

REPORT OF GENERAL MANAGER

APPROVED
SEP 07 2011

NO. 11-245

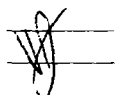
DATE September 7, 2011

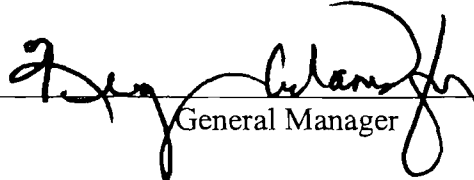
C.D. 11

**BOARD OF RECREATION
and PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: OCEAN VIEW FARMS COMMUNITY GARDEN – AGREEMENT WITH OCEAN VIEW FARMS, INC., FOR THE OPERATION AND MAINTENANCE OF A COMMUNITY GARDEN ON PARK PROPERTY

R. Adams	_____	K. Regan	_____
H. Fujita		M. Shull	_____
*V. Israel	_____	N. Williams	_____



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed three (3) year agreement (Agreement), substantially in the form on file in the Board Office, between the City of Los Angeles and Ocean View Farms, Inc., a California non-profit corporation, setting forth the terms and conditions for the operation and maintenance of Ocean View Farms Community Garden, subject to the approval of the Mayor, and of the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Agreement, to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form;
3. Authorize the Board President and Secretary to execute the Agreement upon receipt of the necessary approvals; and,
4. Direct the Department's Chief Accounting Employee to deposit fees and utility and other cost recovery reimbursements received from Ocean View Farms, Inc. in the account established for such purpose.

SUMMARY:

On May 4, 2011, the Board approved the Policy on Community Operated Open Spaces, Operating Guidelines for Self-Operated Community Gardens and various recommendations for

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each of the Department's community garden facilities including those community gardens operated by an outside group or organization (Board Report No. 11-121).

On June 15, 2011, the Board approved the establishment of an account and subaccounts in Department 89 Fund 302 for the deposit of annual fees and utility reimbursements received from organizations which operate community gardens independently pursuant to permits or agreements with the Department and in conformance with the Schedule of Rates and Fees (Board Report No. 11-190).

One recommendation included in Report No. 11-121 was to direct staff to transition the outside group or organization to an agreement for the operation and maintenance of the community garden facility in accordance with the Board's Policy on Partnerships and in conformance to the Community Operated Open Space Policy. Another recommendation was to direct staff to return to the Board for final authorization to execute the agreements.

Subsequently, Partnership Division staff initiated discussions with Ocean View Farms, Inc., (Organization) which currently operates the Ocean View Farms Community Garden (Garden) and has now come to a mutual agreement for the operation and maintenance of the Garden through the proposed Agreement. As instructed by the Board, staff presents to the Board the proposed three-year Agreement with Organization for final authorization.

The Garden was founded in 1977 by a group of people interested in growing produce on a hillside in West Los Angeles overlooking the Santa Monica Bay. The Garden is located at 3245 Grand View Boulevard within the community of Mar Vista in Council District 11, on a 6.0 acre site owned by the Los Angeles Department of Water and Power (DWP), leased to the Department.

The Garden has been operated by Organization since 1982. Staff and Organization have mutually agreed to the terms and conditions of the proposed Agreement for the operation and maintenance of the Garden. As part of the proposed Agreement, Organization will be responsible, at its sole cost and expense, for all utility, maintenance, and repair costs related to the operation of the Garden. In accordance with the Departments Policy on Community Operated Open Space (No. 11-121), during the term of the Agreement the Organization shall pay an Annual Use Fee of \$1,000.00, based on the number of garden plots at the facility (500 plots).

Staff has determined that the execution of the proposed Agreement is for the operation of recreational programming at an existing park facility involving negligible or no expansion of use and, therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (14) of the City CEQA Guidelines.

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FISCAL IMPACT STATEMENT:

The proposed Agreement will have no adverse impact on the Department's General Fund as Program costs will be paid for by Organization, at no cost to the City.

Most of the identified RAP staff costs, particularly those related to the initial development of each Partnership Agreement are expected to be one-time charges. Other costs will re-occur annually as they are related to required performance reviews and facility inspections. The assessed Annual Use Fee was established to offset these costs.

This report was prepared by Deanne A. Dedmon, Recreation Supervisor, Partnership Division.