



# 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**

June 20, 2019

## 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 Universal Enterprises, LLC, a California limited liability company, doing business as POW! WOW! Long Beach, for the production and maintenance of three temporary murals in Drake Park, for a term of one year from July 1, 2019 through June 30, 2020, to paint, complete, and maintain the murals, with two, two-year options to renew through June 30, 2024, for mural maintenance purposes, at the discretion of the Director. (District 1)

### DISCUSSION

The Department of Parks, Recreation and Marine (Department) was approached by Universal Enterprises, LLC., (Permittee), doing business as POW! WOW! Long Beach, to paint three murals in Drake Park as a part of the POW! WOW! 2019 Mural Festival, from July 22-28, 2019.

POW! WOW! Long Beach Mural Festival is a week-long, citywide event in Long Beach that takes place each summer. Since 2010, the globally recognized POW! WOW! Worldwide series of street art events has brought murals to public spaces in cities like Honolulu, Seoul, Washington DC, Taipei, and Tokyo. The mission of POW! WOW! is to bring art and culture to public spaces while beautifying cities and cultivating community pride. In the past three years, Pow! Wow! Long Beach has executed numerous murals throughout the city, from South Street to Ocean Boulevard, creating a walkable, bikeable public art experience unlike anything else in the country.

Drake Park is a seven-acre park located on Maine Avenue between 9<sup>th</sup> and 10<sup>th</sup> Streets, with a small community center, playground, handball courts, basketball court, skate park elements, picnic areas, and an open turf area. Permittee has proposed to paint three temporary murals, one mural on each exterior side of the concrete walls of the Drake Park handball court, one wall is directly across the street and visible to homes, the other wall faces the basketball court and skate elements. The third mural will be located on the west facing wall of the community center, which can be viewed from the open turf area.

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Permittee has selected three artists (Artists) to create the artwork and paint the murals. This item has been reviewed by the Willmore City Heritage Association.

Parks and Recreation Commission (Commission) approval is requested to authorize the Department Director to issue a Right of Entry Permit (Permit) to the Permittee. The proposed Permit shall include the following significant terms:

- Permittee: Universal Enterprises, LLC, doing business as POW! WOW! Long Beach.
- Location: Drake Park (Park), 951 Maine Avenue. (Attachment 1)
- Event: POW! WOW! Long Beach Mural Festival, July 22-28, 2019.
- Murals: Two of the three temporary Drake Park murals shall be located on either side of the handball courts (Attachment 2), and one mural shall be painted on the west wall of the community center. (Attachment 3)
- Term: One year, July 1, 2019 through June 30, 2020.
- Options to Renew: Two, two-year options, through June 30, 2024, to renew the Permit for mural maintenance purposes at the discretion of the Department Director.
- Waiver of Permittee and Artists Rights: The Permittee and Permittee's Artists shall sign a waiver that they waive any and all claims or rights, under any circumstances against the City of Long Beach. The Permittee and Permittee's artists understand and agree that the murals are to be painted onto the side of Drake Park buildings/structures and that the murals on the buildings/structures may subject them to destruction, distortion, mutilation or other modification, or other acts or by reason of their removal at a later date. The Permittee and Permittee's Artists understand and agree that the City of Long Beach shall have the discretion to remove the murals at any time.
- Filming/Publicity: The City of Long Beach shall be entitled to photograph and film the Permittee and its Artists painting the murals for use in publications, educational materials, and/or promotion, for the use in the form of print media, as well as internet, film, and all other forms of electronic or other media, including third party works.
- Termination: Either party may terminate the Permit upon 30 days written notice to the other party.
- Funding: All funding to provide all mural supplies, Artists, and maintenance of the murals shall be provided by Permittee. The Department shall not provide any funding, supplies or staff support, other than overall Park supervision, unless approved in advance and in writing by the Department Director. Should Permittee obtain funding through donations

and/or sponsorships, the City reserves the right to approve any recognition of funders on the murals in advance and in writing.

- Safety: Selected Artists must receive pre-approval for the placement of any personal equipment (e.g., ladders, scaffold, etc.) in Drake Park. Artists may not provide personal equipment unless it has been inspected by the Department or a City safety officer and the equipment meets CAL OSHA safety specifications.
- Utilities: The City shall pay for any electricity or water used during the painting and maintenance activities.
- Storage: The Permittee and/or its Artists may store limited art supplies in Drake Park community center, at the discretion of the Department and only prior to and during the Event, July 22 – 28, 2019.
- Minors: Permittee's Artists shall not work with any minors unless supervised by Department staff.
- Preparation/Preservation: Permittee shall properly prepare the walls for mural painting as required and approved by the Department prior to mural painting. Permittee/Artists may be required to provide a special graffiti coating to the finished mural to protect the mural from graffiti, as approved in advance by the Director.
- Completion: Permittee and the Permittee selected Artists shall confirm that the murals shall be completed no later than October 31, 2019, unless extended in writing by the Department Director. If time extensions are needed due to the size of the project, weather, personal emergencies, etc., a written request must be submitted and approved, to avoid non-compliance of contracted responsibilities by the artists.
- Ongoing Maintenance and Rights: As the sponsoring, hiring and funding entity, Permittee affirms that it will cover or cause to be covered, all ongoing costs for maintenance of the murals. Notification of blight/graffiti or environmental damage by any cause must be repaired or cause to be repaired by Permittee or its Artists 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 repaired or maintained to the satisfaction of the Department Director, both Permittee and Permittee's Artists agree that the murals may be removed/painted out by the City.
- Insurance: Permittee, its Artists, and agents shall maintain all applicable insurance and endorsements, as required and approved by the City Risk Manager.

#### FISCAL IMPACT

There is no fiscal impact from the recommended action.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully Submitted,



MEREDITH REYNOLDS  
MANAGER  
PARK PLANNING & PARTNERSHIPS

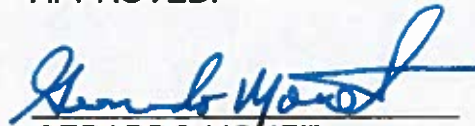


GLADYS KAISER  
MANAGER  
COMMUNITY RECREATION SERVICES



HURLEY OWENS  
MANAGER  
MAINTENANCE OPERATIONS

APPROVED:



GERARDO MOUET  
DIRECTOR

GM:MR:GK:HO:lh:dr

Attachments - 1: Drake Park Site Plan  
2: Concept Artwork, 2 Handball Court Murals  
3: Concept Artwork, Community Center Mural



# DRAKE PARK

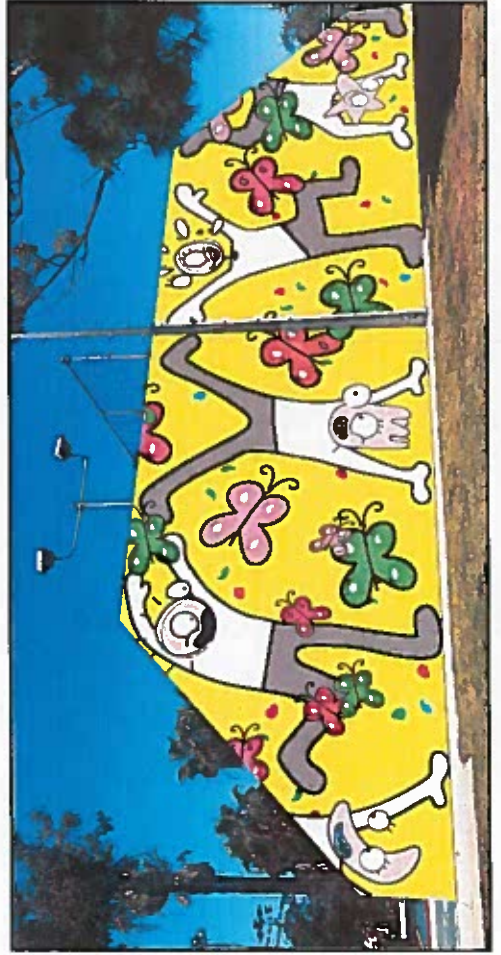
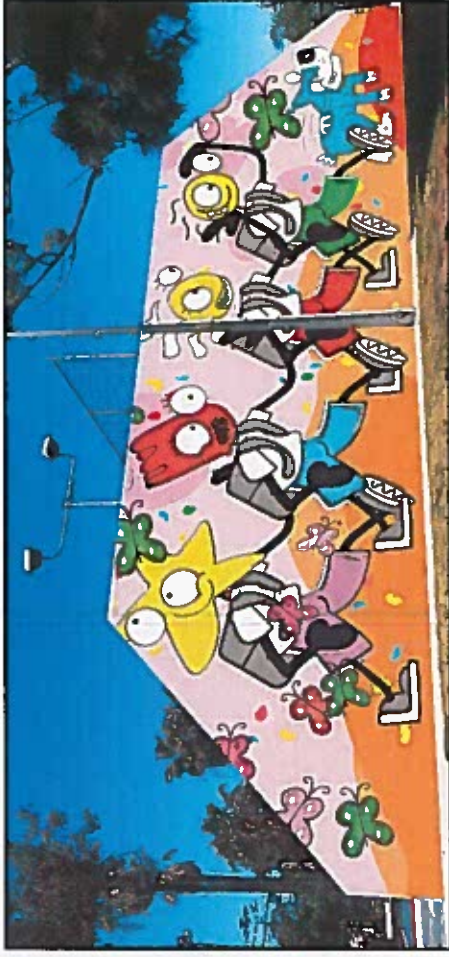
## POW! WOW! MURAL LOCATIONS





DRAKE PARK

Proposed Mural Concepts  
Handball Court Wall Facing Homes



**DRAKE PARK**

**Proposed Mural Concepts  
Community Center West Facing Wall**

