

REPORT OF GENERAL MANAGER

**APPROVED**  
SEP 03 2008

NO. 08-241

DATE September 3, 2008

C.D. 14

**BOARD OF RECREATION  
and PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EL SERENO COMMUNITY GARDEN - LEASE AGREEMENT WITH CALTRANS AND SUB-LEASE AGREEMENT WITH THE LOS ANGELES CONSERVATION CORPS

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

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a proposed three-year 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 lease of Caltrans property, located at the corner of Huntington Drive and Lowell Avenue, to be developed and maintained by the Los Angeles Conservation Corps (LACC) as a community garden, subject to the approval of the Mayor, and the City Attorney as to form;
2. Approve a proposed three year sub-lease agreement, substantially in the form on file in the Board Office, between the City and the Los Angeles Conservation Corps (LACC) to develop and maintain a community garden on the property leased from Caltrans, subject to the approval of the Mayor and the City Attorney as to form;
3. Direct the Board Secretary to forward the proposed Agreements to the Mayor in accordance with Executive Directive No. 3 and concurrently to the City Attorney for review and approval as to form;
4. Authorize the Board President and Secretary to execute the proposed Agreements upon receipt of the aforementioned approvals; and,

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5. Authorize staff to issue a temporary Right of Entry Permit to LACC until the proposed Agreements are executed.

### SUMMARY:

On April 6, 2005, the Board of Recreation and Park Commissioners approved Board Report No. 05-94 which approved a three-year lease agreement with Caltrans, and a three-year sublease agreement with 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) a year. The City in turn sub-leases the property to LACC for the purpose of developing and maintaining a community garden. Both agreements have now expired. The parcel is located at the corner of Huntington Drive and Lowell Avenue and is approximately 33,786 square feet in size and consists of six (6) lots.

Caltrans has indicated its willingness to enter into a three (3) year lease agreement with the City of Los Angeles for the same site. RAP will continue to sublease the property to LACC for three years, allowing the LACC to continue to develop, maintain, and operate the community garden. LACC will sublease the property for the annual fee of \$100 payable to Caltrans. The community garden project (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 cultivation.

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. LACC oversees and enforces all rules and regulations governing the use of the site. The LACC has and will continue to assume liability and responsibility for maintaining and operating the community garden, and 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.

The Office of Council District Fourteen, LACC, Caltrans and RAP continue to support this project and wish to continue this successful partnership that is providing much needed green space to a low income neighborhood. The community garden will continue to be developed and maintained by the LACC and at no expense or liability to RAP or the City.

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 agreements to allow minor alterations to land, water and vegetation in the development of the community garden. Therefore, the Project is exempt from the provisions of the California

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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 support from the Councilmember for the Fourteenth District, Caltrans, and LACC, as well as community support. 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 these leases will be incurred by LACC.

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