



# 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](http://www.LBParks.org)



selected  
**best in the nation**

August 17, 2017

## MEMBERS OF THE PARKS AND RECREATION COMMISSION

City of Long Beach  
California

### RECOMMENDATION:

Recommend to the City Manager the approval of a new playground as an improvement for public recreation at Jenni Rivera Memorial Park, which meets a recreational need within the City, and

Recommend the City Council authorize the City Manager to execute a Right of Entry Permit and any other necessary documents, for the Jenni Rivera Love Foundation, a California non-profit organization, and its agents, to allow access to construct a playground at Jenni Rivera Memorial Park at a date to be determined. (District 6)

### DISCUSSION

In 2015, the Jenni Rivera Love Foundation (Foundation) approached the Department of Parks, Recreation and Marine (Department) to install a new playground at Jenni Rivera Memorial Park through the Build It With KaBOOM! Grant Program. This three-acre park, located at 2001 Walnut Avenue, features a meandering walking path and a 125-foot long mural in tribute to the late Jenni Rivera. A site plan is included as Attachment 1. The Foundation, upon receiving a letter of support from the Department, submitted a grant application to the Build It With KaBOOM! Grant Program to install new play equipment at Jenni Rivera Memorial Park.

KaBOOM is a non-profit organization based in Washington, D.C. whose mission is to provide a great place to play within walking distance of every child in America, and teams up with their national funding partners and local community organizations to design and build playgrounds. The Build It With KaBOOM! Grant Program serves children from low-income populations that demonstrate a need for a playground and will implement a community-build model to engage the larger community in all aspects of project planning and playground build execution.

In order to participate in the KaBOOM program, the Foundation and the City of Long Beach (City) must sign the KaBOOM Community Partner Playground Agreement (Agreement). This Agreement binds both the Foundation and City to fulfilling the terms included in Attachment 2. A Right of Entry Permit between the City and the Foundation is also required to authorize the construction of the playground on City property. Additionally, the Right of Entry Permit

## MEMBERS OF THE PARKS AND RECREATION COMMISSION

August 17, 2017

Page 2 of 4

will further define the roles and responsibilities between the Foundation and the City to ensure the obligations of each party are clearly delineated. The proposed Right of Entry Permit contains the following terms:

- Location: Jenni Rivera Park, 2001 Walnut (Attachment 1).
- Term: One year, with the option for a one year extension at the discretion of the City Manager. Playground design and build dates to be determined by KaBOOM.
- Volunteers: All volunteers organized by the Foundation shall complete City of Long Beach Volunteer Applications and sign City of Long Beach Volunteer Waiver forms, as required by the City's Risk Manager.
- Play Equipment and Play Surfacing: All material and equipment for the playground shall be approved by the Department, prior to the community build day.
- Maintenance: Upon completion of the new playground, the Department will maintain the playground and equipment.
- Additional Terms: The Foundation shall be responsible to pay for and provide all items associated with their responsibilities in the KaBOOM Agreement.

KaBOOM does not currently have an identified funder or implementation timeline for the new playground, however the approval of a new playground at Jenni Rivera Memorial Park and the approval of the Right of Entry Permit is requested in advance to allow for the necessary execution of the Agreement and performance of advance site work required by KaBOOM.

The Parks and Recreation Commission recommends to the City Manager plans for the development, beautification and maintenance of public-park and recreational areas. Commission support of the proposed playground, and recommendation of City Council approval of the Right of Entry Permit is appropriate and requested.

### FISCAL IMPACT

While the Agreement obligates the Foundation to meet all KaBOOM terms and requirements, the City, as a co-signor, is also responsible should the Foundation fail to meet its obligations. If this occurs, the Department would be responsible for the following project costs:

- Cash Contribution: KaBOOM will apply funds directly to the purchase of playground equipment. (\$8,500)
- Soil Samples: Conduct two soil site tests of proposed playground site for levels of lead and arsenic prior to the Design Day by a lab of choice and have the results analyzed according to local standards to see if the levels are acceptable. If levels are too high, soil mitigation would be required. (\$600 Estimate includes standard soils test)
- Utility Identification: Conduct two utility checks, with the first check to happen right after a site is selected and complete by Design Day, and the second to cover the Build Week,

MEMBERS OF THE PARKS AND RECREATION COMMISSION

August 17, 2017

Page 3 of 4

when holes will be dug for the playground (\$1,200 Estimate includes site survey and dig alert).

- Grading: The 2,500 square feet of the playground footprint must be prepared to a flat, dirt surface with no more than a 2% grade, with test holes completed at least two weeks before Build Day. Irrigation will likely also need to be re-routed to accommodate the playground (\$19,200 Estimate includes a grading plan, re-routing irrigation, grading and disposal, and contingency for unforeseen circumstances).
- Volunteer Recruitment & Management: Recruit fifteen (15) adult volunteers to participate in preparation activities two to three days prior to Build Day.
- Design Organization & Supervision: Host a KaBOOM-facilitated Design Day with at least twenty (20) adult volunteers and twenty (20) children volunteers.
- Build Day Organization & Supervision: Recruit 200 adult volunteers from the community to participate in a one-day installation event for the Project; provide food, water, tools, dumpsters & trash service, music and restroom facilities for all volunteers.
- Postponement: In the event that the date of the Build Day is cancelled or changed as a result of the Community Partner's failure to satisfy its obligations in connection with the Project, then the City shall be liable to KaBOOM and the Funding Partner for all such additional expenses related to the rescheduled Build Day. (Unknown Cost)

These costs would total \$29,500 which is unbudgeted and would require an appropriation by the City Council.

SUGGESTED ACTION:

Approve the recommendation.

Respectfully Submitted,



HURLEY OWENS  
MANAGER  
MAINTENANCE OPERATION BUREAU



GLADYS KAISER  
MANAGER  
RECREATION SERVICES BUREAU



STEPHEN P. SCOTT  
DEPUTY DIRECTOR

APPROVED:



MARIE KNIGHT  
DIRECTOR

**MEMBERS OF THE PARKS AND RECREATION COMMISSION**

**August 17, 2017**

**Page 4 of 4**

MK:mr/rl/vhd

**ATTACHMENTS:**

1. Jenni Rivera Park Map
2. KaBOOM! Community Partner Playground Agreement