



# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



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December 21, 2017

## MEMBERS OF THE PARKS AND RECREATION COMMISSION

City of Long Beach  
California

### RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine to execute any documents necessary with the Public Corporation for the Arts Long Beach, dba Arts Council for Long Beach, a California non-profit corporation, for the coordination and administration of pre-approved community activities in the East Village Arts Park,

And

Authorize the Director of Parks, Recreation and Marine to execute any documents necessary with the Downtown Long Beach Alliance, a California non-profit corporation, for the opening, cleaning and closing of the East Village Arts Park. (District 2)

### DISCUSSION

The East Village Arts Park, located at 150 Elm Avenue (Arts Park), is a unique pocket park and showcase for local art. The park includes a raised stage area, a seating area with overhead trellis and a display/work area. The park was a collaborative effort with the Department of Parks, Recreation and Marine (Department), Department of Community Development, Second District Council Office, the Public Corporation for the Arts, the East Village Association and local artists. Due to issues related to homeless activities and complaints from the community, the park remains locked when not in use. There are currently very few activities occurring in the Arts Park, so it is usually closed and when activities do occur there, mandatory staff fees are associated with opening, cleaning and closing it.

The Public Corporation for the Arts, dba Arts Council for Long Beach, (Arts Council) a California non-profit corporation, has proposed coordinating and administering various events that would activate the Arts Park. These activities would include things like neighborhood meetings, art exhibits or performances, readings or social interactions. The Arts Council would prepare and advertise quarterly schedules of events that would primarily occur Fridays through Sundays (although weekday activities would not be prohibited) that would all require pre-approval by the Department Director or her designee. It is proposed that there be no fees charged to the Arts Council for arranging and administering these events, and there can be no fees charged to, or solicitations made of, attendees.

The Downtown Long Beach Alliance (DLBA) is a California non-profit corporation that is dedicated to the management, marketing, security, maintenance, advocacy, economic and community development of its two assessment districts in cooperation with the City of Long Beach and the private sector. Its mission is to cultivate, preserve and promote a healthy, safe and prosperous Downtown. The DLBA has offered to open, provide basic cleaning of and close the Arts Park on days where events are coordinated and administered by the Arts Council.

As the Parks and Recreation Commission (Commission) has exclusive authority over public leisure activities of a recreational character in or upon places controlled or operated by the City, and the activities in or upon them, approval of these agreements would fall under the purview of the Commission. The Department is supportive of all positive activations of the Arts Park and supports these proposed agreements.

The proposed terms for the agreement with the Arts Council would include the following:

- Term: Two years, January 1, 2018, through December 31, 2019, with two, two-year renewal options at the discretion of the Department Director. Either party may terminate the agreement with 30 days written notice.
- Location and times: Events would occur within the boundaries of the East Village Arts Park located at 150 Elm Avenue, and could not exceed the confines of the park onto the sidewalk or street without the prior approval of the Department Director or the issuance of a Permit from the Office of Special Events and Filming (SEF). All activities will follow guidelines, policies and restrictions related to time of day and noise that are found in the Long Beach Municipal Code.
- Specific Rules: The following shall not be allowed without the pre-approval of the Department Director or the issuance of a Permit from SEF: Alcohol; food, food trucks or catering (except pre-packaged food provided free of charge); amplified music or sound; gambling; preferential or reserved parking. The Department Director shall have the authority during the initial term and any renewal terms to issue new or revised parameters for the operation of the agreement.
- Scheduling and Activities: The Arts Council will submit a Quarterly Calendar of events to the Department Director at least 30 days in advance. The Director shall have the absolute authority to approve or reject the day or time of an event that may negatively impact Department activities or the neighborhood, and to approve or reject a particular activity that is deemed to not fit with the mission of the Department. The Quarterly Calendar shall be published on the Arts Council website as well as in any other manner prescribed by the Department Director.
- Fees: The Arts Council will not be charged any fees for the use of the Arts Park.
- 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.

The proposed terms for the agreement with the DLBA would include the following:

- Term: Two years, January 1, 2018, through December 31, 2019, with two, two-year renewal options at the discretion of the Department Director. Either party may terminate the agreement with 30 days written notice.
- Location and time: DLBA will take responsibility for opening, providing basic cleaning to and closing of the Arts Park whenever an activity is scheduled under this or the Arts Council agreement.
- Fees: DLBA will not be charged any fees under the agreement for the opening, providing basic cleaning to and closing of the Arts Park. DLBA will not charge the City or Arts Council for the services within the Arts Park.
- Utilities: The City will pay for any electricity or water used during clean-up of the Arts Park.
- Insurance: The Arts Council will maintain all applicable insurance and endorsements, as required and approved by the City's Risk Manager.

Cancellation of either Agreement shall cause the cancellation of the other Agreement unless continuation of the remaining Agreement is approved by the Director.

#### FISCAL IMPACT

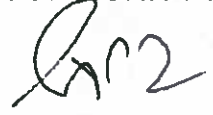
DLBA will assume the responsibility for the opening, basic cleaning and closing of the Arts Park during activities covered by the agreements, so there will be no staff-related expenses to the Department except any minor increases to the cost for providing electricity to the Arts Park.

#### SUGGESTED ACTION:

Approve the recommendation.

Respectfully Submitted,

  
GLADYS KAISER  
MANAGER  
COMMUNITY RECREATION SERVICES

  
STEPHEN P. SCOTT  
DEPUTY DIRECTOR

APPROVED:

  
MARIE KNIGHT  
DIRECTOR