

June 17, 2021

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 necessary documents, with the Public Corporation for the Arts for the City of Long Beach, dba Arts Council for Long Beach, a nonprofit corporation, for the maintenance of the "Alta Regalado" mural at Pan American Park, for a period of six years, from July 1, 2021, through June 30, 2027, with two, two-year options to renew through June 30, 2031. (District 5)

DISCUSSION

On December 19, 2019, the Parks and Recreation Commission (Commission) authorized the Director of the Parks, Recreation and Marine Department (Department) to execute a Right-of-Entry Permit with SCAN Health Plan (SCAN), a nonprofit Health Maintenance Organization based in Long Beach, to work under the advisement of Public Corporation for the Arts for the City of Long Beach dba Arts Council for Long Beach (Arts Council) to produce and maintain one mural in Pan American Park.

Named after its subject and unveiled on December 1, 2020, the mural features 101-year-old South Gate resident and folklórico dancer Alta Regalado in traditional dress and is located on the east-facing wall of the handball court at Pan American Park at 5157 Centralia Street (Attachment A). The artwork is based on a photograph of Ms. Regalado taken by SCAN as part of a campaign to highlight the lives and accomplishments of its members who are 100 years or older. Arts Council selected a group of classroom artists from the Long Beach Senior Colony, led by artists Alva McNeal and Ciana Anita Kalokomaika'imaikalanimai Lee, arts instructor at the Senior Arts Colony.

In alignment with the Commission action, on October 15, 2020, the Parks Mural Toolkit (Toolkit) was received and filed and approved as a process for all future murals. The Toolkit is a user-friendly document designed to provide a roadmap to help interested parties navigate the process of completing a mural on Department property. The Toolkit provides all parties involved with a clear idea of what to expect and ensures that murals are installed in areas that are publicly accessible and visible. Additionally, the Toolkit lists standards to ensure each mural is durable and long-lasting as well as appropriate, culturally competent, multigenerational, and designed with all viewers and park users in mind. Murals require restoration from time to time due to wear and tear from prolonged exposure to the elements and due to vandalism.

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For the "Alta Regalado" mural, SCAN originally was identified as the party responsible for ongoing maintenance of the mural in Right-of-Entry Permit No. P-00231, which expired on December 31, 2020. As SCAN worked under advisement and in close partnership with Arts Council on this project, Arts Council has requested to assume maintenance responsibilities for the mural. If approved, this new Right-of-Entry Permit will be aligned with the Toolkit-listed standards to have long-term and permanent murals maintained for ten (10) years.

Commission approval is requested to authorize the Department Director to issue a Right-of-Entry Permit (Permit) to Arts Council for the purpose of maintaining the "Alta Regalado" mural. The proposed Permit shall include the terms listed below. All other terms, including waiver of Permittee and artists' rights, shall be in line with those set forth in Permit No. P-00231 for painting the mural.

- Permittee: Public Corporation for the Arts of the City of Long Beach, dba Arts Council for Long Beach.
- Premises: Pan American Park, 5157 Centralia Avenue (Attachment A).
- Use: Permittee and/or its contractors shall be authorized to occupy the Premises for the express purpose of maintaining the "Alta Regalado" mural. 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 Permittee shall provide written notice and plan to the Department within 24 hours as to when repairs will be fully completed. If the mural is not repaired or maintained to the satisfaction of the Department Director, both Permittee and Permittee's artists agree that the mural may be removed/painted out by the Department.
- Term: Six years, July 1, 2021, through June 30, 2027.
- Renewal Options: Two, two-year options, through June 30, 2031, at the discretion of the Director.
- Termination: Either party may terminate the Permit with 30 days' written notice.
- Permit Fee: The public benefit provided by performing maintenance will offset any fee related to this Right-of-Entry Permit.



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- Insurance: Permittee will purchase and maintain all applicable insurance and endorsements, as required and approved by the City's Risk Manager.
- Laws and Other Permits: The Arts Council shall apply, pay for, and follow all applicable local, regional, state and federal laws, codes, regulations, requirements, and health orders.
- Liaisons and Communication: The Arts Council will designate a Department liaison through which the Arts Council will communicate.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

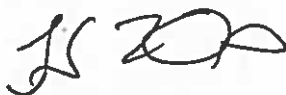
Respectfully Submitted,



GLADYS KAISER
MANAGER
COMMUNITY RECREATION SERVICES



NANCY VILLASEÑOR
MANAGER
PARK PLANNING & PARTNERSHIPS



HURLEY OWENS
MANAGER
MAINTENANCE OPERATIONS



APPROVED:



BRENT DENNIS
DIRECTOR

Attachment A: Premises Map

