

APPROVED

APR 06 2011

REPORT OF GENERAL MANAGER

NO. 11-095

DATE April 6, 2011

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EL SERENO COMMUNITY GARDEN – RENEWAL OF LEASE AGREEMENT
NO. 281 WITH THE STATE OF CALIFORNIA DEPARTMENT OF
TRANSPORTATION (CALTRANS)

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>MS</u>
V. Israel	_____		

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve a proposed five-year Lease Renewal Agreement which modifies the Lease Agreement substantially in the form on file in the Board Office, between the State of California Department of Transportation (Caltrans) and the City of Los Angeles (City) for the leasing of Caltrans property, located at the corner of Huntington Drive and Lowell Avenue, in El Sereno, to be developed and maintained as a community garden and or open space, subject to the approval of the Mayor, and 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 proposed Agreement upon receipt of the necessary approvals; and,
4. Authorize staff to issue a temporary Right of Entry Permit to the designated/authorized non-profit until the proposed operation/maintenance/partnership Agreements are executed.

REPORT OF GENERAL MANAGER

PG. 2

NO. 11-095

SUMMARY:

On September 3, 2008, the Board of Recreation and Park Commissioners approved Board Report No. 08-241 which approved a three-year lease agreement with Caltrans, and a three-year sub-lease agreement with the Los Angeles Conservation Corps (LACC) for the use of Caltrans' property as a community garden, at no cost to the Department of Recreation and Parks (RAP). Caltrans leases the property to the City of Los Angeles for a fee of one hundred dollars (\$100.00) per year. The City in turn sub-leases the property to LACC for the purpose of developing and maintaining a community garden for a fee of one hundred dollars (\$100.00) per year. Both agreements will expire on April 30, 2011. The Caltrans leased parcel is located at the corner of Huntington Drive and Lowell Avenue and is approximately 0.78 acre or 33,786 square feet in size and consists of six (6) lots. Caltrans has indicated its willingness to renew the lease for another five (5) years via a lease renewal agreement (attached) with the City of Los Angeles for the operation/maintenance of open space or community garden at the same site.

The community garden project site (the "Project"), which is open to the public, will continue to enhance the quality of life, beautify the surrounding community, and instill a strong sense of pride by involving the community and its youth through its continued garden cultivation and or open space component. The Office of Council District 14, Caltrans, and RAP continue to support this Project and wish to continue this successful partnership that is providing much needed green open space in a low income neighborhood. It is the intent of RAP and the Council Office of District 14 that the community garden site in El Sereno will continue to be developed and maintained as a community garden or open space by a non-profit at no expense or liability to RAP or the City of Los Angeles. The leasing of this site offers RAP another option for increasing park space without additional cost to RAP.

The current operator of the El Sereno Community Garden is LACC. LACC develops and trains a local community person to manage and maintain the garden. This lead person organizes a gardening council that governs the site. Technical and general education about gardening, horticulture and related subject matters are provided at the site by LACC. LACC oversees and enforces all rules and regulations governing the use of the site and has worked effectively with other government agencies such as the United States Department of Agriculture in ensuring the garden is in compliance. The LACC has and does assume liability and responsibility for maintaining and operating the community garden at its own expense. Funding provided by LACC facilitates the development and maintenance of the community garden. This project has proven to be a great example of inter-agency cooperation, as well as the potential for similar successful partnerships between government agencies and non-profits.

REPORT OF GENERAL MANAGER

PG. 3

NO. 11-095

A Phase I Site Assessment was performed on the site by LACC at the request of RAP; and it was determined that no additional site assessment research and/or subsurface assessment activities were recommended for the property. Staff has determined that the Project will consist of the issuance of lease renewal agreement to allow minor alterations to land, water and vegetation in the development of the community garden or open space. Therefore, the Project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 4 (3, 7) of the City CEQA Guidelines.

As stated above, this Project has very strong support from the Councilmember for the Fourteenth District, the community of El Sereno, as well as support from Caltrans, and RAP. In addition, the Assistant General Manager for Operations East and the Superintendent for Metro Region have been consulted and concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

There will not be any additional fiscal impacts to RAP's General Fund as a result of these recommendations. All costs and any liabilities associated with this Lease Renewal will be incurred by the approved non-profit.

This report was prepared by John Barraza, Management Analyst II of Real Estate and Asset Management Division.