



**Novato
Community Garden**
Novato Live Well Network

December 13, 2015

Michael Frank, City Manager
Cathy Capriola, Assistant City Manager
City of Novato
922 Machin Avenue
Novato, CA 94945

RE: Letter Emailed Dec 7, 2015 – Re: Novato Community Garden O’Hair Park Agreement Status Report

Dear Michael & Cathy,

We received your email with the letter attached dated December 7, 2015 regarding the Novato Community Garden at O’Hair Park. We were surprised to read its contents, as in good faith, we have done everything that City Staff have directed us to do with regards to the Community Garden.

As a reminder, back in early 2014 Novato Live Well Network (NLWN) Board Members had discussions with City Staff and Council Members about finding City funds to pay for the shared entry way to the Community Garden site and the parking area. The City Council supported the City Staff’s efforts in find funds via measure A or other funding sources to pay for the construction of the entry way and the parking area for the Community Garden, which Novato Live Well Network designed and it was approved by the City engineering staff.

Since this time, NLWN has waited patiently for the promised road work and Community Garden parking area. We understood that since the Dogbone Meadow Park parking area was going to be re-designed and re-paved, we had to wait until these plans were finalized. And, we understood we could not build the Community Garden until the entry way and parking area were completed. We were informed that the work would begin sometime in the middle or the end of summer in 2014 and that the construction would be done by the City of Novato. We waited patiently as requested by City Staff, as negotiations need to take place with the Dogbone Meadow Park users.

As we waited, we checked in regularly with City Staff on the progress and estimated time of the construction. There were delays with the plans, but we were assured that in a few weeks construction would begin on the entry way and parking area.

In January 2015, anticipating the entry and parking construction to begin soon, we began our outreach efforts in recruiting volunteers and service organizations to collaborate with us in the construction of the Community Garden. In February 2015 when City Council members heard that the Community Garden had not been built yet because of the entry/parking delays, renewed efforts were made to move things forward. By mid-March 2015, with no construction in sight, we were contacted by City Staff to have a meeting to discuss the status of the road work construction and the Community Garden. At this meeting, we were informed that another property at a different location may be available for the Community Garden. The site is more centrally located and is surrounded by apartment complexes and condominiums

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Growing a healthy community from the ground up!

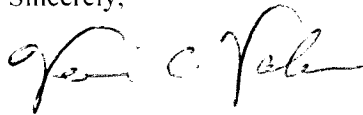
and therefore would provide easy access to the demographics we hope to serve. NLWN Board Members in attendance saw the positive potential of this site. But, we made it clear to City Staff that we do not want to break the O'Hare property lease nor abandon the O'Hare site until we had an agreement with the City for the alternative property. Because the City at the time had not acquired the property in question, as they were in negotiations with the property owners, we were asked to keep this matter confidential and not discuss this with anyone. We honored this request. We were informed that negotiations to acquire the property should be completed shortly. We checked in monthly with City Staff as to the status of the negotiations. We were repeatedly told, "Soon. Be patient." So we waited and did not participate in any public dialog regarding the possible new site (nor the current site) so as not to jeopardize the current negotiations of the new property. We also suspended our public outreach to not cause confusion during the City negotiations of the new site, as we had agreed to not reveal this potential new location.

In this letter we received from you, we were surprised to read, "*The approval and time extension was granted for two years, which expired in September 2015. A lease agreement #4603, was entered into October 2012, following the first Design Review approval in September 2011, and has also expired.*" We do not agree with these statements. The delays to the construction of the Community Garden was due to the delays in the design and construction of the entry way and parking for the Dog Bone Meadow Park, which was under the control of the City of Novato. During these delays, we complied with all requests from City Staff. In addition, we were never informed nor contacted that our Design Review approval would expire September 2015 and that it would impact our lease agreement. In the past we were contacted and received written notification.

This letter is intended as a *private* conversation between NLWN Board and City Staff and this should remain private until details are ironed out.

We would like to meet with you both, as soon as possible, to discuss this matter and we look forward to collaborating to make the Novato Community garden a reality.

Sincerely,



Veronica Valero
Executive Director, Board Member



Diet Stroeh
Community Garden Site Manager, Board Member

And,

David Selzer, Sunita Stablein, Charlotte Torgovitsky
Novato Live Well Network Board Members