



Legislation Text

File #: 14-0292, **Version:** 1

Recommendation to authorize City Manager to execute a right-of-entry permit and any related documents with the Naples Improvement Association, a nonprofit organization, for the acceptance of the donation of permanent park up-lighting; and allow the Naples Improvement Association to install, maintain, and remove seasonal decorative lighting, and maintain previously installed permanent lighting at La Bella Fontana di Napoli Park, for a term of three years, with one, three-year renewal option, at the discretion of the City Manager or his designee. (District 3)

La Bella Fontana di Napoli Park (La Bella Park), located in the Naples area of Long Beach, was created 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. In order 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.

For the past several years in early December, the Club has held an event at La Bella Park where they provide 100 luminarias, which are placed around the fountain, and carolers from a nearby church come to help ring in the holiday season. This tradition is enjoyed by the entire community. 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 has been very much enjoyed by the community since that time. Recently, the Association advised the City that it would like to donate the permanent up-lighting to the City, and also requested permission to install seasonal decorative lighting each year.

The proposed right-of-entry permit to allow the Association to install electrical lighting in La Bella Park will contain the following major provisions:

- Term: Three years, retroactive from December 6, 2013 through November 30, 2016.
- Renewal Option: One, three-year renewal option at the discretion of the City Manager or his designee.
- Permitted Area: La Bella Fontana di Napoli Park.
- Donation: Permanent electrical up-lighting under La Bella Park trees.

- Authorized Use: Maintenance of permanent lighting previously installed by the Association, and the installation, maintenance, and removal of seasonal decorative lighting in and around La Bella Park trees, at the Association's sole cost and expense, and at the discretion of the City Manager or his designee.
- Utilities: The City shall be responsible for all electrical utility charges, estimated at \$500 per year.
- Fee: 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 have been installed by the Association, at the City's sole cost and expense, and at the discretion of the City Manager or his designee.
- Liability: The Association shall be responsible for any damage to La Bella Park caused by their use of the permitted area.
- Insurance: The Association shall provide evidence of insurance as required by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Kendra L. Carney on April 1, 2014, and by Budget Management Officer Victoria Bell on April 9, 2014.

City Council action is requested on April 22, 2014, in order to allow timely execution of the right-of-entry permit.

Existing budget in the Tidelands Operations Fund (TF 401) in the Parks, Recreation and Marine Department (PR) will cover electrical utility costs at an estimated \$500 per year. There is no impact to jobs associated with the recommended action.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER