



Legislation Text

File #: 20-0103, **Version:** 1

Recommendation to authorize City Manager, or designee, to execute all documents necessary to issue and administer a new lease with Adventures to Dreams Enrichment, Inc., a nonprofit public benefit corporation, for the use of approximately 0.23-acres of City-owned land within the Drake Chavez Greenbelt to develop, operate, maintain and provide future improvements as a youth and family educational garden and farm produce stand, for a period of five years, from March 1, 2020 through February 28, 2025, with the option to renew for two, two-year periods, at the discretion of the City Manager. (District 1)

In March 2019, the Parks and Recreation Commission (Commission) heard a presentation on a proposed urban agriculture partnership with Adventures to Dreams Enrichment, Inc. (ADE), a 501 (c)(3) nonprofit corporation. ADE proposed the establishment of a youth, ages 4-13, and family educational garden. The proposed garden would offer outdoor Science, Technology, Engineering, Arts, and Mathematics (STEAM) education, through access points that guide student inquiry, dialogue, and critical thinking.

Incorporated in 2015, ADE's mission is "to inspire and empower children living in at-risk communities to dream BIG and believe they can achieve anything in life by exposing them to safe, fun, interactive, recreational, and educational learning environments." ADE accomplishes this mission through the integration of educational tools, hands-on learning, self-esteem activities, guest speakers, industry professionals, mentorship, and field trips to inspire and empower every child. ADE is currently operating at the South 40 Garden that is operated by Long Beach Organic.

In November 2019, the Parks, Recreation and Marine Department (PRM) received a proposal from ADE for the urban agriculture partnership at the Drake Chavez Greenbelt (Park) (Attachment A). With the addition of the new Park location, ADE plans to add 15 more families to the program. Every third Saturday of the month, ADE plans to host a garden-based STEAM adventure for youth and their families who are enrolled in the program. On a daily basis, ADE will work with California State University, Long Beach (CSULB) and Long Beach City College (LBCC) students, as well as community volunteers to maintain the garden. Beginning in 2021, on a monthly basis, ADE plans to operate a Park youth-run farm stand to continue youth STEAM education through the development of math and entrepreneurial skills. ADE also has proposed to hold fundraisers at the Park, such as farm to table brunches, sell produce at a farm stand and directly to restaurants, and apply for grant funding to raise funding to support their operation.

On December 19, 2019, the Commission approved ADE's proposal as a new park amenity and approved the issuance of a Right-of-Entry Permit from January 1, 2020 to March 31,

2020, or until a City Council-approved lease could be executed. The Right-of-Entry Permit allows ADE to begin to fundraise and gather the necessary documents to construct the garden at the Park upon execution of the lease.

It is requested that the City Council authorize the issuance of a lease to ADE to develop, operate, maintain, and improve the garden. The proposed lease will contain the following major terms and conditions:

- Leased Premises: City will provide approximately 0.23 acres of land in the western portion of Drake Chavez Greenbelt (Attachment A).
- Programming: ADE will provide an educational-based garden as a tool to teach youth, ages 4-13 years, and their families STEAM-based curriculum. The programming must provide a community benefit and be available to Long Beach youth and families.
- Term and Options to Renew: Five-year term, from March 1, 2020 to February 28, 2025, with two, two-year options to renew.
- Termination: Both parties will have the right to terminate the lease upon 60 days advance written notice to the other party.
- Rent and Annual Report: As ADE is providing a needed community benefit, the City will waive fair market rent for ADE's use of the Premises. In lieu of fair market rent, ADE will provide to PRM an annual report, which outlines the frequency, type, participation, and scope of all educational programming, community events, and revenue generation of its activities throughout the preceding year, demonstrating that the community benefits meet or exceed the value of fair market rent.
- Hours of Operation: Proposed summer hours: Monday through Saturday, 7:30 a.m. to 6:30 p.m. Proposed winter hours: Monday through Saturday 8:00 a.m. to 4:00 p.m. Proposed year-round Sunday hours will be 9:00 a.m. to 3:00 p.m.
- Improvements: At its sole cost and expense, ADE will:
 - o Develop the Premises to include multiple plots to grow vegetables, flowers and fruit tree areas (Attachment B).
 - o Provide a 40-foot shipping container for use as office space and garden storage.
 - o Provide a patio cover over an outdoor classroom area.
Provide a portable cooking demonstration station.
 - o Provide ten-foot fencing surrounding the Premises.
 - o Provide irrigation.
 - o Provide a seating area for visitors.

- Future Improvements: As funding becomes available, ADE has proposed to add beehives, a greenhouse, and a hydroponic garden on the premises.
- Operation and Maintenance, Supplies and Security: ADE will provide at its sole cost, all necessary funding to provide for the operation, ongoing maintenance, needed supplies, and security of the premises.
- Cleanliness: ADE will maintain the garden to PRM's satisfaction. Farm animals and feral animals will not be housed or allowed to roam the premises at any time.
- ADA Compliance: ADE will comply with all Americans with Disabilities Act requirements.
- Shared Parking: ADE understands that Park parking is open to the public for the public's use of all Park amenities.
- Public Restrooms: ADE understands that there are public restrooms on the Park that are opened and closed each day by PRM. Should ADE need access to the restrooms outside of normal hours, ADE will make advanced arrangements with PRM.
- Utilities: ADE, at its expense, will be solely responsible to install and maintain all submeters, if possible, and be responsible for the payment of all utilities used by ADE at the Premises. Should submetering not be possible, then ADE will pay to PRM quarterly utility use fee for all utilities used, including water, electricity, gas, telephone, etc.
- City Laws, Codes and Regulations: ADE will apply for and maintain at its sole cost and expense all permits that may be required to develop, operate, and maintain the Premises.
- Advertising and Signage: Advertising will not be allowed in the Premises. Limited signage directly related to ADE's programming may be displayed in the Premises, as approved in advance and in writing by PRM.
- Department Liaison and Communication: PRM will designate a Department liaison through which ADE will communicate.
- Grant Approval Process: As ADE's programming is primarily grant-funded, should ADE identify a grant funding opportunity that obligates the City in any way, ADE will send a written notification of the grant opportunity to PRM at least two weeks prior to the grant deadline to seek written permission to apply for funding. PRM will review ADE's request, the grant criteria, and consider other PRM 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 for obligating to fulfill grant requirements without City Council approval.
- Live Scan: Prior to providing volunteer or other services on the Premises, ADE will

Live Scan fingerprint all employees, volunteers, and contractors who provide services, maintain the garden, and lead programs who may encounter youth. One-day special event volunteers are excluded from this requirement.

- Insurance: ADE, and any contractor performing work within the Premises, will provide and maintain all applicable insurance and endorsements as required and approved by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on January 9, 2020 and by Revenue Management Officer Geraldine Alejo on January 15, 2020.

City Council action is requested on February 4, 2020, to execute the lease expeditiously.

There are no direct costs to the City associated with this recommendation. ADE will be responsible for all costs to operate, manage, maintain, and improve the Premises. Any other costs associated with ADE's use of general spaces, such as restrooms, are anticipated to be minimal and will be funded within current departmental resources. This recommendation has no staffing impacts beyond the normal budgeted scope of duties and is consistent with City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

STEPHEN SCOTT
ACTING DIRECTOR OF PARKS,
RECREATION AND MARINE

APPROVED:

THOMAS B. MODICA
ACTING CITY MANAGER