



Legislation Details (With Text)

File #: 14-0851 **Version:** 1 **Name:** CM/PRM - Amend Lease for Urban Farm at 2712 California Ave D7

Type: Contract **Status:** CCIS

File created: 10/1/2014 **In control:** City Council

On agenda: 10/21/2014 **Final action:** 10/21/2014

Title: Recommendation to authorize City Manager to execute all documents necessary for the Second Amendment to Lease No. 32385 with Long Beach Local, Inc., a non-profit public benefit corporation, for the continued operation of an urban farm and sustainable produce stand on approximately 0.6 acres of City-owned property within Willow Springs Park near 2712 California Avenue. (District 7)

Sponsors: City Manager, Parks, Recreation and Marine

Indexes: Amendments, Contracts

Code sections:

Attachments: 1. 102114-C-9sr&att.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|------------------------|--------|
| 10/21/2014 | 1 | City Council | approve recommendation | Pass |

Recommendation to authorize City Manager to execute all documents necessary for the Second Amendment to Lease No. 32385 with Long Beach Local, Inc., a non-profit public benefit corporation, for the continued operation of an urban farm and sustainable produce stand on approximately 0.6 acres of City-owned property within Willow Springs Park near 2712 California Avenue. (District 7)

On October 18, 2011, the City Council authorized the execution of Lease No. 32385 with Long Beach Local, Inc. (Lessee), for the development and operation of an urban farm and sustainable produce stand (Farm Lot 59) on approximately 0.6 acres of City-owned property near 2712 California Avenue (Leased Premises) for a term of two years with a one-year option to renew the lease. In September 2013, the parties executed a First Amendment to memorialize Lessee exercising the option to extend the term through October 31, 2014.

Farm Lot 59 provides an opportunity for the community to have direct access to sustainably grown, organic and fresh produce “directly from the farm.” In addition, the Lessee provides a volunteer program that focuses on training “young” farmers and educating residents about urban farming and sustainable growing techniques. On September 18, 2014, the Parks and Recreation Commission recommended City Council approval of a Second Amendment with Lessee for the continued operation of the Leased Premises through October 31, 2017.

The proposed Second Amendment to Lease No. 32385 has been negotiated containing the following major terms and provisions:

Lessor: City of Long Beach, a municipal corporation.

- Lessee: Long Beach Local, Inc., a non-profit public benefit corporation.
- Length of Term: The term of the lease shall be extended for an additional three-year period and shall terminate on October 31, 2017.
- Termination Right: Either party shall continue to have the right to terminate the lease for any reason during the term upon 90-days advance written notice.
- Rent: In consideration of the community benefits that Farm Lot 59 provides, Lessee shall continue to pay Lessor one percent of any/all gross revenue derived from the sale of produce on or from the Leased Premises in lieu of market value rent, which is consistent with other farmers' markets permitted by the City on City-owned property.
- Operation, Maintenance, and Utilities Costs: Lessee shall continue to assume all costs associated with the operation, maintenance, and utilities of the Leased Premises.

All remaining terms of Lease No. 32385 shall remain in full force and effect.

This matter was reviewed by Deputy City Attorney Kendra Carney on September 22, 2014, and Budget Management Officer Victoria Bell on October 1, 2014.

SUSTAINABILITY

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

City Council action is requested on October 21, 2014, in order to finalize and execute the Second Amendment to Lease No. 32385 in a timely manner and allow Lessee to continue to operate the Leased Premises.

One percent of gross revenue derived from the sale of produce on or from the Leased Premises shall continue to accrue to the General Fund (GP) in the Department of Parks, Recreation and Marine (PR). Approval of this recommendation will provide continued support to the local economy.

Approve recommendation.

MICHAEL P. CONWAY
DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER