



# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

2760 N. Studebaker Road, Long Beach, CA 90815-1697  
(562) 570-3100 • FAX (562) 570-3109  
www.LBParks.org



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November 20, 2018

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager, or his designee, to execute all documents necessary to accept a non-monetary donation of planning, labor, and materials for landscape and lighting improvements to the street medians at East 2<sup>nd</sup> Street and East Naples Plaza; and, execute a Right-of-Entry Permit, and any related documents, with Naples Island Garden Club, a nonprofit organization, for landscaping improvements, for a term of five years, from January 1, 2019 through December 31, 2023. (District 3)

## DISCUSSION

On June 23, 2015, the City Council approved Right of Entry Permit No. P-00057 (Permit) with Naples Island Garden Club (Garden Club) to enter City property for the installation of up-lighting and other minor improvements at the East 2<sup>nd</sup> Street and East Naples Island street medians (Street Medians). The Permit expired on June 29, 2017.

The Street Medians currently contains five olive trees and rose bushes in planting beds with up-lighting that need ongoing maintenance. The Garden Club, a nonprofit organization, proposes to provide maintenance to the trees, roses, and up-lighting. The maintenance is in addition to the maintenance provided by the City of Long Beach (City) landscape contractor. The Garden Club would like to hire a professional landscape contractor and donate the planning, labor, and materials to perform landscaping tasks such as tree and rose bush trimming, tree and rose bush replacement (if needed), weed removal, and maintenance of existing up-lighting.

When improvements to City property are made, it is appropriate for the City Council to accept the gift of the improvements. The Garden Club is not seeking any signage or other recognition for the donation of the landscape improvements.

The proposed Right-of-Entry Permit shall contain the following major provisions:

- Term: Five years, commencing on January 1, 2019 through December 31, 2023, with no renewal options.
- Permitted Area: Street Medians located at East 2<sup>nd</sup> Street and East Naples Plaza.
- Improvements: The Garden Club shall trim trees and rose bushes, replace trees and rose bushes (if needed), remove weeds, and maintain the existing up-lighting and planting areas. The installation and maintenance of the landscaping, and any light repairs will be completed

by a professional landscape contractor hired by the Garden Club. Once the landscaping projects are complete, the landscaping shall become the property of the City.

- Funding: All necessary funds to provide for the landscaping and maintenance shall be the responsibility of the Garden Club.
- Maintenance: The Garden Club shall be allowed to provide ongoing maintenance to the landscaping in a manner acceptable to, and as approved by, the Director of Parks, Recreation and Marine.
- Other Fees, Permits, and Approvals: The Garden Club shall be responsible to acquire all required permits and approvals and pay any and all fees.
- Insurance: The Garden Club and its agents shall provide proof of insurance coverage as defined and approved as to sufficiency by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Linda T. Vu on October 10, 2018 and by Revenue Management Officer Geraldine Alejo on October 24, 2018.

TIMING CONSIDERATIONS

City Council action is requested on November 20, 2018, to enable the execution of the Right-of-Entry Permit prior to January 1, 2019.

FISCAL IMPACT

The purchase, installation, and maintenance of landscape improvements shall be the responsibility of the Garden Club. The Garden Club will also be responsible for all required permits, fees, and approvals. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



GERARDO MOUET  
DIRECTOR OF PARKS, RECREATION AND MARINE

GM:SS:EH:RL:jh

APPROVED:



PATRICK H. WEST  
CITY MANAGER