

March 17, 2020

C-9

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager, or designee, to execute an amendment to Right-of-Entry Permit No. 33522, and any related documents, with the Naples Improvement Association, a nonprofit organization, to allow the Naples Improvement Association to continue to install, maintain, and remove seasonal decorative lighting, maintain previously installed permanent lighting, and beautify La Bella Fontana di Napoli Park, for a term of three years from December 1, 2019 through November 30, 2022 with one, three-year renewal option through November 30, 2025, at the discretion of the City Manager. (District 3)

DISCUSSION

La Bella Fontana di Napoli Park (La Bella Park), located in the Naples area of Long Beach, was developed in 1933, adjacent to the site of the former Naples Hotel. In 1971, a Neapolitan-style three-tiered fountain was added to La Bella Park. In 2008, the City of Long Beach (City), with the assistance of the Naples Island Garden Club (Club), renovated the fountain by installing new tile and lighting. To assist the City in maintaining and beautifying La Bella Park, the Club, operating under the Naples Improvement Association (Association), meets several times each year for cleanup and gardening events.

In December 2013, the Club, operating under the Association, and through a permit from the City's Office of Special Events and Filming, installed permanent electrical up-lighting under La Bella Park trees and seasonal decorative lighting in the trees in order to beautify La Bella Park for the holiday season. The lighting improvement has been supported by the community.

On April 22, 2014, the City Council approved Right-of-Entry Permit No. 33522 to allow the Association to continue to install decorative lighting in the trees and beautify La Bella Park during the holidays. On November 30, 2019, the City Council approved permit expired with no options to renew the permit.

As the Association would like to continue to install decorative lighting and beautify La Bella Park, it is proposed that Right-of-Entry Permit No. 33522 be extended to allow the Association to install electrical lighting in La Bella Park with the following major provisions:

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- Term: Three years, retroactive from December 1, 2019 through November 30, 2022.
- Renewal Option: One, three-year renewal option through November 30, 2025, at the discretion of the City Manager or his designee.
- Permitted Area: La Bella Fontana di Napoli Park.
- Authorized Use: The installation, maintenance, and removal of seasonal decorative lighting in and around La Bella Park trees, maintenance of permanent lighting previously installed by the Association and the City, and Park beautification, at the Association's sole cost and expense, and at the discretion of the City Manager or his designee.
- Utilities: The City will be responsible for all electrical utility charges, estimated at \$500 per year.
- Fees: In recognition of the Association's efforts to beautify La Bella Park by providing seasonal lighting for the enjoyment of the community, no fee will be charged to the Association.
- Right of Revocation: The City reserves the right to remove the permanent and/or seasonal lighting that the Association may install, at the City's sole cost and expense, and at the discretion of the City Manager or his designee.
- Liability: The Association will be responsible for any damage to La Bella Park caused by their use of La Bella Park.
- Insurance: The Association, and their contractors, must provide and maintain evidence of insurance as required and approved by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on February 20, 2020 and by Revenue Management Officer Geraldine Alejo on February 27, 2020.

TIMING CONSIDERATIONS

City Council action is requested on March 17, 2020, to allow the nonprofit organization to continue to beautify La Bella Park.

FISCAL IMPACT

The purchase, installation, maintenance, and beautification of La Bella Fontana di Napoli Park will be the responsibility of Naples Improvement Association. The total annual electrical utility cost is estimated at \$500 and is currently budgeted in the Tidelands Area Fund Group in the Parks, Recreation and Marine Department. This recommendation has

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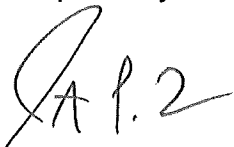
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no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S.P. Scott".

STEPHEN P. SCOTT
INTERIM DIRECTOR OF
PARKS, RECREATION & MARINE

SS:EH:CF:MR:lh

APPROVED:

A handwritten signature in black ink, appearing to read "T.B. Modica".

THOMAS B. MODICA
ACTING CITY MANAGER