

June 22, 2023

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 necessary documents, with Aquarium of the Pacific, a California nonprofit corporation, on behalf of Craftsman Village Historic District, to plant native plants for the creation of a Western Monarch Garden at Craftsman Village Park, for a period of one year, from June 22, 2023, to June 21, 2024, with two (2) one-year renewal periods at the discretion of the Director of Parks, Recreation and Marine. (District 1)

DISCUSSION

Craftsman Village Park (Park), located at 851 Orange Avenue (Attachment A), is a .34-acre park located in the Craftsman Village historic neighborhood. In 2007, the Craftsman Village Historic District community group (Craftsman Village) proposed converting a newly vacant lot into a park. The land was purchased by the former Long Beach Redevelopment Agency and the park was funded through a grant from the Statewide Park Development and Community Revitalization Program. The groundbreaking ceremony was held on July 28, 2012, and the park opened in 2013.

The Park provides a quiet respite in a neighborhood that is park deficient. It has a strolling path made of reclaimed cement, Craftsman-style streetlamps, stone columns, and landscaping. The park also includes amenities such as exercise equipment, a tot lot, picnic area, and benches.

Craftsman Village, with grant funding from the Aquarium of the Pacific, has proposed to create a Western Monarch Butterfly Garden (Garden) at the park. The Garden will provide a food source for insects and birds, promote community engagement, and educate visitors on native plants, pollinator species, and Western Monarch Butterflies.

The plantings are proposed in two areas along the north side of the walkway (Attachment B). The smaller will be four feet by fourteen feet and the larger will be approximately twelve feet by fourteen feet. Planting costs will be funded by the Aquarium of the Pacific, with partial funding from the Association of Zoos and Aquariums' 2023 Party for the Planet grant.

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Craftsman Village and the Aquarium of the Pacific will maintain the garden to ensure the longevity of the habitat with the assistance of local neighborhood associations. Most of the plants will be long-living perennials with some annuals and seedlings. Plants that do not flourish or survive will be replenished by the Aquarium of the Pacific. Craftsman Village will provide constant monitoring of the plants and will communicate with the Aquarium of the Pacific if any issues arise.

The Aquarium of the Pacific is developing signage which will be posted on the fence adjacent to the garden. Signage will be fade and graffiti resistant.

The Aquarium of the Pacific's Western Monarch Butterfly Monitoring Project community science volunteers will provide monthly habitat monitoring from June to December 2023, in coordination with community walking groups, to measure the garden's impact on the Western Monarch Butterfly and help maintain the garden in accordance with the Association of Zoos and Aquarium's SAFE Monarch Network recommendations.

The following terms and conditions are proposed for the Right-of-Entry Permit:

- Permittee: Aquarium of the Pacific, a California nonprofit corporation, on behalf of Craftsman Village Historic District.
- Premises: Two Monarch Butterfly Garden areas at Craftsman Village Park, 851 Orange Avenue. (Attachment A)
- Authorized Use: Non-exclusive use of Premises to plant, maintain, and monitor an ecological habitat for the Western Monarch Butterfly.
- Term: One (1) one-year term from June 22, 2023 to June 21, 2024.
- Renew: Two (2) one-year renewals as the discretion of the Director of Parks, Recreation and Marine.
- Maintenance Responsibility of the Permittee: Permittee will be responsible for the following maintenance of the Premises:
 - Permittee may install plants at the Premises and will submit a planting plan for the City's approval prior to planting.
 - Permittee will be responsible for the maintenance of the garden and will be assisted by the Craftsman Village Heritage District.
 - All costs for the plants and planting supplies will be the sole responsibility of the Permittee, including installation and removal.
 - Permittee shall be responsible for the day-to-day maintenance of the garden.
 - Permittee shall prune shrubs and vegetation, keep the garden clean and free of trash, weeds, pests and diseases.

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- Permittee will keep plants from extending onto walkways and outside the boundaries of the Premises.
 - Permittee shall report to the Grounds Maintenance Superintendent any issues with the irrigation system.
 - Permittee shall maintain the garden to the City's satisfaction.
 - If at any time the garden or repairs to the irrigation system becomes a financial burden to the City or the Garden falls into a state of disrepair due to lack of maintenance by the Permittee, the permit may be revoked.
- Maintenance Responsibility of the Department: On condition that the area is maintained to the satisfaction of the Director of Parks, Recreation and Marine, the Department's Maintenance Operations Bureau agrees to avoid spraying herbicides and pesticides within the Garden area. The City shall not be responsible to provide clean-up, security, scheduling of maintenance, or other services to the Garden, such as plant removal or replacement. The City shall maintain the drip irrigation system and will control the watering schedule of the garden.
- Signage: Permittee may have signs fabricated and installed at the garden at the Permittee's own expense. All signage shall be approved by the City in writing. Installation shall be coordinated with Parks, Recreation, and Marine's Maintenance Operations Bureau.
- Hours of Operation: The Permittee's hours are limited to Park hours. Should the Permittee choose to host an event, they may need to pull a separate permit through the Department Reservations Office, or the City's Special Events and Filming Office. Permittee will be responsible for any applicable fees accrued by the event, including staff time.
- Insurance: Permittee shall maintain and provide all applicable insurance and endorsements as required and approved by the City's Risk Manager.
- Utilities: Water for the garden will be provided by the Park's drip irrigation system that is already installed. The watering schedule will be established and controlled by the Department's Maintenance Operations Bureau.
- Live Scan: Prior to providing volunteer or other services on the premises, Permittee will Live Scan fingerprint all employees, volunteers, and contractors who provide services for the project, that may encounter youth. One-day special event volunteers are excluded from this requirement.
- Termination: Either party may terminate the Permit with 30 days' written notice. In the event the permit is terminated, Permittee will remove the plants and restore the area to its former condition.

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LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation

Respectfully Submitted,



NANCY VILLASEÑOR
MANAGER
PARK PLANNING AND PARTNERSHIPS



HURLEY OWENS
MANAGER
MAINTENANCE OPERATIONS

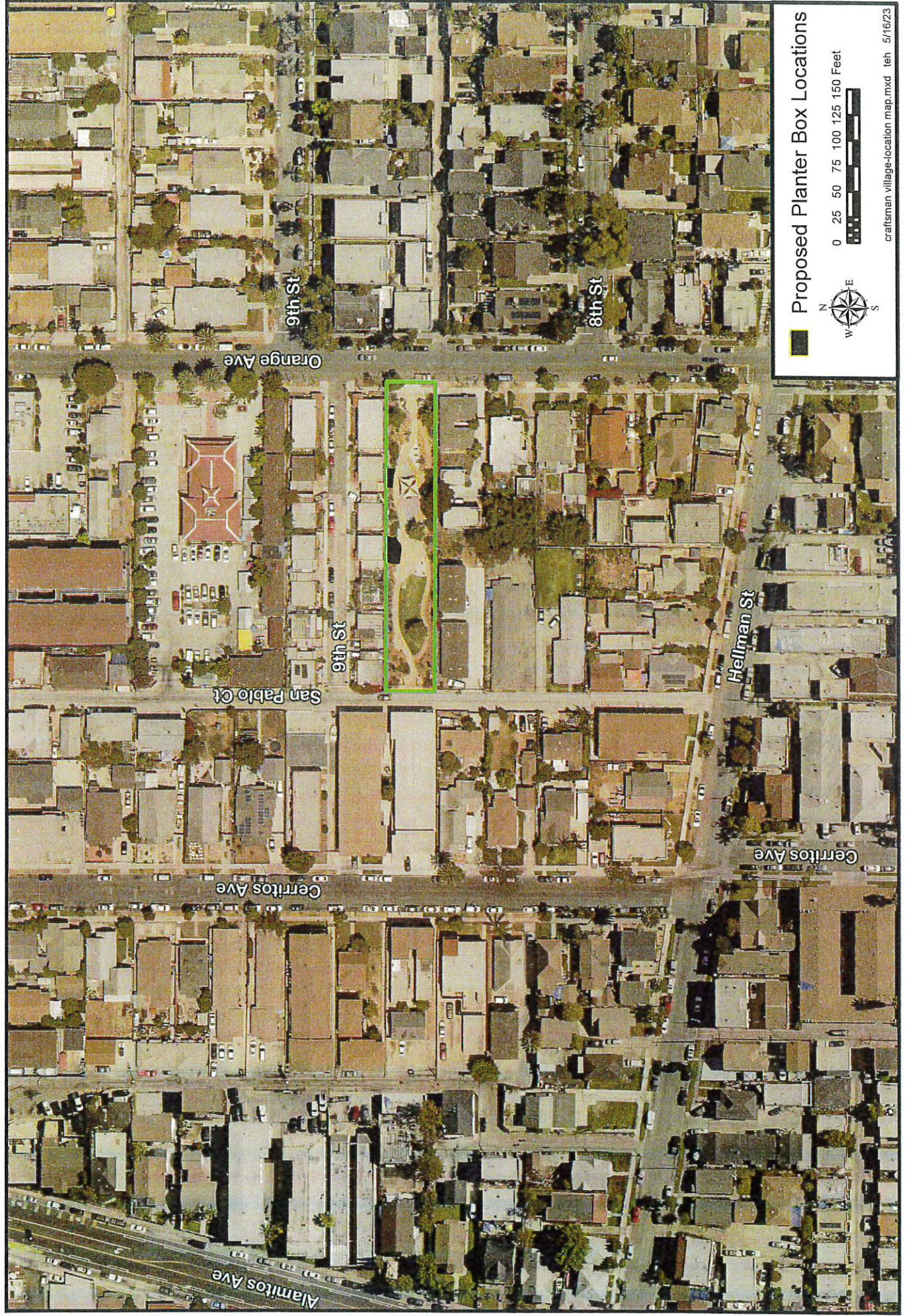
BD:SS:NV:HO:SB:ah
Attachment A: Location Map
Attachment B: Garden Sites
Attachment C: Levine Act Disclosure Statement

APPROVED:



BRENT DENNIS
DIRECTOR

Attachment A – Location Map Craftsman Village Park



Attachment B - Garden Sites



LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lwwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/ibci/tin/ibci/>

Proposers are responsible for accessing these links to review the names prior to answering the following questions.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

☐ YES☒ NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

☐ YES

☒ NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

06/01/2023

Date

Michelle E. Arend - Skrif
Signature of authorized individual

Michelle E. Arend - Ekhoft
Type or write name of authorized individual

Craftsmen Village Historic District
Type or write name of company