



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

selected
best in the nation

March 22, 2018

MEMBERS OF THE PARKS AND RECREATION COMMISSION
 City of Long Beach
 California

RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine to execute a Right of Entry Permit and any other documents necessary with the Public Corporation for the Arts Long Beach, dba Arts Council for Long Beach, a California non-profit corporation, for the production and maintenance of two murals on walls located within the Drake-Chavez Greenbelt. (District 1)

DISCUSSION

The Drake Chavez Greenbelt (Greenbelt), opened in January 2018, is a 8.57-acre greenbelt located between Anaheim Street and Chester Place that features one artificial turf sports field and one natural turf field; large turf areas, landscaped open space and passive park areas; and a pedestrian walking trail and on-site parking spaces. The Greenbelt is linear and characterized by the eight-foot wide pedestrian trail from northeast to southwest with a gateway entrance at Anaheim Street and DeForest Avenue.

The Department of Parks, Recreation and Marine (PRM) was approached by a private donor interested in funding art in the Greenbelt. The Greenbelt has two large retaining walls located on the east side, which are visible from the parking lot and pedestrian trail, that PRM recommended to the private donor could be used for large artistic murals (Attachment 1). PRM connected the private donor with the Public Corporation for the Arts, dba Arts Council for Long Beach, (Arts Council) a California non-profit corporation, about the possibility of commissioning murals to cover the retaining walls within the Greenbelt. The Arts Council agreed to partner with PRM and has conducted a community process that has identified two artists to create murals on the retaining walls within the Greenbelt.

Parks and Recreation Commission (Commission) approval is requested to authorize the Department Director to issue a Right of Entry Permit (ROE) to the Arts Council. The proposed ROE would include the following terms:

MEMBERS OF THE PARKS AND RECREATION COMMISSION

March 22, 2018

Page 2

- **Term:** Three years, April 1, 2018 through March 31, 2021, with two, three-year renewal options at the discretion of the Department Director. Either party may terminate the agreement with 30 days written notice.
- **Location:** Walls that have been identified by the Department (Attachment 1).
- **Artists:** Selected artist(s) may not hire other professional artists to assist them, without prior approval of the Department.
- **Safety:** Artist(s) must receive pre-approval for the placement of any personal equipment (i.e. ladders, scaffold, etc.) within the Greenbelt. Artist(s) may not provide personal ladders, scaffolds or other equipment unless it is inspected by the Department or a City safety officer and meets CAL OSHA safety specifications.
- **Preparation:** Artists agree to take part in preparing the wall and in the application of protective coatings for a mural and creating a legend (listing artist, title, youth assistants and sponsorship) on or near the mural in a City-approved location.
- **Completion:** Arts Council and selected artists confirm that the murals shall be completed within 90 days of approval, unless extended by the Department Director. If extensions are needed due to size of project, weather, personal emergencies, etc., a written request must be submitted and approved, to avoid non-compliance of contracted responsibilities by the artist(s).
- **Ongoing maintenance and rights:** As the sponsoring, hiring and funding entity, Arts Council affirms that it will cover or cause to be covered, all ongoing costs for maintenance of the mural(s). Notification of blight/graffiti or environmental damage by any cause must be repaired or caused to be repaired within 72 hours of damage report or provide written notice to the Department as to when repairs will be fully completed. If murals are not maintained to the satisfaction of the Department Director, both the Arts Council and the selected artist(s) agree that the murals may be removed/painted out with a 90-day advance notification as per regulations of the public art removal requirements of the California Civil Codes 980 – 989 and Federal Visual Artists Right Act 17 U.S.C. 106A and 113.
- **Minors:** Artist(s) shall not work with any minors unless supervised by Department staff.
- **Utilities:** The City will pay for any electricity or water used during activities.
- **Insurance:** The Arts Council will maintain all applicable insurance and endorsements, as required and approved by the City's Risk Manager.

FISCAL IMPACT

There is no Fiscal Impact from the recommended action.

MEMBERS OF THE PARKS AND RECREATION COMMISSION

March 22, 2018

Page 3

SUGGESTED ACTION:

Approve recommendation.

Respectfully Submitted,



LESLIE UNTENER
INTERIM MANAGER
BUSINESS OPERATIONS BUREAU



HURLEY OWENS
MANAGER
MAINTENANCE OPERATIONS BUREAU



GLADYS KAISER
MANAGER
COMMUNITY RECREATION SERVICES

APPROVED:

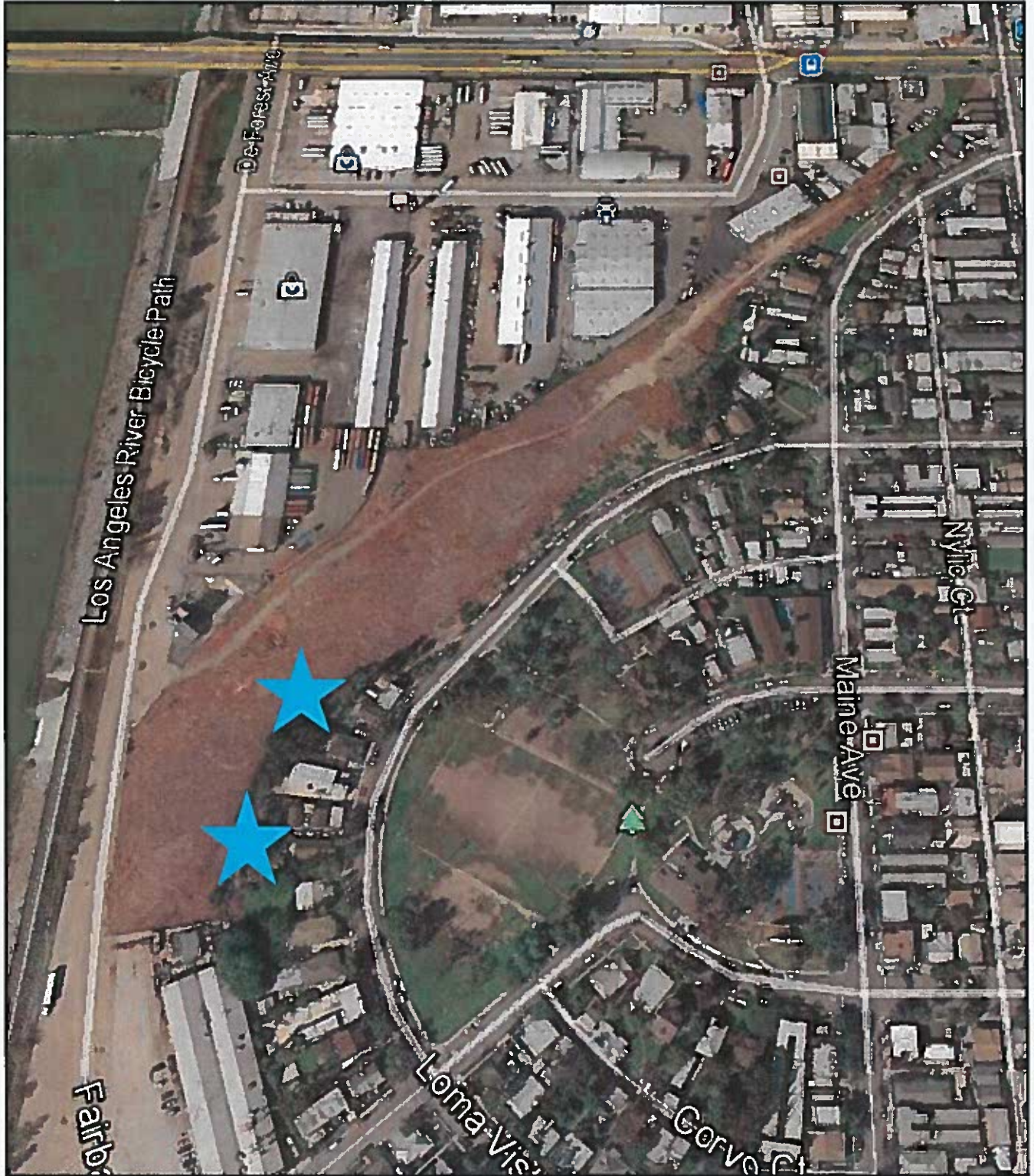


STEPHEN P. SCOTT
INTERIM DIRECTOR

SS:LU:GK:HO:bl:dr

ATT 1: Drake Chavez Greenbelt Mural Locations

ATTACHMENT 1: DRAKE CHAVEZ GREENBELT MURAL LOCATIONS



Mural Locations