



Legislation Text

File #: 13-0886, **Version:** 1

Recommendation to authorize City Manager to execute all necessary documents for a lease with Long Beach Local, Inc., for the development and management of the Orizaba Park Community Garden, for a term of three years, with two, three-year renewal options at the discretion of the City Manager or his designee. (District 4)

On April 12, 2011, the City Council authorized the City Manager to accept and appropriate \$2.2 million in grant funds through the Statewide Park Development and Community Revitalization Program of 2008, for the construction of a new community center and community garden at Orizaba Park. The Orizaba Park Community Center is under construction and the area for the Orizaba Park Community Garden (Garden) has been graded. A requirement of the state grant is to include a volunteer outdoor learning opportunity for residents. Of the \$2.2 million in grant funds, \$10,000 has been set aside for construction supplies to assist community volunteers in the construction of the Garden, which will satisfy the volunteer outdoor learning requirement.

Originally, the West Eastside Community Association (WESCA) expressed an interest in developing and managing the Garden. Subsequently, WESCA decided that they could not manage the Garden, but agreed that they would help search for an operator who could meet the grant requirements and the community's desires for the Garden. WESCA interviewed several local nonprofit organizations and recommended that Long Beach Local, Inc. (Lessee), be selected to develop and manage the Garden. The Lessee is a Long Beach-based nonprofit organization that "educates residents about urban farming in the City of Long Beach" and successfully operates Farm 59 in Willow Springs Park. The Department of Parks, Recreation and Marine currently administers contracts for six community gardens on properties owned by the City of Long Beach (City).

The proposed lease for the development and management of the Orizaba Park Community Garden will contain the following major terms and provisions:

- Term: Three years, November 1, 2013 through October 31, 2016.
- Renewal Options: Two, three-year renewal options at the discretion of the City Manager or his designee.
- Premises: The leased premises shall include an area of undeveloped open space at Orizaba Park (Attachment).
- Use and Development: Lessee shall use the premises for the construction of numerous raised planting beds, the installation of storage sheds to store garden equipment, the placement of several picnic tables, and for the construction of an arbor to provide both vertical growing space and shade.

- Management: Upon completion of the development of the Garden, Lessee shall be responsible for all costs associated with the operation and maintenance of the Garden. Lessee shall also be responsible for all costs associated with other ancillary uses related to the promotion and education of sustainable organic gardening, as approved by the City Manager or his designee.
- Rent: The leased premises shall be leased at an annual nominal fee of \$1 in consideration of the community benefits provided by having local sustainable organic gardening available to the community. Benefits include exercise and recreation provided by maintaining the Garden, the encouragement of social interaction through gardening, and the educational benefits of both constructing the Garden and learning how to grow food.
- Utilities: Lessee shall be responsible for all utility and refuse costs related to the Garden.
- Allocation of Garden Plots: Lessee understands that the intent of the lease is to provide the community with access to sustainable organic gardening. Therefore, Lessee will conduct outreach to the surrounding community giving local residents priority for Garden plots within the leased premises.
- ADA Compliance: Lessee 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: Lessee shall purchase and maintain all applicable insurance and endorsements, as required and approved by the City's Risk Manager.
- Termination Rights: Either party may terminate the lease by providing a minimum of 30 days prior written notification.

This matter was reviewed by Deputy City Attorney Gary J. Anderson and Budget Management Officer Victoria Bell on September 16, 2013.

SUSTAINABILITY

According to the American Community Garden Association, some of the benefits community gardens can provide include acting as a catalyst for sustainable neighborhood and community development, encouragement of self-reliance with respect to subsistence, promotion of the conservation of resources, preservation of open and green space, and potential reductions in the amount of heat released from paved parking lots and streets.

City Council action is requested on October 8, 2013, in order to finalize and execute the lease in a timely manner so that Long Beach Local, Inc., may begin the development process and assume management of the Garden.

The total project cost is estimated at \$10,000 and is fully funded through previously appropriated grant funding budgeted in the Capital Projects Fund (CP) in the Public Works Department (PW). All costs above the estimated project cost shall be the responsibility of Long Beach Local, Inc. The recommended action may result in a positive impact on jobs as Long Beach Local, Inc., may hire

temporary help. However, any job impact would be minimal, as the project will be completed by volunteers.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

ARA MALOYAN, PE
ACTING DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER