

September 17, 2020

MEMBERS OF THE PARKS AND RECREATION COMMISSION

City of Long Beach
California

RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine (Landlord) to approve a park amenity and to execute all documents necessary to update a Right of Entry Permit with the City of Long Beach Department of Health and Human Services (Tenant), for the continued provision and administration of a garden at Martin Luther King Jr., Park, for a three-year term beginning October 1, 2019 through September 30, 2022, with options for two (2) additional, three-year renewals, at the discretion of the Director (District 6).

DISCUSSION

In July 2010, the Parks and Recreation Commission approved a non-exclusive permit with Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group and Long Beach Local for a community garden at Martin Luther King Jr. Park, located at 1950 Lemon Avenue (Attachment A). This garden, known as the "Peace Garden," was a partnership with the City of Long Beach Department of Health and Human Services (DHHS) Weed and Seed Grant Program. When the Weed and Seed Grant Program expired, DHHS assumed management of the garden in 2013, pivoting garden programming to focus on increasing access to healthy and affordable produce for residents in and around central Long Beach.

Currently, the Healthy Active Long Beach Garden (Garden) is funded and supported by a CalFresh Healthy Living grant, micro-grants, and with one-time donations managed by DHHS. The Garden has hosted a range of services and activities that include:

- **Adopt-a-Plot:** Residents have the ability to "adopt-a-plot" in the Garden. Provided at no fee, residents participate in maintaining the Garden and, as grant funds are available, are provided with seeds, seedlings, small hand tools, and soil. Priority for Garden plot space is given to low income, SNAP-Ed eligible households and organizations who serve them.
- **Volunteers Workdays:** Coordinated by DHHS staff every third Saturday of each month.
- **Community Service Workers:** The Garden is a site for the City Prosecutor's Community Service Workers (CSW) program where participants are able to work

MEMBERS OF THE PARKS & RECREATION COMMISSION

September 17, 2020

Page 2

off their fines by giving back to the community while inadvertently installing a sense of pride in the recipient.

- Events: Periodic events hosted at the Garden are coordinated by DHHS who ensures logistics and clean-up are handled.
- Harvest Giveaway Program: Once to twice a month, DHHS staff and volunteers harvest from the plots to provide free vegetables, herbs, recipes, and free healthy food samples to residents.
- Garden-Based Nutrition Education: Workshops are regularly provided to youth, families, and older adults using evidence-based curriculums approved by CalFresh; DHHS often partners with other organizations/departments such as the Office of Sustainability to host basic gardening classes.

Information about these Garden programs and services can be found in Attachment B.

It is requested that the Parks and Recreation Commission approve the Park Amenity and authorize the Right of Entry Permit to DHHS with the following terms:

- Authorize Use: Use of City-owned property at 1950 Lemon Avenue, for the installation of Garden upgrades to park space for the provision and administration of a Garden with the following dimensions: height 6', length 90', width 40' (Attachment C). If at any time the Garden becomes a financial burden to the Parks, Recreation and Marine Department or falls into a state of disrepair due to lack of maintenance, this Right of Entry Permit may become immediately revocable at the direction of the Director or his/her designee. Anything brought on site such as: recycled materials, structures, storage unit, building materials, etc., will be the responsibility of DHHS and will be removed upon termination of the agreement. DHHS is responsible in keeping the perimeter in good condition, debris-free, and weed-free.
- Term: At the discretion of the Director a three (3) year term beginning October 1, 2019 through September 30, 2022 with options for two (2) additional, three-year renewals.
- Options for Renewal: Two (2) additional, three-year renewals.
- Hours of Operations: DHHS shall operate during Park hours, Monday-Sunday from dawn to dusk, or after the last Department-permitted activity has ended. Should DHHS hold an event past normal Parks hours, depending on the scope of the event, DHHS shall pull a separate permit through the Department Reservation's



MEMBERS OF THE PARKS & RECREATION COMMISSION

September 17, 2020

Page 3

Office or the City's Special Events and Filming Office, with a request that the fees be waived.

- Programming: Year-round programming; Adopt-a-Plot, Volunteer Workdays, Community Service Workers, Harvest Giveaways, Garden Based Education workshops, and ongoing Healthy Active Long Beach events and services will continue to be provided at the Garden through DHHS coordination.
- Emergency Health Orders: Use of space is contingent on the demonstrated ability of DHHS to comply with COVID-19 and any other issued Health or Emergency orders.
- Improvements (Attachment C): DHHS will maintain and upgrade the Garden's plots as needed, the irrigation system, and storage facility. The Garden area shall be confined to the size listed in this letter and outlined in the attached plans and must meet any and all City requirements.
- Operations of Maintenance, Supplies, and Security: DHHS will provide at its sole cost, all necessary funding to provide for the operation, ongoing maintenance, needed supplies, and security of the Garden. DHHS shall be responsible for any and all repairs associated with the Garden. Landlord shall have no maintenance obligations with respect to the Premises. DHHS shall keep the premises in a neat, safe and sanitary condition and maintain the Garden to the Department's satisfaction.
- Utilities: DHHS, at its expense, will be solely responsible to install and maintain submeters, if possible, and be responsible for the payment of all utilities used by Tenant at the Premises.
- Insurance: DHHS shall indemnify the City and meet all liability and indemnification requirements of the City's Risk Manager and provide insurance certificates as required.
- Live Scan: Prior to providing volunteer or other services on the Premises, DHHS will Live Scan fingerprint all employees, volunteers, and contractors who provide services, maintain the Garden, and lead program who may encounter youth. One-day special event volunteers are excluded from this requirement.
- Nondiscrimination: Subject to applicable laws, rules and regulations, DHHS shall not discriminate against any person or group on the basis of race, religion, national origin, color, age, gender, sexual orientation, gender identify, AIDS, HIV status, handicap or disability with respect to the use of the site or the performance of its obligation under this permit.



MEMBERS OF THE PARKS & RECREATION COMMISSION

September 17, 2020

Page 4

- ADA Compliance: DHHS may not discriminate against people with disabilities and may not deny full and equal enjoyment of good and services they offer. LBDHHS shall comply with all Americans with Disabilities Act requirements.
- Shared Parking: Parking for the Garden is available in the Park parking lot, which will be shared with other park users. DHHS understands that Park parking is open to the public for the public's use of all Park amenities.
- Public Restrooms: DHHS understands that there are public restrooms on the Park that are opened and closed each day by the Department. Should Tenant need access to the restrooms outside of hours of operations, DHHS will either provide access to restrooms in the Central Health Facility building or make advanced arrangements with the Department.
- Grant Approval Process: As DHHS programming is primarily grant-funded, should DHHS identify a grant funding opportunity that obligates the City in any way, DHHS will send a written notification of the grant opportunity to the Department at least two weeks prior to the grant deadline to seek written permission to apply for funding. The Department will review the request, the grant criteria, and consider other Department programming and facilities seeking funding. The City reserves the right to deny the request if the grant performance measures are not financially or operationally feasible or unreasonably burdensome for any other reason or violates City policies of obligation to fulfill grant requirements without City Council approval.
- Department Liaisons and Communication: DHHS will designate a Department liaison through which DHHS will communicate.

The Parks and Recreation Commission action in 2010 did not include the approval of the Garden as a new park amenity. Since the Garden has been operating since 2010, the Commission support of the Garden improvement is requested at this time. The Parks and Recreation Commission recommends to the City Manager plans for the development, beautification and maintenance of public park and recreational, so Commission support of the Garden improvement is requested.

FISCAL IMPACT

There is no fiscal impact from the recommended action.



MEMBERS OF THE PARKS & RECREATION COMMISSION

September 17, 2020

Page 5

SUGGESTED ACTION:

Approve recommendation.

Respectfully Submitted,



GLADYS KAISER
MANAGER

COMMUNITY RECREATION SERVICES



MEREDITH REYNOLDS
MANAGER

PARK PLANNING AND PARTNERSHIPS

APPROVED:



BRENT DENNIS
DIRECTOR

BD:vd:SS:GK:MR:AC

Attachment A: 2010 Park and Recreation Commission Letter

Attachment B: Garden Programs and Services

Attachment C: Garden Site Map





ATTACHMENT A

CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



best in the nation

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

(562) 570-3100 • FAX (562) 570-3109

www.LBParks.org

July 22, 2010

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 permit and any related documents to Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group, and Long Beach Local and to any subcontractors appropriately contracted by same, to enter Martin Luther King, Jr. Park, located at 1950 Lemon Avenue, for the provision and administration of a community garden on City-owned property, for a term beginning July 1, 2010 through July 1, 2012, with options for renewal on an annual basis, at the discretion of the Director.

DISCUSSION

The City of Long Beach Department of Health and Human Services' Weed and Seed Program, in partnership with Department Of Community Development 2010 Neighborhood Partners Program (NPP), the Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group, and Long Beach Local, propose the establishment of a community peace garden at Martin Luther King, Jr. Park, located at 1950 Lemon Avenue, (see attachments). This community garden will be known as the "Peace Garden."

Central Neighborhood Advisory Committee, South Wrigley Neighborhood Advisory Group, and Long Beach Local have secured grant funding from the Department Of Community Development 2010 Neighborhood Partners Program (NPP) for the start up costs and will manage the operation of the Peace Garden. Long Beach youth, ages 14-24, will supply the primary workforce for the garden through funding secured by the Pacific Gateway Workforce Investment Network. In addition, local community residents will volunteer their time in the garden. Up to ten part-time youth workers can be employed there at one time. This will be one large garden and all participants will work together to build the sense of community. Long Beach is one of the most diverse cities in California and the 6th District is representative of that diversity. Seniors, adults, minors, and youth will be working together in the garden, which will serve as a mentoring relationship between the participants. This will also be a mixed garden with produce from the various cultures represented in the community.

"We create community and enhance the quality of life through people, places, programs and partnerships"

MEMBERS OF THE PARKS AND RECREATION COMMISSION

July 22, 2010

Page 2

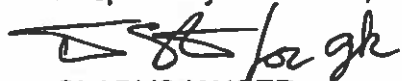
The Redevelopment Agency will be providing funding for the fence, which will be installed by the Department of Parks, Recreation and Marine. The group has an arrangement with Green Plumber Company to install the irrigation for the garden, which will be tied in to the water line in the Health Department building. Utility costs such as water, electricity, and refuse will be covered by the Health Department through the Central Facility Center, which is located immediately adjacent to the garden. Items grown in the garden will not be sold to the public.

- **Authorized Use:** Use of City-owned property at 1950 Lemon Avenue, for the installation of upgrades to park space, and the, provision and administration of a community garden with the following dimensions: height 6', length 90', width 40'.
- **Term:** Two years with options for renewal on an annual basis thereafter, at the discretion of the Director. If at any time the community garden becomes a financial burden to the Parks, Recreation and Marine Department or falls in to a state of disrepair due to lack of maintenance, this right of entry permit may become immediately revocable at the direction of the Director or his/her designee. Anything brought on site such as: recycled materials, structures, building materials, etc., will be the responsibility of the group and will be removed upon termination of the agreement. The group is responsible to keep the perimeter debris-free, clean, and weed-free.
- **Installation Limitations/Requirements:** Long Beach Local shall submit an access plan no later than July 1, 2010, for pre-approval, prior to any access to the property. The garden area shall be confined to the size listed in this letter and outlined in the attached plans, and all subcontractors must meet any and all City requirements.
- **Insurance:** Long Beach Local and its subcontractors shall indemnify the City and meet all liability and indemnification requirements of the City's Risk Manager and provide insurance certificates as required.

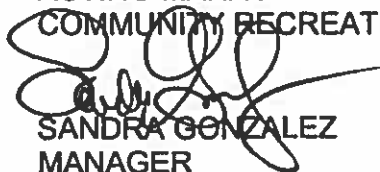
SUGGESTED ACTION:

Approve recommendation.

Respectfully Submitted,



GLADYS KAISER
ACTING MANAGER
COMMUNITY RECREATION SERVICES



SANDRA GONZALEZ
MANAGER
PLANNING AND DEVELOPMENT

APPROVED:

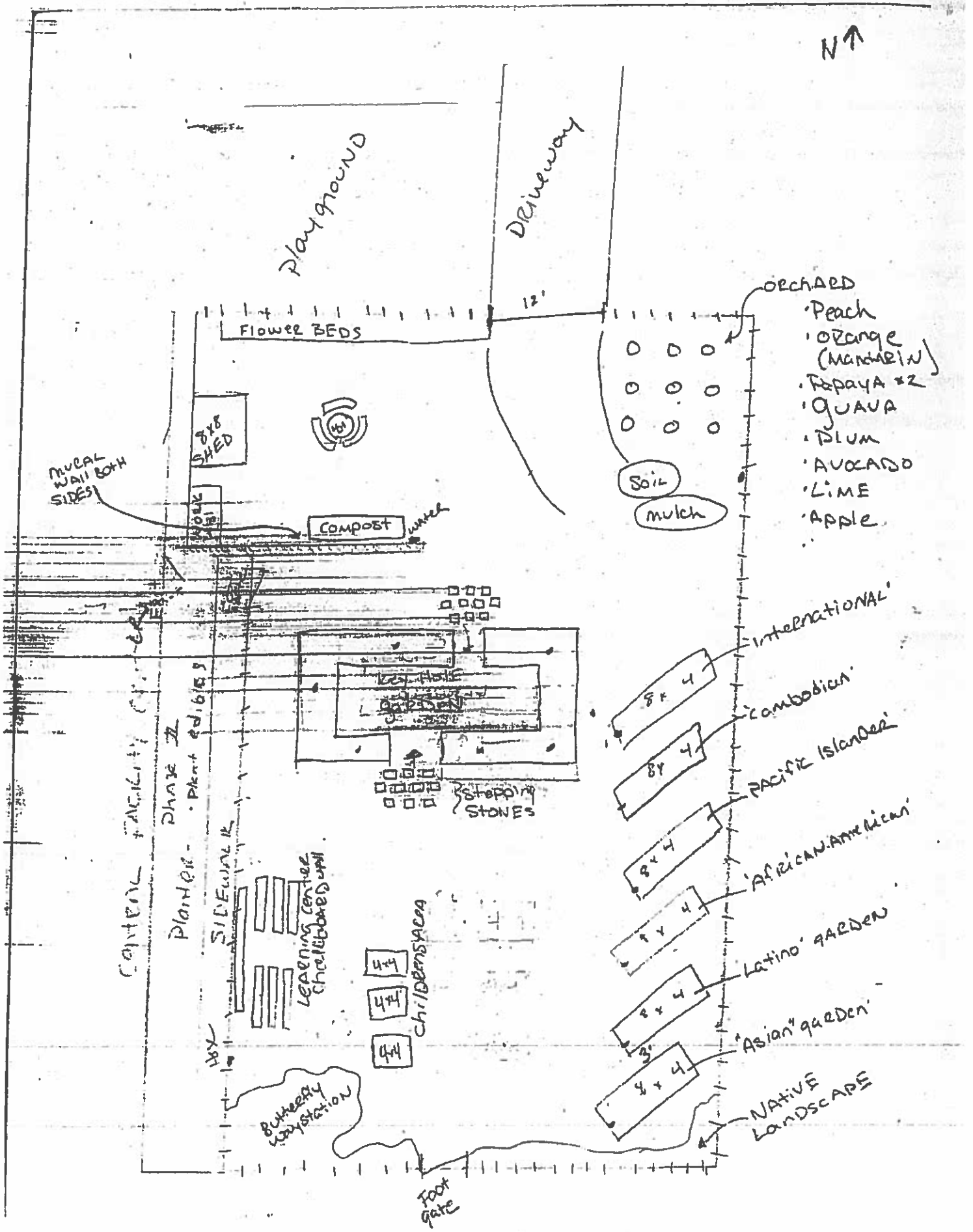


PHIL T. HESTER
DIRECTOR

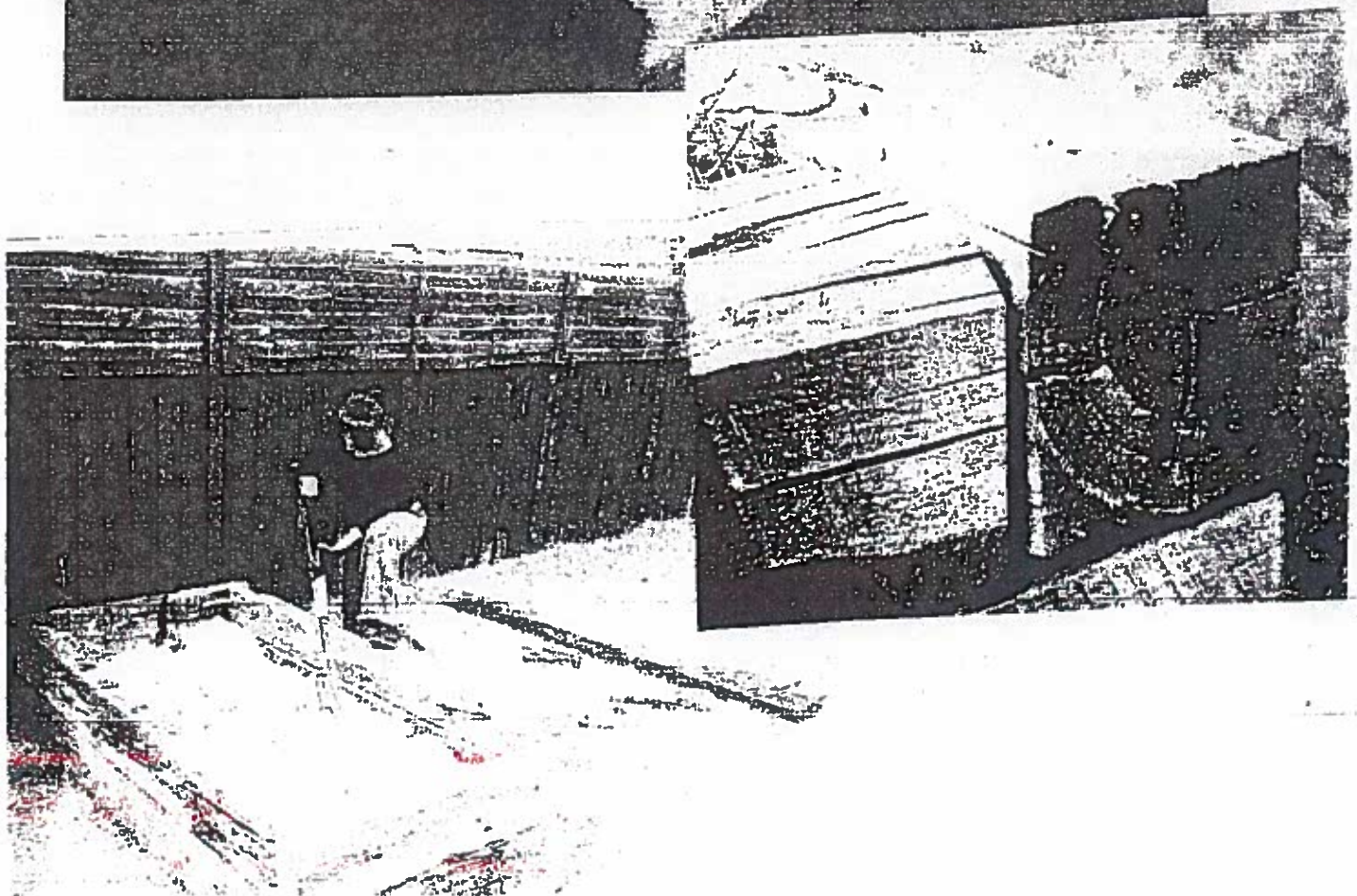
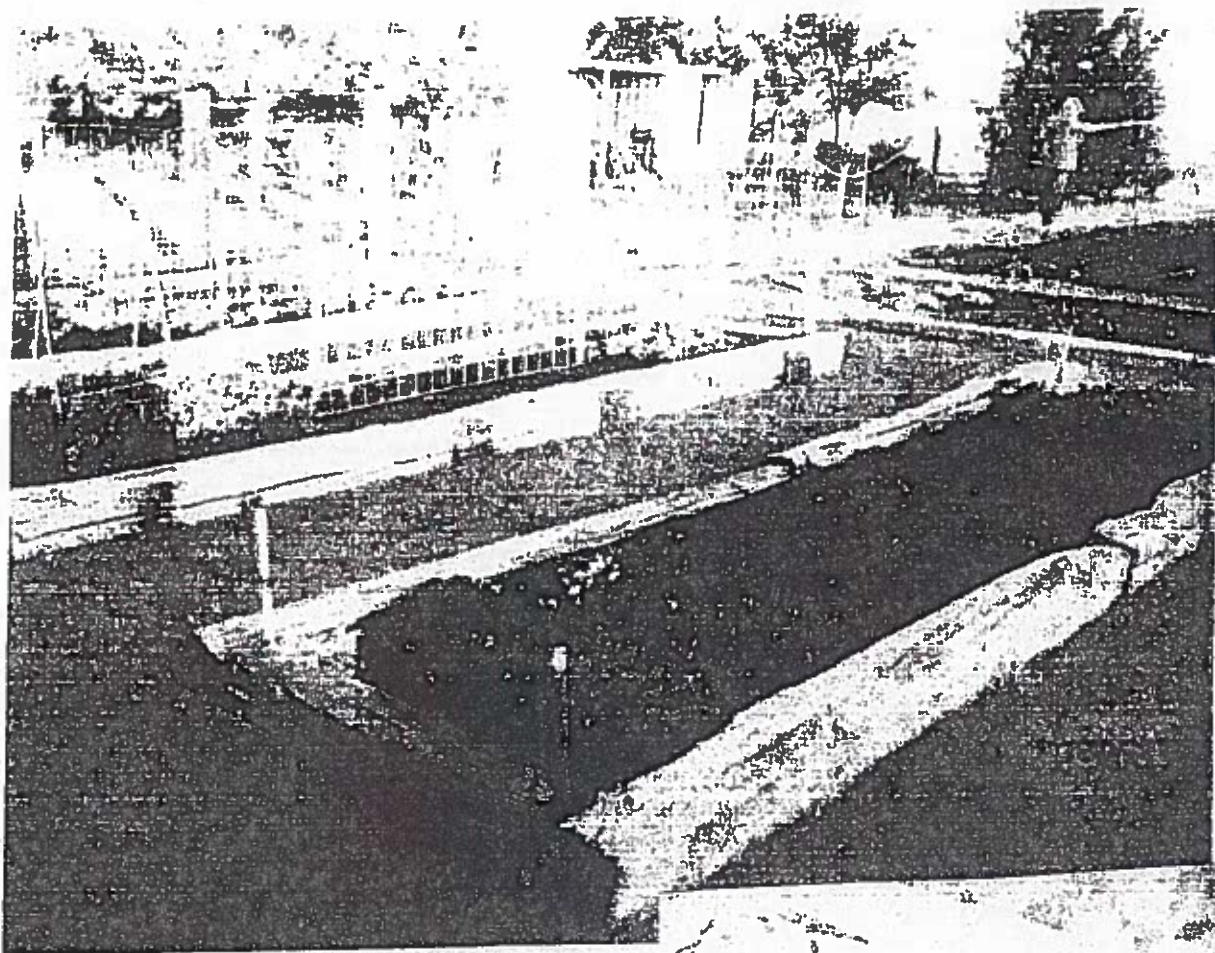
Attachments

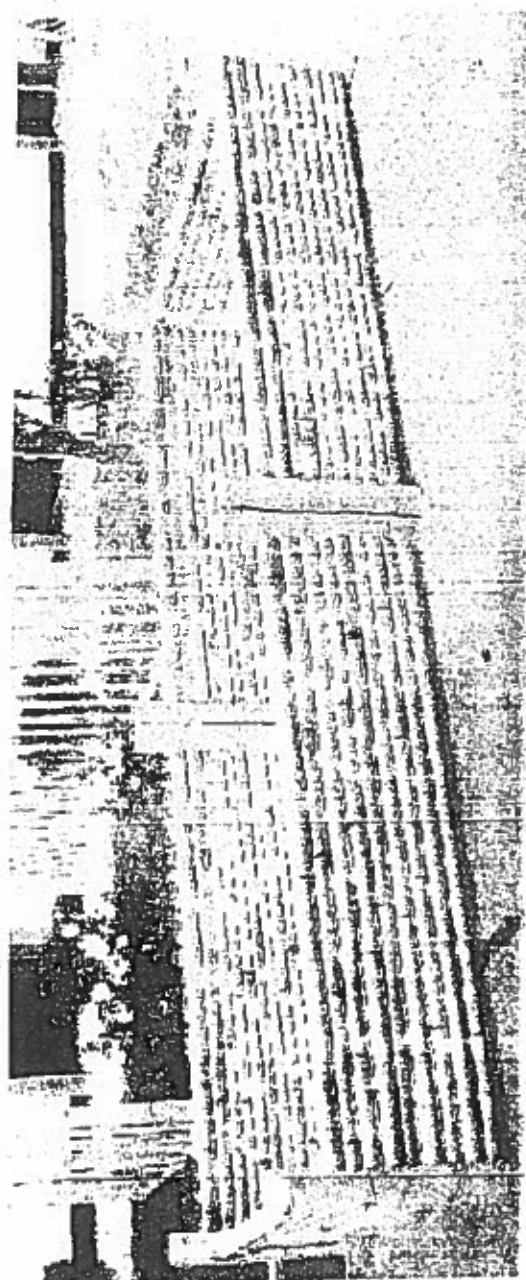


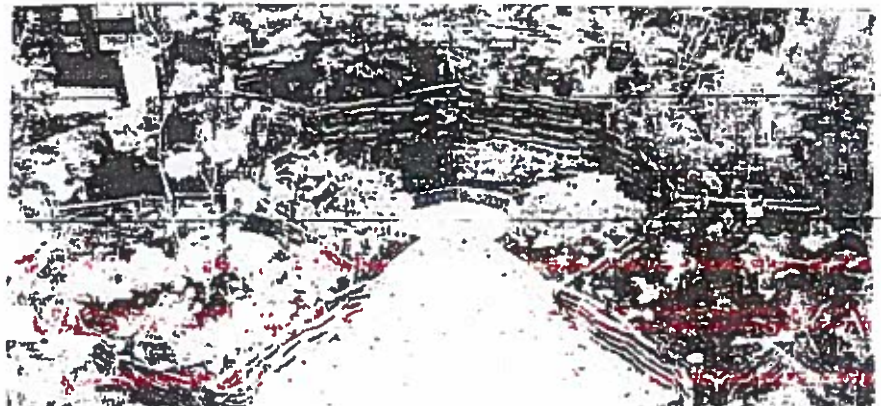
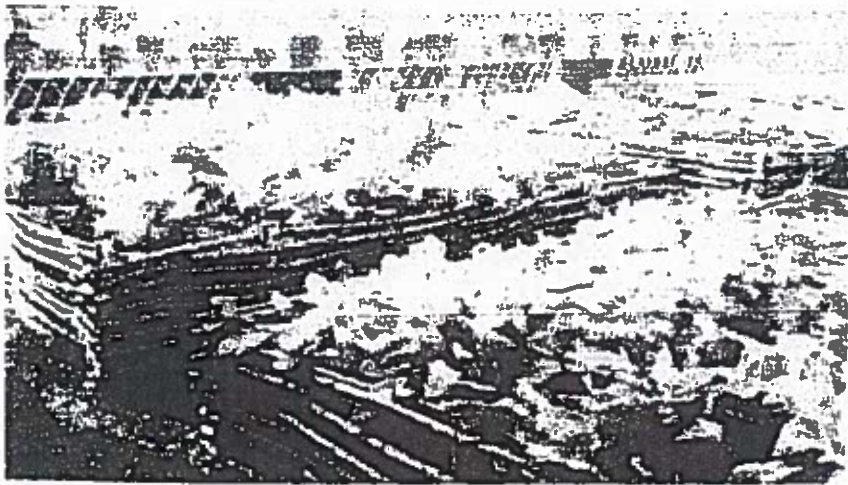
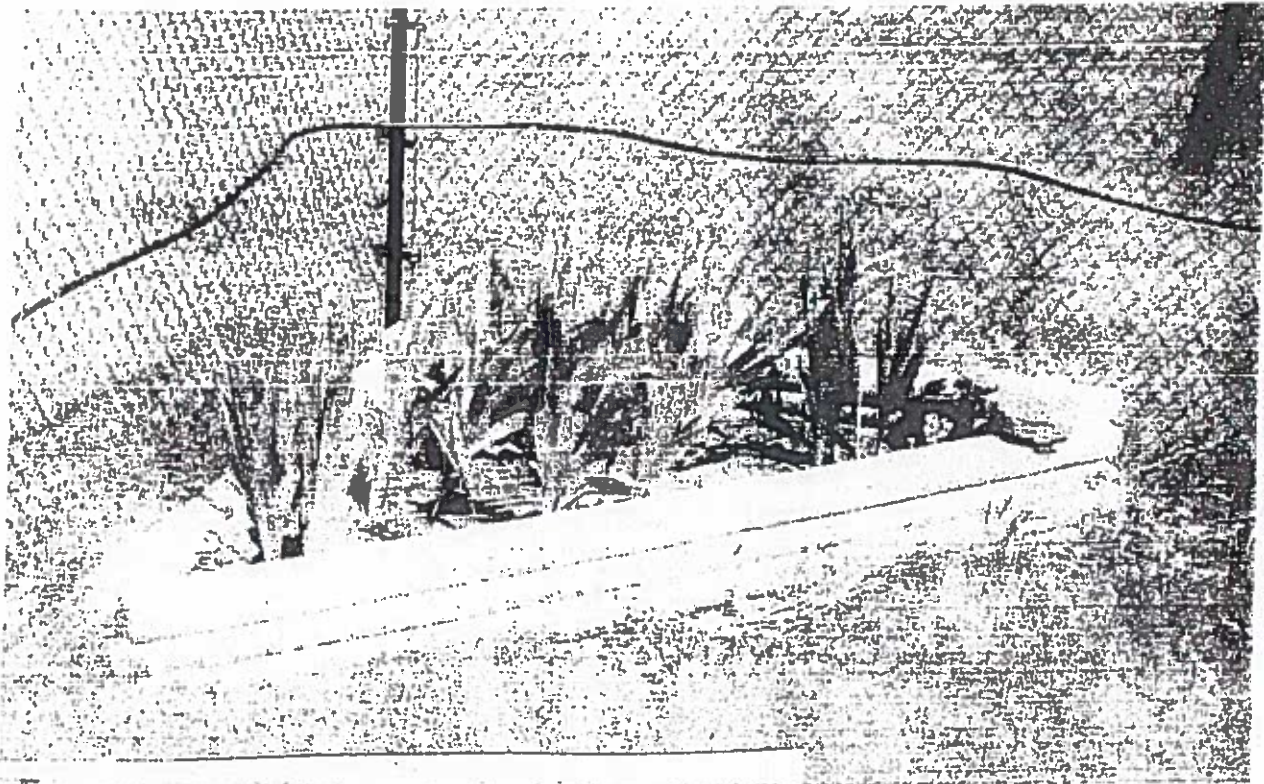
N ↑

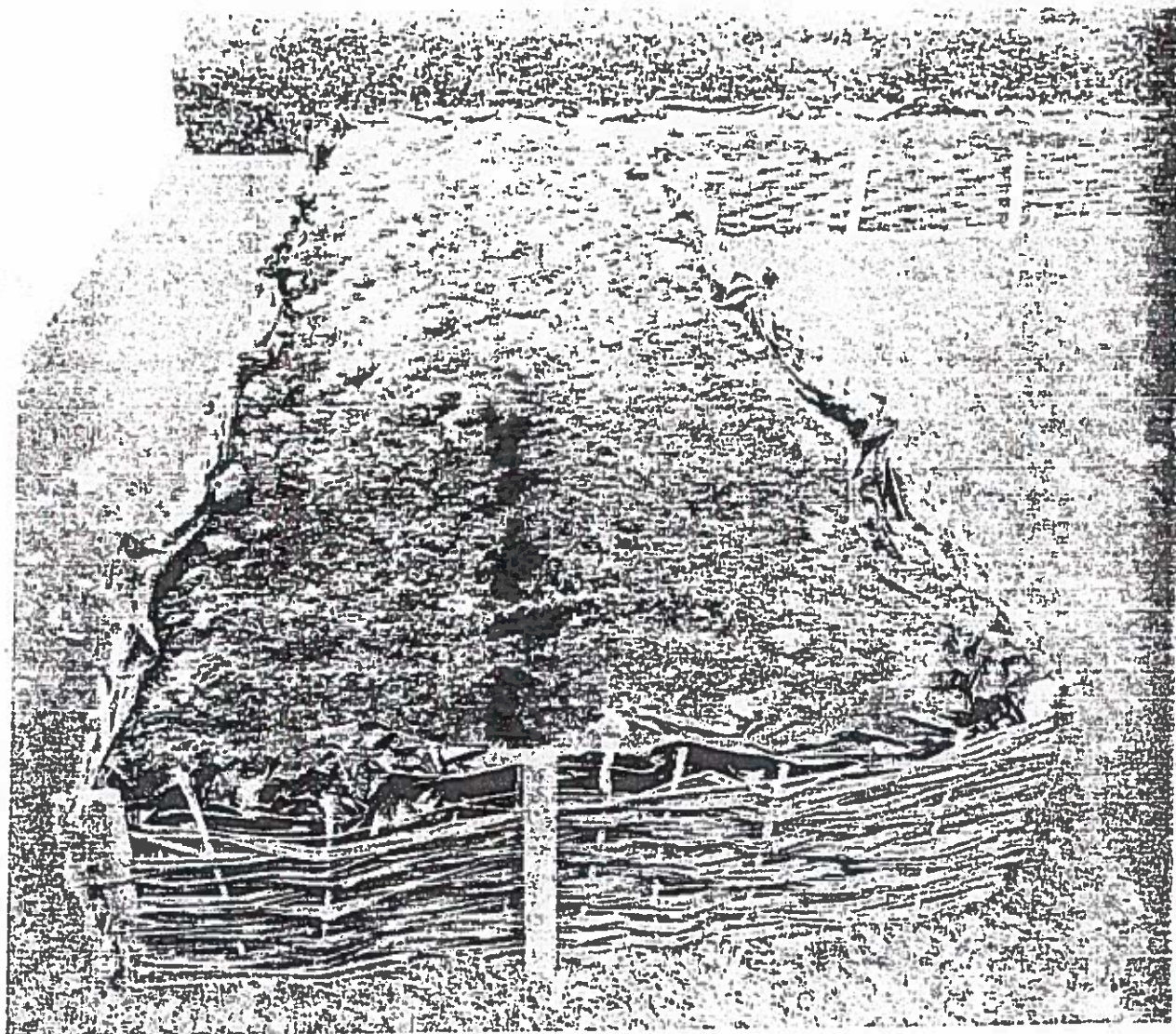


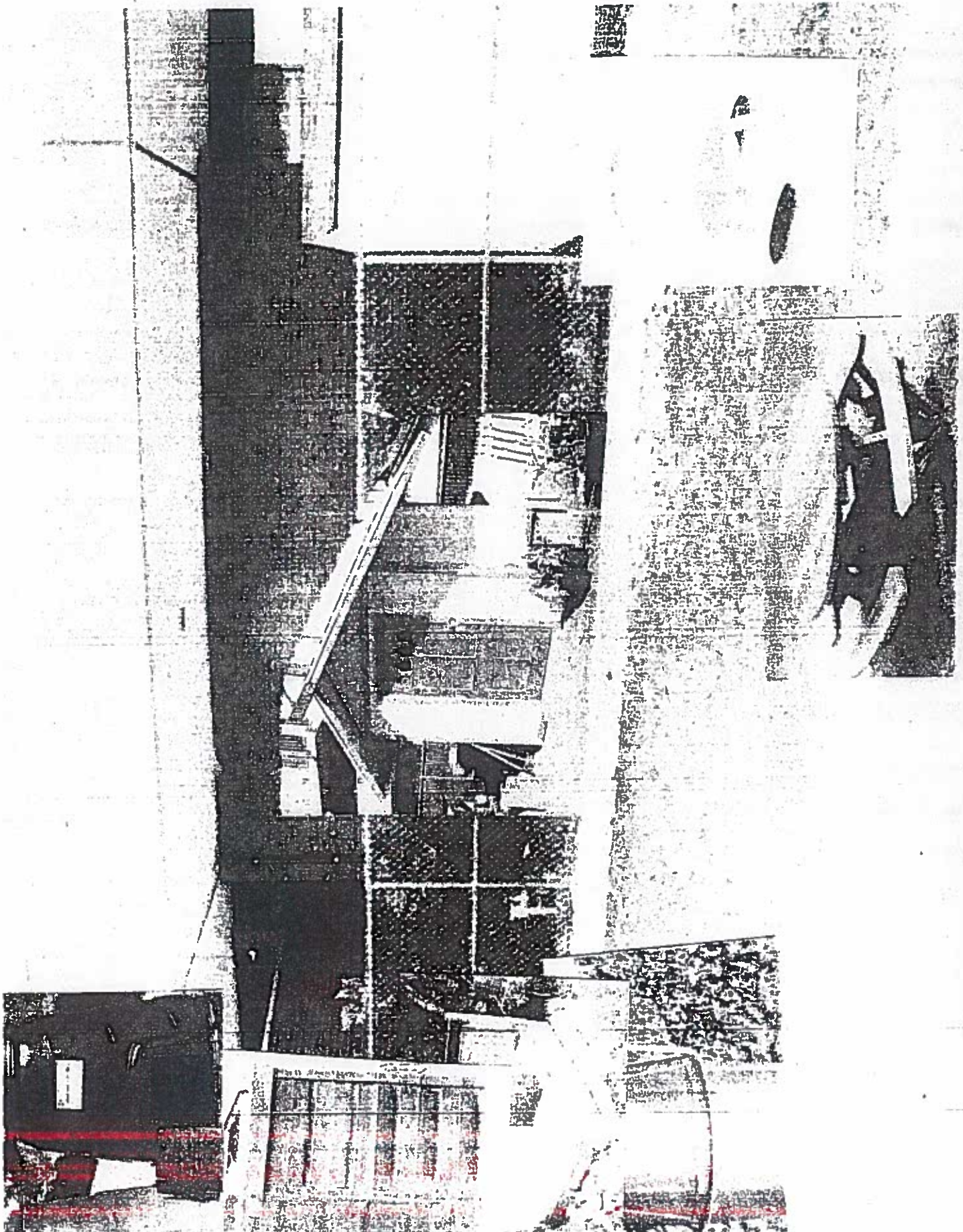
20 11. 10











ATTACHMENT B: GARDEN PROGRAMS AND SERVICES

COMMUNITY SERVICE WORKERS PROGRAM



HARVEST GIVEAWAY PROGRAM & EDUCATION CLASSES



ATTACHMENT C: SITE MAP

MARTIN LUTHER KING JR. PARK

