

December 19, 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 SCAN Health Plan, a not-for-profit Health Maintenance Organization based in Long Beach, for the production and maintenance of one mural in Pan American Park, for a term of one year from January 1, 2020 through December 31, 2020, to paint, complete, and maintain the murals, with two, one-year options to renew through December 30, 2022, for mural maintenance purposes, at the discretion of the Director. (District 5)

DISCUSSION

The Department of Parks, Recreation and Marine (Department) was approached by SCAN Health Plan (SCAN) under advisement of the Public Corporation for the Arts of the City of Long Beach, dba Arts Council for Long Beach (Arts Council) to paint one mural on the exterior side of the concrete wall of the handball court at Pan American Park. This mural is part of SCAN's social media campaign called "Stages: 100 over 100," which highlights 100 SCAN Health Plan members who are 100 years of age or older. The proposed mural will depict one of the SCAN Health Plan members. This mural is one of many SCAN murals that are a part of the Stages 100 over 100 campaign.

Pan American Park is a 13-acre park located at 5157 Centralia Street, with a gymnasium, two lighted softball fields, a basketball court, two handball courts, a volleyball court, pre-school and school aged children's playgrounds, a freestanding restroom, and picnic areas. The handball court wall where the mural is proposed faces east towards Charlemagne and is directly across the street to Bancroft Middle School and is visible to park patrons and travelers on Charlemagne Ave.

The Arts Council helps leverage the arts, culture and creativity that shapes the physical, social and economic character of the diverse Long Beach neighborhoods. Most recently, artists through the Arts Council have painted several murals at Peace Park, Drake Park, and Drake-Chavez Greenbelt. The Arts Council has selected a group of classroom artists, led by Ciana Lee, Arts Instructor, from the Long Beach Senior Arts Colony to paint the mural. Ms. Lee has been teaching seniors at the Arts Colony for over five years and instructs an Intro to Art course. The class has recently taken their art out of the classroom and into public space which led to

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their selection for this mural. This is a multigenerational project where the senior-aged artists plan to invite youth from the community to help with the painting of this mural.

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: SCAN Health Plan, under advisement of the Public Corporation for the Arts of the City of Long Beach, dba Arts Council for Long Beach
- Location: Pan American Park (Park), 5157 Centralia Avenue. (Attachment 1)
- Event: "Stages: 100 over 100" Mural, Date TBD.
- Mural: Permittee's artists (Artists) shall paint one mural on the exterior side of the concrete wall of the handball court at Pan American Park. The mural shall depict a centurion dressed in a Folklorico Dance Costume (Attachment 2). The Director reserves the right to view and approve proposed mural design/artwork, mural size, medium, and wall preparation and protective coatings prior to the painting of the mural.
- Term: One year, January 1, 2020 through December 31, 2020, to complete the mural painting and for mural maintenance.
- Options to Renew: Two, one-year options, through December 30, 2022, for mural maintenance at the discretion of the Department Director.
- Termination: Either party may terminate the permit with 30-days written notice.
- Funding: All funding to provide all mural supplies, Artists, and maintenance of the murals shall be provided by SCAN and/or the Arts Council. 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: Artists must receive pre-approval for the placement of any personal equipment (e.g., ladders, scaffold, paint sprayer, etc.) in Pan American Park and must place a protective barrier around the area of the mural, and under Artists' equipment and paint to not impact the adjacent areas of paint overspray. 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.



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- Utilities: The Department shall provide all utilities used by Artist during the painting and during Permittee's maintenance of the mural.
- Storage: The Permittee and/or it's Artists may store limited art supplies in Pan American Park community center, on a space available basis, as approved in advance by the Park Supervisor.
- Preparation/Preservation: Permittee and/or its Artists 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.
- Mural Completion: Permittee and the Artists shall confirm that the mural shall be completed no later than May 31, 2020, unless extended in writing by the 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 mural, either directly or through a \$5,000 donation to Partners of Parks. 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 Department.
- Waiver of Permittee and Artists Rights: The Permittee and 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 Artists understand and agree that the murals are to be painted onto the exterior wall of the handball court at Pan American Park and the mural may be subject to destruction, distortion, mutilation or other modification, or other acts or by reason of their removal at a later date. The Permittee and Artists understand and agree that the City of Long Beach shall have the discretion to remove the murals at any time.
- Minors: Artists shall not work with any minors unless supervised by Department staff and parental/guardian waiver signed, with copies to the Department.



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- Filming/Publicity: The City of Long Beach shall be entitled to photograph and film the 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.
- Insurance: SCAN Health Plan, 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.

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:SS:MR:GK:HO:lh:dr
Attachment 1 - Site Plan
Attachment 2 - SCAN Proposal



ATTACHMENT 1





December 4, 2019

Gerardo Mouet
Director, Parks, Recreation and Marine Department
City of Long Beach
2760 N Studebaker Rd.
Long Beach, CA 90815

Dear Mr. Mouet,

There are over 80,000 centenarians living in America today. In honor of these amazing individuals SCAN Health Plan launched [“stages: 100 over 100”](#), a social media campaign shining the spotlight on 100 of our more than 350 members who are 100 or older. Since launching this campaign in May of 2019, we have been motivated to bring it to life in our community. The inspiration for a mural stemmed from the beautiful portrait we captured of Alta “Grace” Regalado (below).



We recently celebrated Alta’s 100th birthday with her and her family and were amazed when we heard that she has been a Folklorico dancer for more than 30 years and still continues to travel and perform. She enthusiastically changed into her performance costume, striking this graceful pose for our camera. This image reflects her zest for life and embodies what we see every day: the beauty and dignity in aging. This is the image we want to see captured in the mural. We think others will find it as inspiring as we do.

Councilwoman Stacy Mungo’s office proposed that the mural be erected on the concrete wall of the handball court at Pan American Park located at [5157 E Centralia St.](#) This location is ideal, with its close proximity to schools and the diversity of the neighborhood surrounding it. The mural is expected to take up the entire wall space.

In partnership with the [Arts Council for Long Beach](#), we have commissioned a group of artists from the Long Beach Senior Arts Colony to paint this mural. Ciana Lee has been teaching seniors at the Arts Colony for over five years and instructs a 12-week Intro to Art course entitled ‘The Magick of Colour’. This class consists of over 10 students—mostly women of Latin and Cambodian descent between the ages of 64 and 83. Recently, they have wanted to take their art out of the classroom and into the public space, making them the perfect fit to paint this mural. Given the age of these artists, we would invite youth to help out, creating a multi-generational experience.

As part of our community engagement effort, we would like to host an unveiling ceremony at the mural site complete with a ribbon cutting and a performance by Alta and her Folklorico dance troupe, pending their availability.

If the mural is approved, we understand that SCAN Health Plan is responsible for the weather proofing and maintenance of the mural, either directly or through a donation of \$5,000 to the "Partners of Parks." We also understand that the City may paint out the mural should it become vandalized or deteriorated beyond repair.

Long Beach is dedicated to being an age-friendly city, and presenting images that represent *all* ages reflects that commitment. We thank you for your consideration and are confident that this mural will greatly contribute to the beautification of the park as well as inspire members of our community to look at the seniors in their lives with renewed interest and respect.

For any questions please contact Seffrah Orlando at sorlando@scanhealthplan.com or 562-997-3142.

Sincerely,

SCAN Health Plan