



# REPORT TO COUNCIL AND REDEVELOPMENT AGENCY City of Sacramento

915 I Street, Sacramento, CA 95814-2604

CONSENT

September 22, 2009

Honorable Mayor and Members of the City Council  
Chair and Members of the Redevelopment Agency

**Title: Martin Luther King, Jr. Community Garden: Funding, Land Transfer, Name, Master Plan and Related Findings**

**Location/Council District:** 3668 Martin Luther King, Jr. Blvd. @ 12<sup>th</sup> Avenue/Council District 5

**Recommendation: Adopt a Resolution:** 1) Adopt a **City Resolution:** a) authorizing the City Manager, or City Manager's designee, to execute an amendment to the Individual Project Agreement for the MLK Phase 1 Improvements (with Parks and Recreation) (2001-0224-224) with the Redevelopment Agency of the City of Sacramento increasing the amount by \$86,000; b) amending the FY 08/09 Capital Improvement Program by appropriating \$86,000 in Oak Park Tax Increment Developers Assistance Funds to the MLK Jr. Boulevard Corridor Improvements project; c) authorizing the City Manager, or City Manager's designee, to enter into an Agreement for Transfer of Real Property with the Redevelopment Agency for the Martin Luther King Jr. Community Garden located at 3668 MLK, Jr. Boulevard, to accept the transfer of property from the Redevelopment Agency, and to carry out all activities reasonably necessary to accomplish this transfer of property including the execution and recordation of a certificate of acceptance; d) approving the name "Martin Luther King Jr. Community Garden"; e) approving the "Martin Luther King Jr. Community Garden" Master Plan; and f) making findings under Health and Safety Code Section 33445 regarding the necessity of Redevelopment Agency funding for public facilities; and 2) Adopt a **Redevelopment Agency Resolution:** a) authorizing the Executive Director, or Executive Director's designee, to amend the 2009 Sacramento Housing and Redevelopment Agency (SHRA) budget to transfer \$86,000 of Oak Park Tax Increment Developers Assistance Funds to the Martin Luther King (MLK) Jr. Boulevard Corridor Improvements project; b) authorizing the Executive Director, or Executive Director's designee, to execute an amendment to the Individual Project Agreement (IPA) for the MLK Phase 1 Improvements (with Parks and Recreation) (2001-0224-224) with the City of Sacramento by increasing the amount by \$86,000; c) authorizing the Executive Director, or Executive Director's designee, to transfer the property located at 3668 Martin Luther King Jr. Boulevard to the City of Sacramento; and d) making findings under Health and Safety Code Section 33445 regarding the necessity of Redevelopment Agency funding for public facilities.

**Contact:** Raymond Costantino, Assistant Planner, 808-8826; J.P. Tindell, Park Planning and Development Manager, 808-1955; Chris Pahule, Assistant Director, Housing and Community Development, 440-1350; Lisa Bates, SHRA Deputy Executive Director, 440-1316; Jan Ebert, Real Property Agent, 808-1968.

**Presenters:** Not Applicable

**Department:** Parks and Recreation, General Services, and Sacramento Housing & Redevelopment Agency

**Division:** Park Planning & Development Services and Facilities & Real Property Management

**Organization No:** 19001121 and 130011551

### **Description/Analysis**

**Issue:** In September 2008, the Martin Luther King, Jr. Boulevard Streetscape and Urban Design Master Plan (MLK Master Plan) was approved along with funding for Phase 1 Improvements, including the development of a community garden. The property identified for the community garden is located 3668 Martin Luther King, Jr. Boulevard (APN 013-0403-044-0000). The project budget for the community garden is \$311,000.

Martin Luther King, Jr. Community Garden is a proposed 0.3 acre neighborhood park in Oak Park. Long-term designs of public facilities and park names are to be reviewed and approved by City Council. A summary of the Martin Luther King, Jr. Community Garden project history is included as Attachment 1 (page 6) and a location map is included as Attachment 2 (page 8).

Staff is requesting the City to accept this property transfer from the Redevelopment Agency for permanent use of the site as a neighborhood park, in the form of a community garden. In conjunction, staff is requesting approval of the proposed community garden name as the Martin Luther King, Jr. Community Garden and the site's master plan included as Exhibit A (page 12). The community garden will provide a location for residents to grow their own food and opportunities for residents to strengthen community ties. The community garden will also create a destination for neighborhood walks and will be used as an education tool by local schools.

**Policy Considerations:** Providing parks and recreation facilities is consistent with the City's strategic plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation and trail facilities throughout the City.

The actions contained in this report are consistent with the Oak Park Redevelopment Plan and the adopted 2005-2009 Oak Park Redevelopment Implementation plan which includes the strategies of Corridor Enhancement and Great Public Spaces.

The implementation of the Martin Luther King, Jr. Community Garden is also consistent with the 2030 General Plan goals and policies: to prioritize park and recreation capital investment by acquiring land and constructing parks where

there is an unmet need; to encourage the revitalization of existing urban areas by supporting healthier living environments that include access to recreation, open space and healthy foods; to promote urban agriculture by supporting community gardens and recognize their value in providing fresh food in urban areas as well as their community building and educational values.

Sufficient opportunities to provide input to the Community Garden Master Plan were provided to the community at all the public meetings listed below. This is part of the Park Development Process for park planning as stated in the *2005-2010 Parks and Recreation Master Plan* (Policy 2.0 and 13.37 of the *Parks and Recreation Master Plan 2005-2010*).

**Commission/Committee Action:** On June 10, 2009, the Oak Park Redevelopment Advisory Committee unanimously supported the attached Redevelopment Agency resolution. On July 1, 2009, the Sacramento Housing and Redevelopment Agency Commission unanimously supported the attached Redevelopment Agency resolution. On July 20, 2009, additional review and support for the Martin Luther King, Jr. Community Garden name and Master Plan was received at the Parks and Recreation Commission's Park Planning and Development Services Committee. On August 13, 2009, the Parks and Recreation Commission recommended approval of the Martin Luther King, Jr. Community Garden Name and Master Plan.

#### **Environmental Considerations:**

**California Environmental Quality Act (CEQA):** The proposed action to authorize a property transfer and funding for the construction of a community garden is exempt from environmental review under CEQA Guidelines Section 15303, which exempts projects that consist of the construction and location of limited numbers of new, small facilities or structures and Section 15304 (b) which exempts landscaping projects.

**Sustainability Considerations:** The Martin Luther King, Jr. Community Garden has been reviewed for consistency with the goals, policies, and targets of the City Sustainability Master Plan (SMP) and the Parks and Recreation Sustainability Plan (PRSP). If approved, the recommended actions will advance the goals, policies, and targets of these plans to help improve the health of residents through access to a diverse mix of wellness activities and locally produced food, to promote gardening within the City, to create healthy urban environments, and to reduce vehicle miles traveled for food purchasing thus reducing the use of fossil fuels, carbon dioxide emissions and help to meet air quality standards. In addition, the Community Garden Master Plan includes sustainable design features including a compost area and raised garden beds.

**Rationale for Recommendation:** The approval of master plans is part of the Park Planning process as referenced in the City of Sacramento *Parks and*

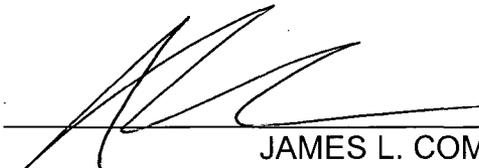
*Recreation Master Plan 2005-2010.* The MLK Master Plan recommends an aggressive approach to the revitalization of MLK Boulevard and the surrounding neighborhoods by traffic calming, improving infrastructure, landscape and park improvements, public art and infill development. The MLK Phase 1 Improvements, including the construction of a community garden, will benefit and improve Oak Park and further the goals of the Redevelopment Plan by improving public facilities and eliminating blighting conditions by transforming a vacant lot into a vibrant neighborhood park. The community garden will improve the quality of life for existing and future residents.

**Financial Considerations:** The MLK Phase I Improvements (with Parks and Recreation) were funded in 2008 and assumed a preliminary figure of \$150,000 for this project and an Individual Project Agreement (2001-0224-224) was executed based upon that amount. Upon completion of the Community Garden Master Plan, the total development cost was determined to be \$311,000. In order to bridge the gap in funding, staff has appropriated \$75,000 of Quimby In-Lieu funds (Fund 2508) to MLK Phase 1 Improvements (with Parks and Recreation) (L19206000) for this project. However, there are currently insufficient funds for City of Sacramento resources to fully fund this project. Therefore, the remaining \$86,000 is proposed to be filled with Oak Park Tax Increment Developers Assistance Funds from the Sacramento Housing and Redevelopment Agency.

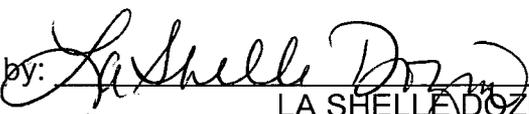
Approval of the park's master plan does not constitute approval of the development of the facility. Staff will return to City Council to approve a construction contract.

The ongoing maintenance and operations for this park will be minimal as the community garden will primarily be maintained by the gardeners using the community garden plots.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased as a result of this report.

Approved by:   
JAMES L. COMBS  
Director, Department of Parks and Recreation

Approved by:   
For: REINA J. SCHWARTZ  
Director, Department of General Services

Approved by:   
LA SHELLE DOZIER  
Executive Director

Recommendation Approved:

  
RAY KERRIDGE  
City Manager

**Table of Contents:**

Report	pg. 1
<b>Attachments</b>	
1 Background Information	pg. 6
2 Location Map	pg. 8
3 Resolution – City of Sacramento	pg. 9
Exhibit A: Martin Luther King, Jr. Community Garden Master Plan	pg. 12
4 Resolution – SHRA	pg. 13

**BACKGROUND INFORMATION:**

In September 2008, the Martin Luther King, Jr. Boulevard Streetscape and Urban Design Master Plan (MLK Master Plan) was approved along with funding for Phase 1 Improvements including the development of a community garden. Two of the goals of the MLK Streetscape Master Plan are to improve the quality of life for residents and to improve neighborhood infrastructure, which includes increasing access to parks within the study area.

The Sacramento Housing and Redevelopment Agency (Agency) currently owns the vacant lot at 3668 Martin Luther King, Jr. Blvd. and the Agency will be transferring the property to the City of Sacramento to be developed and managed by the City of Sacramento Parks and Recreation Department. This location was chosen because of its accessibility, visibility, and proximity to the Oak Park Community Center and several schools. The visibility of the lot will allow neighbors to keep an eye on the site to help ensure a positive and safe park experience for the community. Phase I and Phase II Environmental Site Assessments were completed for the site. The Assessments concluded the site is suitable for use as a community garden and no soil remediation is needed. The name of the proposed garden is "Martin Luther King, Jr. Community Garden".

According to the City's Community Garden Program Coordinator, there are several indications that there is an interest for community gardening and local food production among the residents of Oak Park. There are at least five Oak Park residents who travel 3-5 miles to access garden plots at other community garden sites. In addition, the Oak Park Crop Swap was recently established, where 15-20 backyard gardeners trade excess garden fruits and vegetables. The MLK Community Garden would provide Oak Park residents with a location for gardening and community building.

Based on public workshop input collected in March 2007, during the MLK Streetscape Master Plan process, the community is supportive of a community garden at this location. Community residents expressed a strong desire for a community garden to provide a nutritional food source, recreation, community building and educational opportunities. On June 10, 2009, the Oak Park Redevelopment Advisory Committee reviewed and supported the request for the additional funding and property transfer. On July 1, 2009, the Sacramento Housing and Redevelopment Commission recommended transferring the property and allocating \$86,000 of additional funding to the project (from Oak Park Tax Increment Developers Assistance). On July 20, 2009, additional review and support was received at the Parks and Recreation Commission's Park Planning Design and Development Committee. In addition, on August 13, 2009, the Park and Recreation Commission approved the name "Martin Luther King, Jr. Community Garden" and the master plan for the site.

The Landscape Architecture Section of Park Planning and Development Services developed the master plan based on a concept prepared by the City's Community Garden Coordinator. The park master plan includes thirty-two 10' x 20' garden beds, five orchard trees, several interior planters, a compost bin, tool shed, tables and

benches, bulletin board display, public art and tubular steel fence and gate. It is expected that community volunteers will help construct some portions of the community garden.

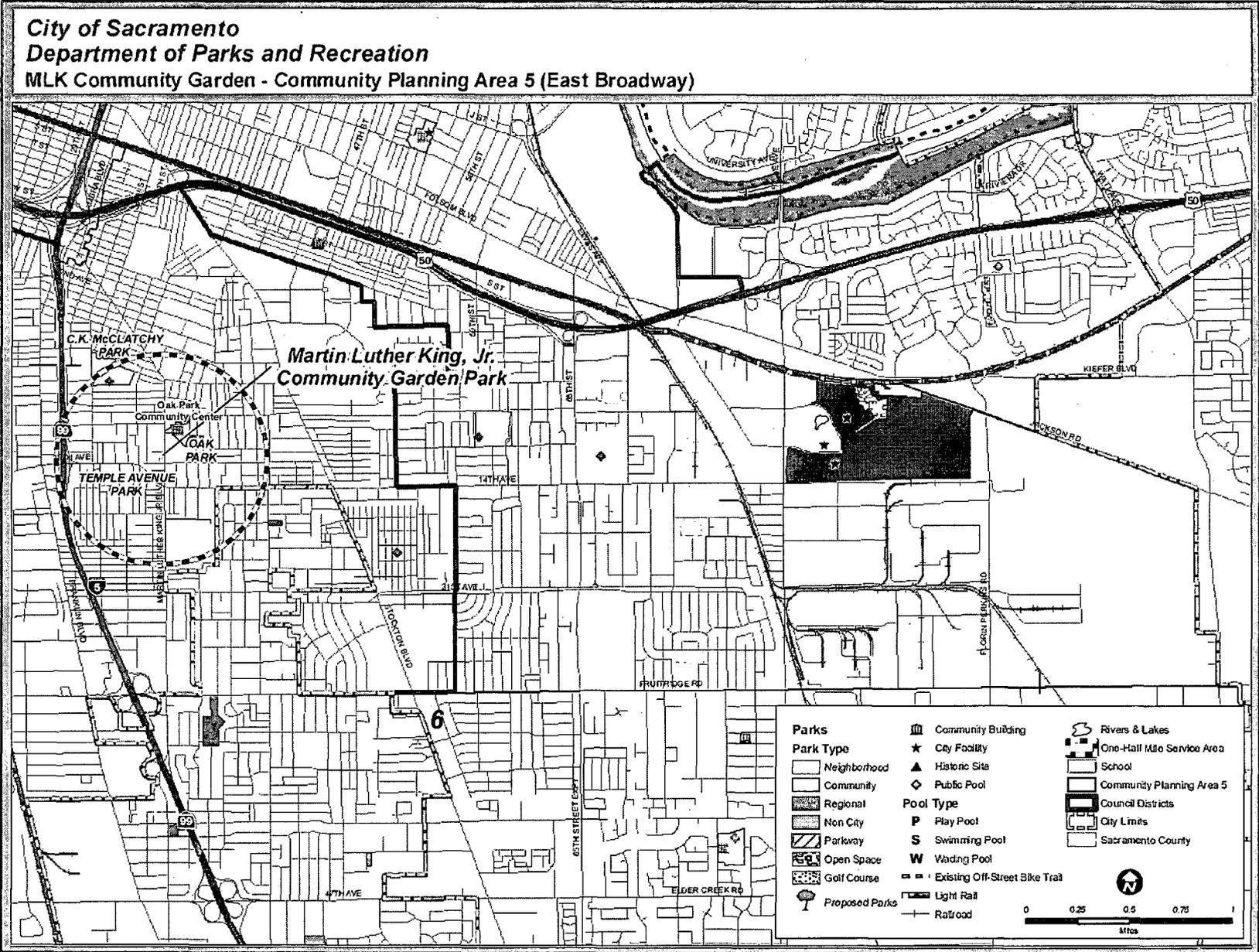
Once complete, the MLK Community Garden will be considered a neighborhood park with a service area of one-half mile. The MLK Community Garden will be one of nine (five currently are built and four are in the planning stages) community gardens in the City and the only community garden in the Fruitridge Broadway Community Planning Area (CPA). MLK Community Garden will be one of eleven neighborhood parks in the CPA. One regional and nine community parks, and eighteen school sites are also located within the Fruitridge Broadway CPA. Located within one-half mile of MLK Community Garden are the following existing City owned parks:

Park Name	Address	Acreage	Park Type	Amenities
McClatchy Park	3500 5th Avenue	15.2	Community	1 Unlighted Softball Field, 1 Adult Lighted Baseball Field, 1 Lighted Full Size Soccer Field, 2 Basketball Courts, 2 Lighted Tennis Courts, and 1 Restroom
Oak Park	3425 Martin Luther King Jr. Blvd.	8.1	Community	2 Basketball Courts
Temple Avenue Park	3901 34th Street	1.05	Neighborhood	one half Basketball Court
Fourth Avenue Park	4040 4th Avenue	1.07	Neighborhood	1 Basketball Court

The demographic information for the one-half mile service area around the MLK Community Garden is provided below. The MLK Community Garden one-half mile radius serves a population consisting of: 40.9% children and teenagers (ages 0-19); 48.1% adults (ages 20-59); and 11% older adults (ages 60+).

MLK Community Garden Age Distribution (2009)	Total	Percentage
0-4 yr	708	9.3%
5-9 yr	817	10.7%
10-19 yr	1597	20.9%
20-29 yr	1195	15.6%
30-39 yr	1004	13.1%
40-49 yr	886	11.6%
50-59 yr	596	7.8%
60-64 yr	204	2.7%
65+	638	8.3%
Total	7645	100.0%

The tentative construction schedule for this project is 2010.



**RESOLUTION NO. 2009 -**

Adopted by the Sacramento City Council

September 22, 2009

**AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE INDIVIDUAL PROJECT AGREEMENT (2001-0224-224) WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO; EXECUTE AN AGREEMENT FOR TRANSFER OF REAL PROPERTY AND ACCEPT THE PROPERTY AT 3668 MARTIN LUTHER KING, JR. BOULEVARD FROM THE REDEVELOPMENT AGENCY; APPROVE THE MARTIN LUTHER KING, JR. COMMUNITY GARDEN NAME AND MASTER PLAN; AND MAKE RELATED FINDINGS**

**BACKGROUND**

- A. The Martin Luther King, Jr. Boulevard Streetscape and Urban Design Master Plan (MLK Master Plan) was accepted by the City Council and funding for Phase 1 improvements, including a community garden, was approved on September 9, 2008. Funding for the construction of a community garden in the amount of \$150,000 was allocated and an Individual Project Agreement (2001-0224-224) with the Department of Parks and Recreation was approved to implement the project.
- B. Long-term designs of public facilities are reviewed and approved by the City Council.
- C. The Martin Luther King, Jr. Community Garden is a proposed 0.3 acre neighborhood park located at 3668 Martin Luther King, Jr. Boulevard. The Martin Luther King, Jr. Community Garden Master Plan was reviewed and supported by the Parks and Recreation Commission on August 13, 2009.
- D. A project budget of \$311,000 was deemed necessary in order to complete the project. Quimby In-Lieu funds (Fund 2508) in the amount of \$75,000 have been allocated to this project to augment the Community Garden Implementation Fund (L19206000), however, a gap of \$86,000 remains.
- E. The City does not have sufficient funding to pay for the remainder of the Community Garden Implementation project, and the City Council finds that there are no other feasible alternative sources of funding available.
- F. The Redevelopment Agency of the City of Sacramento ("Agency") is willing to allocate \$86,000 of Oak Park Tax Increment Developers Assistance Funds to the Community Garden Implementation project in order to benefit the Oak Park Redevelopment Project Area.

- G. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) Sections 15303 and 15304 (b). A Phase I and a Phase II Environmental Site Assessment were performed and no further environmental investigations are recommended.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The City Manager, or City Manager's designee, is authorized to execute an amendment to the Individual Project Agreement for the MLK Phase 1 Improvements (with Parks and Recreation) (2001-0224-224) with the Redevelopment Agency of the City of Sacramento increasing the amount by \$86,000.
- Section 2. The FY 08/09 Capital Improvement Program is amended by appropriating \$86,000 in Oak Park Tax Increment Developers Assistance Funds to the MLK, Jr. Boulevard Corridor Improvements project.
- Section 3. The City Manager, or City Manager's designee, is authorized to execute an Agreement for Transfer of Real Property with the Redevelopment Agency for the Martin Luther King Jr. Community Garden located at 3668 Martin Luther King Jr. Boulevard (APN 013-0403-044-0000), to accept the transfer of property from the Redevelopment Agency, and to carry out all activities reasonably necessary to accomplish this transfer of property, including the execution and recordation of a certificate of acceptance.
- Section 4. The name "Martin Luther King, Jr. Community Garden" is approved.
- Section 5. The Martin Luther King, Jr. Community Garden Master Plan, attached as Exhibit A, is approved and is part of this resolution.
- Section 6. Pursuant to Section 33445 of the Health and Safety Code of the State of California (California Redevelopment Law), the City Council makes the following findings:
- a) The Community Garden Implementation project ("Project") is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces. The Project will benefit the Redevelopment Project Area by eliminating blighting conditions caused by vacant lots and deliver first-rate public facilities which are critical towards attracting new development to the area and will improve public recreational and educational opportunities to increase the quality of life for existing and future residents.

- b) There are no other reasonable means available to complete the financing of the Project.
- c) The payment of the cost for the Project is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces.

Exhibit A: Martin Luther King, Jr. Community Garden Master Plan

CONCEPT PLAN FOR  
**MARTIN LUTHER KING JR.  
 COMMUNITY GARDEN**  
 CITY OF SACRAMENTO, CALIFORNIA

**PROJECT SUMMARY**

**a** PLOTS:  
 32 10X20 200 SQ FT

OPTIONAL:  
 28 10X20 200 SQ FT  
 8 10X10 200 SQ FT

**b** ACCESSIBLE PLANTERS - 30" TALL:  
 4 4X20 80 SQ FT

**c** ORCHARD TREES:  
 5 FRUIT OR NUT

**d** 2-4 INTERIOR PLANTERS

**e** 3-4 COMPOST BINS

**f** 1 TOOL SHED

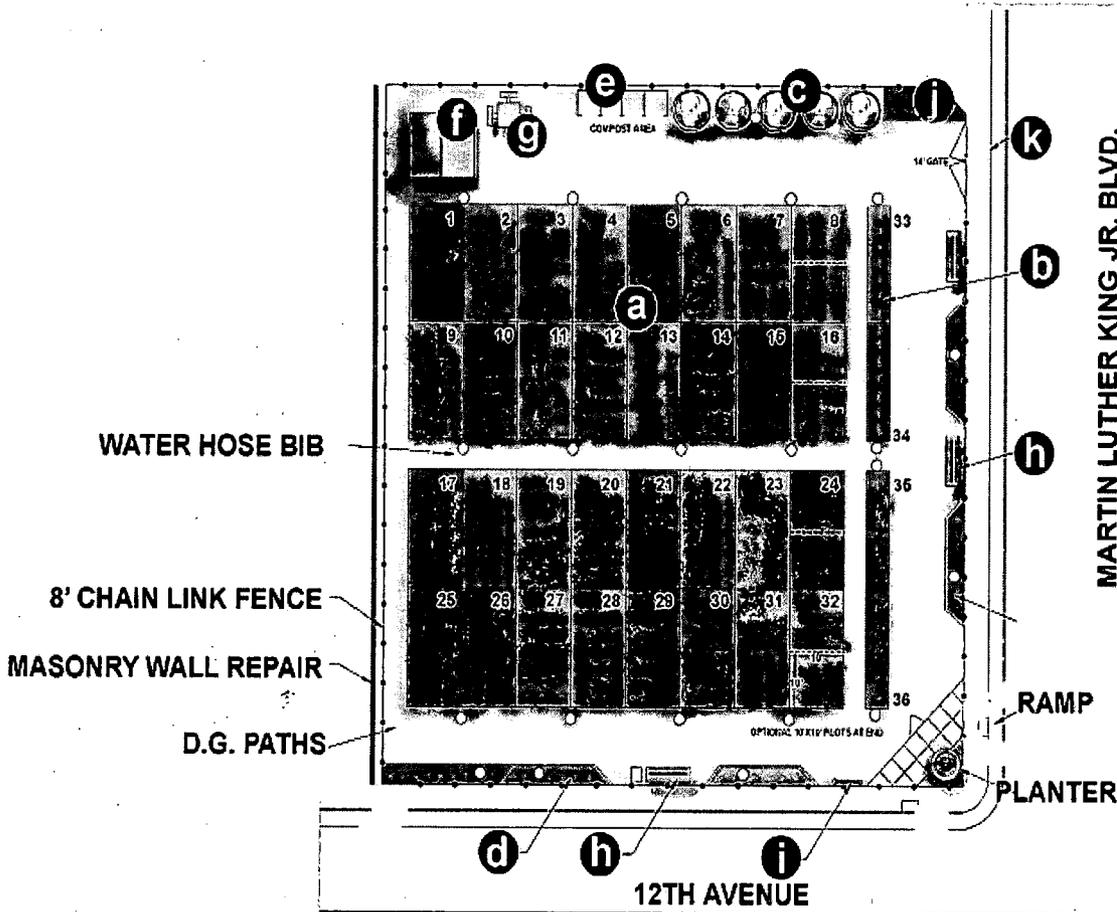
**g** 1 TABLE

**h** 3 BENCHES

**i** 1 BULLETIN BOARD

**j** 1 KIDS GARDENING AREA

**k** NEW DRIVEWAY



NOT TO SCALE



**RESOLUTION NO. 2009 -**

Adopted by the Redevelopment Agency of the City of Sacramento

September 22, 2009

**AUTHORIZATION TO EXECUTE AN AMEUREMENT TO THE 2009 AGENCY  
BUDGET FOR MARTIN LUTHER KING, JR. PHASE I  
IMPROVEMENTS/COMMUNITY GARDEN IMPLEMENTATION; AMEND THE  
INDIVIDUAL PROJECT AGREEMENT (2001-0224-224); TRANSFER PROPERTY AT  
3668 MARTIN LUTHER KING, JR. BOULEVARD FROM THE REDEVELOPMENT  
AGENCY OF THE CITY OF SACRAMENTO TO THE CITY OF SACRAMENTO; AND  
MAKE RELATED FINDINGS**

**BACKGROUND**

- A. The Martin Luther King, Jr. Boulevard Streetscape and Urban Design Master Plan (MLK Master Plan) was accepted by the City Council and funding for Phase 1 Improvements was approved on September 9, 2008. Funding for the construction of a community garden in the amount of \$150,000 was allocated and an Individual Project Agreement (2001-0224-224) with the Department of Parks and Recreation was approved to implement the project.
- B. The community garden site at 3668 Martin Luther King, Jr. Boulevard is located within the Oak Park Redevelopment Project Area and will benefit the Project Area residents. The Community Garden Implementation project is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces. The Community Garden Implementation project will benefit the Redevelopment Project Area by eliminating blighting conditions caused by vacant lots and deliver first-rate public facilities which are critical towards attracting new development to the area and will improve public recreational and educational opportunities to increase the quality of life for existing and future residents.
- C. The Agency considers it desirable to provide \$86,000 in funding to the MLK Phase 1 Improvements for the Community Garden Implementation project using Oak Park Tax Increment Developers Assistance funds. The Council has determined that no current alternative funding sources are available for this Project.
- D. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) Sections 15303 and 15304 (b). A Phase I and a Phase II Environmental Site Assessment were performed and no further environmental investigations are recommended.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY RESOLVES AS FOLLOWS:**

- Section 1. The Executive Director, or Executive Director's designee, is authorized to amend the 2009 Agency budget by transferring \$86,000 in Oak Park Tax Increment Developers Assistance Funds to the MLK Jr. Blvd Corridor Improvements project to implement the Community Garden.
- Section 2. The Executive Director, or Executive Director's designee, is authorized to amend the Individual Project Agreement for the MLK Phase 1 Improvements (with Parks and Recreation) (2001-0224-224) with the City of Sacramento by increasing the amount by \$86,000.
- Section 3. The Executive Director, or Executive Director's designee, is authorized to transfer the property located at 3668 Martin Luther King, Jr. Boulevard (APN 013-0403-044-0000) to the City of Sacramento at no cost.
- Section 4. Pursuant to Section 33445 of the Health and Safety Code of the State of California (California Redevelopment Law), the Redevelopment Agency makes the following findings:
- a) The Community Garden Implementation project ("Project") will benefit the Redevelopment Project Area by eliminating blighting conditions caused by vacant lots and deliver first-rate public facilities which are critical towards attracting new development to the area and will improve public recreational and educational opportunities to increase the quality of life for existing and future residents.
  - b) There are no other reasonable means available to complete the financing of the Project.
  - c) The funding of the Project is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces.