Balboa Park Committee Meeting July 24, 2008 - Lease, Agreements, Permits

1) Lease – long term (usually 3 years or more) agreement which conveys property rights for a specified term (may include option periods). Requires Council action and are distributed to the City Clerk for recordation and to the County Assessor. A property becoming available for lease may require a Request for Proposals (RFP). In the majority of Balboa Park leases, in lieu of rent, tenant is required to maintain the facility except for major structural and exterior maintenance. Tenant is also required to carry public liability and property damage insurance.

2) Right of Entry Permit - license agreement granted usually for a specified use on a short term basis (3 years or less). Rent (if any) is usually charged on a flat amount rather than percentage rent. Does not require Council action - Mayor can authorize on his own authority and are not distributed to City Clerk. Park & Recreation issues Right of Entry Permits for construction projects within Balboa Park.

3) Concession Agreement – May refer to a lease of a portion of premises used for a specified activity such as a coffee or beverage cart. May also refer to a percentage rent lease wherein certain activities are charged a specific percentage rent for example food & beverage is charged at 3-4% of sales. May be a minimum rent versus percentages rent.

4) Sublease – An agreement between an existing tenant and another business, for example, San Diego Museum of Art has a sublease with Waters Restaurant. The City does not have a contractual agreement with the subtenant but most agreements require the City to consent to a sublease. A sublease is subordinate to the master lease and may not convey any more rights than are already granted in the lease for example, the sublease may not be for a longer term than the underlying lease.

5) Preferential Non-Exclusive Use & Occupancy Permits & Special use Permits – These are short term permits for use of space, administered by Park & Recreation staff. No rent is charged and permitttee usually has some maintenance responsibilities.

Real Estate Assets Department (READ) is responsible for preparation and administration of the lease on behalf of the Park & Recreation Department (P&R). P & R is responsible for overseeing day to day operations within the Park. Any modification to a leasehold which may require a lease amendment would be coordinated with P & R through READ. The Balboa Park sub policy 700-4 was adopted July 19, 1981. Leasing Policy 700-10 has been revised and updated and forwarded for Council review and approval. Eight lease agreements have expired and are on month-to-month holdover. Once the new policy is adopted new leases will be negotiated for those leases.

Within Balboa Park there are the following types of agreements:

a) Commercial (American Golf, Pierson, 19th Hole Restaurant, Carousel)
b) Cultural Institutions (Zoo, Museums, Foundations)
c) Youth Clubs/Sports (Scouts/Camp Programs)
d) Preferential Non-Exclusive Use & Occupancy & Special Use Permits

Museum/Cultural Institutions	27
Commercial	4
Recreation	4
Youth Organizations	3
Telecom	1
Golf	1
Parking/Storage	1

Lessee Name	DBA	Uses	Use Category
BRISCOE GROUP	CINDERELLA CARRIAGE COMPANY	HORSE-DRAWN CARRIAGE SERVICE	COMMERCIAL
HOSPITALITY, INC	FESTIVITIES CATERING	FOOD CONCESSIONS	COMMERCIAL
STEEN, FOLSOM & FOLSOM/02	BALBOA PARK CAROUSEL, INC.	CAROUSEL/KIDDY AIRPLANE RIDE	COMMERCIAL
TOBEY, GARY & STEVE	19TH HOLE RESTAURANT	RESTAURANT	COMMERCIAL
PACIFIC BELL WIRELESS, LLC/08	T-MOBILE USA, INC.	TELECOMMUNICATIONS ANTENNAS	COMMUNICATIONS TELECOM
AMERICAN GOLF CORP/03	BALBOA PARK GOLF COURSE	PROSHOP,CARTS	GOLF
PIERSON, LEO	MORLEY FIELD DISC GOLF COURSE	DISC GOLF COURSE	LEISURE USES
SD COMM COLLEGE DIST/09 (MORLEY FIELD)		BASEBALL PROGRAM	LEISURE USES
SD UNIFIED SCHOOL DIST/01		HIGH SCHOOL & STADIUM	LEISURE USES
SD UNIFIED SCHOOL DIST/02		AUDITORIUM	LEISURE USES
BALBOA ART CONSERVATION CENTER		MUSEUM & GIFT SHOP	MUSEUM/CULTURAL INSTITUTION
CENTRO CULTURAL DE LA RAZA		CULTURAL CENTER	MUSEUM/CULTURAL INSTITUTION
COMMITTEE OF 100		OFFICE SPACE	MUSEUM/CULTURAL INSTITUTION
FRIENDS OF BALBOA PARK		INFORMATION KIOSKS	MUSEUM/CULTURAL INSTITUTION
HOUSE OF HOSPITALITY ASSOCIATION, INC		CULTURAL CENTER	MUSEUM/CULTURAL INSTITUTION
JAPANESE FRIENDSHIP GARDEN SOCIETY OF SD		JAPANESE GARDEN/CULTURAL CTR	MUSEUM/CULTURAL INSTITUTION
MINGEI INTERNATIONAL MUSEUM OF FOLK ART		ART MUSEUM	MUSEUM/CULTURAL INSTITUTION
MUSEUM OF PHOTOGRAPHIC ARTS, INC		PHOTOGRAPHIC MUSEUM	MUSEUM/CULTURAL INSTITUTION
OLD GLOBE THEATRE/01		THEATRICAL PERFORMANCES	MUSEUM/CULTURAL INSTITUTION
OLD GLOBE THEATRE/02		REHEARSAL AND CONCESSIONS	MUSEUM/CULTURAL INSTITUTION
PROPHET WORLD BEAT PRODUCTIONS, INC.	WORLD BEAT CULTURAL CENTER	CULTURAL CENTER & OFFICES	MUSEUM/CULTURAL INSTITUTION
PUTNAM FOUNDATION	TIMKEN MUSEUM OF ART	ART MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD AIR & SPACE MUSEUM	SAN DIEGO AEROSPACE MUSEUM	AEROSPACE MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD ART INSTITUTE		ART MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD AUTOMOTIVE MUSEUM INC		AUTOMOBILE MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD CIVIC LIGHT OPERA ASSOC, INC.	STARLIGHT THEATRE	PERFORMANCE/OFFICES/GIFTS	MUSEUM/CULTURAL INSTITUTION
SD HALL OF CHAMPIONS, INC		SPORTS MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD HISTORICAL SOCIETY		HISTORICAL MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD MODEL RAILROAD MUSEUM		MODEL TRAIN MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD MUSEUM OF ART		ART MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD MUSEUM OF MAN		ANTHROPOLOGICAL MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD SOCIETY OF NATURAL HISTORY	SD NATURAL HISTORY MUSEUM	NATURAL HISTORY MUSEUM	MUSEUM/CULTURAL INSTITUTION
SD SPACE & SCIENCE FOUNDATION	REUBEN H. FLEET SCIENCE CENTER	SPACE THEATER	MUSEUM/CULTURAL INSTITUTION
UNITED NATIONS ASSOCIATION OF SD		OFFICE, GIFT SHOP	MUSEUM/CULTURAL INSTITUTION
VETERANS MEMORIAL CENTER, INC.		VETERANS' CENTER	MUSEUM/CULTURAL INSTITUTION
ZOOLOGICAL SOCIETY OF SD/04	SD ZOO	ZOOLOGICAL GARDENS	MUSEUM/CULTURAL INSTITUTION
ZOOLOGICAL SOCIETY OF SD/06	BALBOA PARK RAILROAD	MINIATURE TRAIN	MUSEUM/CULTURAL INSTITUTION
US NAVY/05		HOSPITAL PARKING	PARKING/STORAGE
BOY SCOUTS OF AMER. DESERT PAC. CNCL/01		HEADQUARTERS AND CAMP	YOUTH CLUBS/SPORTS
CAMP FIRE GIRLS, INC.	CAMP FIRE USA SD & IMPERIAL	HEADQUARTERS	YOUTH CLUBS/SPORTS
GIRL SCOUTS, SD-IMPERIAL COUNCIL, INC		HEADQUARTERS AND CAMP	YOUTH CLUBS/SPORTS

BALBOA PARK PREFERENTIAL NON-EXCLUSIVE USE & OCCUPANCY & SPECIAL USE PERMITS

1. Arts & Crafts Council
2. Balboa Horseshoe Club
3. Balboa Park Morley Field Recreation Council
4. Balboa Tennis Club
5. Club de Petanque
6. Committee of 100
7. Community Christmas Center
8. Friends of Balboa Park
9. Greater San Diego City Tennis Council
10. Heritage Band Society
11. House of Pacific Relations, Inc.
12. International Dance Association
13. Redwood Bridge Club
14. San Diego Archers Club
15. San Diego Badminton Association
16. San Diego's Balboa Park Puppet Guild
17. San Diego Botanical Garden Foundation
18. San Diego Chess Club
19. San Diego Civic Dance Association
20. San Diego Civic Youth Ballet
21. San Diego Floral Association
22. San Diego Junior Theatre
23. San Diego Lawn Bowling Club
24. San Diego Mineral & Gem Society, Inc
25. San Diego Sports Association
26. San Diego Square Dance Association
27. San Diego Table Tennis Association
28. San Diego Velodrome Association, Inc.
29. San Diego Youth Symphony
30. Southern California Association of Camera Clubs
31. Spanish Village Art Center

K. Spreckels Organ Society
L. Sun Harbor Chorus
M. Sweet Adelines
N. Thursday Club Foundation
O. Twilight in the Park