

REPORT OF GENERAL MANAGER

NO. 05-04

DATE January 5, 2005

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LINCOLN PARK: APPROVAL OF A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE DEPARTMENT AND THE WALL - LAS MEMORIAS PROJECT, EXTENDING THE AIDS MONUMENT CONSTRUCTION COMPLETION DATE AND AUTHORIZING THE USE OF THE LINCOLN PARK LAKE PUMP HOUSE (1448A)

* K. Chan	<u><i>[Signature]</i></u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	G. Stigile	_____

*[Signature]*

General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve Amendment No. 3, subject to City Council approval, substantially in the form as attached, to the previously authorized Construction and Maintenance Agreement (Agreement No. 3117) between the Department of Recreation and Parks and The Wall-Las Memorias Project, extending the project completion deadline from June 29, 2004 to March 31, 2005, and authorizing the Agency's use of the Lincoln Park Lake pump house for the installation of a security surveillance system computer processing unit (CPU) subject to City Council approval;
2. Direct the Board Secretary to transmit Amendment No. 3 to the Mayor, in accordance with Executive Directive No. 16, and the City Attorney for review as to form; and,
3. Authorize the Board President and Secretary to execute Amendment No. 3 upon receipt of the necessary approvals.

SUMMARY:

The Construction and Maintenance Agreement (Agreement No. 3117) between the Department of Recreation and Parks (Department) and The Wall-Las Memorias Project (Agency) for the construction and maintenance of an AIDS Memorial (Project) was approved by the Board of Recreation and Park Commissioners (Board) at its meeting on March 20, 2003 (Report No. 03-94).

## REPORT OF GENERAL MANAGER

PG. 2

NO. 05-04

The Agreement was executed on March 3, 2004, after the Agency had satisfied each of the conditions required by the Board in the conditional approval. Most recently, on June 4, 2004, the Board amended the agreement (Amendment No. 2 – Report No. 04-178), extending the construction completion deadline from the previously amended date of March 31, 2004 (Amendment No. 1 – Report No. 04-07) to June 29, 2004.

Due to unforeseen circumstances and unanticipated construction delays, the Agency was unable to complete the Project by the June 29, 2004 deadline, as specified under Amendment No. 2. However, since that deadline, the Agency has made remarkable progress, completing 95% of the Project. The Agency's progress has been so significant that the Agency was able to host the monument's dedication ceremony on December 1, 2004. The only remaining portion of the Project that is yet to be completed is the installation of the sixth and final art panel, which is a replacement for an art panel removed from the Project after the Board rescinded approval of the panel on December 10, 2003 (Report No. 03-394). The Agency has communicated to the Department that it is in the process of considering a replacement art piece for review and approval.

Although the installation of a computerized surveillance system (security system) is not a requirement of Agreement No. 3117, the Agency has obtained the donated services of the DTT Surveillance Company (DTT) to monitor and safeguard the monument twenty-four (24) hours per day, seven (7) days per week. The Agency has requested that the Department authorize them to use the Lincoln Park Lake pump house, to locate the security system's computer processing unit (CPU). The CPU will be installed inside the pump house to secure it from possible theft or vandalism. The security system will consist of eight surveillance cameras which will be monitored on a continuous basis by DTT staff. The security system will work in "real time," allowing all activity around the monument to be viewed over the internet as it is actually occurring. However, only those with authorized access will be able to access the security camera website. Without the Department's authorization to use the pump house to locate the CPU, the security system can not be operated. The Agency is currently coordinating with Department field staff for the installation of the security system.

The Department has discussed the terms of the proposed amendment with the Agency, City Attorney, First District Council Office and Mayor's Office, and all parties have respectively agreed that the amendment is appropriate and acceptable.

This report was prepared by Joel Alvarez, MA II, from the Department's Real Estate and Asset Management Section.