


0220-05166-0003

**T R A N S M I T T A L**

TO Council	DATE 03-23-22	COUNCIL FILE NO. 18-0630-S1
FROM Municipal Facilities Committee		COUNCIL DISTRICT 7

At its meeting held on February 24, 2022, the Municipal Facilities Committee (MFC) approved the request to execute an amendment to revise the term period of the Adopt-A-Lot (AAL) master license agreement between the City and Kounkuey Design Initiative (KDI), a non-profit 501 (c)(3), for the continued operation of the AAL Pilot Program. The revised master license agreement will extend the initial contract term of September 19, 2019 through February 19, 2022, by an additional three years, for a revised contract termination date of February 19, 2025.

There is no impact on the General Fund, as no revenue generations would be associated with the individual license agreements and all associated operational costs would be incurred by the respective non-profit operators.

  
for **Matthew W. Szabo**  
City Administrative Officer  
Chair, Municipal Facilities Committee

MWS:ACG:05220100

# CITY OF LOS ANGELES

CALIFORNIA

TONY M. ROYSTER  
GENERAL MANAGER  
AND  
CITY PURCHASING AGENT



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
GENERAL SERVICES  
ROOM 701  
CITY HALL SOUTH  
111 EAST FIRST STREET  
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(213) 928-9555  
FAX No. (213) 928-9515

February 24, 2022

Honorable City Council  
City of Los Angeles  
c/o City Clerk  
Room 305, City Hall  
Los Angeles, CA, 90012

Attention: Michael Espinosa, Legislative Assistant

## **REQUEST AUTHORITY TO AMEND THE MASTER LICENSE AGREEMENT WITH THE KOUNKUEY DESIGN INITIATIVE FOR THE ADOPT-A-LOT PILOT PROGRAM**

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The Department of General Services (GSD) requests authority to execute an amendment to revise the term period of the Adopt-A-Lot (AAL) master license agreement between the City and Kounkuey Design Initiative (KDI), a non-profit 501(c)(3), for the continued operation of the AAL Pilot Program.

### **BACKGROUND**

On December 12, 2018, the City Council approved a Master License Agreement (CF 18-0630) with Kounkuey Design Initiative (C-134037) to implement the AAL Pilot Program. Furthermore, Council District Office 7 (CD7), introduced a new motion (CF: 18-0630-S1) to extend the term period of the AAL Pilot Program master license agreement by an additional three years. The motion was approved City Council on February 9, 2022.

KDI, within the programming structure administers temporary uses of up to ten city-owned parcels reimagining each lot into productive community assets, promoting community cohesion and environmental sustainability. Under the framework and process of the Adopt-A-Lot Pilot Program, GSD requests authority from the Municipal Facilities Committee (MFC), along with a Community Benefit Analysis (CBA) prepared by the City Administration Office (CAO), for each new lot activation. Additionally, the AAL Master License Agreement authorizes KDI to sub-license each site to a programming provider in order to implement AAL programming.

KDI has implemented three lots in the AAL Pilot Program located at 15201 Tupper St., Los Angeles 91343 (Tupper), 1631 E. 110th St., Los Angeles 90059 (110th) and 5154 E. Wadena St., Los Angeles 90032 (Wadena). Each lot activation has received strong community support.



KDI requested an amendment to the master license to extend the term in order to overcome the current challenges to the AAL Pilot Program. The pandemic is the single prevailing challenge with the need to close the active lots for six months. Los Angeles Neighborhood Land Trust (LANLT) has expressed strong interest in 'adopting' each lot out of the AAL Pilot Program through a long-term lease with the City. LANLT is a robust organization capable of long-term transformative, sustainable community space management. Thus, the AAL Pilot Program can be used as a springboard to permanent adoption.

### **TERMS AND CONDITIONS**

The revised master license will extend the term period of the AAL Program Master License, entered into on September 19, 2019 and ending on February 19, 2022, by an additional three years from February 20, 2022 to February 19, 2025 at zero-cost. A complete set of terms and conditions are outlined on the attached term sheet.

### **MAINTENANCE/UTILITIES/LANDSCAPING**

KDI shall maintain all active AAL sites in good and sanitary condition. Any repairs, alterations or other improvements required from the specific use of the site by Licensee shall be performed by Licensee at Licensee's sole cost and expense. Licensee will also be responsible for all utilities if applicable.

Landscaping, if any, will be maintained by the selected provider for each site.

### **FISCAL IMPACT**

There is no impact to the General Fund. No revenue will be generated from this activation during the term.

### **RECOMMENDATION**

That the Los Angeles City Council, subject to the approval of the Mayor, authorize GSD to execute an amendment to revise the term period of the Adopt-A-Lot master license agreement with Kounkuey Design Initiative, a non-profit 501(c)(3), for the continued operation of the Adopt-A-Lot Pilot Program.



Tony M. Royster  
General Manager

Attachments: Term Sheet  
Original AAL Pilot Program Report

## LEASING TERM SHEET

MFC DATE

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LANDLORD

ADDRESS

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TENANT

ADDRESS

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LOCATION

AGREEMENT TYPE

USE

SQUARE FEET

TERM

RENT START DATE

LEASE START DATE

OPTION TERM

HOLDOVER

SUBLET/  
ASSIGNMENT

TERMINATION

RENTAL RATE

ESCALATION

RENTAL ABATEMENT

ADDITIONAL RENT

PROPERTY TAX

OPEX

CAM

OTHER	n/a
SECURITY DEPOSIT	n/a
MAINTENANCE/ REPAIR	Tenant
MAINTENANCE/ REPAIR DETAILS	All maintenance to the licensed area will be at the sole cost of the Licensee
TENANT IMPROVEMENTS	All Tenant Improvements will be at the sole cost of the Licensee
PARKING	n/a
UTILITIES	Any/all utilities will be paid by Licensee and separately metered.
CUSTODIAL	Provided by the licensee during operating hours of the AAL Program
SECURITY	Provided by the licensee during operating hours of the AAL Program
PROP 13 PROTECTION	Other
	n/a
INSURANCE	Tenant shall indemnify and hold harmless the City
OTHER:	

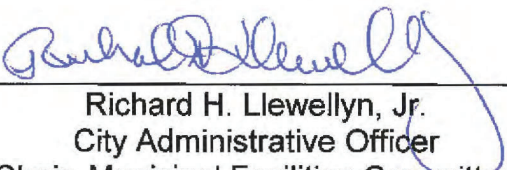
0220-05166-0002

**TRANSMITTAL**

TO Council	DATE 11-28-18	COUNCIL FILE NO. 18-0630
FROM Municipal Facilities Committee		COUNCIL DISTRICT Various

At its meeting held on November 15, 2018, the Municipal Facilities Committee (MFC) adopted the recommendations of the attached General Services Department (GSD) report, which is hereby transmitted for Council consideration. Adoption of the report recommendations would authorize GSD to negotiate and execute a new Master License Agreement with Kounkuey Design Initiative (KDI) to implement the Adopt-A-Lot (AAL) Pilot Program and delegate authority to the MFC to authorize the assignment of sub-licenses to operate up to ten (10) sites participating in the AAL program. KDI, a non-profit design and community development organization, will administer temporary uses of the participating city-owned parcels for a period of 18 months with zero rent payments and two 6-month options to extend at the City's sole discretion.

There is no General Fund impact. KDI will be responsible for monitoring and maintaining the sites, ensuring they are kept clean and free of nuisance materials and activities. No revenue to the General Fund will be generated during the license period.

  
Richard H. Llewellyn, Jr.  
City Administrative Officer  
Chair, Municipal Facilities Committee

RHL:MGR:05190067c

CITY OF LOS ANGELES  
CALIFORNIA

TONY M. ROYSTER  
GENERAL MANAGER  
AND  
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November 15, 2018

Honorable City Council  
City of Los Angeles  
c/o City Clerk  
Room 395, City Hall  
Los Angeles, CA 90012

Attention: Leyla Campos, Legislative Assistant

**REQUEST AUTHORIZATION TO NEGOTIATE AND EXECUTE  
A NEW MASTER LICENSE AGREEMENT WITH KOUNKUEY  
DESIGN INITIATIVE FOR THE ADOPT-A-LOT PILOT PROGRAM**

The Department of General Services (GSD) requests authorization to negotiate and execute a master license agreement with Kounkuey Design Initiative (KDI), a non-profit 501(c)(3) organization, for use of up to ten City-owned vacant lots in the Adopt-A-Lot (AAL) Pilot Program.

**BACKGROUND**

On June 27, 2018, Council District 7 introduced a motion (C.F. 18-0630), now referred to Information, Technology and General Services Committee, instructing GSD to negotiate and execute a master license agreement with KDI to implement the AAL Pilot Program. KDI will administer temporary uses of up to ten City-owned parcels for a period of 18 months with zero rent payments.

GSD manages over 450 City-owned vacant lots. These lots are targets for illegal dumping, crime, nuisances, and are sources of site contamination and neighborhood deterioration. The City currently spends approximately \$660,000 annually on nuisance abatement for City-owned properties, while many go unmaintained due to limited resources. Neighborhoods with high concentrations of blighted vacant lots are the same neighborhoods that have limited access to parks, open spaces, healthy food options, cultural features, locally-controlled economic venues, and other community-serving public spaces.

Free Lots Los Angeles (FLA) is a collaborative of five community-based non-profit organizations that convened to address the issue of vacant lots and seeks to empower local residents to utilize vacant lots through a comprehensive city-wide policy change. The lead FLA agency, KDI, is a



non-profit design and community development organization who partners with under-resourced communities to advance equity and activate the unrealized potential in neighborhoods and cities. KDI accomplishes this mission through advocacy, research, planning, and built works.

### LOT USES

The goal of the AAL pilot program is to reimagine the potential of vacant lots as productive community assets; promote community interaction and cohesion through the use and stewardship of public space; enhance environmental quality and improve quality of life; and maximize the use of public land for public benefit.

Below is a list of potential allowable lot uses through the AAL Pilot Program:

- **Community hub** - communal spaces for neighborhood-serving activities
- **Recreation space** - temporary spaces for active and passive recreation
- **Urban agriculture** - growing of edible and non-edible plants, such as vegetables and flowers
- **Clean and green** - debris removal and ongoing maintenance, such as tree and shrub trimming
- **Community marketplace** - community selling of food and goods

### FRAMEWORK + PROCESS

Through this program, KDI would be provided with use rights to the vacant lots, work with the local Council office and non-profits to develop programming activities and oversee implementation. As plans for each lot develop, GSD will report to the Municipal Facilities Committee (MFC) on the recommended assignment of the sub-licenses and associated service(s). This report will include a Community Benefit Analysis (CBA) prepared by the Office of the City Administrative Officer (CAO) for the specific site and be subject to MFC approval before proceeding with implementation.

While under their oversight, KDI will be responsible for monitoring and maintaining the sites, ensuring they are kept clean and free of nuisance materials and activities.

For each vacant lot, KDI and its partners in the FLA Collaborative will manage a comprehensive community process to result in community-led vacant lot transformation projects. This process will include environmental review, community outreach, application administration, technical assistance, application review, and project selection. Further details are included in Attachment I.

KDI will have the ability under the master license to add/delete lots not to exceed 10 lots in the program. The City will retain unilateral rights to terminate any or all sites with a 30-day notice during the term of the agreement.

### ONGOING AND POST-PILOT DELIVERABLES

During the 18 month pilot period, KDI will submit to City stakeholders quarterly reports to discuss AAL implementation progress and challenges. At the end of the pilot period, KDI will submit a final report with program development recommendations to help the City build upon the pilot-program and help establish a permanent program. Also, within six months of the end of the pilot period,



FLA will develop an AAL community toolkit to provide guidance on the application process and lot design and furnishings.

### TERMS AND CONDITIONS

Working with local Council offices, KDI has identified the first six lots for the master license:

#### LOCATION:

	Council District	Address	APN
1	7	15201 Tupper St, North Hills, CA 91343	2656024900
2	8	3950 S Hobart Blvd, Los Angeles, CA 90018	5036027901
3	14	5154 E WADENA ST, Los Angeles, CA 90032	5309004905
4	15	1831 E 108th St, Los Angeles, CA 90059	6065036900
5	15	1631 E 110TH ST, Los Angeles, CA 90059	6069009900
6	15	121 E "E" St, Los Angeles, CA 90744	7418006900

ADDITIONAL SITES:	Add/Delete sites as needed subject to the approval of the MFC
LANDLORD:	City of Los Angeles
USE:	Various uses as outlined in this report
SQUARE FEET:	Varies
TERM:	18 months
OPTION TERM:	Two 6-month extensions at City sole discretion
RENTAL RATE:	\$0 per year
ADDITIONAL RENT:	N/A
SECURITY DEPOSIT:	No security deposit required
UTILITIES:	All utilities will be paid by Licensee and separately metered
PARKING:	N/A
TENANT IMPROVEMENTS:	All Tenant Improvements will be at the sole cost of the Licensee
CUSTODIAL SERVICE:	All custodial services will be at the sole cost of the Licensee
MAINTENANCE:	All maintenance to the licensed space(s) will be at the sole cost of the Licensee
TERMINATION RIGHTS:	30-day notice at City sole discretion

PUBLIC BENEFIT

The activities conducted by KDI at the participating Adopt-A-Lot sites are for the sole purpose of implementing the proposed pilot program on behalf of the City by performing the activities as presented in this report and reflected in the recommended license agreement. Since KDI will only have an incidental use of the sites participating in the Adopt-A-Lot pilot program, to include clean-up activity and an occasional site(s) access to facilitate selection of a site operator(s), a CBA is not required at this time. The CBA will be prepared when the operational use of a site and a proposed operator has been identified.

The activities KDI will perform under the proposed license agreement provides various forms of public benefit to the City and the local communities where the sites are located. As stated previously, to utilize the sites for a community purpose, the City would incur costs for nuisance abatement and site remediation. The City would also incur administrative costs. Further, the additional benefits to the local communities would include the direct services provided through the sub-licensees selected to operate the participating sites, along with the deterrent of unwanted activities that may occur absent a dedicated presence on site.

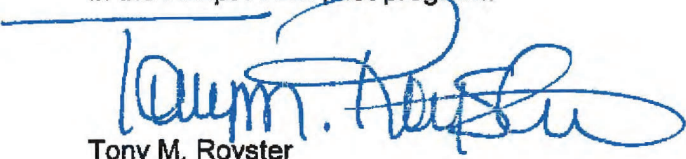
At the time an operational use and proposed operator for a specific site is selected, a CBA, along with the GSD report and any additional information to be provided by KDI detailing the selection process will be prepared for MFC's consideration

FISCAL IMPACT

No revenue will be generated from this license agreement to the General Fund during the license period.

RECOMMENDATION

That the Los Angeles City Council authorize the Department of General Services to execute a master license agreement with Kounkuey Design Initiative under the terms and conditions substantially as outlined in this report and delegate authority to the Municipal Facilities Committee to authorize the assignment of sub-licensees to operate up to ten sites participating in the Adopt-A-Lot pilot program.



Tony M. Royster  
General Manager

Attachment

## Attachment I

### FRAMEWORK + PROCESS

1. **Environmental Review.** City's Brownfields Program will assess the environmental condition of the proposed lots and conduct Phase I Environmental Site Assessments (ESA) to assess whether chemicals of concern may exist and determine if additional environmental investigations are needed to evaluate if the chemicals of concern present a risk to human health and the environment.
2. **Community Outreach.** In order to promote the AAL program to community stakeholders and solicit applications, FLA will partner with a local community-based organization that serves the neighborhood surrounding the vacant lot and/or conduct on-the-ground community outreach to residents, businesses, and institutions located within a ½-mile radius of the vacant lot.
3. **Application Administration.** Following community outreach, FLA will administer AAL application forms to all interested parties. The application will consist of two parts: (1) an Initial Interest Form, and (2) a Comprehensive Application requiring a detailed project description; plans for site design, maintenance, and programming; and proof of community support.
4. **Technical Assistance.** FLA will provide technical assistance for all applicants seeking to complete the Comprehensive Application, including assisting with project budgeting as well as site design, maintenance, and programming. For applicants seeking to create a community marketplace as part of their project, FLA will provide additional guidance to ensure applicants are aware of and can execute the additional responsibilities of a community marketplace.
5. **Application Review.** FLA will develop selection criteria to assess the project proposal, applicant capacity, and community benefit. An application review board consisting of FLA member organizations and community experts will evaluate applications based on the selection criteria and select one top application per vacant lot. FLA will also present proposed uses to CAO and City stakeholders for liability review.
6. **Project Selection.** Once the application review board has made its selection, FLA will present the top application to the Municipal Facilities Committee for its final review and approval. The approved applicant will "adopt" the vacant lot for up to one year to implement a community-serving project.