



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



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November 15, 2018

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 the Public Corporation of the Arts Long Beach, dba Arts Council for Long Beach, a California non-profit corporation, to enter Peace Park for the production and maintenance of a mural on a privately-owned wall delineating the northern border of Peace Park for a term of five-years, with two, five-year options to renew at the discretion of the Director. (District 1)

DISCUSSION

Peace Park is located on Atlantic Avenue at 14th Street and was opened in 2004 on a little used parking lot for the shopping center located across Atlantic Avenue. The Arts Council for Long Beach (Arts Council) is requesting access to Peace Park (Park) to create a mural on the wall that separates Sea Mist Towers, a low-income senior housing complex, from the Park. The wall is owned by Sea Mist Towers and the Arts Council is working with the owner to obtain permission to paint a mural on the Park side of their wall.

The concept of the proposed mural is to uplift, highlight, and celebrate the vibrant history and culture of Long Beach. The mural titled "You Are Free", will be painted by an artist from Living Arts Long Beach who has been selected by the Arts Council, and by participating volunteer artists from the Long Beach United Cambodian Community. Living Arts Long Beach, initiated by the United Cambodian Community, introduces students from local high schools and throughout Long Beach to be engaged in art through hands-on projects and immersion art-making. Students are taught various art techniques by guest artists, from painters, printmaker to movie directors.

The Arts Council is requesting use of the Park to be able to access the Sea Mist Towers wall to paint the mural, and for temporary Park storage for paint and supplies and for portable restrooms. The Arts Council will provide all funding to create the mural. Once the mural has been completed, the Arts Council will provide all funding and labor for mural maintenance, including graffiti removal in a timely manner.

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Parks and Recreation Commission approval is requested to authorize the Department of Parks, Recreation and Marine (Department) Director to issue to a Right of Entry Permit (ROE) to the Arts Council for Park access. The proposed ROE shall include the following significant terms:

Location: Peace Park, Atlantic Avenue at 14th Street.

Mural: The mural, painted on privately-owned property, will face Peace Park and will be approximately 8 feet tall by 24 feet long.

Term: The term for the mural creation and maintenance shall be five years, January 1, 2019 through December 31, 2023, subject to advance written permission by the Sea Mist Towers owner to allow a mural on their wall. It is expected that the mural will be completed by about April 30, 2019.

Options to Renew: Two, five-year options to renew the ROE, at the discretion of the Director.

Termination: Either party may terminate the ROE with 90 days advance written notice.

Safety: The Arts Council, its artist(s), and its agents must receive pre-approval for the placement of any Arts Council, company or personal equipment (i.e., ladders, scaffolding, etc.) within the Park. The Arts Council, its artist(s), and its agents may not provide personal ladders, scaffolds or other equipment unless it has been inspected by Department or City Safety Officer and meets CAL OSHA safety specifications.

Funding: With the possible exception of some utilities, all funding for the creation, painting, and mural maintenance shall be provided by the Arts Council.

Utilities: If easily accessible within the Park, the Department shall pay for any electricity or water used during the painting or maintenance of the mural.

Maintenance and Rights: As the sponsoring, hiring and funding entity, the Arts Council affirms that it shall cover or cause to be covered, all on-going maintenance of the mural. Notification of blight/graffiti or environmental damage by any cause must be repaired or cause to be repaired 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 maintained to the satisfaction of the Director, both the Arts Council and its artist(s) agree that the mural may be removed/painted out with a 90-day advance notification as per regulations of the public art removal requirements of the California Civil Codes 980-989 and Federal Visual Artists Right Act 17 U.S.C. 106A and 113.

Insurance: The Arts Council and its agents will maintain all applicable insurance and endorsements, as required and approve by the City Risk Manager

FISCAL IMPACT

There is no fiscal impact from the recommended action.

SUGGESTED ACTION:

Approve recommendation

Respectfully Submitted,



STEPHEN SCOTT
DEPUTY DIRECTOR
BUSINESS OPERATIONS MANAGER

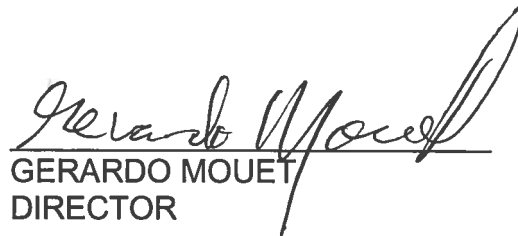


HURLEY OWENS
MANAGER
MAINTENANCE OPERATIONS BUREAU



GLADYS KAISER
MANAGER
COMMUNITY RECREATION SERVICES

APPROVED:


GERARDO MOUET
DIRECTOR

GM:SS:GK:HO:BL:lh

Attached: Peace Park Site Plan

PEACE PARK

ATTACHMENT

