THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: December 18, 2009

TO: Balboa Park Committee Members

FROM: Susan Lowery – Mendoza, District Manager

SUBJECT: Proposed Donation of a pair of Foo Dogs at the House of China

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SUMMARY

Issue - Should the Balboa Park Committee recommend that the City of San Diego (City) accept the proposed donation of two Foo Dogs (Chinese Lions) at the House of China entrance and approve of the installation of the proposed donation within the House of Pacific Relations garden area in Balboa Park?
Staff Recommendation –The House of China donation proposal specifies installation of the Foo Dogs adjacent to their facility is consistent with Park and Recreation Board Policy No. 1002. Placement within the facility is not within the purview of these policies.

Fiscal Impact – The House of China would incur the cost of the purchasing and installing the Foo Dogs.

Environmental – This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15304 (b), Minor Alteration to Land.

BACKGROUND

The criteria and procedures to be utilized by the City of San Diego in evaluating and accepting donations are outlined in Council Policy 100-02.

The House of China is a charter member of the House of Pacific Relations in Balboa Park. The three foot tall, cream color manufactured stone lions (also known as Foo Dogs) are proposed to be placed to the right and left of the French doors of the cottage. The House of China wishes to install the Foo Dogs to commemorate their 75th year in Balboa Park which occurs in 2010.

Park and Recreation Department staff received written correspondence from David Seid of the House of China outlining a proposed change to the landscaping and installation of (2) Foo Dogs.

DISCUSSION

The Balboa Park Committee is the advisory board for Balboa Park and the Park and Recreation Department is seeking your recommendation.

Park and Recreation Board Policy 1002 (PRBP 1002) addresses "Gifts of Architectural Features, Works of Art and Commemorative Plaques for Public Parks or Other City Owned Land." A copy of the policy is attached for your reference. It is staff's opinion that the proposed donation of Foo Dogs at the entrance to the House of China does meet the requirements of the PRBP 1002, however, staff does have concerns regarding:

- Removal of existing landscape for the installation
- The grounds are outside of their permitted area
- The size of proposed features may be out of scale with the buildings
- The master landscape plan for design (Requa) is to adorn the buildings with an ever-changing pattern of natural beauty against unadorned wall masses.
- The potential for cumulative adverse impacts to the Historic District from placement of special features
- The use of gravel could add potential maintenance and liability issues

PRBP 1002 Policy item #8 identifies nine specific points by which each individual memorial shall be evaluated. The following are ways in which the proposed donation meets the criteria:

- Does it add to the attractiveness and or usefulness of the park?

  Park and Recreation Department staff recognizes the cultural aspects of the proposed features.

- Does it commemorate an individual group or event of general interest to citizens and tourists?

  Park and Recreation Department staff believes that the Foo Dogs would be of general interest to citizens and tourists.

- Is the individual, group, or event worthy of commemoration to future citizens?

  Park and Recreation Department staff believe that the House of China's 75th anniversary in the Park is worthy of commemoration.

- Does a proposal for a tribute to a living person meet all criteria, and will "time" substantiate the memorial?

  This criterion does not apply.

- If the "feature" provides a service, are City funds needed for installation, and are they available?

This criterion does not apply.

- Will proper maintenance be feasible?

  Park and Recreation Department staff will have no maintenance responsibilities for maintenance of the Foo Dogs; however staff has concerns about gravel entering the drain on the sidewalk and possible liability issues.

- Will the feature withstand vandalism and can its design be altered either to deter vandalism or make the cleanup of vandalism easier?

  If vandalism should occur, cleaning should be minimal given the material is stone.

- To what extent has the person, group, or event been commemorated in other locations in the metropolitan area?

  Unknown

- Does the location proposed add significance to the memorial?

  Not applicable

ALTERNATIVES

1. Recommend that the City accept the proposed donation of the Chinese Foo Dogs and approve the proposed location within in Balboa Park, adjacent to the House of China.

2. Recommend that the City reject the proposed donation of the Foo Dogs on the basis that the installation of the proposed donation is not consistent with Park and Recreation Board Policy 1002 or that small scale items are not appropriate within the Historic District.

Respectfully submitted,

Susan Lowery-Mendoza

Susan Lowery-Mendoza,
District Manager

Attachments: 1. House of China Proposal, Site Images and Drawings
2. City Council Policy 100-02, City Receipt of Donations
3. Park and Recreation Board Policy No. 1002

cc: Council District 3 Office
Kathleen S. Hasenauer, Developed Regional Parks Deputy Director

中國館

HOUSE OF CHINA

THE HOUSE OF PACIFIC RELATIONS
INTERNATIONAL COTTAGES, INCORPORATED
Balboa Park, San Diego, CA 92101

June 12, 2009

Susan Lowery-Mendoza
District Manager, Balboa Park
2125 Park Blvd
San Diego, Ca 92101

Proposal

The House of China wishes to install a pair of 3 foot tall, cream color, manufactured stone lions (also known as foo dogs) to the right and left of the French doors of the cottage.

Background

The House of China is a proud member of the Balboa Park Family and a charter member of the House of Pacific Relations, International Cottages, Inc. Since our establishment in 1935 for the California Pacific International Fair, we have worked to present, preserve and promote Chinese friendship and culture. In celebration of our 75th birthday in 2010, we are embarking on a development plan which includes the installation of foo dogs.

Features

- No expenditures by City of San Diego
- No installation labor by City of San Diego
- Fast installation 5 days (excavate ground, pour & cure concrete, install)
- No maintenance / in fact reduced grounds maintenance
- 100% donation by the House of China of project cost and donation of foo dogs to the people of San Diego
- Enhance international feel of International Cottages
- Attractive addition that blends into existing surroundings
- Endorsed by House of Pacific Relations, Inc.
- No liability as the foo dogs are made of stone and will be well anchored with an 18 inch ¾ inch stainless steel rod thru stone/concrete pad to negate it from falling and injuring anyone
- Accessibility of the disabled is in no way impaired as foo dogs are placed well away from sidewalks

C/o 12002 Rue Des Amis • San Diego, CA 92131 • Tel.: (858) 578-1282
www.houseofchinasd.com • email: seid.david@gmail.com

中國館

HOUSE OF CHINA

THE HOUSE OF PACIFIC RELATIONS
INTERNATIONAL COTTAGES, INCORPORATED
Balboa Park, San Diego, CA 92101

Technical Specifications

Attached are photos, drawings and a description of our installation project. The materials have been prepared by a licensed landscape architect. Another House of China member, a local engineering firm would be engaged to do the installation.

Should you have questions and/or if modifications are needed, I can be contacted at or email at

Sincerely

David Seid, President
House of China

Attachment

C/o 12002 Rue Des Amis • San Diego, CA 92131 • Tel.: (858) 578-1282
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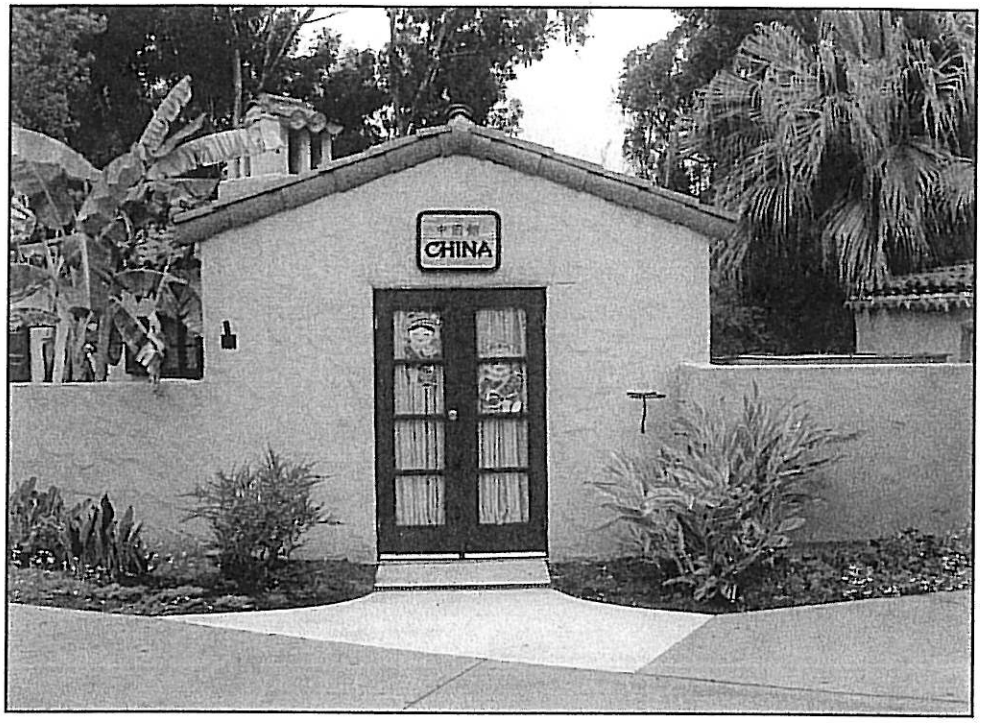
Enlarged example of a typical pair of Foo Dogs
Proposed Foo Dogs will be custom carved for the House of China cottage in an off white colored stone to reflect the warm colors of the cottages.

In celebration of the House of China's 75th year in Balboa Park, the HOC committee would like to install a pair of Chinese Foo Dogs approximately 3'- 0" tall. (Tall enough to be noticed but small enough to blend in with the scale of the cottages.) The proposed Foo Dogs would sit in the planting areas on each side of the front door to the cottage.

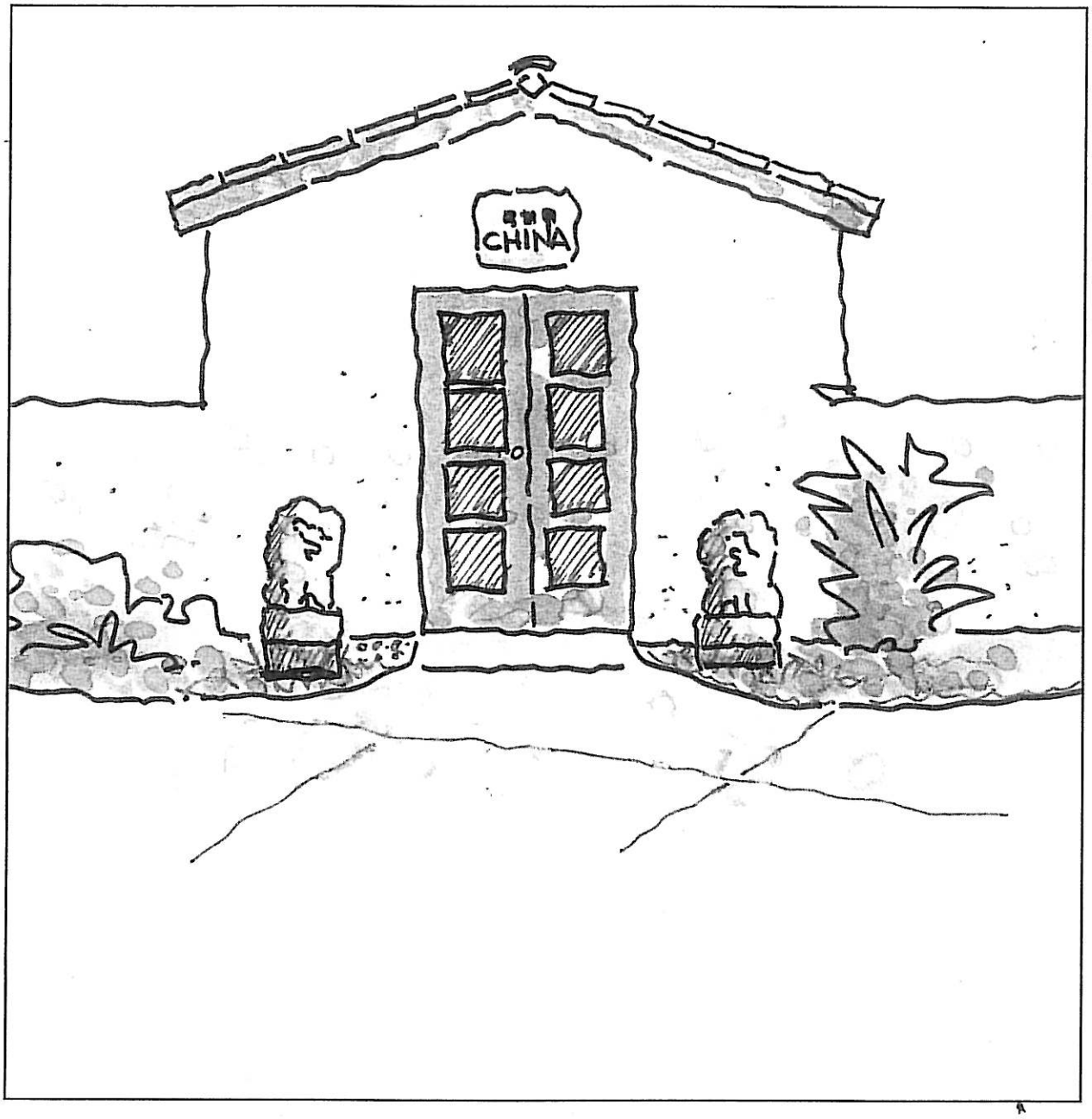
Foo Dogs look like a lion and are always seen in a pair. The foo dog on the left is always a male with his paw on a ball. The foo dog on the right is a female with her paw on a baby cub. Food Dogs are ancient dogs of Asian and act as guards to discourage any wrong doing and to provide safety to a special place.

Foo Dogs, also called Chinese Lions are believed to balance energy and repel negative influence. The male is placed with a ball which symbolizes unity of the empire and the female is placed with a cub which symbolizes thriving offspring.

A pair of Foo Dogs would be a beautiful addition to the House of China's cottage adding a traditional Chinese art piece in celebration of their 75th year.

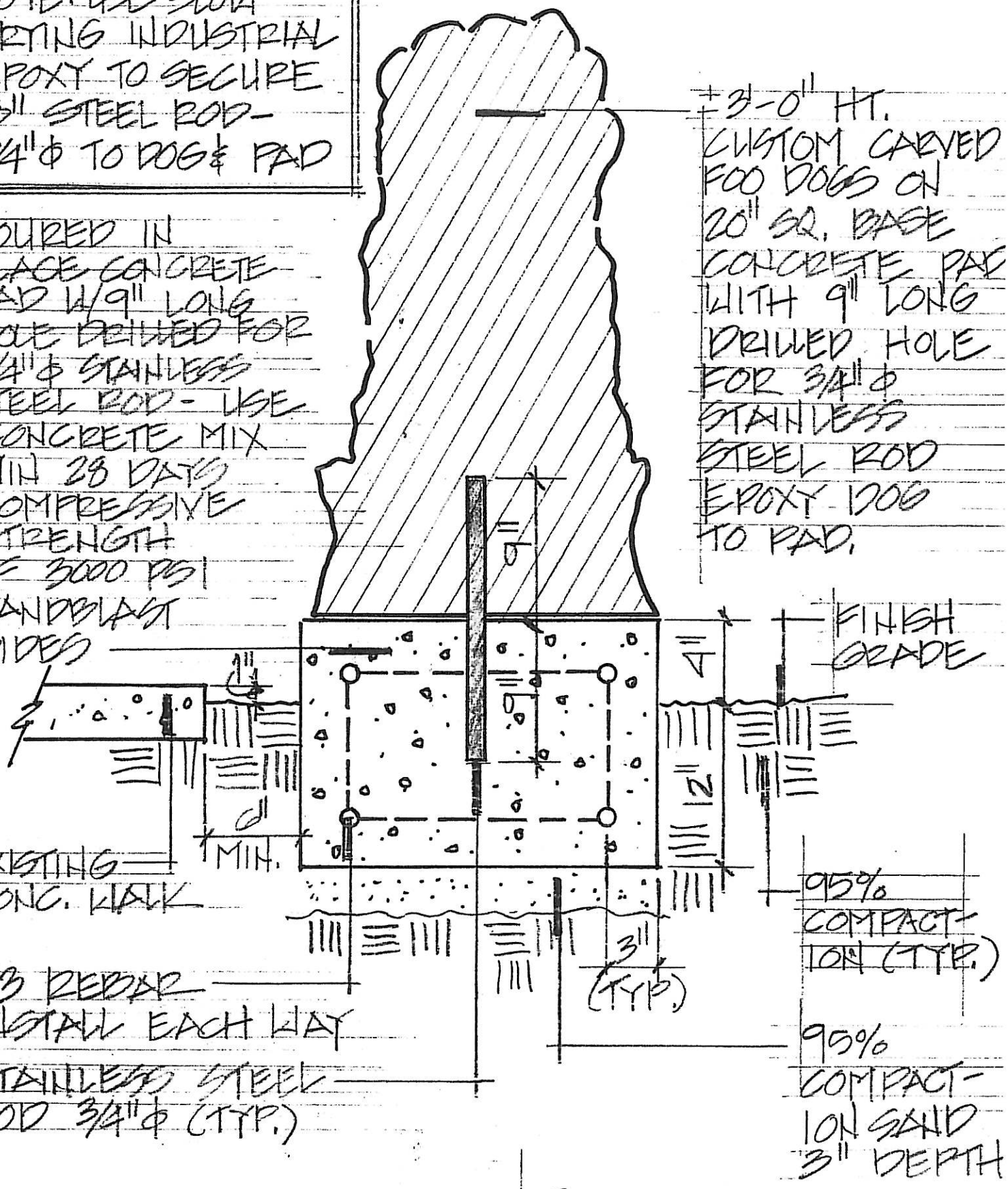


Site images of the front entrance to the House of China



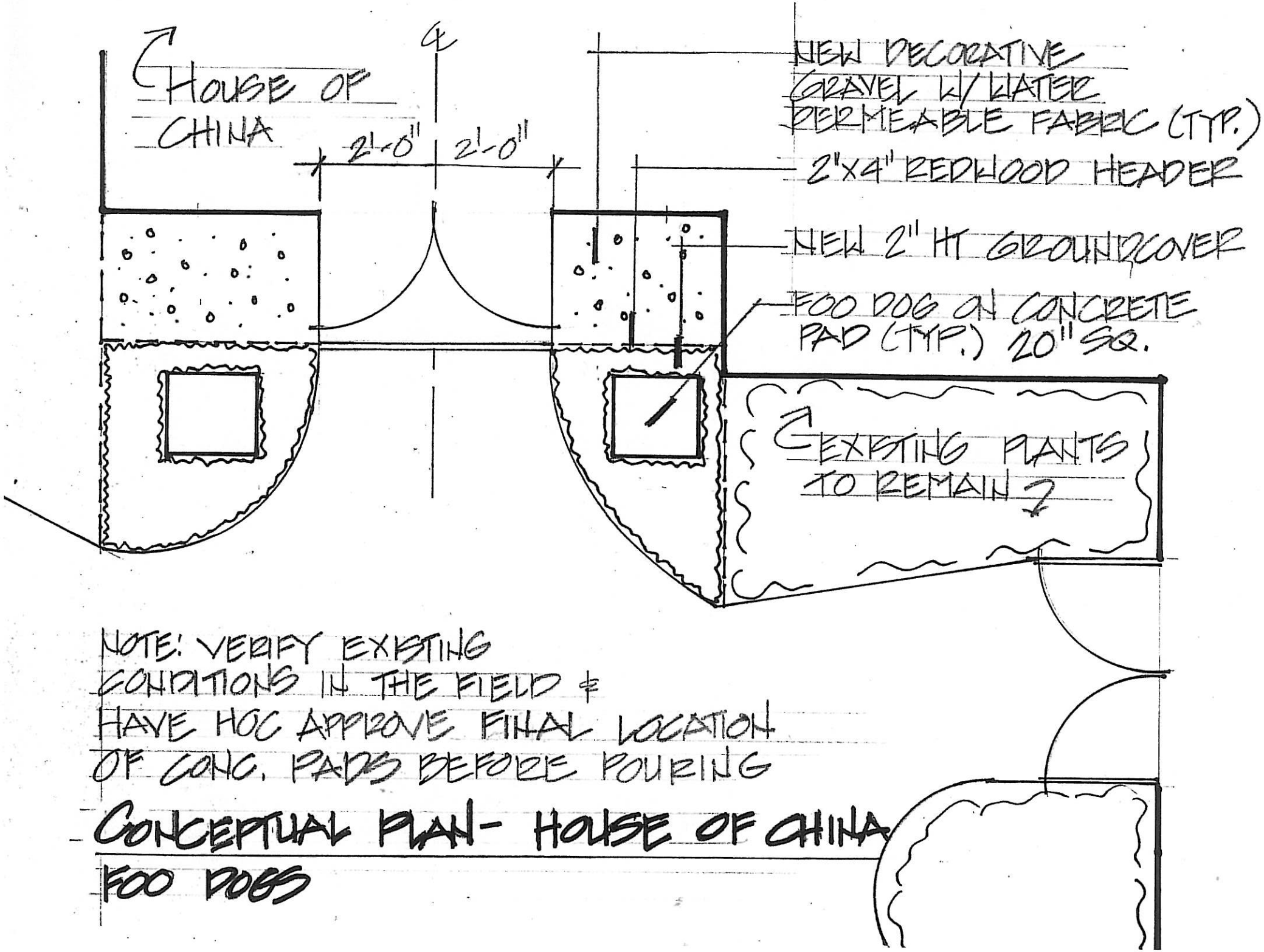
Sketch of front entrance with proposed Foo Dogs

NOTE: USE SLOW DRYING INDUSTRIAL EPOXY TO SECURE 18" STEEL ROD - 3/4" ϕ TO DOG & PAD



CONCEPTUAL

SECTION - FOO DOG



NOTE: VERIFY EXISTING CONDITIONS IN THE FIELD & HAVE HOC APPROVE FINAL LOCATION OF CONC. PADS BEFORE POURING

CONCEPTUAL PLAN- HOUSE OF CHINA

FOO DOGS

HOUSE OF CHINA

SCALE: 1/8" = 1'-0"

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

CURRENT

SUBJECT: CITY RECEIPT OF DONATIONS
POLICY NO.: 100-02
EFFECTIVE DATE: August 1, 1994

BACKGROUND:

From time to time, private individuals and agencies make donations to the City for general or specific purposes. General unwritten procedures exist for receiving gifts, but specific policies and procedures have not heretofore been written. The program of seeking community contributions for the Community Concourse highlighted the desirability of written policies and procedures.

PURPOSE:

To formalize the conditions and procedures to be followed by the City in accepting donations.

DEFINITIONS:

Donation - A contribution to the City which may consist of a cash grant, real property (land), or an in-kind contribution (any item or object other than cash or real property which would serve a useful purpose in the provision of City Services).

Unrestricted Donation - A donation to the City without any limitation being placed upon its use.

Restricted Donation - A donation to the City for a specified purpose.

Works of Art - Includes, but is not limited to, physical art that may be an integral part of a public site or building, or that may be integrated with the work of other design professionals. Public works of art may be permanent, fixed, temporary or portable. Examples of public works of art include:

1. Sculpture which may be made of any material or combination of materials: may be free standing, wall-supported or suspended, kinetic, electronic, or mechanical.

2. Murals and paintings which may be made of any material or variety of materials with or without collage and which may be made with traditional or non-traditional means.

3. Earthworks, neon, glass, organic materials (for example fiber, clay, or wood), mosaics, photographs, prints, literary arts, calligraphy, any combination of media forms (for example sound, film, holographic, video, or computer systems), or hybrids of any media.

POLICY:

1. Real property donations shall be reviewed and a legal opinion rendered thereto by the City Attorney before acceptance by the City. The City Council shall be responsible for the acceptance of all real property donations.

2. Unrestricted personal property donations, except for works of art, do not require City Council approval for acceptance. Cash donations are a revenue to the General Fund and may be made

directly to the City Treasurer. In-kind donations may be made directly to the using department. All donations of $250 or greater are to be reported to the Endowment Officer. It will be the Endowment Officer's responsibility to insure that proper City officials are informed of the donations; that the donation is acknowledged; that timely reports are made; and that suitable recognition is afforded the donor.

3. Single restricted personal property donations may be made to the City for specific purposes. Such donations may be restricted for city-wide projects such as: Centre City, Mission Bay recreation facilities, Balboa Park development, or the San Diego-Yokohama Friendship Commission. They may also be restricted to projects on City property which would benefit only limited groups, such as a community park or recreation center facility, improvements and landscaping in median strips, or shuffleboard courts. These donations may be cash or in-kind contributions. The City will review the conditions of the restrictive donations and determine if the benefits to be derived warrant the acceptance of the donations. Responsibility for such review and acceptance is as follows:

   a. The City Council shall be responsible for accepting all restricted donations which:

      (1) Create an immediate or initial City expenditure of $5,000 or more which has not been included in the approved City budget. This pertains both to a direct outlay of City funds or to the use of City forces and materials.

      (2) Create an annual City maintenance obligation of $5,000 or more which has not been included in the approved City budget.

      (3) Materially affect or change any aspect of City operations.

   b. City departments or their appointed agents such as Community Recreation Councils, shall be responsible for accepting those restricted donations not covered by item 3a.

      Accepted cash donations will be deposited in the appropriate fund for future expenditure on the restricted purpose. Unaccepted donations will be returned to the donor.

   c. Restricted donations of works of art are addressed under item 5 of this policy.

4. Multiple restricted donations are cash donations made to the City for a special purpose or project by more than one individual or agency. The City Council shall be responsible for accepting all such donations. All accepted multiple donations restricted to the same purpose or project will be limited by the following:

   a. Uniform conditions will apply to all donations.

   b. A limited time will be established for accepting these donations.

   c. A complete release must be granted upon acceptance by the City if the donor desires benefit of Federal income tax deduction.

d. The City will maintain detailed trust records.

Upon acceptance of multiple restricted cash donations by the City, the donations will be deposited in the appropriate fund for future expenditures on the specified project.

5. Donations of works of art

a. Any time a donation of a work of art is proposed for the City of San Diego, the City agency or department (if applicable) that operates or maintains the site of the proposed work of art shall consult the Commission for Arts and Culture regarding the procedures for its review and acceptance by the City. Upon learning of the prospective donation of a work of art, the Commission shall also meet with the donor.

b. Under the guidance of the Commission for Arts and Culture, prospective donors and the department head of the particular City department or agency that operates and maintains the proposed site of the work of art (if applicable) shall meet and prepare written and visual documents for review by the Commission. The required documents are listed and described in "Guidelines for the Donation of Works of Art to the City of San Diego" available from the Commission. The Commission shall be responsible for assisting in the process of obtaining these guidelines, assembling materials, and submitting them for review.

c. If a City department or agency has jurisdiction over the proposed site of the work of art, the department or agency head shall:

(1) Inform the Commission of the relationship of any advisory boards to the department or agency.

(2) Refer proposals for donations of works of art to the advisory board which shall in turn make recommendations to the department or agency head.

(3) Convey the department or advisory board's recommendations to the Commission in writing.

d. The Commission, with the aid of an advisory board made up of practicing artists and other professionals associated with the arts, shall review donation proposals and determine whether they will recommend to accept or reject the donation. The Commission may attach conditions to its recommendations for acceptance or rejection of donations. Proposals shall be reviewed according to criteria outlined in "Guidelines for the Donation of Works of Art to the City of San Diego," which are on file with the City Clerk's Office as document RR-284389-2.

e. If a specific site is recommended for placement of the donated work of art, either by donor or the department or agency under whose management the site belongs, the Commission shall review the site recommendation according to the criteria outlined in "Guidelines for the Donation of Works of Art to the City of San Diego." If the proposed property falls under the jurisdiction of a specific City department or agency,

the Commission and the department or agency must reach an agreement regarding the installation and placement of the work of art on the specific site.

f. Upon reviewing the donation proposal, the Commission shall recommend either acceptance, with or without conditions, or rejection of donations of works of art to the City Council.

g. If the City chooses to accept donations of works of art, the donation shall be accompanied by a legal instrument of conveyance of title. Any conditions the City or donor places on a donation of a work of art shall be stated in writing and attached to the legal conveyance of title.

h. Once the City accepts the donation of a work of art and becomes its legal owner, the Commission shall coordinate all processes relating to the installation, maintenance, removal, or relocation of works of art in City-owned public places. If a specific City department or agency operates and maintains the site of the work of art, the Commission shall consult with the department or agency head to discuss the financial and practical responsibilities of its upkeep.

i. Works of art loaned to the City for temporary exhibition (up to one year) and gifts of state shall not be subject to the review process outlined above.

6. All donations shall become City property upon formal acceptance by the City Council or appropriate City department.

HISTORY:

Adopted by Resolution R-178999 02/18/1964
Amended by Resolution R-216051 05/26/1976
Amended by Resolution R-223033 03/12/1979
Amended by Resolution R-283002 11/15/1993
Amended by Resolution R-284389 08/01/1994

No. 1002

PARK AND RECREATION BOARD POLICY

SUBJECT: Gifts of Architectural Features, Works of Art and Commemorative Plaques for Public Parks or Other City-owned Land

BACKGROUND: Public parks have as a primary function, the provision of outdoor recreation in spacious, landscaped surroundings. Special architectural features, such as water elements, sculpture, and other works of art add significantly to the parks by the enjoyment derived from experiencing the beauty of the feature. All features must be consistent with applicable Park Master Plans and General Development Plans.

PURPOSE: The purpose of this policy is to establish criteria for design, placement and acceptance of architectural, artistic and commemorative features within parks or other City-owned land, and to maintain same.

POLICY:

1. The City of San Diego shall encourage community groups and individuals to donate "special features" which will add to the interest and attractiveness of the parks, or be of service to patrons of the parks, i.e., drinking fountains, benches.

2. Proposals for "special features" and their locations shall be reviewed by the Park and Recreation Board and submitted by them to the City Council with recommendations in accordance with Council Policy 100-2 (City Receipt of Donations).

3. Proposals for special features shall be coordinated for review with the City of San Diego Commission for Arts and Culture.

4. A "special feature" may serve as a recognition to an individual or group; living or dead, who have made a significant contribution to a specific park or community; commemorate an historic occasion; or acknowledge interest of a group or individual in a park.

5. All "special features" proposed as memorials shall add to the attractiveness or usefulness of the park area or be of unusually significant historical value.

6. The initial costs of development and placement of a decorative memorial or commemorative feature shall be borne totally by private funds. Costs may be shared by the City if the "feature" provides a service to park patrons. The City will assume ownership and maintenance, if accepted, and place in a public park. The City will not assume responsibility for replacement of "features" removed due to vandalism or lost to theft. Proposed "special features" which pose an unusual risk of vandalism, theft or extraordinary maintenance due to design or location, shall not be approved unless the private sponsors make financial arrangements, satisfactory to the City, for replacement, repair or removal of the "feature" due to vandalism, theft or extraordinary maintenance.

7. "Living Memorials," features or facilities which (in addition to their inherent beauty) provide an opportunity for active recreation, shall be encouraged.

8. The Park and Recreation Board shall evaluate each individual memorial feature on the following basis:

a. Does it add to the attractiveness and/or usefulness of the park?

b. Does it commemorate an individual group or event of general interest to citizens and tourists?

c. Is the individual, group, or event worthy of commemoration to future citizens?

d. Does a proposal for a tribute to a living person meet all criteria, and will "time" substantiate the memorial?

e. If the "feature" provides a service, are City funds needed for installation, and are they available?

f. Will proper maintenance be feasible?

g. Will the feature withstand vandalism and can its design be altered either to deter vandalism or make the cleanup of vandalism easier?

h. To what extent has the person, group, or event been commemorated in other locations in the metropolitan area?

i. Does the location proposed add significance to the memorial?

SUBSTANTIATION:

Park and Recreation Board Minutes of 5/12/65
Park and Recreation Board Minutes of 3/15/77
Park and Recreation Board Minutes of 5/19/94
Public Facilities and Recreation Committee Minutes of 6/22/94