



Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

From: Dennis Kern
Director of Operations

To: San Francisco Recreation & Park Commission

Date: May 23, 2013

Subject: Maintenance Cooperation Agreement – Helen Diller Playground in Mission Dolores Park

Agenda Item: Discussion and possible action to approve a Maintenance Cooperation Agreement (Memorandum of Understanding) with the San Francisco Parks Alliance regarding the maintenance and funding of non-routine playground maintenance and replacement of specialized equipment and design features of Helen Diller Playground in Mission Dolores Park

Background. In 2009, the Department entered into a Construction MOU with Urban Resource Systems, Inc. (later Neighborhood Parks Council and predecessor to San Francisco Parks Alliance) for the purposes of designing, funding and constructing a new, state-of-the-art playground within Mission Dolores Park. This playground today is the Helen Diller Playground. The Construction MOU envisioned that, following the completion of the playground construction, a long-term maintenance and playground component replacement plan would be established as mutually agreed by the Friends of Helen Diller Playground, the San Francisco Parks Alliance, and the Department to guide the method and funding of non-routine or special maintenance and component replacement at the Playground. The Playground opened to the public in 2012.

Discussion. The Department and the San Francisco Parks Alliance – acting on behalf of the Friends of Helen Diller Playground as their fiscal agent – now wish to enter into the envisioned long-term maintenance and component replacement agreement as proposed in the attached MOU. Key components of this MOU include:

- The two parties will share equally in the cost non-routine maintenance and playground component replacement.
- Examples of non-routine maintenance include:
 - Replacement or repair of specific design features or play equipment, should they become substantially damaged or degraded
 - Replacement of specific playground components that cannot be purchased through the City's qualified vendors or cannot be repaired by RPD staff



- Purchase of playground maintenance equipment (only to be used at the Helen Diller Playground)
- Other maintenance, repair, or replacement tasks related to the Playground equipment and design features that would not reasonably be considered to be routine maintenance
- Redesign services to accommodate substantial changes to the Playground over time
- Routine maintenance (as described) is the responsibility of the Department
- Each party will maintain a separate dedicated fund to be used for non-routine maintenance. Initial contributions from each party shall be \$15,000. Each party will use good faith efforts to maintain their respective fund balance at \$15,000 year to year.
- The MOU provides a specific communication mechanism for the parties to propose non-routine maintenance items for consideration and a method for determining expenditure of the dedicated funds.
- The Department's approval party will be the General Manager. The Parks Alliance approval party will be the Executive Director.

The proposed MOU has been reviewed by the City Attorney and legal counsel for the Parks Alliance. All parties support approval of the proposed MOU.

Recommendation: Approval

In support:

- Friends of Helen Diller Playground
- San Francisco Parks Alliance
- Dolores Park Works

In opposition:

- None known