**R-16**

CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697
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October 18, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a lease and all necessary documents with Long Beach Local, Inc., for the establishment of an urban farm and sustainable produce stand on municipally-owned land, encompassing approximately 0.6 acres of undeveloped open space within the California Gardens project, located near 2712 California Avenue, as approved and recommended by the Parks and Recreation Commission, for a term of two years, with one, one-year renewal option at the discretion of the City Manager. (District 7)

DISCUSSION

In 2010, the Department of Parks, Recreation and Marine received a proposal from Long Beach Local, Inc. (Long Beach Local), a Long Beach-based nonprofit corporation for public benefit, to develop and manage an urban farm and sustainable produce stand (Urban Farm) on approximately 0.6 acres of undeveloped open space within the California Gardens project, located near 2712 California Avenue (Leased Premises). The proposed lease will permit Long Beach Local to grow and sell produce on municipally-owned land, thus allowing the community to have access to sustainably grown, organic, and fresh produce "directly from the farm." On September 15, 2011, the Parks and Recreation Commission formally approved and recommended City Council approval of a new lease with Long Beach Local to develop and manage an Urban Farm on the Leased Premises (attached).

The proposed lease will contain the following major provisions:

- Length of Term: The term of the lease shall be for a two-year period, commencing on October 1, 2011, and terminating on September 30, 2013, with one, one-year renewal option at the discretion of the City Manager.
- Leased Premises: The Leased Premises shall include approximately 0.6 acres of undeveloped open space within the California Gardens project, located near 2712 California Avenue.

HONORABLE MAYOR AND CITY COUNCIL

October 18, 2011

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- Use: Long Beach Local shall use the Leased Premises for the development and management of an urban farm and sustainable produce stand, educational programs and opportunities, as well as other ancillary uses, as approved in advance by the City Manager or his designee.
- Rent: In lieu of fair market value rent, and in consideration of the community benefits that the Urban Farm will provide, Long Beach Local shall pay to the City of Long Beach (City) one percent of any/all gross revenue derived from the sale of produce on or from the Leased Premises, and will be required to produce an annual accounting of all revenue, which is consistent with other farmers' markets permitted by the City on City-owned property.
- Municipal Mulch Yard: Green waste from the Leased Premises will be composted, distributed, and used Citywide via an adjacent municipal mulch yard, which will be managed by the City's Office of Sustainability.
- Operation, Maintenance, and Utilities Costs: Upon completion of development of the proposed Urban Farm, Long Beach Local shall assume all costs associated with the operation, maintenance, and utilities of the Leased Premises.
- ADA Compliance: Long Beach Local shall comply, at all times, with all applicable local, state, and/or federal laws, ordinances, and/or regulations, pursuant to the Americans with Disabilities Act.
- Insurance: Long Beach Local shall purchase and maintain all applicable insurance and endorsements, as required and approved by the City's Risk Manager.

In accordance with the California Environmental Quality Act (CEQA), Categorical Exemption No. 129-11 has been issued for the project.

This letter was reviewed by Deputy City Attorney Richard Anthony on October 4, 2011, and Budget Management Officer Victoria Bell on October 3, 2011.

SUSTAINABILITY

The proposed Urban Farm concept will promote "food security" for the community, wherein consumers will have the option to buy locally grown fresh produce in lieu of buying from commercially operated farms. In addition, Long Beach Local proposes including an educational component to its onsite activities, wherein students and organizations will be able to learn about ecosystems, urban farming, and environmental stewardship.

TIMING CONSIDERATIONS

City Council action is requested on October 18, 2011, in order to finalize and execute the lease in a timely manner, and allow Long Beach Local to begin development of the proposed urban farm and produce stand upon full execution of the lease.

FISCAL IMPACT

Beginning in FY 12, one percent of gross revenue derived from the sale of produce on or from the Leased Premises shall accrue to the General Fund (GP) in the Department of Parks, Recreation and Marine (PR). However, it is currently unknown how much produce and corresponding revenue the Urban Farm will generate. The recommended action may result in a positive impact on jobs. The proposed project may include the creation of green jobs through the establishment of a green job training program, which has yet to be identified.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



GEORGE CHAPJIAN
DIRECTOR DEPARTMENT OF PARKS, RECREATION AND MARINE



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

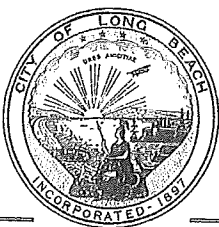
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Attachment: Parks and Recreation Commission Letter (Action Date: September 15, 2011)

APPROVED:

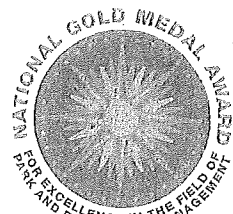


PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



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September 15, 2011

MEMBERS OF THE PARKS AND RECREATION COMMISSION
City of Long Beach
California

RECOMMENDATION:

Approve the establishment of an urban farm, sustainable produce stand and municipal mulch yard encompassing 1.1 acres of the yet to be developed California Gardens project, located near 2712 California Avenue, and recommend City Council approval of a new Lease and any related documents with Long Beach Local, Inc., and/or the City's Office of Sustainability for the development and administration of the same, for a term of two years, with one, one-year renewal option.

DISCUSSION

On June 17, 2010, the Parks and Recreation Commission (Commission) approved a non-exclusive right-of-entry permit with Long Beach Local, Inc., a California Corporation for public benefit (Long Beach Local), for its development and provision of an urban farm and mulch yard, near 2712 California Avenue (Premises) (attachment). Due to project delays resulting from unforeseen complications caused by easements on the Premises and other project administration issues, a right of entry permit was never issued. The Department of Parks, Recreation and Marine (PRM) has worked with the Department of Public Works' Asset Management Bureau and the City's Office of Sustainability to define and resolve any outstanding issues with the development of the Premises as proposed.

Long Beach Local has re-affirmed its interest and commitment to developing and administering the Premises with the same mission and scope as previously approved, with the exception of a newly proposed sustainable produce stand. The proposed sustainable produce stand will be located on the Premises and will enable Long Beach Local to sell produce grown on-site in an effort to offset its operating and development expenditures. Commission approval and recommendation of City Council approval of a new Lease is requested to allow Long Beach Local to begin development of an urban farm and produce stand. PRM will enter into an MOU with the City's Office of Sustainability to allow for its operation of the municipal mulch yard.

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This approval shall be considered an initial consent by the City of Long Beach in its capacity as property owner and not in its capacity as a regulatory agency. Long Beach Local will still be responsible for obtaining all applicable building and construction permits as required by law.

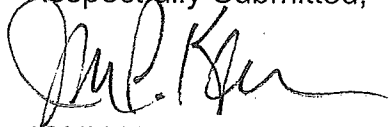
The Agreements will contain the following major provisions:

- Joint Use of Premises: Approximately 0.6 acres within the yet to be developed California Gardens parcel, near 2712 California Avenue, will be developed as an urban farm and sustainable produce stand. An additional 0.5 acres of the yet to be developed parcel will be developed as a municipal mulch yard and administered by the City's Office of Sustainability in tandem with Long Beach Local.
- Term: Two years, with one, one-year renewal option.
- Revenue Sharing: Long Beach Local shall pay the City 1 percent of any revenue derived from the sale of produce on the Premises and produce an annual accounting of sales on the Premises, which is consistent with other farmers markets permitted by the City on City-owned property.
- Utilities: Long Beach Local shall be solely responsible for all utilities to the Premises.
- Insurance: Long Beach Local shall purchase and maintain all applicable insurance and endorsements as required and approved by the City's Risk Manager.

SUGGESTED ACTION:

Approve recommendation.

Respectfully Submitted,



JOHN KEISLER
MANAGER
BUSINESS OPERATIONS

APPROVED:



GEORGE CHAPMAN
DIRECTOR

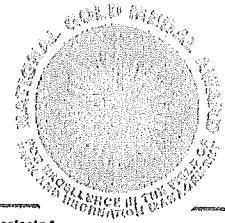


SANDRA GONZALEZ
MANAGER
PLANNING AND DEVELOPMENT



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



June 17, 2010

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MEMBERS OF THE PARKS AND RECREATION COMMISSION
City of Long Beach
California

RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine to issue a non-exclusive right-of-entry permit to Long Beach Local to enter City-owned property, located at 2712 California Avenue, for the purpose of providing a one-acre urban farm and mulch yard, for a term beginning July 1, 2010 through July 1, 2011.

DISCUSSION

The City of Long Beach Office of Sustainability, in partnership with Long Beach Local, a non-profit organization committed to growing sustainable fresh foods within Long Beach, propose the establishment of a one-acre urban farm and mulch yard at 2712 California Avenue (see attachment). This one-acre project site is within the 48-acre City-owned property east of California Avenue, south of Spring Street, west of Orange Avenue and north of the cemeteries on Willow Street, and was formerly approved for development as the Long Beach Sports Park. The urban farm would be known as "Farm 59," in reference to the American Colony Tract, an agricultural subdivision of the Rancho Los Cerritos that was the predecessor to Long Beach. The mulch yard would be adjacent to the farm and would serve as a mulch stockpile for citywide distribution of wood chip mulch generated from city parkway and street trees. Long Beach youth, ages 16-24, would supply the primary workforce for both Farm 59 and the mulch yard through green job grant funding secured by the Pacific Gateway Workforce Investment Network. Long Beach Local would manage the operation of Farm 59, while City Staff from the Office of Sustainability would manage the operation of the mulch yard. Up to 20 part-time youth workers could be employed there at one time.

- Authorized Use: Non-exclusive access to City-owned property at 2712 California Avenue, for the purpose of providing a one-acre urban farm and mulch yard.
- Term: One year with option for renewal on an annual basis.
- Installation Limitations/Requirements: Long Beach Local must submit an access plan no later than July 1, 2010, for pre-approval, prior to accessing the property.

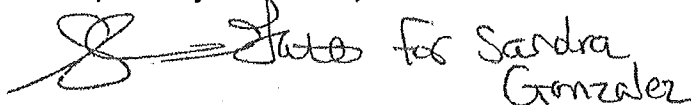
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- Insurance: Long Beach Local and its subcontractors shall indemnify the City and provide insurance certificates as required by the City's Risk Manager.

SUGGESTED ACTION:

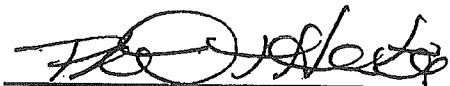
Approve recommendation.

Respectfully Submitted,

 for Sandra
Gonzalez

SANDRA J. GONZALEZ
MANAGER
PLANNING AND DEVELOPMENT

APPROVED:



PHIL T. HESTER
DIRECTOR

PTH:SJG:jca
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Attachment

