



## Staff Report

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### Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of February 9, 2016

#### **THE HERMOSA BEACH COMMUNITY GARDEN OCCUPANCY LICENSE AGREEMENT AND COMMUNITY GARDEN CONTRACT AND WAIVER, RULES, TERMS AND CONDITIONS FOR PARTICIPATION AND FUNDRAISING EVENTS ASSOCIATED WITH OPENING WEEKEND** (Environmental Analyst Kristy Morris)

#### **Recommended Action:**

1. Approve the Hermosa Beach Community Garden Occupancy License Agreement and Contract and Waiver, Rules, Terms and Conditions for Participation;
2. Approve Community Garden events including the Opening Day Ceremony and fundraising events; and,
3. Approve an additional appropriation of \$2,500 from the General Fund for fundraising, education, and outreach.

#### **Background:**

The City of Hermosa Beach Sustainability Plan (2011) recommends the installation of a Community Garden in the City to educate and enthuse Hermosa Beach residents and businesses about sustainability initiatives, strengthen the community, and reduce emissions associated with transport of food and goods. A community garden in the City is consistent with the City Council's Strategic Plan Goal 4: "More Livable, Sustainable Beach City".

Working with community groups to establish a demonstration community garden was a 2010 City Council Goal. In October 2011, a demonstration garden was constructed in the hockey rink at South Park, 425 Valley Drive, with the assistance of a Micro-Enrichment Grant awarded from the Beach Cities Health District. The objective of the demonstration garden was to showcase locally grown organic edibles and native plants, demonstrate the use of composting and worm bins, and water conservation practices. The demonstration garden was removed in 2015 as part of the extensive South Park renovation and a new permanent location for the garden was incorporated into the northeast corner of South Park (Attachment 1).

Since August 2015, staff has been meeting frequently with the Community Garden Working Group ("Working Group") comprised of interested residents and gardeners to plan for the long-term success of the garden. Staff has dedicated significant time scheduling and coordinating meetings, preparing agendas and minutes, overseeing the garden layout and design, obtaining quotes and managing the

installation of a temporary fence for the South Park Ribbon Cutting as well as the construction of a permanent fence, securing and revising necessary contracts, agreements and insurance documents, assisting with planning for fundraising, and participating in education and outreach activities.

The Working Group identified March 20, 2016 as the target date for the opening of the permanent garden, to coincide with the first day of spring (Spring Equinox). Before construction can commence at the site, the Community Garden must renew the expired Occupancy License Agreement with the City of Hermosa Beach (Attachment 2) and the Community Garden Contract & Waiver Rules, Terms, and Conditions for Participation (Attachment 3). The Working Group is also planning fundraising activities to coincide with the opening weekend of the community garden and are requesting City Council's approval of the proposed activities.

### **Analysis:**

The Occupancy License Agreement ("the Agreement") between the City and the Community Garden is for the purpose of operating and maintaining a community garden in the northeast corner of South Park. The previous, expired contract for the demonstration garden was for a period of 2 years with renewal for additional terms upon its expiration. Staff is requesting an extension of the terms of the Agreement to 5 years to coincide with the life expectancy of the beds since there is significant funds and labor invested into constructing the beds.

The Agreement's insurance requirements include general liability insurance with at least One Million Dollars (\$1,000,000) combined single-limit coverage per occurrence for bodily injury and property damage; and workers' compensation and employer's liability insurance as required by the California Labor Code, as amended. The Community Garden has been an active member of the Los Angeles Community Garden Council ("LA Garden Council") since 2012. The LA Garden Council acts as the Garden's fiscal agency sponsor and manages the Garden's financial transactions including purchasing the certificate of liability insurance. During the relocation period, the LA Garden Council continued to provide membership services including renewing the certificate of liability insurance on December 9, 2015 for 12 months (Attachment 4).

An additional requirement of the Agreement is the development of a community outreach plan, subject to approval by the City, which will educate and inform City residents on the presence and availability of the garden. The Working Group has developed a plan for the initial outreach to residents that includes the following elements:

- Notices on City of Hermosa Beach social media pages and email lists, advertisements in print media, and the City e-newsletter,
- Announcements at City Council Meetings, the South Park Ribbon Cutting, and City and community meetings and events,
- Posters placed at City facilities, local businesses and housing complexes,

- A banner posted on the fence of the community garden with contact information, including how to register for a plot, and fundraising activities,
- Direct email announcements to community organizations to share on websites and social media pages such as Hermosa Valley and View Surf Report, Hermosa Beach Forum, Surfrider Foundation and Heal the Bay, Nextdoor, Rotary and Kiwanis clubs, etc.

The Working Group revised the Contract and Waiver, Rules, Terms and Conditions for Participation, previously approved by the Parks, Recreation and Community Resources Commission ("Commission") and City Council in 2013. Revisions included abridging the Rules, Terms and Condition for Participation, and incorporating an inclusive and welcoming introduction. The Working Group presented the revised contract to the LA Garden Council for review and comment. The LA Garden Council approved the revised contract without revision. The revised contract was presented to Commission February 2, 2016 for comment and they approved the contract without further revision.

In addition to securing and revising necessary contracts, agreements and insurance documents, the Working Group is planning fundraising activities to coincide with the opening weekend of the garden March 19-20, 2016. The two (2) fundraising events include a community mural project for the southwest building on Cypress Ave and South Park, and a benefit concert featuring local artists and food vendors.

The Working Group is currently coordinating with the Hermosa Beach Murals Group on the project that will include a design and outline by a local artist to be painted by the community for a small donation. The mural is estimated to be 5 feet high and 9 feet long, and made of a durable material. The mural painting fundraiser is proposed for Saturday, March 19th to coincide with the ribbon cutting of the Community Garden at a time to be determined.

The benefit concert is proposed for Sunday March 20 from 3-5pm and will be coordinated by GoodWish Peace Over Power (GWPOP.org), a local non-profit media company and will feature the following local Hermosa Beach musicians:

1. Allie Quinn- folk singer
2. Kira Lingman- rhythm and blues
3. Mande Dahl- alternative pop
4. Funt- alternative rock

Donations received by LA Garden Council from these fundraising activities will be used to purchase materials for the Community Garden.

### **Fiscal Implications:**

Fiscal impacts include staff time to coordinate meetings, preparing agendas and minutes, overseeing the implementation of the garden layout and design as well as the construction of a permanent fence, assisting with planning for fundraising, and participating in education and outreach activities. The permanent fence will be purchased and installed by the City as part of CIP 11-537 South Park Playground Improvement. An additional appropriation of \$2,500 is requested from the General Fund's fund balance for expenses related to fundraising, education, and outreach.

**Attachments:**

1. Site Plan
2. Occupancy License Agreement
3. Contract and Waiver, Rules, Terms and Conditions for Participation
4. Certificate of liability insurance

**Respectfully Submitted by:** Kristy Morris, Environmental Analyst

**Noted for Fiscal Impact:** Viki Copeland, Finance Director

**Legal Review:** Mike Jenkins, City Attorney

**Approved:** Tom Bakaly, City Manager