



Legislation Details (With Text)

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<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	9/15/2016	<b>In control:</b>	Recreation, Libraries and Authorities
<b>On agenda:</b>	9/26/2016	<b>Final action:</b>	9/26/2016
<b>Enactment date:</b>		<b>Enactment #:</b>	

**Title:** RESOLUTION AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH COMMUNITY ACTION DULUTH FOR USE OF REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO OPERATE A COMMUNITY GARDEN THROUGH ITS SEEDS OF SUCCESS PROGRAM.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1

Date	Ver.	Action By	Action	Result
9/26/2016	1	City Council	adopted	
9/26/2016	1	Mayor	approved	

RESOLUTION AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH COMMUNITY ACTION DULUTH FOR USE OF REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO OPERATE A COMMUNITY GARDEN THROUGH ITS SEEDS OF SUCCESS PROGRAM.

**CITY PROPOSAL:**

RESOLVED, that the proper city officials are hereby authorized to execute a three-year lease agreement, substantially the same as the agreement attached as Exhibit 1, with Community Action Duluth, for the use of real property located at 813 and 815 E. Thirteenth Street for its Seeds of Success program.

**STATEMENT OF PURPOSE:** This resolution authorizes a three-year lease agreement with Community Action Duluth (“CAD”) for use of real property in the Kenwood neighborhood located at 813 and 815 E. Thirteenth Street to operate a community garden through CAD’s Seeds of Success program. CAD’s Seeds of Success program is an urban agricultural and transitional employment program that provides unemployed Duluthians transitional employment by growing vegetables in vacant lots. The produce from the gardens is sold at the Lincoln Park Farmer’s Market to meet food access needs for the community.

The city acquired the two lots in 2014 and 2015 using state grant funds that restricted use of the properties compatible with open space, recreational, or wetlands management practices. The properties are also restricted from the building of structures or subsequent re-conveyances. A community garden is an allowable and permitted use of the properties.

CAD shall lease the real property from the City at no cost. The consideration for the lease shall instead be the public benefit provided by CAD through its Seeds of Success program and community garden operation. Under the terms of the lease agreement, CAD is responsible for all duties and

costs associated with the use of the property, including maintenance and utilities. The City reserves the right to terminate the lease if CAD abandons the property or ceases to use it for its Seeds of Success program.