projects or programs beneficial to Balboa Park, in accordance with their mission.

The Friends are proposing to install up to five kiosks in phases, with a minimum of two installed in the first phase. Kiosks will be located at the Plaza de Panama, the east end of El Prado, Laurel Street near Sixth Avenue, the Palisades and Inspiration Point. These are all highly trafficked

areas identified as being the most useful to park visitors. The first phase will include the locations at the Plaza de Panama and west end of El Prado. Construction on the initial phase would begin as soon as practicable upon final approval of the Donation and Operating Agreement.

FISCAL CONSIDERATIONS:

The Friends of Balboa Park have raised sufficient funds through donations to construct the initial phase of kiosks at no cost to the City. Their business plan anticipates generating sufficient revenue through sponsorships and several revenue generating services available at the kiosks to pay for the ongoing operation and maintenance of the system. The Friends retains ownership of all system software, content and electronic components. Their revenue projections are included as Exhibit "B" in the attached Donation and Operating Agreement.

The City will assume ownership of the external kiosk structures and utilities serving them and will be responsible for ordinary maintenance and repair. Since these will be brand new concrete structures with integral color and anti-graffiti coating, it is expected that exterior maintenance will be minimal during the initial agreement term. This maintenance can be performed with existing staff and supplies. Extraordinary maintenance or damage due to vandalism or other unknown events may occur that can not be accurately estimated at present. The responsibilities of the respective parties are enumerated in Exhibit "G" of the Donation and Operating Agreement.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

City Council adopted the Balboa Park Master Plan on July 25, 1989 (Resolution No. R-274089). City Council adopted the Central Mesa Precise Plan on October 20, 1992 (Resolution No. R-280920). There has been no previous Council or Committee action with regard to this specific project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On November 14, 2001, the Park and Recreation Board's Design Review Committee recommended approval of the general design and appearance of the kiosks.

On October 6, 2005 the Park and Recreation Board's Balboa Park Committee recommended the approval of the general design and appearance of the kiosks, and of the Donation and Operating Agreement.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

This project has been presented to the Balboa Park Cultural Assembly and the Balboa Park Cultural Partnership and has received the endorsement of both groups. It is anticipated that the kiosks will have a positive impact on the institutions and Park visitors by providing information and services that are not available at this time.

Originating Department

Deputy Chief/Chief Operating Officer