

RESOLUTION NO. 13-117 N.C.

AMENDING THE FISCAL YEAR 2013-2014 CIP BUDGET, AUTHORIZING THE IMPLEMENTATION OF (PB E5 PROJECT) COMMUNITY GARDENS AND NUTRITION EDUCATION

WHEREAS, Pursuant to Resolution No. 12-064 N.C. the City Council of the City of Vallejo declared its intent to establish a Participatory Budgeting process with the goal of allocating a minimum of 30% of the 1% sales tax monies, Measure B funds, collected over a 15 month period from April 1, 2012 through June 30, 2013; and

WHEREAS, upon the completion of the Participatory Budgeting election process, the results were presented to this Council on May 28, 2013, and twelve projects were selected by the public, including 'Community Gardens and Nutrition Education' as described in the PB E5 Project, Community Gardens and Nutrition Information, 'Description of voter Approved Project Proposal' attached to the staff report on that date, hereinafter, the "Project"; and

WHEREAS, Pursuant to Resolution No. 12-138 N.C. the Council adopted the Participatory Budgeting Rulebook determining that Participatory Budgeting Projects are eligible for funding if they meet the following criteria:

1. They benefit the public.
2. Are a one-time expenditure that can be completed with funds from the FY2012/2013 budget.
3. Are implemented by the City of Vallejo, or in collaboration with the Vallejo City Unified School District, the Greater Vallejo Recreation District, or any other Public Agency, non-profit organization, or religious institution that operates in Vallejo. Projects implemented by non-city public agency must also include financial or value in kind contributions. Projects implemented by non-profit organizations or religious institutions must also meet the eligibility guidelines used by the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program; and

WHEREAS, local government leaders are in a unique position to promote healthy eating and active living in their communities by supporting community gardens; and

WHEREAS, community gardens are places where neighbors can gather to cultivate plants, vegetables and fruits and such gardens can improve nutrition, physical activity, community engagement, safety, and economic vitality for a neighborhood and its residents; and

WHEREAS, Sixty-five percent of adults in the U.S. are overweight or Obese², and more than 33 percent of children and adolescents are obese or at risk for becoming obese³. For adults, the potential health consequences of obesity include cardiovascular disease, hypertension, type 2 diabetes, Osteoporosis and some cancers. Obese children are at a greater risk than normal weight children for developing type 2 diabetes, hypertension, high cholesterol, sleep apnea and orthopedic problems. In addition to the potential health consequences, obesity creates a substantial economic burden for the U.S. The direct and indirect health costs associated with

² *National Health and Nutrition Examination Survey*, Hyattsville, MD: National Center for Health Statistics, 2002

³ Ogden CL, Carroll MD, Curtin LR, et al. "Prevalence of Overweight and Obesity in the United States, 1999-2004." *Journal of the American Medical Association*, 295 (13): 1549-1555, 2006.

obesity are estimated at \$117 billion per year nationwide, in the form of worker absenteeism, health care premiums, copayments and out-of-pocket expenses ⁴; and

WHEREAS, limited access to healthy foods, such as fruits and vegetables, is a major barrier to healthy eating. Low-income, underserved communities are at the highest risk for obesity because they often lack supermarkets, leaving convenience stores or fast-food chains as the main source of meals ⁵; and

WHEREAS, expensive fruits and vegetables may also be cost prohibitive for low-income families and community gardens provide residents of underserved communities the opportunity to grow their own fruits and vegetables, increasing access and affordability; and

WHEREAS, The U.S. Surgeon General, along with the U.S. Centers for Disease Control and Prevention and the American College of Sports Medicine, recommend getting a minimum of 30 minutes of moderate-intensity physical activity on most days of the week for adults and 60 minutes of moderately or vigorously intense activity most days of the week for children and adolescents. Unfortunately, nearly 40 percent of adults and 23 percent of children do not get any free-time physical activity⁶; and

WHEREAS, gardening is a recommended form of moderate physical activity and community gardening can encourage more active lifestyles by providing children and adults the opportunity to exercise by stretching, bending, walking, digging and lifting tools and plants; and

WHEREAS, according to Local Government Commission (LGC), Community garden programs with the following characteristics have the greatest potential to strengthen their communities⁷:

- Target or include lower-income residents.
- Include neighbors of various ages, races and ethnic backgrounds.
- Provide an open space for community gatherings and family events.
- Offer educational opportunities and vocational skills for youths.
- Enable gardeners to sell their produce through a local farmer's market.
- Build in a method to encourage the donation of surplus produce to food shelters; and

WHEREAS, on July 9, 2013 City Council approved a Resolution of Intention to amend the Fiscal Year 2013-2014 budget.

WHEREAS, the Council has received evidence and testimony on the Project.

⁴ *The Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity*. Washington, DC: US Department of Health and Human Services, Public Health Service, Office of the Surgeon General, 2001. (Available at: <http://www.surgeongeneral.gov/library/calls/obesity/index.html>)

⁵ *Transportation and Food: The Importance of Access*. Center for Food and Justice, Urban Environmental Policy Institute, October 2002. Available at: http://departments.oxy.edu/uepi/cfj/publications/transportation_and_food.pdf.

⁶ A Nation at Risk – Childhood Obesity Sourcebook - (Physical activity levels among children aged 9–13 years — United States, 2002. MMWR 2003;52[33]:785–8) and (National Center for Health Statistics. National Health Interview Survey, 1999–2001).

⁷ See: http://www.lgc.org/freepub/docs/community_design/fact_sheets/community_gardens_cs.pdf; more info available at <http://www.worldhungeryear.org/fslc>.

NOW, THEREFORE, BE IT RESOLVED that the City of Vallejo finds the foregoing recitals to be true and additional finds that implementing this Project will provide a public benefit based on the recitals above and offer physical and mental health benefits to the public by providing opportunities to:

- Eat healthy fresh fruits and vegetables.
- Engage in physical activity, skill building, and creating green space.
- Beautify vacant lots.
- Revitalize communities in industrial areas.
- Revive and beautify public parks.
- Create green rooftops.
- Decrease violence in some neighborhoods, and improve social well-being by strengthening social connections.

BE IT FURTHER RESOLVED that the following conditions must be met prior to the disbursement of funds to each project proponent:

1. Site control and approval required. Project proponents must obtain site control and administrative site planning approval at the following Location(s):
 - a. Global Center for Success: 1055 Azuar Avenue Mare Island CA 94592;
 - b. Loma Vista Farms: 150 Ranier Drive Vallejo CA 94591;
 - c. Reynaissance Family Center: 2160 Sacramento Street Vallejo CA 94590;
 - d. Cave Language Academy: 770 Tregaskis Vallejo, CA 94591;
 - e. Omega Boy's and Girls Club: 1 Positive Place Vallejo CA 94589;
 - f. Saint Vinnie's Community Garden: corner of Louisiana and Marin Streets Vallejo CA 94590;
 - g. Mira Theater Guild: 51 Daniels Avenue Vallejo CA 94590, Jesse;
 - h. Bethel High School: 1800 Ascot Parkway Vallejo CA 94591;
 - i. California-Maritime Academy: 200 Maritime Academy Vallejo CA 94589;
 - j. Kyles Temple: corner of Solano Avenue and Illinois Street Vallejo CA 94590;

Actual siting of the garden use at above locations needs to be approved by Planning and Dept. of Public Works (DPW), after input from project proponents.

2. California Environmental Quality Act (CEQA). Depending on location and concurrent with administrative approval, City staff will evaluate the project's environmental impact and determine whether the project is exempt from CEQA or requires environmental review.
3. Each project proponent must submit grant applications(s) with specific eligibility requirements which will be established by the City Manager in a form as approved by the City Attorney. The Grant application must include the following proof of eligibility:
 - a. A description of the proposed budget and the goods and services expected as a result.
 - b. A description of the specific benefits being provided to the public.


- c. Pursuant to Cal.Gov. Code § 1090, no person who participated in any capacity (whether as a delegate, proponent or advisor) during the Participatory Budgeting Process for this Project may personally benefit by receipt of any funds contained in any grant agreement for this Project authorized by this resolution.
4. Key Conditions prior to Disbursement of Funds.
 - a. Process administrative approval for siting at foregoing locations.
 - b. Grant agreement(s) in amounts consistent with Project Proposal Form and which incorporate(s) above principles need to be executed, in a form approved by the City Attorney. Each location can proceed individually to meet their requirements and obtain grant funds.
 - c. Private nonprofit project proponents need to show proof of eligibility, ability to contract and demonstrate ability to deliver services to the public among other requirements consistent with this resolution.
 - d. Pursuant to Cal.Gov. Code § 1090, no person who participated in any capacity (whether as a delegate, proponent or advisor) during the Participatory Budgeting Process for this Project may personally benefit by receipt of any funds contained in any grant agreement for this Project authorized by this resolution.
 5. Disbursement of Grant Funds.
 - a. Grant funds will be disbursed through a structured program. The program will include direct payment to local vendors for materials and to professional contractors for specific services.
 - b. Funds will be administered through a purchase order system.
 - c. Goods and services will be required to be purchased at or completed by local vendors.
 - d. In most cases, project applicants will not receive City funds directly.

FURTHER, BE IT RESOLVED that subject to the findings and the conditions set forth in this resolution, the City Council hereby:

1. Amend the Fiscal Year 2013-2014 General Fund and Capital Improvement Program (CIP) Budgets, redistributing \$146,500 from Project Number PB-000 in the CIP Budget to the City's General Fund to implement the Project, and authorizes the City Manager the administrative authority to execute any and all agreements, subject to review by the City Attorney, and to take any and all required actions to implement the Project, consistent with this Resolution, the Vallejo Municipal Code, the PB Rule book and any other applicable authority and additionally authorizes him to amend the project so as to ultimately promote the goals of the Project as set forth in the 'Description of voter-approved Project Proposal'.
2. Directs the City Manager to report to the City Council once the project is complete.

Adopted by the City Council of the City of Vallejo at a regular meeting held on July 23, 2013 by the following vote:

AYES: Mayor Davis, Vice Mayor Gomes and Councilmembers Brown, Malgapo,
McConnell, Sampayan, and Sunga
NOES: None
ABSTAIN: None
ABSENT: None



OSBY DAVIS, MAYOR

ATTEST:



DAWN G. ABRAHAMSON, CITY CLERK