



Legislation Text

File #: 15-0565, **Version:** 1

Recommendation to authorize City Manager to execute all documents necessary to accept a non-monetary donation of planning, labor, materials and equipment, valued at up to \$10,000, for the installation of up-lighting and other minor improvements to the street median at East 2nd Street and East Naples Plaza; and execute a Right-of-Entry Permit and any related documents with the Naples Island Garden Club, a nonprofit organization, and/or its agents, for a term of two years, for the installation of the aforementioned improvements. (District 3)

The street median located between E. 2nd Street and E. Naples Plaza currently contains five olive trees in planters and several rose bushes. The Naples Island Garden Club (Garden Club) is a nonprofit organization, whose members currently provide maintenance to the olive trees and rose bushes. The maintenance provided by the Garden Club is in addition to the maintenance provided by the City of Long Beach (City) landscape and grounds contractor. The Garden Club would like to donate planning, labor, materials, and equipment, valued at up to \$10,000, to install low-voltage up-lighting and related hardware to illuminate the olive trees.

When improvements to City property are made, it is appropriate for the City Council to accept the gift of the improvements and execute a Right-of-Entry Permit for the actual installation of the improvements. The Garden Club is not seeking any signage or other recognition for the donation of the up-lighting.

The proposed Right-of-Entry Permit contains the following major provisions:

- Term: Two years, commencing June 30, 2015.
- Permitted Area: The street median between E. 2nd Street and E. Naples Plaza.
- Improvements: Installation of low-voltage up-lighting. The installation shall be done by a licensed electrician to ensure the proper operation of the up-lighting. Once the up-lighting has been completed, it will become the property of the City.
- Funding: All necessary funding to complete the installation of the up-lighting shall be the responsibility of the Garden Club.

- Maintenance: The Garden Club will be allowed to provide ongoing maintenance to the olive trees and rose bushes in an acceptable manner, as approved by the Director of the Department of Parks, Recreation and Marine.
- Utilities: Any and all utility costs shall be the responsibility of the City.

- Other Fees, Permits, and Approvals: The Garden Club shall be responsible to acquire all necessary building permits and approvals, and pay any and all fees.

- Insurance: The Garden Club, and/or its agents, shall provide proof of insurance coverage as defined and accepted to sufficiency by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Kendra L. Carney on May 28, 2015, and by Budget Management Officer Victoria Bell on May 22, 2015.

City Council action is requested on June 23, 2015, in order to enable the execution of the Right-of-Entry Permit prior to June 30, 2015.

The purchase and installation of up-lighting and other minor improvements shall be the responsibility of the Naples Island Garden Club. The City shall incur minor costs associated with the electricity needed to power the low-voltage up-lighting, which is projected to be under \$200 per year. There is no local job impact to jobs associated with the recommended action.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER