

Balboa Park Committee

Draft: Question # 3 Response

3) *If it wishes to expand management and governance of the park, what are the alternatives for it to do so?*

I. Introduction

The Park and Recreation Department does an excellent job of managing Balboa Park, especially considering the deep cuts made by the City of San Diego in recent years that have led to diminished resources and ever expanding responsibilities. However, after examining issues relating to Balboa Park which have been revealed during these public hearings, as well as considering the strong aspects of other parks that have been studied, it appears that there are a number of areas which could be optimized and improved in the Park's administration.

II. Observations

A. City Organization

1. There is no dedicated management oversight for Balboa Park.
 - a. The Deputy Director for Developed Regional Parks, in addition to Balboa Park management, has responsibility for numerous sites and therefore is not solely dedicated to Balboa Park. The duties of the position include large, complex areas such as Mission Bay Park and Presidio Hill, as well as citywide park maintenance.
 - b. With this level of responsibility, it is difficult for Park staff to concentrate on anything other than immediate needs and funding issues. This forces staff into a reactive mode without time for proactive planning and execution of projects.
 - c. While the Park and Recreation Department has the primary oversight for the Park, a wide range of City of San Diego departments also control a variety of responsibilities/functions in the Park.
2. There is no library of critical Park documents that are easily accessible to the public, nor is there a comprehensive list of critical Park documents anywhere within the City. A library of documents would at a minimum include land use documents, planning reports, leases and special event applications.
3. Park planning and project execution needs improvement and streamlining including:
 - a. Park planning is spread over two departments; there is no single source of contact. These include the Park and Recreation

Department and City Planning and Community Investment Department.

- b. The planning and approval process is unclear, undocumented and not posted on the City's website, unlike the Development Services Department, whose general processes for projects are well defined. It is frustrating for the public, leaseholders and organizations to obtain reliable information on how the process works.
 - c. Three different departments supervise projects within Balboa Park. This includes the departments mentioned above, along with Engineering and Capital Projects.
 - d. There is currently no process for the updating of Park-related land use documents in spite of the fact the Master Plan calls for updating them on a five-year cycle. There are elements in the existing plans that are clearly outdated and/or no longer appropriate with no prospect for being reviewed.
 - e. A process and policy needs to be defined that determines the limits to building expansion (vertically or horizontally) in the park.
 - f. No policy or process exists to protect our green spaces and urban forest resource. A no net loss policy that protects tree canopy, passive native habitats, active open space areas and public realm areas should be pursued. For example, Forest Park has a defined commitment that if greenbelt is removed from the park it must be replaced somewhere else with in the park.
4. Project implementation and management should be a defined, driving force for the implementation of projects that are still viable and identified in adopted land use documents.
 5. It is not always clear if there is a commitment by staff to the implementation of an identified project or if there is a lack of staff and funds for implementation. A resolve to get things done is often exchanged for accepting the hurdles that prevent projects from getting done.
 6. Staff generally does not play the role of a project cheerleader, so projects remain unrealized, heavily modified, over budget or only partially completed.
 7. Often, a committed person or group who is accountable to "work the problem" is not identified who is responsible for proactively "working the problem" rather than the current process that relies on finding a staff person to reactively "fix the problem".

B. Decision Making Process

1. Decisions affecting Balboa Park are sometimes influenced by larger political forces of the City or whatever is currently "politically correct". Political interests concerned with maintaining a status quo too often stifle creative thinking and can unduly discourage and constrain boldness and innovation.

2. It would be helpful to introduce a specific park-centric, park-focused, element into the routine and long-term management decision-making process.
3. The general public has little or no voice in decision making for “normal” park and recreation activities.
4. Park leases are currently inconsistent in ways that are confusing and inequitable. Further, the leases are managed by the City of San Diego Real Estate Assets Department with little input from the public or Balboa Park management. The lack of routine and on-going communication between the staff of the two departments, while improved over the last two years, still causes problems for the institutions and other tenants as well as Park staff.
5. Specific policies and processes are in need of development, review and/or enhancement that take into account the unique nature of Balboa Park. Some of the missing management policies include:
 - a. The need for a temporary public art policy and a clear process that enables artists to propose and implement work in a timely way to interact with the public or leverage current events.
 - b. A naming rights policy specific and clear to donors that balances the need for fundraising and recognition with the public ownership of the Park.
 - c. There is no strategy and process to optimize concessions in the park. An analysis should be done as this could increase park revenues and enhance park visitors experience.
 - d. Increased emphasis on a “green” strategy. While there is some work being done it isn’t well organized which limits the vast opportunities for participation.
 - e. A safety plan and polices for the park. When a project is identified, there is often no follow-up on it’s implementation.
6. Institutions are a critical part of the park structure and careful consideration should be given to the needs of current and future institutions. Important institutional issues include>
 - a. Relationships between Park management and the existing institutions should continue to be enhanced and improved with a constant, open dialogue.
 - b. To keep the park viable, there should be consideration of how institutions are recruited, expand and grow; how they keep up with changing taste and times. New or expanding institutions could anchor areas that are currently underutilized.
 - c. Nobody has time or political immunity to review and create expectations of attendance and activities for existing institutions.
7. Relationships between Park management and communities adjacent to the park, while improved over the last few years, could still be enhanced.
 - a. More analysis of community needs and interactions with the Park are needed and could benefit both.

- b. There is a lack of linkage between the Park and community-based volunteer groups. For example, the common interests of the Friends of Canyon Groups could be better leveraged.
- 8. The relationship between Park management and the Balboa Navy Hospital while cordial could be improved, potentially leading to benefits for both.
- 9. There needs to be further commitment to the historic preservation of the park and an entity with the clout to say no to what will not meet the Secretary of Interior Standards for Historic Places, Structures and Districts.

C. Operations

- 1. An annual "Needs Assessment" update of the condition of the park should be performed. At this time, a comprehensive report of the condition of the park does not exist. The Report should address not only operations, management and maintenance costs as well as repair, protection and replacement costs, but also preservation, enhancement and expansion related to the implementation of adopted park plans.
- 2. An Annual "Operations Action Plan" should be presented and made available to the public. The plan should include reasonable goals and projects that can be funded and completed during that year.
- 3. An annual "Project Status Plan" that shows the current status of all projects called for in adopted plans and studies.
- 4. No formal volunteer program exists for the public areas of the park.
 - a. A "Volunteer Coordination Plan" is needed.
 - b. Volunteer utilization could be effectively increased to the advantage of the Park.
 - c. Potential volunteers require a focused pursuit and strong organization that is currently unavailable.
- 5. Due to limited staff resources parking and traffic cannot be adequately managed. Although the Balboa Park Land Use, Circulation and Parking Study, (pg 88), recommends hiring a "Transportation Officer" to identify and implement programs that will mitigate problems in these areas, this position has never been funded.
- 6. Balboa Park is not receiving suitable attention in some specific areas that would be expected or practiced in other "Great Parks".
 - a. There is no cohesive group to focus on Balboa Park in regarding the planning, funding and implementation of public art.
 - b. There is no organized process to create and/or recruit special events for the general public that are free and do not benefit any one issue or organization.
- 7. Development, both physical and cultural, tends to be in a limited area within the park while other areas continue to be used for inappropriate activities or not used at all.

8. The City of San Diego's Balboa Park website is underdeveloped (lacking basic and updated information; see City Planning and Community Investment sites) and therefore underutilized.
9. While Park and Recreation staff is very active in managing the plant life in the Park, there could be further maximization, organization and management of the horticultural resources in the Park.
10. An urban reforestation plan and implementation program is needed since the park tree canopy, diversity and health of the urban forest has been in a state of decline for many years.
11. As the population around the park increases the need for "open space" will be come increasingly valuable as it provides "breathing room" to our "paved and urbanized environment" and assists in the filtering of urban runoff increasing.
12. Counting is not done as to attendance and needs of the attendees.
13. A monitoring program of park use is needed. Traffic counts, parking counts, park visitor attendance and revenues should be monitored on an ongoing basis. This is important to understand user and park infrastructure needs and is considered a best practice for major parks.
14. Owing to a consistent lack of proper staffing levels, the management oversight of applicants using the park for special events and other uses is a cause for concern. The lack of follow-through and follow-up to ensure the applicant actually complied with the requirements of their contractual arrangements is troubling and can result in long-term damage to the park assets without anyone being accountable. This should be handled by a dedicated contract administrator position which is not currently funded.
15. It is likely there is duplication of services among the various departments that provide services to the park. Without more detailed analysis this fact can be substantiated or disproved.

D. Finance

1. The Park is understaffed and trends are for more cutbacks, at least in the short run.
2. There is no financial plan for long term Park sustainability; therefore, the Park is subject to the economic variation that the City also endures. This lack of a financial plan also precludes "grand" planning for future projects and development, shifting the attention to immediate needs and maintenance.
3. Giving by private entities to the Park is often not optimized and the use of funds is not transparent.
 - a. Perception that dollars given to the City end up in the General Fund rather than spent on the Park discourages private donations.
 - b. There is a misperception that a donor cannot earmark a donation for a specific project or process.
 - c. It is believed that donors will give to the Park if they are assured their money is being spent for the intended purpose -- as many

currently do with donations to Park institutions. There is no belief this will be true with giving money to the City.

- d. It is a common problem for non-profits that donations are earmarked for specific projects leaving little funding for operations.
 - i) Presently Balboa Park receives little or no funding in this category.
 - ii) With a credible public relations and education/outreach programs to the public, donors may be willing to contribute to a “Balboa Park Fund” with iron-clad assurances that their donations would be used solely to support Balboa Park.
- e. The City has no public process/overview for reporting on return on donated funds. This lack of transparency hinders individual donors and philanthropic organizations who want to be sure their funds are wisely spent.
- f. There has been a history of some philanthropic entities taking singular credit for what was accomplished by a collaboration of funding sources both public and private. In addition, there is no park staff charged with assuring proper acknowledgment is provided to all contributors. This includes the City of San Diego who might have donated actual dollars or approved a bond and incurred the resulting costs associated with the indebtedness. This is problematic for a number of reasons:
 - i) Most City departments require that the City receive credit on all public documents when they contribute dollars or in-kind donation of materials and/or staff. It is not clear if this doesn't happen in Balboa Park due to a lack of policy direction or of manpower to assume this duty.
 - ii) It is also possible this is allowed to occur due to staff and high-level decision maker's fears of alienating these philanthropic entities.
 - iii) The impression this creates in the public's mind is that Balboa Park already receives large amounts of private funds, which is certainly not the case. In fact, most of the donations reported in the media are almost always to the institutions located in the park, but not to the park itself.
 - iv) The private sector is not solicited in any meaningful or consistent manner for additional funds to support the park.
 - v) The unintended consequence is that donors and the general public think we do not need to implement a program that would bring significant funds to the park.
4. There is no clear path for making donations to the park.
5. There is duplication of efforts by non-profit entities in the park.
6. If there were long-term consistency in providing dedicated and accountable staff trained to work with donors, this would optimize and increase funding.

- a. While every donor is important, this is critical for very large donors.
 - b. A Resource Development Officer was recommended in the Balboa Park Land Use, Circulation and Parking Study, (pg 88) to perform this function but has not to date been funded. This individual ideally needs to have background and successful experience in working with donors, including individual, corporate, and private trusts, as well as the media funding levels for the Park.
7. There is no annual statement of how much private funding comes to the Park.
 8. Currently project-based donations are handled on a case-by-case basis. No formal management structure exists to administer and provide oversight to philanthropic organizations that provide funding and services for public parts of the park.
 - a. Process for choosing projects, especially major projects regardless of funding source, could be further optimized.
 - b. Identifying candidate projects has improved in the last year with P&R staff creating a priority list for some projects. While this is a step in the right direction there is a need to refine and expand process.
 9. There is no annual analysis and implementation of full cost recovery for Balboa Park and also, equations used currently do not include cost of cumulative impacts.

III. Discovery Management Models

Define Pro/Cons

1. Joint Powers Agreement (JPA)
 - a. Is an agreement between two or more independent entities which consent to perform certain functions and/or take certain actions to reach one or more agreed upon goals. No power or authority is given up by any of the contracting parties, nor is any additional governing authority set up under this type of agreement.
 - b. The needs of Balboa Park cannot be meet with this management since it does not raise funds or manage.
2. Joint Powers Authority (JPA)
 - a. Is a legal entity set up by agreement between two or more entities that creates an independent governing authority with specified powers to perform certain functions to achieve specific goals.
 - b. Is not a priority for the Board Supervisors at this time and would require a substantial monetary commitment for consideration of a JPA for the Park. Supervisor Roberts remains open if money becomes available and other more pressing issues, like the regional fire agency, are resolved.
3. Park District by Legislation

- a. The District is an independent entity with its own governing board and created by an act of the California State legislature designating a defined geographic open space or Park and Recreation area. The legislation usually brings state funding with enactment.
 - b. State budget constraints result in no funds to create more of these types of park districts. In spite of being asked no state legislator has stepped forward to be the Park's "angel".
4. Recreation and Park Districts by vote of affected property owners
- a. The District would be an independent entity with its own appointed or elected directors; a drawback is that its funding – a special property tax surcharge would require the approval of two-thirds of affected property owners, which is often difficult to achieve. (*The Soul of San Diego Keeping Balboa Park Magnificent in its Second Century*, Harnik, Peter "Questions Raised", Pg 16).
 - b. No political will to get the affected property owners to create a new district until city resolves their financial challenges.
5. Public Private Partnership
- a. A Public Private Partnership is a contractual agreement between a public agency (federal, state or local) and a private sector entity that can be drafted to insure that specific public concerns are addressed and that restrictions are placed on the private partner to be sure that the public interest is served and protected. (*The Soul of San Diego Keeping Balboa Park Magnificent in its Second Century*, Little, Richard et al, Appendix 3, The Keston Institute for Public Finance and Infrastructure Policy Options; and Opportunities: Management Paradigms for Balboa Park, December 2007, Pg 8.)
 - b. Currently a model being used in the Park in that there are contracts between the City and institutions or organizations to manage, program and operate city owned structures and lands. This model has been used successfully for over half a century.
 - c. Are not necessarily bound by the Brown Act; however, language should be included in the contract between the parties that they will abide by the Brown Act.
 - d. Easier to change over time, not locked in. A contract can be easily modified to respond to changing needs or requirements in a straightforward manner.

(*Redevelopment was never under consideration but there was a request to look at the Great Park in Irvine, CA which is a redevelopment area.)

IV. General Comments & Observations

- 1. Need to get the public to take more ownership of the care and funding of the Park as in other cities. The citizens in San Diego have tended to "let

- the City handle it". Public is unaware of the condition of the park or how the process works and, therefore, do not trust the process.
2. Parks are not businesses and while some elements might be appropriately run with a for-profit model, overall parks are amenities that cities provide free for the benefit of its citizenry. Parks provide intangible and invaluable benefits.
 3. In the attempt to have the Park look and function as well as possible, the City staff have done such a good job of hiding the true condition of the Park that the public does not think there are any significant problems. This has resulted in unintended consequences. Due to park staff's passion, the exact condition and needs of the Park are not obvious or easily understood. The general public, our political representatives and decision makers need to be educated on the shortfalls and needs of the Park.
 4. Balboa Park does not do an adequate job of providing information and services to visitors who do not speak English. The Soul of San Diego, Appendix 1, page 4, documents the significant number of visitors to the Park who preferred to take the survey in Spanish.
 5. Most appointees to the Governing Boards of JPAs and Park Districts are legislators or appointed by defined legislators. For example, the Governor of California makes appointments to the Board of the San Diego River Conservancy (Park District). Very few members of the general public have a voice on these Boards. This can lead to a limited understanding of the needs of the resources and the public.
 6. The JPA's and Park Districts in addition to their governing bodies all need to have Citizen's Advisory Committees and/or fundraising arms via 501c3s.
 7. All governance models except the Public Private Partnership would lock the implementation into whatever is written into the organizational founding document, legislative language or ballot language. To change them would require going back to the process that created them.
 8. If the City works with a 501c3 via a contractual agreement things can be changed or modified fairly easily versus other models. There is much more operational flexibility (BPC 6/5/08 discussion with Dorothy Leonard and Craig Adams) in a public benefit, nonprofit arm.
 9. Under all the park models fundraising was shown to increase.

10. The experiences of other Great Urban Parks shows fundraising went up significantly often in spite of other fundraising efforts going on by other institutions in these parks.
11. Based on the three Foundations' statements, they believe the fundraising potential is there in San Diego and beyond, and that the funding of the institutions and the Park itself are not mutually exclusive.

V. Recommendations

1. The Park should never be privatized.
2. The City should retain ultimate authority over the Park, including park policies.
3. The City of San Diego should maintain at a minimum the current level of funding for the Park.
4. Management should be expanded, more focused and protected from undue political influence in Balboa Park.
5. If Balboa Park management is changed or expanded, additional responsibility should be assigned incrementally as success is demonstrated.
6. Additional management responsibility should only be added in proportion to funds raised for this function.
7. The governance model should be grown in an organic way, which has shown to be successful over time. Successful partnerships between Cities, the Public and the Business Community reviewed, followed this model successfully.
8. Since the JPAs and Park Districts all need to have Citizen Action Committees or 501c3 and are fairly onerous to set up it would seem best not to start with the most complicated and least flexible options.
9. Starting with the creation of a City / Public / Business Community Partnership does not in anyway preclude creating a JPA or Park District at a latter time.

VI. Recommended Conclusion

TBD

VII. Supporting Documentation

Prepared by Burgett/Granowitz 10/31/2008

Misc

- *Soul of San Diego Keeping Balboa Park Magnificent in the Second Century* January 2008
 - Little, Richard et al, Appendix 3 The Keston Institute for Public Finance and Infrastructure Policy Options and Opportunities: Management Paradigms for Balboa Park December 2007 Pg 7
- Pittsburgh Parks Conservancy: *The Voice Spring* 2008 pg 9 “ You Make All the Difference List of Donor and contributions to the park”
- Mission Trails Regional Park Foundation Master Agreement Recitals with the City of San Diego July 30, 1991 Document No. RR-278444-1
- Mission Trails Regional Park Foundation Agreement Recitals July 30, 1991 Document No. RR-278444-2
- San Dieguito River Park Joint Powers Authority: Revenues/Expenditure/Accomplishments 1989-2004 Prepared by San Dieguito River Park Staff Common Attachment 8 pg 45 Common Goals
- Balboa Park Cultural Partnership Member Profiles
- Philanthropy & Balboa Park: Speech by Peter Ellsworth President
- Legler Benbough Foundation to Balboa Park Committee August 21, 2008
- Peter Harnik and Amy Kimball If You Don't Count, Your Park Won't Count
- CA Senate Bill No. 419, Chapter 646 October 13, 2007 Pg 2
- Statement of Work Baseline Study, Burgett/Granowitz 2007
- San Diego Unified Port District February 13, 2007 Agenda Item 18 Resolution Amending Board of Port Commissioners (BPC) Policy 452, Permit Fees for the use of the District's Public Parks, Changing the Fees for Special Event Permits
- Piller, Charles and Smith, Doug *For-profit fundraisers collect loads, but nonprofits see a sliver: The problem affects charities large and small, and causes including child and animal welfare, health research and opposition to drunk driving* Los Angeles Times July 6, 2008
- Balboa Park Land Use, Circulation and Parking Study: Implementation Strategies November 4, 2004 pg 88
- San Diego Civic Solutions, *Canyonlands: The Creation of a San Diego Regional Canyonlands Park A White Paper* March 15, 2006

Organizational Structure

- BPC-Balboa Park Draft Organization Chart & Index
- Balboa Park Trust Endowment Funds
- City of San Diego Organization Chart
- Land Use & Economic Development
- City Planning and Community Investment Organization
- Public Works
- Community & Legislative Services
- Business Operations/Administration
- CFO/Finance Department

- Park and Recreation Department Organization Chart
- Balboa Park Cultural Partnership Draft Organization Chart
- Final Position Reductions in the FY 09 Park & Recreation Budget, June 26, 2008
- FY 07 Balboa Park Culture-Recreation
- FY 07 Balboa Park Maintenance
- FY 08 Balboa Park Culture-Recreation
- FY 08 Balboa Park Maintenance
- FY 09 Balboa Park Culture-Recreation
- FY 09 Balboa Park Maintenance