

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 Willmore City Heritage Association, a California nonprofit corporation, to remove and reinstall the shade sail at the Cesar E. Chavez Park's amphitheater between June 30, 2023 and July 31, 2023, for a Shakespeare by the Sea performance of Twelfth Night, on July 14, 2023. (District 1)

DISCUSSION

Willmore City Heritage Association (WCHA) is a California nonprofit corporation that was founded in 1976. As a neighborhood organization, WCHA supports the community through neighborhood cleanups, tree plantings, home tours, and multiple community events. As part of this summer's Season of Live Arts and Music or S.L.A.M., WCHA will host a production of Shakespeare by the Sea's Twelfth Night.

Shakespeare by the Sea partners with local city organizations to offer free performances of Shakespeare's plays in public venues. Their mission is to create theatrical experiences for audiences in culturally diverse communities to make theatre accessible to all. The full-scale productions include costumes and staging. To allow for an unobstructive view of the play, WCHA has requested a Right-of-Entry Permit to remove, then reinstall the shade sail at Cesar E. Chavez Park (Attachment A). The removal and installation will be done by the company that originally installed the shade sail.

The permit will include the following terms and conditions:

- Permittee: Willmore City Heritage Association
- Location: Amphitheater at Cesar E. Chavez Park, 501 Golden Avenue
- Term: June 30, 2023 to July 31, 2023
- Authorized Use: Coordinate removal and reinstallation of sail shade covering the amphitheater at Cesar E. Chavez Park.
- Insurance: WCHA shall maintain a policy of liability insurance, with the City and its respective elected officials, officers, employees, and agents named as additional insureds, in an amount specified by the City that will protect the City from any potential claims that may arise. WCHA shall also furnish insurance for contracted

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vendors. The contracted vendors' insurance shall be approved by the City of Long Beach's Risk Manager in advance of project commencement and will remain in compliance for the duration of the term.

- Operations of Maintenance, Supplies, and Security: All work involved in removing and reinstalling the sail shade shall be done in a neat and safe manner and coordinated in advance with the Department of Parks, Recreation and Marine (Department). If damage or vandalism occurs during the removal or installation, Willmore City Heritage Association shall be responsible for the maintenance or replacement of the sail shade or the tensile structures. The Department shall have no maintenance or replacement obligations with respect to the sail shade or tensile structures.

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 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 action beyond the \$440 in staff chargers WCHA has already paid. A fee waiver for the Facility and Permit Fee was approved by the Parks and Recreation Commission at its meeting of May 18, 2023. WCHA assumes the fiscal responsibilities for the activities covered by this Right-of-Entry Permit.

SUGGESTED ACTION:

Approve the recommended action.

Respectfully Submitted,

MEMBERS OF THE PARKS & RECREATION COMMISSION

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NANCY VILLASEÑOR
MANAGER
PARK PLANNING & PARTNERSHIPS



HURLEY OWENS
MANAGER
MAINTENANCE OPERATIONS



GLADYS KAISER
MANAGER
COMMUNITY RECREATION SERVICES

APPROVED:



BRENT DENNIS
DIRECTOR

BD:SS:NV:LC:AH:HO:GK:jr

Attachment A – Site Map

Attachment B – Levine Act Disclosure Statement



Chavez Park Amphitheater Shade

0 15 30 45 60 Feet

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://lbwater.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/lbds/hn/lbci/>

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.

5/26/2023

5/26/2023
Date

Sheila Gibbons
Signature of authorized individual

Sheila Gibbons
Type or write name of authorized individual

Willimore City Heritage Association
Type or write name of company