

October 17, 2023

**MOTION BY SUPERVISOR HOLLY J. MITCHELL**

**Fee Waiver for Day Use Permit and Gratis Issuance of a License Agreement for Farmers Market at the Martin Luther King Jr. Medical Campus Outpatient Center**

Sustainable Economic Enterprises of Los Angeles (SEE-LA) is a non-profit organization that has operated eight farmers market since its inception, four of which are located in South Los Angeles. SEE-LA's farmers markets provide locally grown organic home-farmed fruits and vegetables and associated farmers market items to the residents of South Los Angeles and other areas throughout Los Angeles County (County). SEE-LA previously successfully operated a farmers market at the County-owned Martin Luther King Jr. Medical Campus Outpatient Center (MLK OPC) from 2017 until March 2020, when the COVID-19 pandemic required its closure.

SEE-LA, the County's Department of Health Services, Department of Public Health and Chief Executive Office have been coordinating the re-opening of the farmers market at the MLK OPC through the issuance of day use permits and a license agreement. The County is proposing to issue day use permits to SEE-LA for a farmers market on certain Wednesdays beginning in mid-October 2023 through January 31, 2024 (Permit Period) and waive its day use permit fees of \$200 per day for said Permit Period. During the Permit Period, the County will complete its review of SEE-LA's financial and tax documentation, health and safety permits, non-profit status, and any other associated documentation to confirm SEE-LA meets the County's standards to operate a California Department of Food and Agriculture-certified farmers market on County property under a license agreement. During this Permit Period, the County will also evaluate if SEE-LA has been operating the farmers market in accordance with the requirements placed on them by the County, and if their prolonged operation of a farmers market on County property is negatively impacting the County's and the public's use of the MLK OPC. At the end of each month during the Permit Period, the County will evaluate SEE-LA's operations. If the County determines, at its sole and absolute discretion, that SEE-LA's operations are not negatively

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impacting the County and public use of the MLK OPC, then the County shall issue a new day permit for the following month to SEE-LA, with the intent to issue a gratis license agreement for the farmers market for an approximate term of two (2) years. The issuance of day permits shall not exceed the Permit Period and the County's review of SEE-LA's operations will determine if a gratis license agreement will eventually be issued.

**I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Find that the proposed issuing of day use permits and the granting of a non-exclusive, gratis license agreement to Sustainable Economic Enterprises of Los Angeles (SEE-LA) for a farmers market on Los Angeles County (County)-owned property is categorically exempt from the California Environmental Quality Act pursuant to Section 15304(e) - Minor Alterations to Land and Class Four (4) of the County's Environmental Document Reporting Procedures and Guidelines.
2. Find pursuant to Government Code section 26227, that the portion of the County's Martin Luther King Jr. Medical Campus Outpatient Center (MLK OPC) proposed for the farmers market is not currently needed for exclusive County purposes during those certain Wednesdays and the hours of operation of the farmers market, which will be defined in the license agreement.
3. Find that the services to be provided by SEE-LA are necessary to meet the social needs of the County and serve public purposes that benefit the County.
4. Delegate and authorize the Chief Executive Officer, or her designee, to provide monthly non-exclusive, gratis day use permits to SEE-LA provided SEE-LA is cooperating and furnishing the information the County needs to issue a license agreement; SEE-LA is not negatively impacting the County and public use of the MLK OPC; and such day permits do not extend past January 31, 2024.
5. Direct the Chief Executive Officer in consultation with the Director of the Department of Health Services to waive the \$200 per day event fee and the \$250 cleaning deposit fee, excluding the cost of security and liability insurance, for the day permits issued pursuant to

directive four (4) above.

6. Delegate and authorize the Chief Executive Officer, or her designee, to negotiate, execute and issue a gratis license agreement to SEE-LA, for a two-year term, for the operation of a farmers market at the County-owned MLK OPC, upon review of the operations of the farmers market on County property during the Permit Period, and upon review and approval of the license agreement by County Counsel.
7. Authorize the Chief Executive Officer, or her designee, to execute other ancillary documentation approved as to form by County Counsel necessary to effectuate the day use permits, and to take any other actions necessary and appropriate to implement and effectuate the day use permits.

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