



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

May 7, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

54 MAY 7, 2024

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

Dear Supervisors:

**REQUEST FOR AUTHORITY TO THE DIRECTOR OF PARKS AND RECREATION
TO WAIVE OR REDUCE RENT FOR MINOR LEASES, LICENSES, AND PERMITS
FOR RECREATIONAL OR PARK USE
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Approval of the recommended actions will authorize the Director of Parks and Recreation to enter into reduced rent and gratis minor leases, licenses, and permits with non-profit organizations for recreational or park uses that the Board has determined serve a public purpose for a term of up to ten (10) years.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed actions are not a project under the California Environmental Quality Act for the reasons stated in the Board letter and the record.
2. Find that the following uses of County of Los Angeles Parks (County Parks) are necessary to meet and provide a public benefit to the County, including but not limited to: community gardens, community compost centers, farmers markets, demonstration gardens, mobility hubs.
3. Delegate the Director of Parks and Recreation, or her designee, authority to approve and execute, upon approval as to form by County Counsel, reduced rent or gratis (excluding cost of liability insurance, site maintenance, and/or site improvements) minor leases, licenses, and permits otherwise consistent with Los Angeles County Code sections 2.26.120 (Minor Leases) and 2.26.140 (Licenses and Permits) for community-based organizations use, including but not

limited to: community gardens, community compost centers, farmers markets, demonstration gardens, and mobility hubs.

4. Direct the Department of Parks and Recreation to post a Notice of Intention to consummate these leases, licenses, and permits in a public place for five (5) working days prior to execution of the minor leases pursuant to Government Code section 25350.51. The notice shall describe the property proposed to be leased or licensed, the terms of the lease or license, and any County officer authorized to execute the lease or license.
5. Direct the Department of Parks and Recreation to provide the appropriate Board Office with written notice, including a brief explanation and justification of the gratis or reduced rent lease, license, or permit five (5) days prior to the execution of any reduced-rent or gratis lease, license, or permit. Direct the Department of Parks and Recreation to maintain a list of all minor agreements approved under this delegated authority.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department of Parks and Recreation (Department) offers a variety of programming and operates a wide range of park and recreational facilities to address the diverse and growing needs of Los Angeles County residents and visitors. To effectively fulfill its mission to steward parklands, build healthy and resilient communities, and advance social equity and cohesion, the Department regularly collaborates with a variety of partners, including community-based organizations (CBOs) to offer activities that provide recreational, educational, park, and public benefits like the following examples:

- **Community gardens:** Community gardens promote better nutrition, physical activity and overall health in improving quality of life. Specifically, they provide a healthy, natural form of exercise, fresh produce for disadvantaged families, inexpensive food production that is distributed for community consumption, and opportunities to engage young people with natural food production and foster an appreciation for the living environment.
- **Compost providers:** Making compost more readily available helps to improve plant growth and health, provide plant nutrients in a stable organic form, increase plant rooting depth, reduce erosion, conserve water, reduce weed germination and moderate soil temperature.
- **Farmers markets:** Farmers markets offer benefits to both local farmers and consumers. They provide a venue for communities to socialize and help educate

people to make healthier food choices. Many consumers prefer these markets where they can buy fresh, locally-grown, sold-by-grower, and seasonal produce.

- **Demonstration gardens:** Demonstration gardens help to educate the public about a range of topics and issues, including water conservation, water-wise landscaping, pollinator preservation, food production, sustainable maintenance practices, and the use of drought-resistant and/or adapted non-invasive exotics.
- **Mobility hubs:** Mobility hubs are growing in popularity nationwide and support active recreation. They provide spaces for park and trail users to rest, recharge, repair, and/or rent equipment such as bicycles.

The reduced rent or gratis minor lease program will allow the Department to expand community-based partnerships, public stewardship and free and affordable community programming in underserved communities, including high park need and vulnerable areas of the County as identified in the Board adopted Countywide Parks Needs Assessment and Parks Needs Assessment Plus. These minor leases will require that uses and activities be consistent and compatible with the Department's Strategic Plan, Business and Operations Plan (BOP) and Core Areas and complement existing park uses and enhance park user experiences in alignment with the Department's mission. Both the Strategic Plan and BOP highlight partnerships with CBOs and other entities as a critical service delivery model to provide community-serving programs that build social cohesion by bringing community members together. Through this model, DPR has been working proactively to increase the number of partnership and core program agreements to provide additional low and no cost recreational opportunities.

Expanding community partnerships to offer added uses and activities will elevate park functionality and community welfare. This strategic authority not only provides a streamlined approach to harness the capabilities and resources of CBOs in enhancing our parks but also fosters a collaborative spirit that ensures that critical public spaces like parks are optimally utilized and protected.

Under existing authority, the Department Director has delegated authority to execute leases, licenses, and permits at fair market value (FMV) rent consistent with Sections 2.26.120 and 2.26.140. The maximum estimated monthly value of such agreements is \$5,000. However, if the Department currently wishes to grant a gratis or reduced-rent lease, license, or permit, it must bring the agreement to the Board of Supervisors for approval. The Board of Supervisors may determine what constitutes a public purpose for the gratis use of County property. Approval of the recommended actions would delegate authority to the Director to execute gratis or reduced rent leases, licenses, or permits, which are otherwise consistent with Sections 2.26.120 and 2.26.140, including but not

limited to community gardens, community compost centers, farmers markets, demonstration gardens, and mobility hubs, which the Board has determined serve a public purpose.

The successful operation of community gardens, community compost centers, farmers markets, demonstration gardens, and mobility hubs, as examples, requires long-term (multi-year) agreements. Further, by their nature, these activities do not usually generate revenue or profits and may not be sustainable if required to pay FMV rent or facility use fees. Before executing a gratis or reduced rent agreement under this authority, the Department shall first determine that the proposed use is not feasible or practicable under FMV rent. This determination may be made on the results of a public solicitation, an economic study, or other reliable sources.

Therefore, the Department is seeking delegated authority to enter into reduced rent (below FMV) or gratis (rent-free, excluding the cost of insurance) leases, licenses, or permits with a non-profit organization to use space at a County park to operate community gardens, community compost centers, farmers markets, demonstration gardens, and mobility hubs.

Before approving a reduced-rent or rent-free lease, license, or permit under this delegated authority, the Director, or her designee, shall determine: (1) that the proposed use is compatible with a public park (i.e., compliant with California Public Park Preservation Act, Public Resource Code section 5400, seq.); (2) that the proposed use shall not unduly conflict with public use or enjoyment of the County park; (3) the proposed use is a community garden, compost centers, farmers market, demonstration garden, or mobility hub that benefits the park property and the local community; (4) the permittee, licensee, or lessee is a non-profit organization; (5) the proposed site is not needed for County purposes during the certain times of use as defined in the lease, license, or permit; and (6) it is not economically feasible to charge FMV rent for the proposed use. The Department shall provide the appropriate Board Office with written notice, including a brief explanation and justification of the gratis or reduced rent lease, license, or permit five (5) days prior to the execution of any reduced-rent or gratis lease, license, or permit.

The permits, licenses, and leases approved under this delegated authority shall still require indemnification of the County, adequate evidence of liability insurance consistent with County standards, and compliance with all other standard County contracting provisions as required by County Code or Board Policy. As appropriate for different uses, the Department may elect to collect the cost of utilities consumed within the demised premises of the permitted, licensed, or leased area where the applicant will be responsible for maintenance and operations, the cost of extra staff required to facilitate the use, reimbursement for lost Department revenue, including parking, or other reasonable fees

and charges. In all cases, the Department will require the non-profit organizations to include in any advertising or promotional materials recognition of the County and the Department through the use of logos as well as a statement that the facility is located within a County park that is a unit of the County of Los Angeles Department of Parks and Recreation.

The Department may elect to provide site improvements to attract non-profit organizations to partner with the County to better facilitate the recreational, educational, park, and public benefits contemplated through the use of these permits, licenses, and leases.

Implementation of Strategic Plan Goals

The recommended actions will further the Board-approved County Strategic Plan Goal of Operational Effectiveness/Fiscal Sustainability (Goal 1) by enhancing safe and accessible recreational opportunities for residents and visitors to Los Angeles County.

Implementation of County Sustainability Goals

Adopted by the Board in 2019, the Our County Sustainability Plan establishes goals to address the environmental impacts of climate change and the subsequent social challenges. The proposed action will achieve the goals of leasing and/or allowing the operation of buildings and infrastructure that support human health and resilience (Goal 2) and creating accessible parks, public lands, and public spaces that create opportunities for respite, recreation, ecological discovery, and cultural activities (Goal 6).

Implementation of County Anti-Racism, Diversity, and Inclusion Initiative

The delegated authority to approve gratis agreements for non-profit organizations, especially at parks in vulnerable and disadvantaged communities, is aligned with the County's Anti-Racism, Diversity, and Inclusion Initiative and guided by the Countywide Equity Guiding Principles adopted by the Board on September 15, 2021 including the reduction of racial disparities in life outcomes as well as disparities in public investment to shape those outcomes. Consistent with these Principles, the Department has developed and proposes implementation of actions that seek to support all of our disadvantaged geographies and populations.

FISCAL IMPACT/FINANCING

There is no net-County cost incurred from the recommended actions.

The community-based organization will provide expanded programming to enhance park user experiences and accept responsibility for maintenance and operations of the lease-

area (demise premise), insurances, utilities (water, electricity, gas and rubbish, etc.), and if applicable, Department staffing costs.

Operating Budget Impact

There are no operating costs for operation and maintenance of an area under lease, license, or permit to a non-profit for community gardens, community compost centers, farmers markets, demonstration gardens, or mobility hubs.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed delegated authority to enter into gratis lease agreements will provide expanded use opportunities at many County facilities.

Government Code section 26227 authorizes the Board to make available to a nonprofit corporation, or nonprofit association any real property of the County which is not and, during the time of possession, will not be needed for county purposes, to be used to carry out the programs, upon terms and conditions determined by BOS to be in the best interests of the county and the general public.

Government Code section 25537 and Los Angeles County Code sections 2.26.120 (Minor Leases) and 2.26.140 (Licenses and Permits) authorizes the Board to delegate authority to lease or license real property belonging to or leased by the County for up to a period not to exceed ten (10) years and a rental value of up to \$5,000 per month.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed lease agreement will have no impact on current services offered by the Department.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378 (b) of the State CEQA Guidelines. The proposed authority to provide gratis leasing of County-owned or operated property for the purpose of operating and maintaining a space within a County park for community gardens, community compost centers, farmers markets, demonstration gardens, and mobility hubs, is an administrative activity of government which will not result in direct or indirect physical changes to the environment.

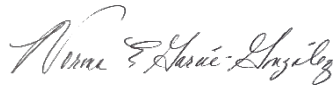
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CONCLUSION

It is requested that a certified copy of the action taken by the Board be mailed to the Department of Parks and Recreation.

If you have any questions, please contact me or your staff may call Chief Deputy Director Alina Bokde at (626) 588-5366.

Respectfully submitted,



NORMA E. GARCÍA-GONZÁLEZ
Director

NEGG:AB:JS:SW
LB:bm

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors